Solano Transportation Authority

SOLANO TRANSPORTATION AUTHORITY
BOARD MEETING AGENDA

Wednesday, March 18, 2009, 6:00 p.m.
(Continued Regular Meeting)

Suisun City Hall Council Chambers
701 Civic Center Drive
Suisun City, CA 94585

Mission Statement: To improve the quality of life in Solano County by delivering transportation system projects to ensure mobility, travel safety, and economic vitality.

Public Comment: Pursuant to the Brown Act, the public has an opportunity to speak on any matter on the agenda or, for matters not on the agenda, issues within the subject matter jurisdiction of the agency. Comments are limited to no more than 3 minutes per speaker unless modified by the Board Chair, Gov't Code § 54954.3(a). By law, no action may be taken on any item raised during the public comment period (Agenda Item IV) although informational answers to questions may be given and matters may be referred to staff for placement on a future agenda of the agency.
Speaker cards are helpful but not required in order to provide public comment. Speaker cards are on the table at the entry in the meeting room and should be handed to the STA Clerk of the Board.

Americans with Disabilities Act (ADA): This agenda is available upon request in alternative formats to persons with a disability, as required by the ADA of 1990 (42 U.S.C. §12132) and the Ralph M. Brown Act (Cal. Govt. Code §54954.2). Persons requesting a disability related modification or accommodation should contact Johanna Masiclat, Clerk of the Board, at (707) 424-6008 during regular business hours at least 24 hours prior to the time of the meeting.

Staff Reports: Staff reports are available for inspection at the STA Offices, One Harbor Center, Suite 130, Suisun City during regular business hours, 8:00 a.m. to 5:00 p.m., Monday-Friday. You may also contact the Clerk of the Board via email at jmasiclat@sta-snci.com. **Supplemental Reports:** Any reports or other materials that are issued after the agenda has been distributed may be reviewed by contacting the STA Clerk of the Board and copies of any such supplemental materials will be available on the table at the entry to the meeting room.

Agenda Times: Times set forth on the agenda are estimates. Items may be heard before or after the times shown.

	ITEM	BOARD/STAFF PERSON
I.	**CALL TO ORDER/PLEDGE OF ALLEGIANCE**	Chair Spering
II.	**CONFIRM QUORUM/ STATEMENT OF CONFLICT** (6:00 p.m.)	Chair Spering

An official who has a conflict must, prior to consideration of the decision; (1) publicly identify in detail the financial interest that causes the conflict; (2) recuse himself/herself from discussing and voting on the matter; (3) leave the room until after the decision has been made. Cal. Gov't Code § 87200.

III. APPROVAL OF AGENDA

STA BOARD MEMBERS

Jim Spering Chair **County of Solano**	Pete Sanchez Vice-Chair **City of Suisun City**	Elizabeth Patterson **City of Benicia**	Jack Batchelor, Jr. **City of Dixon**	Harry Price **City of Fairfield**	Jan Vick **City of Rio Vista**	Len Augustine **City of Vacaville**	Osby Davis **City of Vallejo**

STA BOARD ALTERNATES

Mike Reagan	Mike Segala	Alan Schwartzman	Rick Fuller	Chuck Timm	Ron Jones	Curtis Hunt	Tom Bartee

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The complete STA Board Meeting Packet is available on STA's Website at www.solanolinks.com

IV. OPPORTUNITY FOR PUBLIC COMMENT
(6:00 – 6:05 p.m.)

V. EXECUTIVE DIRECTOR'S REPORT — Daryl Halls
(6:10 – 6:15 p.m.)
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VI. COMMENTS FROM CALTRANS, THE METROPOLITAN TRANSPORTATION COMMISSION (MTC), AND STA
(6:15 – 6:40 p.m.)

- **A. Caltrans Report: SR 12 Safety Project**
  - **1. Red Top Slide Update** — Doanh Nguyen, Caltrans
  - **2. Benicia Bridge Retrofit Update** — Mo Pazooki, Caltrans
- **B. MTC Report:** — Commissioner Spering
- **C. STA Reports:**
  - **1. STA Coordination of a Countywide Senior Transportation Summit** — Chair Spering
  - **2. McGary Road Project Presentation** — Gene Cortright, City of Fairfield
  - **3. Status of Water Emergency Transportation Authority (WETA) Ferry Transition Plan** — Crystal Odum-Ford, Vallejo Transit
  - **4. STA Status Reports:**
    - **A. Projects** — Janet Adams
    - **B. Planning** — Robert Macaulay
    - **C. Transit and Rideshare** — Elizabeth Richards

VII. CONSENT CALENDAR
Recommendation:
Approve the following consent items in one motion.
(Note: Items under consent calendar may be removed for separate discussion.)
(6:40 – 6:45 p.m.)

A. STA Board Meeting Minutes of February 11, 2009 — Johanna Masiclat
Recommendation:
Approve STA Board Meeting Minutes of February 11, 2009.
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B. Review TAC Draft Minutes for the Meeting of February 25, 2009 — Johanna Masiclat
Recommendation:
Receive and file.
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C. SolanoExpress Intercity Transit Consortium 2009 Work Plan — Elizabeth Richards
Recommendation:
Approve the SolanoExpress Intercity Transit Consortium 2009 Work Plan as shown in Attachment B.
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D. American Recovery and Reinvestment Act (ARRA) Federal Section 5311 Grant Application for Solano Paratransit Bus Replacements — Elizabeth Richards

Recommendation:
Adopt Resolution No. 2009-04 authorizing the Executive Director to submit an application for Caltrans' Federal Section 5311 funds up to $375,000 for up to five (5) Solano Paratransit bus replacements.
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E. McGary Road Project — Robert Guerrero

Recommendation:
Authorize the Executive Director to include the following provisions in the three-way funding agreement for the McGary Road/Solano Bikeway Phase 2 project with the Solano Land Trust (SLT), the County of Solano County and STA:

1. *Contribute up to $400,000 in TDA Article 3 funding as the local match for the remaining federal earmark balance;*
2. *Timely use of TDA Article 3 funds: TDA Article 3 local match must be allocated no later than FY 2011-12; and*
3. *TDA Article 3 funding contribution must be used to construct a bicycle or pedestrian facility.*

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F. Preliminary Engineering Priorities for Project Study Reports (PSRs) for Caltrans Oversight — Janet Adams

Recommendation:
Approve adoption of the FY 2009-10 preliminary engineering prioritized PSR workplan to submit to Caltrans as specified in Attachment B.
Pg. 31

G. Summary of Federal Economic Stimulus Funds for Transportation Projects in Solano County — Janet Adams

Recommendation:
Approve the following:

1. *The Federal Economic Stimulus Solano County Project List for Transportation as specified in Attachment D;*
2. *The Federal Economic Stimulus Solano County Project List for Transit as specified in Attachment E; and*
3. *Authorize the Executive Director to enter into a funding agreement with the Cities of Rio Vista, and Vacaville for the swap of Federal Economic Stimulus STP formula funds and local funds.*

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VIII. ACTION FINANCIAL ITEMS

A. Fiscal Year (FY) 2008-09 Mid-Year Budget Revision — Daryl Halls, Susan Furtado

Recommendation:
Adopt the FY 2008-09 Mid-Year Budget Revision as shown in Attachment A.
(6:45 – 6:50 p.m.)
Pg. 41

B. Amendment to Programming of the State Transportation Improvement Program (STIP) — Janet Adams

Recommendation:
Approve the STIP programming change as follows:

1. *Reprogram $11.412 million in STIP funds (FY 2009-10) currently programmed for the North Connector Project to the Vallejo Station Project (FY 2009-10);*
2. *Reprogram $11.412 million in STIP funds currently programmed to the Vallejo Station Project (FY 2011-12) to the I-80/I-680/SR 12 Interchange (FY 2011-12); and*
3. *Retain $1.716 million in STIP funds (program year FY 2011-12) that are currently programmed for the Vallejo Station project.*

(6:50 – 6:55 p.m.)
Pg. 47

C. Solano County Clean Air Grant Priorities — Robert Guerrero

Recommendation:
Approve the following:

1. *Prioritize BAAQMD TFCA and YSAQMD Clean Air Funds for projects in FY 2009-10 and 2010-11 for the Solano Napa Commuter Information Program, Solano Safe Routes to School Program, and development of a County Climate Change Strategy for SB 375 as indicated in Attachment A; and*
2. *FY 2009-10 TFCA Program Manager Resolution No. 2009-05 as shown in Attachment B.*

(6:55 – 7:00 p.m.)
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IX. ACTION NON-FINANCIAL ITEMS

A. Jepson Parkway Project, Final Environmental Impact Report (FEIR) — Janet Adams

Recommendation:
***CONDUCT** a public hearing to consider:*

1. ***ADOPTION** of Alternative B as the Preferred Jepson Parkway Project Alternative;*
2. ***CERTIFICATION** of the Final Environmental Impact Report (FEIR) for the Jepson Parkway Project;*

Then:

3. ***APPROVE*** *Resolution No. 2009-03, including certification of the Environmental Impact Report for the Jepson Parkway Project, Exhibit A: Findings of Fact and Exhibit B: Mitigation Monitoring Reporting Program; and*
4. ***DIRECT*** *that upon approval of Action Non-Financial Item IX.B. (approval of the Jepson Parkway Project), that the Executive Director File a Notice of Determination with the County Clerk of Solano County and with the State Office of Planning and Research and Authorize payment of the filing fees.*

(7:00 – 7:15 p.m.)
Pg. 61

B. Final Project Technical Report and Jepson Parkway Project — Janet Adams

Recommendation:
Approve the following:

1. *Project Technical Report for the Jepson Parkway Project; and*
2. *The Jepson Parkway Project.*

(715 – 7:20 p.m.)
Pg. 203

C. STA Safe Routes to School Program's 3-Year Work Plan — Sam Shelton

Recommendation:
Approve STA's Safe Routes to School Work Plan for FY 2008-09, FY 2009-10, and FY 2010-11, as described in Attachment A.
7:20 – 7:25 p.m.)
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D. Legislative Update — Jayne Bauer

Recommendation:
Approve the following:

1. *Assembly Bill (AB) 744(Torrico) – Support;*
2. *Assembly Bill (AB) 1219 (Evans) – Sponsor/Support;*
3. *Assembly Constitutional Amendment (ACA) 9 (Huffman) - Support; and*
4. *Senate Bill (SB) 205 (Hancock) - Support*

(7:25 – 7:30 p.m.)
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X. INFORMATIONAL ITEMS

A. New State Budget Impact on Solano Transit — Elizabeth Richards

Informational
(7:30 – 7:35 p.m.)
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NO DISCUSSION

B. **Solano Napa Travel Demand Model Update** — Robert Macaulay
Informational
Pg. 283

C. **2009 Congestion Management Program (CMP) Update Schedule** — Robert Macaulay
Informational
Pg. 287

D. **Comprehensive Transportation Plan (CTP) Update** — Robert Macaulay
Informational
Pg. 289

E. **Transportation Development Act (TDA) and State Transit Assistance Funds (STAF) Fiscal Year (FY) 2009-10 Fund Estimates** — Elizabeth Richards
Informational
Pg. 291

F. **Local Transportation Development Act (TDA) and Members Contribution for Fiscal Year (FY) 2009-10** — Susan Furtado
Informational
Pg. 295

G. **Metropolitan Transportation Commission (MTC) Bicyclist and Pedestrian Data Collection – Count Locations Update** — Sara Woo
Informational
Pg. 301

H. **Project Delivery Update** — Sam Shelton
Informational
Pg. 307

I. **Funding Opportunities Summary** — Sara Woo
Informational
Pg. 311

J. **STA Board Meeting Schedule for 2009** — Johanna Masiclat
Informational
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XI. BOARD MEMBERS COMMENTS

XII. ADJOURNMENT

The next regular meeting of the STA Board is scheduled for **Wednesday, April 8, 2009, 6:00 p.m., Suisun City Hall Council Chambers.**

MEMORANDUM

DATE: March 9, 2009
TO: STA Board
FROM: Daryl K. Halls
RE: Executive Director's Report – March 2009

The following is a brief status report on some of the major issues and projects currently being advanced by the STA. An asterisk (*) notes items included in this month's Board agenda.

STA Board Travels to Sacramento to Discuss State Budget Impact on Transportation *

Members of the STA Board were scheduled to travel to Sacramento on March 18th to meet with Solano County's four state legislators and representatives from Caltrans and the California Transportation Commission (CTC) to discuss Solano County's transportation priorities and the impact of the recently adopted State Budget on transportation. Joining the STA will be representatives from Solano EDC and local chambers of commerce. At the Board meeting, individual board members and staff will provide an update.

MTC Approves Initial List of Federal Economic Stimulus Projects for Solano *

On February 25th, the Metropolitan Transportation Commission (MTC), in their role as the metropolitan planning organization (MPO) for the Bay Area, approved the allocation of $28 million in federal economic stimulus funds (called the "American Recovery and Investment Act" for Solano County. This included $11 million in federal Surface Transportation Program formula funds for rehabilitation of local streets and roads, $16 million in federal transit administration funds for transit capital and preventative maintenance, and $1 million to complete the reconstruction and reopening of McGary Road. These funds have tight delivery timelines of 120 days for tier 1 projects and one year for tier 2 projects. STA staff will provide project delivery updates for this list of projects at future meetings until these projects are completed.

STA Board to Consider Jepson Parkway Project Environmental Document *

STA staff and the project consultant team have completed the Final Environmental Impact Report (FEIR) and Final Project Technical Report for the Jepson Parkway Project. This proposed 12-mile project will provide a convenient, safer and multimodal north - south arterial connecting the cities of Suisun City, Fairfield, and Vacaville while improving the access to Travis Air Force Base and the future Fairfield/Vacaville Rail Station. The Jepson Parkway Project was developed based on the Jepson Parkway Concept Plan which was the first corridor to be a recipient of MTC's Transportation for Livable Communities planning funds and recognized in 2000 for a Statewide TRANNY Award for transportation management. Following Board approval, the STA will begin the design of the next segment of the project for which the STA has already programmed $30 million in State Transportation Improvement Program (STIP) funds for construction.

State Route (SR) 12 East Safety Project Scheduled for Groundbreaking
Caltrans has scheduled the groundbreaking ceremony for the SR 12 East Safety Project for Monday, March 30th at 1 p.m. This event will mark the beginning of construction for this long awaited safety project that will repave SR 12, widen shoulders, improve sight lines and generally improve travel safety along SR 12 from Suisun City to SR 113. The project is scheduled to be completed by 2011.

Reprogramming of STIP Funds to Vallejo Station Project *
STA staff is recommending swapping of State Transportation Improvement Program (STIP) funds between the North Connector, Vallejo Station and I-80/I-680 Interchange projects to enable the North Connector Project to begin construction this fiscal year and the Vallejo Station Project to begin construction next fiscal year.

Safe Routes to School Program's 3-Year Work Plan *
In February 2008, the STA Board adopted a Countywide Safe Routes to School (SR2S) Plan and established a Solano Safe Routes to School Program in partnership with the Solano County Board of Education, the seven school districts, the Solano County Board of Supervisors, and the seven cities. Over the past year, the STA, with the support of the Bay Area Air Quality Management District and the Yolo Solano Air Quality Management District, has been able to identify and obtain over $800,000 in funding for various aspects of the Safe Routes to School Program. In addition, the cities of Suisun City and Vallejo were able to obtain over $1 million from Caltrans for SR2S Engineering projects. At the meeting, STA's Sam Shelton will provide a summary of the recommended 3-year SR2S work program developed by the SR2S Advisory Committee.

STA Mid-Year Budget Update *
STA's Finance Analyst/Accountant Susan Furtado has prepared a mid-year budget update for FY 2008-09 that reflects changes due to the recently passed State Budget and modifications to project schedules. A mid-year budget adjustment for FY 2009-10 and the new FY 2010-11 fiscal year budget is scheduled to be presented to the Board in June 2009, following the Governor's release of the May Revise for the projected State Budget for FY 2009-10.

Attachment:
A. STA Acronyms List of Transportation Terms (Updated March 2009)

Solano Transportation Authority

STA ACRONYMS LIST OF TRANSPORTATION TERMS

Last Updated: March 2009

A	
ABAG	Association of Bay Area Governments
ACCMA	Alameda County CMA
ADA	American Disabilities Act
AVA	Abandoned Vehicle Abatement
APDE	Advanced Project Development Element (STIP)
ARRA	American Recovery and Reinvestment Act
AQMD	Air Quality Management District
B	
BAAQMD	Bay Area Air Quality Management District
BABC	Bay Area Bicycle Coalition
BAC	Bicycle Advisory committee
BART	Bay Area Rapid Transit
BATA	Bay Area Toll Authority
BCDC	Bay Conservation & Development Commission
BT&H	Business, Transportation & Housing Agency
C	
CAF	Clean Air Funds
CALTRANS	California Department of Transportation
CARB	California Air Resources Board
CCCC (4'Cs)	City County Coordinating Council
CCCTA (3CTA)	Central Contra Costa Transit Authority
CCJPA	Capitol Corridor Joint Powers Authority
CCTA	Contra Costa Transportation Authority
CEQA	California Environmental Quality Act
CHP	California Highway Patrol
CIP	Capital Improvement Program
CMA	Congestion Management Agency
CMAQ	Congestion Mitigation & Air Quality Program
CMP	Congestion Management Plan
CNG	Compressed Natural Gas
CTC	California Transportation Commission
D	
DBE	Disadvantaged Business Enterprise
DOT	Department of Transportation
E	
ECMAQ	Eastern Solano Congestion Mitigation Air Quality Program
EIR	Environmental Impact Report
EIS	Environmental Impact Statement
EPA	Environmental Protection Agency
EV	Electric Vehicle
F	
FEIR	Final Environmental Impact Report
FHWA	Federal Highway Administration
FTA	Federal Transit Administration
G	
GIS	Geographic Information System
H	
HIP	Housing Incentive Program
HOT	High Occupancy Toll
HOV	High Occupancy Vehicle
I	
ISTEA	Intermodal Surface Transportation Efficiency Act
ITIP	Interregional Transportation Improvement Program
ITS	Intelligent Transportation System
J	
JARC	Jobs Access Reverse Commute Program
JPA	Joint Powers Agreement
L	
LEV	Low Emission Vehicle
LIFT	Low Income Flexible Transportation Program
LOS	Level of Service
LS&R	Local Streets & Roads
M	
MIS	Major Investment Study
MOU	Memorandum of Understanding
MPO	Metropolitan Planning Organization
MTC	Metropolitan Transportation Commission
MTS	Metropolitan Transportation System
N	
NCT&PA	Napa County Transportation & Planning Agency
NEPA	National Environmental Policy Act
NHS	National Highway System
O	
OTS	Office of Traffic Safety
P	
PAC	Pedestrian Advisory Committee
PCC	Paratransit Coordinating Council
PCRP	Planning & Congestion Relief Program
PDS	Project Development Support
PDT	Project Delivery Team
PDWG	Project Delivery Working Group
PMP	Pavement Management Program
PMS	Pavement Management System
PNR	Park & Ride
PPM	Planning, Programming & Monitoring
PS&E	Plans, Specifications & Estimate
PSR	Project Study Report
PTA	Public Transportation Account
PTAC	Partnership Technical Advisory Committee (MTC)
R	
RABA	Revenue Alignment Budget Authority
RBWG	Regional Bicycle Working Group
RFP	Request for Proposal
RFQ	Request for Qualification
RM 2	Regional Measure 2
RPC	Regional Pedestrian Committee
RRP	Regional Rideshare Program
RTEP	Regional Transit Expansion Policy
RTIF	Regional Transportation Impact Fee
RTP	Regional Transportation Plan
RTIP	Regional Transportation Improvement Program
RTPA	Regional Transportation Planning Agency
S	
SACOG	Sacramento Area Council of Governments
SAFETEA-LU	Safe, Accountable, Flexible, Efficient Transportation Equality Act-a Legacy for Users
SCTA	Sonoma County Transportation Authority
SCVTA	Santa Clara Valley Transportation Authority
SFCTA	San Francisco County Transportation Authority
SHOPP	State Highway Operations & Protection Program
SMAQMD	Sacramento Metropolitan Air Quality Management District
SMCCAG	San Mateo City-County Association of Governments

SNCI	Solano Napa Commuter Information
SOV	Single Occupant Vehicle
SP&R	State Planning & Research
SR2S	Safe Routes to School
SR2T	Safe Routes to Transit
STA	Solano Transportation Authority
STAF	State Transit Assistance Fund
STIA	Solano Transportation Improvement Authority
STIP	State Transportation Improvement Program
STP	Surface Transportation Program
T	
TAC	Technical Advisory Committee
TAM	Transportation Authority of Marin
TAZ	Transportation Analysis Zone
TCI	Transportation Capital Improvement
TCM	Transportation Control Measure
TCRP	Transportation Congestion Relief Program
TDA	Transportation Development Act
TDM	Transportation Demand Management
TE	Transportation Enhancement Program
TEA-21	Transportation Efficiency Act for the 21st Century
TFCA	Transportation Funds for Clean Air Program
TIF	Transportation Investment Fund
TIP	Transportation Improvement Program
TLC	Transportation for Livable Communities
TMA	Transportation Management Association
TMP	Transportation Management Plan
TOS	Traffic Operation System
TRAC	Trails Advisory Committee
TSM	Transportation System Management
U, V, W, Y, & Z	
UZA	Urbanized Area
VTA	Valley Transportation Authority (Santa Clara)
W2W	Welfare to Work
WCCTAC	West Costa County Transportation Advisory Committee
WETA	Water Emergency Transportation Authority
YSAQMD	Yolo/Solano Air Quality Management District
ZEV	Zero Emission Vehicle

Solano Transportation Authority

SOLANO TRANSPORTATION AUTHORITY
Board Minutes for Meeting of
February 11, 2009

I. CALL TO ORDER

Chair Spering called the regular meeting to order at 6:05 p.m. A quorum was confirmed.

MEMBERS PRESENT:	Jim Spering, Chair	County of Solano
	Pete Sanchez, Vice-Chair	City of Suisun City
	Elizabeth Patterson	City of Benicia
	Jack Batchelor, Jr.	City of Dixon
	Harry Price	City of Fairfield
	Jan Vick	City of Rio Vista
	Len Augustine	City of Vacaville
Arrived at the meeting at 6:15 p.m.	Osby Davis	City of Vallejo

STAFF PRESENT:	Daryl K. Halls	Executive Director
	Charles Lamoree	Legal Counsel
	Johanna Masiclat	Clerk of the Board
	Janet Adams	Deputy Executive Director/Director of Projects
	Robert Macaulay	Director of Planning
	Elizabeth Richards	Director of Transit and Rideshare Services
	Susan Furtado	Financial Analyst/Accountant
	Liz Niedziela	Transit Manager/Analyst
	Judy Leaks	SNCI Program Manager
	Robert Guerrero	Senior Planner
	Sam Shelton	Project Manager
	Sara Woo	Assistant Planner
	Kenny Wan	Assistant Project Manager

ALSO PRESENT: ***In Alphabetical Order by Last Name:***

Danny Bernardini	The Reporter
Rick Fuller	Vice Mayor, City of Dixon

George Fink	City of Fairfield
Andrew Fremier	Deputy Executive Director, MTC/BATA
Steve Heminger	Executive Director, MTC
Curtis Hunt (STA Board Alternate Member)	Vice Mayor, City of Vacaville
Dan Kasperson	City of Suisun City
Gary Leach	City of Vallejo
Wayne Lewis	City of Fairfield
Alysa Majer	City of Suisun City
Rod Moresco	City of Vacaville
Crystal Odum-Ford	City of Vallejo
Dan Schiada	City of Benicia
Mike Segala (STA Board Alternate Member)	Vice Mayor, City of Suisun City
Jeanine Wooley	City of Vallejo

II. PLEDGE OF ALLEGIANCE

III. APPROVAL OF AGENDA

On a motion by Board Member Patterson, and a second by Vice-Chair Sanchez, the STA Board approved the agenda.

IV. OPPORTUNITY FOR PUBLIC COMMENT

None presented.

V. EXECUTIVE DIRECTOR'S REPORT

Daryl Halls provided an update on the following topics:

- STA Board Visits Washington, D.C. to Discuss Economic Stimulus Priorities
- STA Finalizes List of Federal Economic Stimulus Project Submittals
- MTC Proposes Regional HOT Lanes Network for Bay Area
- State Budget Fix Remains in Limbo
- State Route (SR) 113 Major Investment and Corridor Study
- SolanoExpress Ridership Continues to Grow

VI. COMMENTS FROM METROPOLITAN TRANSPORTATION COMMISSION (MTC), CALTRANS, AND STAFF:

A. Caltrans Report:

None presented.

B. MTC Report:

Steve Heminger, MTC Executive Director, announced to the STA Board that the $790 billion stimulus package is still being trimmed by the House Bill. In addition, he presented MTC's proposed Vision of the Regional High Occupancy Toll (HOT) Lanes Network for the Bay Area.

C. **STA Reports:**

1. Federal Advocacy Trip to Washington, D.C. presented by Jayne Bauer
2. STA Status Reports:
   A. Projects – A short update of the Truck Scales Project was provided by Janet Adams
   B. Planning – A brief update of the Comprehensive Transportation Plan provided by Robert Macaulay
   C. Transit and Rideshare – An update of SNCI Accomplishments was provided by Elizabeth Richards

VII. CONSENT CALENDAR

On a motion by Board Member Augustine, and a second by Board Member Batchelor, the STA Board approved Consent Calendar Items A thru G with the exception of Agenda Item VII.A, STA Board Minutes of January 14, 2009. At the request of Board Member Patterson, corrections were made to the STA Board Minutes of January 14, 2009 as noted below.

A. STA Board Meeting Minutes of January 14, 2009

Recommendation:
Approve STA Board Meeting Minutes of January 14, 2009 to include changes made to Agenda Item IX.A, Regional Measure 2 (RM 2) Implementation Plan. Board Member Patterson, City of Benicia, declared she had a potential conflict of interest relative to that portion of the RM 2 funding proposals and recused herself to that sub-part of the item concerning the Benicia Downtown Park and Ride lot.

B. Review TAC Draft Minutes for the Meeting of January 28, 2009

Recommendation:
Receive and file.

C. Fiscal Year (FY) 2008-09 Second Quarter Budget Report

Recommendation:
Review and file.

D. 2009 Paratransit Coordinating Council (PCC) Work Plan

Recommendation:
Approve the 2009 PCC Work Plan as shown on Attachment A.

E. STA's Marketing and Public Input Plan for 2009

Recommendation:
Approve the STA 2009 Marketing Plan.

F. Regional Measure 2 (RM 2) City of Vacaville Intermodal Station Resolution of Support

Recommendation:
Approve Resolution No. 2009-02 authorizing the funding allocation for Regional Measure 2 funds from the Metropolitan Transportation Commission to the City of Vacaville for the Solano County Express Bus North Intermodal Facilities – Vacaville Intermodal Station.

G. Comprehensive Transportation Plan (CTP) Committee Membership

Recommendation:

Appoint Board Member Davis as Chair of the Transit Committee and make other CTP Committee appointments as shown in Attachment B.

VIII. ACTION – NON-FINANCIAL ITEMS

A. Metropolitan Transportation Commission (MTC) Proposal for Establishment of a Regional High Occupancy Vehicle and High Occupancy Toll (HOV/HOT) Lanes Network

Janet Adams reviewed the development process of MTC's proposal to establish a Regional HOV/HOT Lanes Network in Solano County. She indicated that in order for MTC to operate HOV/HOT lanes, authorizing state legislation is required. She added that MTC staff is collaborating with the Congestion Management Agencies (CMAs) to develop a governance model that ensures counties have the option to participate and are part of the governance system.

Board Comments:

Based on input, the STA Board modified the last recommendation (5) to read as follows:

5. Support specifying in the enabling legislation funding derived from Bay Area Regional HOV/HOT lanes network ***be prioritized for use*** in the corridor where the funds are generated.

Public Comments:

None presented.

Recommendation:

Approve the following:

1. Support in concept a Bay Area Regional HOV/HOT Lane Network;
2. Support MTC/BATA as the lead agency for operating a Bay Area Regional HOV/HOT Network;
3. Approve Attachment F as the Solano County HOV/HOT lanes priorities;
4. Support specifying in the enabling legislation STA representation in the governance on the I-80 and I-680 corridors and Steering Committee for the Regional HOT/HOV Lanes Network; and
5. Support specifying in the enabling legislation funding derived from Bay Area Regional HOV/HOT lanes network ***be prioritized for use*** in the corridor where the funds are generated.

On a motion by Vice Chair Sanchez, and a second by Board Member Patterson, the STA Board unanimously approved the recommendation with the amendment to include the noted changes shown above in ***bold italics.***

B. Federal Economic Stimulus Submittal for Transportation in Solano County

Janet Adams reviewed the Federal Economic Stimulus Project List for roadways in Solano County. She reviewed the estimated local agency targets that have available funding for projects through MTC's most recent Federal Surface Transportation Program (STP) funding distribution formula.

Board Comments:
None presented.

Public Comments:
None presented.

Recommendation:
Adopt the Federal Economic Stimulus Solano County project lists for transportation and transit as shown on Attachment A and B.

On a motion by Board Member Price, and a second by Board Member Vick, the STA Board approved the recommendation.

C. State Route (SR) 113 Major Investment and Corridor Study
Robert Guerrero announced the final draft SR 113 MIS is being released for public review.

Board Comments:
Board Member Batchelor commented on his support for the SR 113 corridor.

Public Comments:
None presented.

Recommendation:
Authorize the Executive Director to distribute the attached final draft SR 113 Major Investment and Corridor Study for public comment.

On a motion by Board Member Augustine, and a second by Board Member Batchelor, the STA Board approved the recommendation.

IX. INFORMATIONAL ITEMS

A. SolanoExpress Mid-Year Ridership Report
STA's Liz Niedziela, City of Vallejo's Crystal Odum-Ford, and City of Fairfield's George Fink presented and reported on SolanoExpress mid-year ridership increase of 14%.

B. Summary of SolanoExpress Public Comments for Fiscal Year (FY) 2008-09
Liz Niedziela provided a status report on the public comment cards that are collected from transit passengers regarding their transit experience. She cited that for the time period of July-December 2008, STA received 203 passenger's comments that were recorded into 24 categories.

NO DISCUSSION

C. Solano Napa Commuter Information (SNCI) Program Fiscal Year (FY) 2008-09 Mid-Year Report

D. Legislative Update

E. State Route (SR) 12 Status Update

F. **Comprehensive Transportation Plan (CTP) Update**

G. **Solano Napa Travel Demand Model Update**

H. **Project Delivery Update**

I. **Non-motorized (Bicycle and Pedestrian) Routine Accommodations Checklist Update**

J. **Funding Opportunities Summary**

K. **STA Board Meeting Schedule for 2009**

X. BOARD MEMBER COMMENTS

XI. ADJOURNMENT

The STA Board meeting was adjourned at 7:45 p.m. The next regular meeting of the STA Board is scheduled for **Wednesday, March 18, 2009, 6:00 p.m., Suisun City Hall Council Chambers.**

Attested by:

_____/_____

Johanna Masiclat **Date**
Clerk of the Board

TECHNICAL ADVISORY COMMITTEE
Minutes for the meeting of
February 25, 2009

I. CALL TO ORDER

The regular meeting of the Technical Advisory Committee (TAC) was called to order at approximately 1:35 p.m. in the Solano Transportation Authority's Conference Room.

Present:

TAC Members Present:	Dan Schiada	City of Benicia
	Gene Cortright	City of Fairfield
	Dan Kasperson	City of Suisun City
	Rod Moresco	City of Vacaville
	Gary Leach	City of Vallejo
	Paul Wiese	County of Solano
STA Staff Present:	Charles Lamoree	STA
	Janet Adams	STA
	Elizabeth Richards	STA
	Jayne Bauer	STA
	Sam Shelton	STA
	Kenny Wan	STA
	Sara Woo	STA
	Johanna Masiclat	STA
Others Present:	***(In Alphabetical Order by Last Name)***	
	Birgitta Corsello	County of Solano
	Ngozi Ezekwo	Caltrans District 4
	Ed Huestis	City of Vacaville
	Wayne Lewis	City of Fairfield
	Alysa Majer	City of Suisun City

II. APPROVAL OF THE AGENDA

On a motion Dan Schiada, and a second by Gary Leach, the STA TAC unanimously approved the agenda with the exception to add Agenda Item VI.B, Amendment to Programming of the State Transportation Improvement Program (STIP).

DRAFT

III. OPPORTUNITY FOR PUBLIC COMMENT

None presented.

IV. REPORTS FROM CALTRANS, MTC AND STA STAFF

Caltrans: None presented.

MTC: None presented.

STA: Elizabeth Richards noted the changes/corrections made to the report, under Agenda Item VIII.F, Local Transportation Development Act (TDA) and Members Contribution for Fiscal Year (FY) 2009-10.

Sara Woo announced that the STA is checking to ensure that the locations are accurate and updated on MTC's Bicycle and Pedestrian Count Locations (Agenda Item VIII.I). She added that the STA staff is not looking for any additional locations nor collecting counts from member agencies. She stated that staff will email the TAC for opportunity to comment with comments to be due March 2, 2009.

V. CONSENT CALENDAR

On a motion by Dan Schiada, and a second by Gene Cortright, the STA TAC approved Consent Calendar Items A & B.

A. Minutes of the TAC Meeting of January 28, 2008

Recommendation:
Approve TAC Meeting Minutes of January 28, 2008.

B. SolanoExpress Intercity Transit Consortium 2009 Draft Work Plan

Recommendation:
Forward a recommend the STA Board to approve the SolanoExpress Intercity Transit Consortium 2009 Work Plan as shown in Attachment B.

VI. ACTION FINANCIAL ITEMS

A. Solano County Clean Air Grant Priorities

Robert Macaulay reviewed the staff recommended prioritization of the three programs for the BAAQMD, TFCA, and YSAQMD Funds for the next two years, FY 2009-10 and FY 2010-2011. He listed the programs as 1.) SNCI's Rideshare Incentives Program; 2.) STA's Safe Routes to School Program; and 3.) The Solano County Climate Protection Plan.

Recommendation:
Forward a recommendation to the STA Board to support the following priorities for Clean Air Funds in FY 2009-10 and FY 2010-11

On a motion by Gary Leach, and a second by Dan Schiada, the STA TAC unanimously approved the recommendation.

DRAFT

B. <u>ADDENDUM</u> - Amendment to Programming of the State Transportation Improvement Program

Janet Adams outlined the changes that will move the programmed STIP funds from the North Connector to the I-80/I-680/SR 12 Interchange and fully fund the regional share of the North Connector Project with RM 2 funds. She added that the construction allocation for the RM 2 funds has already been made to MTC. She also noted the Vallejo Station Project is sponsored by the City of Vallejo and this proposed reprogramming of STIP funds will bring in line the programming year of the STIP with the timing of the project ready to begin construction.

<u>Recommendation:</u>
Forward a recommendation to the STA Board to approve the STIP programming change as follows:

1. Reprogram $11.412 million in STIP funds (FY 2009-10) currently programmed for North Connector Project to the Vallejo Station Project (FY 2009-10);
2. Reprogram $11.412 million in STIP funds currently programmed to the Vallejo Station Project (FY 2011-12) to the I-80/I-680/SR 12 Interchange (FY 2011-12); and
3. Retain $1.716 million STIP funds (program year FY 2011-12) that are currently programmed for the Vallejo Station project.

On a motion by Gary Leach, and a second by Dan Schiada, the STA TAC unanimously approved the recommendation.

VII. ACTION NON-FINANCIAL ITEMS

A. STA's Joint Powers Amendment

Charles Lamoree engaged in a discussion with the TAC on the proposed amendments to the STA's Joint Powers Agreement. Chuck Lamoree noted his recommendation to revise the JPA into a single document addressing the purposes and powers of STA. He requested that the TAC review the drafted language on five sub-sections that reflect STA's functions, purposes, and powers.

After further discussion, the STA TAC voted to table this item until the next meeting in March to allow for further review.

On a motion by Gene Cortright, and a second by Paul Wiese, the STA TAC voted to table this item until the next meeting on March 25, 2009.

B. Final Project Technical Report for the Jepson Parkway Project

Janet Adams stated that the Final Project Technical Report for the Jepson Parkway Project would be used by the STA Board as a basis for the Project approval once the environmental document is certified.

<u>Recommendation</u>:
Forward a recommendation to the STA Board to approve the Jepson Parkway Project based on the Project Technical Report.

DRAFT

On a motion by Paul Wiese, and a second by Rod Moresco, the STA TAC unanimously approved the recommendation allowing Paul Wiese to follow-up with the STA on minor adjustments on the cross sections and layout found in the technical report.

C. Preliminary Engineering Priorities for Caltrans Oversight

Janet Adams reviewed Caltrans District 4 and MTC's joint letter requesting that the STA submit a comprehensive, prioritized list of PSRs to be worked on during FY 2008-09 from Solano County. She stated the STA was requested to provide a comprehensive prioritized list of PSRs for Solano County.

After discussion, the STA TAC supported the Caltrans Project Study Report Oversight Priority List (with prioritization of work during FY 2009-10) to include adjustments made by the City of Vacaville. They are as follows

1. Add the I-505/Vaca Valley Ramp and Intersection Improvements Project
2. Request the I-80 Lagoon Valley Blvd. Interchange ramp improvements priority be placed behind the I-505 Project.

Recommendation:
Forward a recommendation to the STA Board to adopt the Solano County FY 2009-10 preliminary engineering prioritized workplan for Project Study Reports to submit to Caltrans as specified in Attachment B as amended by the TAC.

On a motion by Gary Leach, and a second by Rod Moresco, the STA TAC unanimously approved the recommendation to include the requested changes made by the City of Vacaville as noted above.

D. STA Safe Routes to School Program's 3-Year Work Plan

Sam Shelton reviewed the available grant sources and recommended work plan for the STA's Safe Routes to School (SR2S) Program for FY 2008-09, FY 2009-10, and FY 2010-11. For Fiscal Year 2008-09, the only available funding for the SR2S Program comes from the BAAQMD in the form of TFCA grants, restricting the STA's funded activities to only the Cities of Benicia, Fairfield, Suisun City, and Vallejo.

Recommendation:
Forward a recommendation to the STA Board to approve STA's Safe Routes to School Work Plan for FY 2008-09, FY 2009-10, and FY 2010-11, as described in Attachment A.

On a motion by Dan Schiada, and a second by Dan Kasperson, the STA TAC unanimously approved the recommendation.

DRAFT

E. Legislative Update

Jayne Bauer provided update to the budget package signed by the Governor. She also indicated that the STA Board members and key community group and business leaders will travel to Sacramento on March 18th to urge support for Solano's transportation priorities. In addition, she requested support on a bill introduced by Assembly Member Huffman, Assembly Constitutional Amendment (ACA) 9, which proposes to change the 2/3 voter-approval requirement for special taxes to authorize a city, county, or special district to impose a special tax with the approval of 55% of its voters voting on the tax.

Recommendation:
Forward a recommendation to the STA Board to support ACA 9 (Huffman).

On a motion by Gary Leach, and a second by Dan Schiada, the STA TAC unanimously approved the recommendation

VIII. INFORMATIONAL ITEMS

DISCUSSION

A. Federal Economic Stimulus Submittal for Transportation in Solano County

Janet Adams provided an update on several elements of the regional programming proposal for the American Recovery and Reinvestment Act (ARRA). She reviewed the final revised lists sent to MTC on the STA Board's adopted priority project lists for Local Streets & Roads and Transit.

B. Solano Napa Travel Demand Model Update

Robert Macaulay provided a technical update of the Solano Napa Travel Demand Model which included adjustments related to recent land use data and changes to the roadway network. He added that at the next Modeling TAC meeting, tentatively scheduled for February 26, 2009, the group will review progress on the land use file review and discuss the draft Model TAC agreement being developed by the STA.

NO DISCUSSION

C. 2009 Congestion Management Program (CMP) Update Schedule

D. Comprehensive Transportation Plan (CTP) Update

E. Transportation Development Act (TDA) and State Transit Assistance Funds (STAF) Fiscal Year (FY) 2009-10 Fund Estimates

F. Local Transportation Development Act (TDA) and Members Contribution for Fiscal Year (FY) 2009-10

G. Project Delivery Update

DRAFT

H. Metropolitan Transportation Commission (MTC) Bicyclist and Pedestrian Data Collection – Count Locations Update

I. Funding Opportunities Summary

J. STA Board Meeting Highlights of February 11, 2009

K. STA Board and Advisory Committee Meeting Schedule for 2009

ADJOURNMENT

The meeting was adjourned at 2:45 p.m. The next meeting of the STA TAC is scheduled at **1:30 p.m. on Wednesday, March 25, 2009.**

DRAFT

DATE: March 2, 2009
TO: STA Board
FROM: Elizabeth Richards, Director of Transit and Rideshare Services
RE: SolanoExpress Intercity Transit Consortium 2009 Work Plan

Background:
The SolanoExpress Intercity Transit Consortium was established by the STA in 1997 and is comprised of representatives from Solano County's six transit operators (Benicia Breeze, Dixon Readi-Ride, Fairfield and Suisun Transit (FAST), Rio Vista Delta Breeze, Vacaville City Coach, and Vallejo Transit), the County of Solano, and STA. The Committee meets mostly monthly prior to the STA TAC and reviews all STA items pertaining to transit and service as a countywide transit forum for transit staff.

The Consortium has regularly prepared an annual Work Plan the past four years. In 2009, there are a number of key local and regional transit planning activities and projects that the Consortium is interested in being involved in and undertaking. These range from transit service and funding to planning and marketing.

Discussion:
STA staff presented a draft SolanoExpress Intercity Transit Consortium Work Plan for the Consortium's review in January. The Consortium members discussed the initial draft of the Work Plan (Attachment A) and requested a modification to reference local transit issues. The Work Plan has been modified (see Attachment B) to reflect this and is being presented for a recommendation of approval to the STA Board

Recommendation:
Approve the SolanoExpress Intercity Transit Consortium 2009 Work Plan as shown in Attachment A.

Attachments:
A. Initial Draft SolanoExpress Intercity Transit Consortium 2009 Work Plan

Proposed
2009 SolanoExpress Intercity Transit Consortium
Work Plan
(February 2009)

Transit Service:

- Evaluation of intercity transit services performance; prioritize, and implement intercity transit service changes.
- Monitor SolanoExpress intercity transit services.
- ***Discuss local transit issues and strive to balance local and intercity transit needs.****
- Implement Lifeline project priorities.
- Identify and facilitate joint agency transit projects.

Transit Planning

- Conduct Community Based Transportation Planning studies in East Fairfield and Vacaville.
- Complete Phase II of the Transit Consolidation Study.
- Coordinate Countywide Transit Capital.
- Provide input into Comprehensive Transportation Plan update and other county and regional transit planning efforts.
- Participate in the implementation of MTC's Transit Connectivity Study and Wayfinding Signage.
- Participate in update of Countywide Senior and Disabled Transit Study and Senior Transit Summit.

Funding

- Monitor the implementation of the FY 2008-09 Intercity Transit Funding Agreement.
- Develop the FY 2009-10 Intercity Transit Funding Agreement.
- Maximize RM 2, Prop 1B, 5310, 5311 and other funding opportunities.
- Implement Lifeline Funding Program.
- Monitor and provide input into legislation to ensure adequate levels of transit funding.
- Monitor and provide input into regional policy development to ensure adequate levels of transit funding.
- Update TDA matrix.
- Complete TDA Unmet Transit Needs process.
- Prepare multi-year STAF funding plan ***and/or STAF Contingency Plan if STAF is cut by the State****

Marketing of Transit Services and Programs

- Participate in the updating of SolanoExpress marketing.
- Plan, prioritize, and implement marketing support for intercity transit services.
- Coordinate and participate in countywide and regional transit marketing activities.
- Update, print, and distribute SolanoExpress brochure, wall maps, website and other materials.

****Proposed modifications from initial draft are highlighted by bold italics.***

PROPOSED

DATE: March 6, 2009
TO: STA Board
FROM: Liz Niedziela, Transit Program Manager/Analyst
RE: American Recovery and Reinvestment Act (ARRA) Federal Section 5311 Grant Application for Solano Paratransit Bus Replacements

Background:
Solano Paratransit is a service of the Solano Transportation Authority (STA) operated by Fairfield and Suisun Transit (FAST) and funded by the Cities of Dixon, Fairfield, Suisun City, Vacaville, and Solano County. FAST is responsible for reporting the fleet emissions for that service to California Air Resources Board (CARB) and in order to comply with regulations regarding Transit Fleet Vehicles (TFV), the City of Fairfield has requested that Solano Paratransit replace the remaining diesel-powered paratransit buses in Fiscal Year (FY) 2008-09 with gas-powered buses. The buses recommended for replacement are numbers 703-707. These five (5) buses are six years old and have reached their useful life.

The STA, in coordination with the Metropolitan Transportation Commission (MTC), has been successful in obtaining Federal Section 5310 (Elderly and Disabled Specialized Transit) grant funding in the past. The last STA's grant award was for two (2) replacement paratransit buses received in December 2007. In 2008, STA staff submitted a Federal 5310 grant application to replace five (5) Solano Paratransit vehicles and was unsuccessful in securing funding due to limited funding and the competitive scoring criteria. The Solano Paratransit vehicles did not score high enough on the Statewide list in forms of the vehicle miles, years of service, and passengers carried.

Discussion:
The American Recovery and Reinvestment Act (ARRA) contains significant funding for transportation, including funding for grants under the Federal Section 5311 Nonurbanized Program, which promotes public transit in the non-urbanized areas of the state.

Caltrans is the designated recipient of ARRA Federal Section 5311 funds and is responsible for administering the program on behalf of Federal Transit Administration (FTA). Caltrans requested that MTC develop a program of projects for the Bay Area's portion of Economic Recovery FTA Section 5311 funds, which Caltrans estimates will be approximately $2 million.

On February 9, 2009, MTC issued an expedited Call for Projects to solicit projects for the ARRA FTA Section 5311 Nonurbanized program for the San Francisco Bay Area region. These funds are available only for capital expense for general public transportation in

nonurbanized areas. All funding requests were due to MTC on February 9, 2009. STA staff submitted a request to replace five (5) buses for Solano Paratransit in the amount of $375,000.

MTC received $4.8 million in funding requests from seven transit providers. MTC staff evaluated all proposals using principles, screening criteria and priorities based on those that are used for the annual 5311 program. After identifying the highest priority, "ready to go" projects, MTC staff consulted with the project sponsors to develop a program that would allow all "ready to go" Priority 1 and Priority 2 projects to receive some ARRA FTA Section 5311 funding. STA's Solano Paratransit vehicles made the Priority 1 list for replacement of four vehicles at $300,000. Attachment A contains both the MTC-adopted 5311 ARRA Program of Projects, and an additional two columns that labeled "5311 ARRA Contingency Projects." Caltrans staff indicated that if any region does not submit applications for their full apportionment, the funds remaining will be awarded to applicants in any region of the state. MTC staff is prepared to take advantage of this potential opportunity to receive additional funding since six of the eight projects in our regional program were not fully funded. MTC staff is proposing to request that Caltrans consider providing additional 5311-ARRA funds to those projects, should there be any funds left over from other regions. The two new columns in the table indicate the amount of additional ARRA funds needed to fully fund those six projects, as well as notes about whether the funding request is scalable. Upon notification of funding availability, MTC would formally amend the program.

The STA staff is recommending to submit an ARRA FTA 5311 grant application to Caltrans to replace up to five (5) Solano Paratransit buses. The total project cost to replace all five (5) vehicles is approximately $375,000. The ARRA FTA 5311 grant is 100% funded with no local match required. The procurement element of this program works in partnership with the California Department of General Services, Procurement Division, to provide a State contract for the purchase of paratransit buses. Public agencies are able to purchase off the contract and benefit from the economies of scale of a large group procurement. The ARRA FTA 5311 grant application is due to Caltrans by April 12, 2009.

Fiscal Impact:
There is no fiscal impact. The funding is at 100% with no local match requirement.

Recommendation:
Adopt Resolution No. 2009-04 authorizing the Executive Director to submit an application for Caltrans' Federal Section 5311 funds up to $375,000 for up to five (5) Solano Paratransit bus replacements.

Attachments:
A. MTC's FTA Section 5311 ARRA Program of Projects
B. Federal Section 5311 Grant Application Submittal Resolution No. 2009-04.

MTC's FTA Section 5311 ARRA Program of Projects								5311 ARRA Contingency Projects	
County	Subrecipient	Project		TIP Information			5311 ARRA Program Amount	5311 ARRA Contingency Amount	Notes
		Name	Description	TIP ID	Revision. No.	Date Approved			
SOL	City of Dixon	Municipal Service Center Replacement	Replace Transit Department facilities, including transit offices, dispatch center, bus storage, maintenance garage, end employee break area, as part of the City of Dixon Municipal Service Center (MSC) replacement project. The current MSC is no longer suited for occupation due to age and condition of facilities. The plans for the project have been approved and are ready to bid.	REG090010	09-07		$381,676	$131,324	Any amount ($1 to $131,324) could be added to the project.
MAR	Marin Transit / West Marin Stagecoach	Three (3) Vehicle Replacements	Purchase three (3) replacement vehicles for use on the West Marin Stagecoach.	REG090010	09-07		$389,631	$129,877	Entire amount ($129,877) would be needed to fund one additional replacement vehicle.
SON	Sonoma County Transit	Compressed Natural Gas Replacement Project	Assist with the replacement of ten (10) 40-foot Heavy-Duty Compressed Natural Gas (CNG) powered transit coaches. The buses to be replaced are ten (10) 1996, 40-foot Heavy-Duty CNG coaches with a passenger capacity of 41.	REG090010	09-07		$460,388	$139,612	Any amount ($1 to $139,612) could be added to the project.
SOL	Solano Transportation Authority (STA) / Solano Paratransit	Four (4) Vehicle Replacements	Purchase four (4) replacement 18-passenger, 22-foot buses through the state contract.	REG090010	09-07		$300,000	$75,000	Entire amount ($75,000) would be needed to fund one additional replacement vehicle.
SOL	City of Dixon	Preventive Maintenance	Preventive Maintenance for the city's fleet of paratransit vehicles.	REG090010	09-07		$48,000	-	-
SOL	City of Rio Vista	Preventive Maintenance	Preventive Maintenance for the city's fleet of transit vehicles.	REG090010	09-07		$75,000	-	-
SM	San Mateo County Transit District	Preventive Maintenance	Preventive maintenance for fixed route (Route 294) and demand response (SamCoast) service in the rural area of the coastside of San Mateo County.	REG090010	09-07		$228,794	$81,389	Any amount ($1 to $81,389) could be added to the project.
SC	Santa Clara Valley Transportation Authority	Preventive Maintenance	Preventive Maintenance for fixed route bus service on Route 68, outside of the urban boundary within Santa Clara County.	REG090010	09-07		$228,794	$359,864	Any amount ($1 to $359,864) could be added to the project.
						Total	$2,112,283	$917,066	
						Estimated MTC Apportionment	$2,112,283	(unknown)	
						Difference	$0	-	

J:\PROJECT\Funding\FTA\Section 5311\2009 Economic Stimulus\MTC_5311-ARRA_POP_to_Caltrans.xls

ATTACHMENT A

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RESOLUTION 2009-04

A RESOLUTION OF THE SOLANO TRANSPORTATION AUTHORITY AUTHORIZING THE FEDERAL FUNDING UNDER SECTION 5311 (49 U.S.C. SECTION 5311) WITH CALIFORNIA DEPARTMENT OF TRANSPORTATION

WHEREAS, the U.S. Department of Transportation is authorized to make grants to states through the Federal Transit Administration to support capital and operating assistance projects for non-urbanized public transportation systems under Section 5311 of the Federal Transit Act; and

WHEREAS, the California Department of Transportation (Department) has been designated by the Governor of the State of California to administer Section 5311 of the Federal Transit Act: and

WHEREAS, Solano Paratransit desires to apply for said financial assistance to permit operation of rural transit services in Solano County; and

WHEREAS, Solano Paratransit has, to the maximum extent feasible, coordinated with other transportation providers and users in the region (including social service agencies).

NOW, THEREFORE, BE IT RESOLVED AND ORDERED, Daryl K. Halls, the Solano Transportation Authority's Executive Director, is authorized to file and execute applications on behalf of Solano Paratransit with the Department to aid in the financing of operating or capital assistance projects pursuant to Section 5311 of the Federal Act of 1964, as amended.

That Daryl K. Halls, the Solano Transportation Authority's Executive Director, is authorized to execute and file all assurances or any other document required by the Department.

That Daryl K. Halls, the Solano Transportation Authority's Executive Director, is authorized to provide additional information as the Department may require in connection with the application for the Section 5311 projects.

That Daryl K. Halls, the Solano Transportation Authority's Executive Director, is authorized to submit and approve request for reimbursement of funds from the Department for the Section 5311 project.

_____

James P. Spering, Chair
Solano Transportation Authority

I, Daryl K. Halls, the Solano Transportation Authority Executive Director, do hereby certify that the above and foregoing resolution was introduced, passed and adopted by said Authority at the regular meeting thereof held this 18th day of March, 2009.

_____
Daryl K. Halls, Executive Director
Solano Transportation Authority

PASSED AND ADPOTED by the Solano Transportation Authority (STA) Board of the Solano County, State of California, at a regular meeting of said Commission on this 18th day of March, 2009 by the following vote:

Ayes: _____
Nos: _____
Absent: _____
Abstain: _____

Attest: _____
Johanna Masiclat
Clerk of the Board

STA
Solano Transportation Authority

DATE: March 9, 2009
TO: STA Board
FROM: Robert Guerrero, Senior Planner
RE: McGary Road Project

Background:
McGary Road is a 4.1 mile frontage road that parallels Interstate 80 and serves the region by providing a link for bikes, pedestrians, and cars between the cities of Vallejo and Fairfield. The road is a key segment of the Solano County Bikeway and is currently closed due to road hazards caused by the Red Top Slide. The McGary Road Project would rehabilitate a 1.7 mile segment of the road and include a Class II Bike lane construction. This Project is located in the City of Fairfield, from Lynch Road to Red Top Road (approximately 9100 ft). This road connects to the bike path at Hiddenbrook in the City of American Canyon and also connects to Lynch Road, which leads to Lynch Canyon and the City of Vallejo. Because of the current closure, there is no direct route for bikes and pedestrians to travel between the cities and emergency vehicles must utilize I-80. Once opened, it is planned the City of Fairfield will deannex this section of the road to the County.

As part of the Federal Safe, Accountable, Flexible, Efficient Transportation Equity Act – a Legacy for Users (SAFETEA-LU), a Priority Project Earmark from Congressman Miller's Office was obtained for "Undertake Cordelia Hill Sky Valley transportation enhancement project, including upgrade of pedestrian and bicycle corridors, Solano County." While the funds were intended for the Solano Land Trust (SLT) to be used to purchase property in the Cordelia Hills area, federal rules prohibit a non-profit agency to be a project sponsor. As a result, the County has agreed to be the Project sponsor. In early 2006, the SLT committed to contributing $500,000 of this earmark to the McGary Road/Solano Bikeway Phase 2 Project, as it would provide the bicycle and pedestrian requirement of the earmark. This commitment helped establish a partnership that allowed the remaining funding from the McGary Road Project to provide the required 20% non-federal match required for SLT's earmark. Without local match funds, the County of Solano and the SLT cannot proceed with using the federal funding for their Cordelia Hill Sky Valley transportation enhancement project.

The City of Fairfield, as the project sponsor for the construction of McGary Road/Solano Bikeway Phase 2, continues to make progress toward the project's implementation. Design plans are completed and are being reviewed by the County of Solano and City of Fairfield staff. Caltrans is currently reviewing environmental documents and other required documents needed for spending federal funds.

Discussion:
On December 10, 2008, the STA Board authorized the STA Executive Director to develop a three-way funding agreement for the McGary Road/ Solano Bikeway Phase 2 local match with the County of Solano and the SLT. The STA Board committed up to 3 years of Transportation Development Act (TDA) Article 3 funding to assist in the completion of the project and to

provide local match for the federal earmark. The TDA is currently estimated at $300,000 per year for priority bike and pedestrian projects. This commitment was made in exchange for the an additional $800,000 of the federal earmark to be used for the McGary Road Project.

On March 3, 2009, the Metropolitan Transportation Commission approved $1 million for the McGary Road/Solano Bikeway Phase 2 project as part of the American Recovery and Reinvestment Act (ARRA) Stimulus funds. The funding was granted in large part through the advocacy efforts of Jim Spering, Solano County Board of Supervisor and MTC Commissioner. With the inclusion of this $1 million, the project doesn't need to utilize the additional $800,000 of the federal earmark. As a result, STA's commitment of TDA Article 3 funds can be reduced. The amount of TDA Article 3 funds to be committed would be the amount need to provide the 20% local match. Currently, this is estimated to be no more than $400,000.

The McGary Road Project is now fully funded and the remaining task is to complete the three-way funding agreement with the County of Solano and SLT for the local match contribution for the federal earmark. As indicated in the Background Section of this report, the County of Solano agreed to be the project sponsor; however the SLT continues to work with County of Solano staff to select a viable project site. STA staff is recommending that the three-way funding agreement include the following provisions:

1. STA will contribute up to $400,000 in TDA Article 3 funding as the local match for purchase of land with the Cordelia Hill Sky Valley federal earmark. STA's TDA funding will complete the 20% local match requirement for the remaining portion of the federal earmark to be used for purchasing property and bicycle/pedestrian facilities, potentially in the Cordelia Hills Sky Valley area.

2. Timely use of TDA funds: TDA Article 3 local match must be allocated no later than FY 2011-12. The earmark was approved in 2006. This provision would give the SLT (with assistance from the County of Solano) a total of six years to utilize the earmark. If the SLT is unable to utilize the earmark funds by the end of FY 2011-2012, the STA will re-evaluate the three way funding agreement and the commitment of the TDA Article 3 funds. At that time, the funds may be reallocated toward another priority bike or pedestrian project in Solano County.

3. TDA Article 3 funding contribution must be used to construct a bicycle or pedestrian facilities. The SLT (with assistance from the County of Solano) must use the TDA local match contribution for the federal earmark to build a publicly accessible bicycle and/or pedestrian facility.

These provisions ensure STA's TDA local match contribution for the Cordelia Hill Sky Valley federal earmark is eligible and used in a timely manner. Attachment A outlines the STA staff's recommendation in detail. Attachment B is the McGary Road/Solano Bikeway Phase 2 Funding Plan.

Fiscal Impact:
A total of up to $400,000 of Transportation Development Act (TDA) Article 3 funds will be committed in FY 2011-12 as a local match for the federal earmark. If the SLT (with assistance from Solano County) cannot spend the federal earmark by the end of FY 2011-2012 the STA will re-evaluate the agreement and the TDA funds may be reallocated by the STA Board to another eligible bike or pedestrian project.

Recommendation:
Authorize the Executive Director to include the following provisions in the three-way funding agreement for the McGary Road/Solano Bikeway Phase 2 project with the Solano Land Trust (SLT), the County of Solano County and STA:

1. Contribute up to $400,000 in TDA Article 3 funding as the local match for the remaining federal earmark balance;
2. Timely use of TDA Article 3 funds: TDA Article 3 local match must be allocated no later than FY 2011-12; and
3. TDA Article 3 funding contribution must be used to construct a bicycle or pedestrian facility.

Attachments:

A. McGary Road Project and Land Trust Project Funding Summary
B. McGary Road/Solano Bikeway Phase 2 Funding Plan

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McGary Road Project and Land Trust Project Funding Summary	Project, Sponsor	McGary Road, Fairfield		Open Space/Ped Project, Land Trust/Solano County	
Type	Funding Source	Funding	FY	Funding	FY
Fed	SAFETEA-LU Earmark	$500,000	2008-09	*$1,500,000	2011-12
Fed	American Recovery & Reinvestment Act (ARRA) Safety Funding	$1,000,000	2008-09	$0	
Fed/State	STIP-Transportation Enhancements (TE)	$640,000	2008-09	$0	
STA/Local	Transportation Development Act (TDA) Article 3 (Bike/Ped)	$304,160	mixed	**$375,000	2011-12
STA/Local	STA Transportation For Clean Air (TFCA) Program Manager	$90,000	2008-09	$0	
Local	Bay Ridge Trail Grant	$150,000	2008-09	$0	
	TOTAL	**$2,684,160**		**$1,875,000**	
	DESCRIPTION	Fairfield's McGary Road Project is fully funded. This project is scheduled to be complete by November 2009.		*Remaining earmark amount subject to Omnibus bill ($1.4-1.6M). **Local Match subject to remaining earmark amount ($350,000-410,000). If the Land Trust does not have a viable project by FY 2011-12, the STA will no longer provide a local match. If the Land Trust can begin a project by April 2010, additional local match funding from STA may not be required.	

McGary Road Detailed Funding

Fund Source	Amount	PSE	ROW	CON	Notes
TDA Art 3 (FY06)	**$94,160**	$94,160			Spent
TDA Art 3 (FY07)	**$25,000**	$25,000			Spent
T3-HPP	**$500,000**			$500,000	No deadline (Earmarks can only be removed by Congress)
STIP TE (FY09)	**$381,000**			$381,000	Request Allocation by FY 2009/10
STIP-TE (FY10)	**$259,000**			$259,000	Request Allocation by FY 2009/10
TDA Art 3 (FY09)	**$185,000**	$185,000			Resolution + TDA Claim Submitted by Nov 2009
TFCA (40% funds)	**$90,000**	$90,000			Completely spend out by June 30, 2009 (extension possible)
Bay Ridge Trail Grant	**$150,000**			$150,000	Approval obtained Fall 2008.
ARRA Funding	**$1,000,000**			$1,000,000	Econ Stimulus: TIP amendment, Reso Local Support,
TOTAL FUNDING	**$2,684,160**	$394,160	$0	$2,290,000	

STA
Solano Transportation Authority

DATE: March 9, 2009
TO: STA Board
FROM: Janet Adams, Deputy Executive Director/Director of Projects
Kenny Wan, Assistant Project Manager
RE: Preliminary Engineering Priorities for Project Study Reports (PSRs) for Caltrans Oversight

Background:
A Project Study Report (PSR) is a preliminary engineering report, the purpose of which is to document agreement on the scope, schedule, and estimated cost of a project so that the project can be included in a future State Transportation Improvement Program (STIP). The California Transportation Commission (CTC) requires a completed PSR for projects before being added into the STIP. The CTC intends that the process and requirements for PSRs be as simple, timely, and workable as practical, given that a PSR must be prepared at the front end of the project development process, before environmental evaluation and detailed design, and that it must provide a sound basis for commitment of future state funding. A PSR also provides a key opportunity to achieve consensus on project scope, schedule, and proposed cost among Caltrans and involved regional and local agencies.

State statutes provide that Caltrans shall have 30 days to determine whether it can complete the requested report in a timely fashion (in time for inclusion in the next STIP). If Caltrans determines it cannot prepare the report in a timely fashion, the requesting entity may prepare the report. Local, regional and state agencies are partners in planning regional transportation improvements. Input from all parties is required at the earliest possible stages and continues throughout the process. The project sponsor should take the lead in coordination activities. PSR's will to be completed by a local agency still requires Caltrans oversight and ultimate approval.

Throughout Solano County, several local agencies have initiated or are about to initiate PSR's which will require Caltrans oversight and approval. This effort requires Caltrans to provide adequate resources to fulfill the responsibility of this oversight.

However, the State Highway Operations & Protection Program (SHOPP) projects (which Caltrans is the lead agency), will take a priority over local projects given Caltrans mission for preservation of the State Highway System.

Discussion:
On January 4, 20089, STA received a joint letter (Attachment A) from Lee Taubeneck, Deputy District Director, Caltrans District 4 and Therese McMillan, Deputy Executive Director, Policy, Metropolitan Transportation Commission (MTC) regarding prioritization of preliminary engineering work from Solano County. STA was requested to provide a comprehensive prioritized list PSRs for Solano County. Attached to the letter was a one-page spread sheet that has all known PSR work to Caltrans, including

Solano County studies. A similar request was made by Caltrans in 2008 for Fiscal Year (FY) 2008-09.

On February 6, 2009 an e-mail with the joint letter from Caltrans and MTC with the spreadsheet was sent to all TAC Members requesting from each jurisdiction;

- List of active PSRs
- List, in prioritized order, PSRs that the jurisdiction expects to begin next FY
- Project specific information regarding project costs, if fully funded
- Year construction expected to begin
- What type of Environmental Document is expected for each project

Responses were received from varies agencies, and at the February 25, 2009 Technical Advisory Committee (TAC) meeting, the City of Vacaville added the I-505/Vaca Valley Ramp and Intersection Improvements Project and requested the I-80/ Lagoon Valley Blvd I/C ramp improvements priority be placed behind the I-505 Project.

This proposed action, with adjustments by the TAC as stated received unanimous support to send a recommendation to the STA Board to approve the FY 2009-10 Caltrans Project Study Report oversight priority list. Based on these responses from the Solano County local agencies, Attachment B is the proposed list of projects, with prioritization of work for during FY 2009-10:

Fiscal Impact:
Generally there are no fiscal impacts for this issue as this subject is related to the development of priorities.

Recommendation:
Approve adoption of the FY 2009-10 preliminary engineering prioritized PSR workplan to submit to Caltrans as specified in Attachment B.

Attachments:
A. Caltrans/MTC letter of December 31, 2008
B. Proposed FY 2009-10 PSR Priority List

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY ARNOLD SCHWARZENEGGER, Governor

DEPARTMENT OF TRANSPORTATION
111 GRAND AVENUE
P. O. BOX 23660
OAKLAND, CA 94623-0660
PHONE (510) 286-5908
FAX (510) 286-6301
TTY 711

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Be energy efficient!

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JAN 30 2009

January 27, 2009

Mr. Daryl K. Halls, Executive Director
Solano Transportation Authority
One Harbor Center, Suite 130
Suisun City, CA 94585

Dear Mr. Halls:

Pursuant to the attached Memorandum of Understanding (MOU) between the State of California Department of Transportation (Department) and the Metropolitan Transportation Commission (MTC) concerning the development of the regional priority list for preparing Project Study Reports (PSRs), the Solano Transportation Authority is requested to provide a comprehensive, prioritized list of PSRs to be worked on during FY 09/10. To assure timely identification of PSR priorities and resource allocation, please submit your project list on the attached form to the address shown below no later than March 1, 2008.

Patrick Pang
Chief, Office of Advance Planning
c/o Caltrans District 4
111 Grand Avenue, Mail Stop 10A
P.O. Box 23660
Oakland, CA 94623-0660

The Department and MTC look forward to working with your agency to allocate available resources to meet project delivery needs throughout the region. If you have questions or need additional information regarding this matter, please contact Patrick Pang, District 4 – Advance Planning, at (510) 286-5566.

Sincerely,

LEE TAUBENECK, M.S., P.E.
District Deputy Director
Transportation Planning and Local Assistance

THERESE W. MCMILLAN
Deputy Executive Director, Policy
Metropolitan Transportation Commission

Attachments

"Caltrans improves mobility across California"

STA 8/9 STIP (Non-SHOPP) PID Workplan

	Current PID Status	LEAD or QA?	Priority	County	Route	Begin Postmile	End Postmile	Improvement Description (Type of Work)	Location	K-Phase EA	Project Cost ($M)	Estimated PID Completion Date (Month/Year)	% Complete	Type of PID	Type of Environmental Document	Proposed Program Year	Regional Transportation Plan	Project Manager	PID Initiation Date (Month/Day/Year)	Comment
Tier 1 Carryover and Proposed New PIDs in 08/09 Workplan																				
1	Carryover	QA	1	SOL	080	0.80	5.60	New EB & WB HOV lanes and new overcrossing at Turner Rd	In Vallejo from Carquinez Br to SR 37	4A440K	120.0	03/2009	95	PSR/PDS	FONSI	2013/14	Y	Sameer Khoury	5/2/2007	1/20/09 - For executive review/approval
2	Carryover	QA	1	SOL	080	23.10	23.10	Realign EB on and off-ramps	Lagoon Valley Blvd I/C Vacaville	3A790K	1.5	12/2009	30	PSR/PR	EIR	2008/09	N	Nicolas Endrawos	12/1/2006	
3	Carryover	QA	1	SOL	780	4.86	5.06	Construct pedestrian/bicycle bridge	Miller Rd (State Park Rd) OC in Benicia	3A430K	3.9	11/19/09	100	PSR/PR	ND	2008/09	N	Jason Mac	12/1/2006	PID completed
4	New	QA	1	SOL	012	24.60	25.00	Modify intersection	Church Rd in Rio Vista	0G050K	2.8	06/2009	25	PSR		2011/12	Y	TBD	6/25/2008	
Tier 2 Proposed New PIDs to begin future fiscal years																				
5	Proposed New	LEAD	3	SOL	080	17.9	19.2	Add EB and WB Aux. Lane	Travis Blvd to Air Base Pkwy		TBD	TBD		PSR	TBD	2014/15	Y	TBD	TBD	
6	Proposed New	QA	1	SOL	080	TBD	TBD	Road and ramp modifications at intersection	American Canyon	TBD	TBD	TBD		PSR or PEER	TBD		Y	TBD	TBD	City seeking to use PEER process in lieu of PSR
7	Proposed New	QA	2	SOL	505	TBD	TBD	SB on & off-ramps and intersection modification	Vaca Valley Pkwy I/C in Vacaville	TBD	1.0	TBD		PSR or PEER	TBD	2009/10	Y	TBD	TBD	City of Vacaville exploring PEER project process
Studies in 08/09 Workplan																				
8	Active	QA		SOL	012	26.20	26.40	Rio Vista Bridge Preliminary Study	Rio Vista Bridge	4A490K	TBD	06/2009	5	MIS and PPR	TBD	TBD	Y	Joe Agu'ar	6/5/2007	
9	Active	QA		SOL	80 680 780	VAR	VAR	80/680/780 Highway Ops Implementation Plan		TBD	TBD	09/2010		Study	TBD	TBD	N	TBD	10/2007	
10	Active	QA		SOL	113	TBD	TBD	SR-113 Major Investment and Corridor Study		TBD	TBD	09/2009		Study	TBD	TBD	N	Erik Alm	03/2007	
11	Active	QA		VAR	VAR	VAR	VAR	Regional HOT Lane Study Phase 3	ALA, CC MRN, NAPA, SCL, SF, SM, SOL, SON Counties	TBD	TBD	TBD		Study	TBD	TBD	N	Erik Alm	TBD	
12	Proposed New	QA		SOL	012	TBD	TBD	Median barrier Study	Fairfield to Rio Vista	TBD	TBD	04/2009		Feasibility Study	FONSI	2012/13	Y	TBD	TBD	
13	Active	QA		ALA CC SOL	80 80 80	3.2	44.7	I-80 Smarter Growth Study	Corridor extends from the SFOBB through Sacramento County	TBD		TBD		Study			N	Erik Alm	TBD	
14	Active	QA		NAP SOL	012 012	0.0	26.4	SR12 Corridor Study	Corridor extends between SR29 and I-5 in SJ County									Erik Alm		

PROPOSED SOLANO COUNTY 09/10 PID WORKPLAN

PRIORITY	Current PID Status	LEAD or QA	Route	Improvement Description & Location	Project Sponsor	Type of PID	Type of Environmental Document	Project Cost ($M)	Proposed PID Start Date	Target Date for PID Approval	Expenditure Authorization
1	Active 08/09 workplan	QA	12	Rio Vista preliminary Bridge Study	**STA**	Feasibility Study		400	12/2007	12/2008	4A490K
2	new	QA	80	I-80/Hidden Brooke Interchange	**Vallejo**	PSR/PEER		TBD	TBD	TBD	TBD
3	new	QA	80	I-80/Pedrick Road Interchange	**Dixon**	PSR		TBD	TBD	TBD	TBD
4	new	LEAD	80	I-80 Auxiliary Lanes (EB and EB Air Base Pkwy to Travis)	**Caltrans**	PSR		TBD	TBD	TBD	TBD
5	new	QA	505	Vaca Valley Ramp and Intersection Improvements	**Vacaville**	PSR/PR		3	12/1/2009	12/2010	TBD
6	Active 08/09 workplan	QA	80	Realign EB on and off-ramps Lagoon Valley Blvd I/C in Vacaville	**Vacaville**	PSR/PR	EIR	1.5	12/1/2006	07/2010	3A790K

ATTACHMENT B

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STA
Solano Transportation Authority

DATE: March 9, 2009
TO: STA Board
FROM: Janet Adams, Deputy Executive Director/Director of Projects
Sam Shelton, Project Manager
RE: Summary of Federal Economic Stimulus Submittal for Transportation in Solano County

Background:
The economy across the country has continued to decline. In reaction to this decline, the federal government has requested local governments, state, and regional transportation agencies to submit projects that would stimulate the economy by producing jobs. One of the sectors being solicited is infrastructure, specifically transportation, including roadway and transit capital projects.

In anticipation of the passage of a federal economic stimulus bill, MTC staff has been guiding Congestion Management Agency (CMA) staff in selecting projects able to meet federal stimulus funding delivery deadlines. At the February 11, 2009 STA Board meeting, a list of about $9M in stimulus projects was recommended to MTC for federal funding.

Discussion:
On February 17, 2009, President Obama signed into law the American Recovery and Reinvestment Act (ARRA), which enacted a $787 billion economic recovery package calling for significant new spending as well as tax cuts. It is estimated that MTC will receive roughly $150 M through the Surface Transportation Program's Local Streets & Roads program and $340 million in Federal Transit Administration formula funds for a total regional ARRA formula distribution of roughly $490 million (Attachment A).

Local Streets and Roads (LS&R) Shares
Below is a recent history of estimated local agency projected and revised targets based on the passage of the ARRA legislation showing available funding for projects through the Federal Surface Transportation Program (STP) formula.

Agency	*25/25/ 25/25 Formula %*	*01-22-09*	*02-05-09*	*02-19-09*		*02-23-09*			
		80% STA Targets	*100% MTC Targets*	*84% Revised Tier 1*	*16% Revised Tier 2*	*TOTAL Additional Tier 1*	*87% FINAL Tier 1*	*13% FINAL Tier 2*	*Future Funding Shift*
Solano County	20.3	1,800,000	2,290,000	2,000,000	1,000,000	200,000	2,000,000	300,000	-20,000
Benicia	4.2	400,000	480,000	400,000	0	0	400,000	60,000	10,000
Dixon	3.7	300,000	420,000	300,000	0	0	300,000	50,000	60,000
Fairfield	20.2	1,800,000	2,200,000	1,800,000	0	0	1,800,000	290,000	160,000
Rio Vista	1.0	0*	0*	0*	0*	0*	0*	0*	0*
Suisun City	7.5	700,000	850,000	700,000	0	0	700,000	110,000	30,000
Vacaville	15.9	1,590,000	1,860,000	1,590,000	790,000	320,000	1,910,000	240,000	-360,000
Vallejo	27.2	2,500,000	3,020,000	2,620,000	0	120,000	2,650,000	390,000	30,000
TOTAL	**100%**	**9,090,000**	**11,120,000**	**9,410,000**	**1,790,000**	640,000	**9,730,000**	**1,440,000**	

*$90k of Rio Vista shares were redistributed to Vacaville through a funding swap for local funding at $0.90/$1.00 ($81,000 to Rio Vista).

Funding Swaps

Being unable to obligate federal funding for local streets and roads, the City of Rio Vista is interested in swapping funds with another agency, incorporating their share into the swapping agency's projects. In the past, a 90% local reimbursement has been supported by the STA Board. Reimbursement to Rio Vista may need to occur several years later. On January 28th, the STA TAC approved a recommendation that the City of Vacaville enter into a funding swap agreement for Rio Vista's share of the federal economic stimulus funding. STA staff recommends the Board authorize the STA enter into an agreement with the cities of Rio Vista and Vacaville for the SWAP of these funds.

Local Streets & Roads Tier 1 & Tier 2 Project Selection Process

On January 21, 2009, the STA TAC reviewed the preliminary economic stimulus project list approved by the STA Board on January 14, 2009. STA staff requested that the TAC further define these projects using the latest guidance from Caltrans and MTC.

Tier One: 120-Day projects (all rehabilitation projects to be on Tier One)

- Projects that can be awarded in 120 days (award date by June 15, 2009)
- Projects that are already or nearly cleared environmentally
- Projects on the STA's Routes of Regional Significance list of projects that help maintain a PCI above 63 for these projects are encouraged.

Tier Two: June 1, 2010 Projects (Non-rehabilitation projects, these projects are expected to be the regional expansion/capacity projects)

- Projects that can be awarded by June 1, 2010

Tier 1 funding is the first priority of funds distributed to projects. After Tier 1 projects fail to meet obligation deadlines, this funding will be available to Tier 2 projects, through MTC's redistribution process (to be determined). After multiple revisions to the final estimated amounts of funding, STA staff was asked on short notice to revise funding amounts. At the time of the last revision, a total of $640,000 was added to projects in Solano County, Vacaville, and Vallejo (see attachment B). These last minute additional funding amounts will be recommended for balancing by the 25/25/25/25 funding formula for future local streets and roads funds, as shown in the table above (see future funding shift) and brought back to the STA TAC and STA Board at a future meeting.

Transit

Below are the estimated local agency targets for available transit funding for projects through the Federal Section 5307. MTC also recommended that the transit agencies submit up to 20% more (in terms of funding) than the total funding target for their agency.

Agency	*01-22-09 80% MTC Targets*	*01-22-09 100% MTC Targets*	*02-19-09 53% Final Tier 1*	*02-19-09 13%% Final Tier 2*
Benicia	500,000	600,000	132,000*	0
Fairfield	4,700,000	5,640,000	3,135,000	789,000
Vacaville	3,200,000	3,840,000	2,217,000	528,000
Vallejo	12,100,000	14,520,000	7,612,000	2,009,000
TOTAL	**20,500,000**	**24,600,000**	**13,096,000**	**3,326,000**

*Earlier Benicia Transit shares are now programmed through Vallejo Transit, since Benicia is ineligible for certain ARRA transit funding.

Discretionary Funding
$32 million in discretionary funding is proposed to be programmed towards specific projects using the remainder of STP funding. STA staff, with the strong support of MTC Commissioner Jim Spering, was successful in convincing MTC to establish a small category of North Bay Safety projects. Of the North Bay's priority safety projects, Fairfield's McGary Road Project received a recommendation of $1.0 million from MTC staff (Attachment C).

Attached are the project lists adopted by MTC on February 25, 2009 for Local Streets & Roads and Transit as part of Resolution 3885 (Attachments D & E). After completing field reviews with Caltrans staff in late February and early March, Benicia's "Columbus Parkway Rehabilitation Project" and Suisun City's "Main Street Rehabilitation Project" did not receive Caltrans approval for quick environmental reviews. This has prompted both agencies to reprogram their funding towards other stimulus road rehabilitation projects approved for quick environmental reviews.

Fiscal Impact:
None, as this action does not affect any expenditure of funds by the STA. However, should the STA be successful in being the lead for a new project funded by this pending federal economic stimulus bill, it may add an additional project to STA's Overall Work Program.

Recommendation:
Approve the following:

1. The Federal Economic Stimulus Solano County Project List for Transportation as specified in Attachment D;
2. The Federal Economic Stimulus Solano County Project List for Transit as specified in Attachment E; and
3. Authorize the Executive Director to enter into a funding agreement with the Cities of Rio Vista, and Vacaville for the swap of Federal Economic Stimulus STP formula funds and local funds.

Attachments:
(The following attachments have been provided to the STA Board Members under separate cover. To obtain copies of these attachments you may contact the STA office at (707) 424-6075.)

A. Metropolitan Transportation Commission (MTC) staff report "American Recovery and Reinvestment Act: Revised Recommendation", 02-19-09
B. Federal Economic Stimulus: Tier 1 Targets for Developing Ready-To-Go Local Streets and Roads Projects, Version 6, 02-23-09
C. McGary Road Attachment to MTC's ARRA Report, 02-19-09
D. February 25, 2009 Federal Economic Stimulus Solano County Project List for Transportation
E. February 25, 2009 Federal Economic Stimulus Solano County Project List for Transit

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DATE: February 27, 2009
TO: STA Board
FROM: Daryl Halls, Executive Director
Susan Furtado, Financial Analyst/Accountant
RE: Fiscal Year (FY) 2008-09 Mid-Year Budget Revision

Background:
The Solano Transportation Authority (STA) has an adopted budget policy requiring a two-year annual fiscal year budget plan for its proposed expenditures and the proposed means of financing them. This budget is usually revised mid-year and finalized at the end of the fiscal year. In July 2008, the STA Board adopted the FY 2008-09 Budget Revision and the FY 2009-10 Proposed Budget. Attachment A is the mid-year budget revision for FY 2008-09. This budget provides STA the basis for appropriate budgetary control of its financial operations for the fiscal year and for multi-year funded projects.

Discussion:
The proposed FY 2008-09 Budget Revision is balanced, with changes to the approved budget from $33.24 million to $27.01 million, a $6.23 million reduction. This reduction is primarily due to the construction for the I-80 Ramp Metering being done by Caltrans, not by STA as originally anticipated. Budget changes are summarized as follows:

FY 2008-09 Revenue Changes

1. The Transportation Development Act (TDA) fund is reduced by $45,413 (10%). This fund is generated from the percentage of countywide sales tax for public transportation services. With the current economic status, this fund has decreased and will remain low until the economy improves.
2. State Transit Assistance Funds (STAF) is reduced by $641,518 (66%). This fund is used to provide financial assistance for public transportation, including funding for transit planning, operations, and capital acquisition projects. The recently approved State Budget reduced this fund by 75% for the FY 2008-09, and includes a provision to completely suspend all funding for FY 2009-10 and subsequent fiscal years. Therefore, the revised STAF funding for the FY 2008-09 is mostly from the reprogrammed fund from FY 2007-08 for the continuation of multi-year projects. The initiation of several important transit studies, such as the Alternative Fuel Strategy Study, I-80/I-680/I-780 Transit Corridor Study, Rail Station and Service Plan Update and Implementation Plan, Solano Senior & Disabled Transit Plan Update, Rail Crossing Plan and Water Transit Plan are recommended to be put on hold until a replacement funding revenue is secured.
3. The State Transportation Improvement Program (STIP) Planning, Programming and Monitoring (PPM) funding budget is reduced by $292,179. The STIP/PPM funding budget for FY 2008-09 has been reduced from the anticipated expenditures due to the delayed approval process and Caltrans lack of staff resources to provide oversight for the SR12 Median Barrier Study and the Project Study Report (PSR) for the SR 12/Church

Road projects. Consequently, this fund is also targeted for use for the continuation of the SR 12 Major Investment Study (MIS)/Corridor Study and the Regional Transportation Impact Feasibility Study. The remaining funds for FY 2008-09 will be carried over to FY 2009-10 for the continuation of projects.

4. The Transportation for Clean Air (TFCA) fund for the Solano Napa Commuter Information (SNCI) program is changed due to the reduced ($97,369) carryover funds from FY 2007-08.
5. The fund swap from City of Fairfield's TDA fund is reduced by $129,381. In May 2008, the STA Board approved a multi-year fund swap. STA had planned on a larger fund swap this fiscal year ($540,000); however, the agreed swap amount was $400,000, a reduction of $140,000. The budget for this funding was programmed for an anticipated expenditure of $529,381, which reduced the budget only for $129,381, instead of $140,000. The swap is for the State Transportation Improvement Program (STIP) funds to the Fairfield/Vacaville Intermodal Rail Station in exchange for $400,000 in TDA funds. This fund swap was planned to assist STA in funding the new critical planning studies approved by the STA Board. Consequently, with the TDA and STAF funding reduction, this fund will be used to sustain ongoing project studies and programs, and no funding will be available for new project studies.
6. The SR 12 Rio Vista Bridge Realignment Study project budget, which started in FY 2006-07, is reduced due to additional project requirements and funds will be carried over to the subsequent fiscal year budget. This project study is funded from the Federal Earmark and City of Rio Vista local match funds and was originally anticipated to be done in FY 2008-09.
7. The I-80 High Occupancy Vehicle (HOV) Lane Project budget is reduced by $6.3 million due to the change in the project lead agency for construction of the Ramp Metering element of this project. The approved budget for FY 2008-09 reflected STA to be the lead agency for the Ramp Metering construction portion of this project. Caltrans is now lead agency for this portion of the project. This project has an estimated design completion date of October 2009.
8. The I-80 HOV/Turner Parkway Overcrossing project budget is increased to reflect the carryover funding from FY 2007-08 due to the finalized annual audit. This project is a partnership between the City of Vallejo, Solano County & STA using the County of Solano's Federal Earmark and local fund match from the City of Vallejo, Solano County, and STA. This project was initiated in FY 2006-07 and is scheduled to be done in FY 2008-09.
9. The North Connector East Design Preliminary Engineering and Construction budget is increased by $1,002,188. In January 2009, the STA Board approved the Regional Measure 2 (RM 2) funding allocation request of $18.2 million from the Metropolitan Transportation Commission (MTC) for additional funding for the construction of the East End – North Connector Project (Abernathy Road to Suisun Creek). This project is in its final design, right-of-way acquisition, and preliminary construction phase.

Other revenue changes are made due to the finalized annual audit and carryover funds from FY 2007-08 for the continuation of projects.

FY 2008-09 Expenditure Changes

Changes to the approved budget are reflective of funds carryover and revenue changes as described above. The budget expenditure revisions are as follows:

1. ***The Operation and Management*** total budget is reduced by $177,578. With the reduction of the above revenue sources, expenditures for operation and management are impacted. STA staff has taken action to reduce expenditures. Specifically, the vacant position for the Marketing Assistant will not be filled and the work load for this position is redirected to existing staff or tasks will be postponed. Other operational costs are also reduced with the exemption to the fixed expenses, such as the Office Lease and General Liability Insurance. In addition, legal fees cost are reduced due to legal activities directly associated with projects to be billed directly to the projects, reduced printing and copying cost with the new copier lease, limited training and conferences travel, and minimal purchasing of new office equipment and furniture.

   The STA Board of Directors budget cost is reduced to reflect cost savings for the members Washington DC trip with actual cost for the trip.

   The Expenditure Plan budget cost of $88,000 is removed from the budget since no activities for the dissemination of information and activities for future local measure is planned to be done. These funds have been dedicated to the Regional Transportation Impact Fee Nexus Study.

2. ***The Transit and Rideshare Services/Solano Napa Commuter Information (SNCI)*** total program budget is reduced by $13,814. The TDA and STAF fund is the core operating revenue for the Transit Management and Administration, Solano Paratransit Coordinating Council (PCC), and the Solano Paratransit Review Study. This fund is used to provide and support wide range of transit activities, including transit program administration, transit studies, transit marketing activities, and matching funds for the purchase of new intercity buses. Recently, the State Budget was approved to include a reduction of 75% in STAF funds for FY 2008-09, and a provision to completely this suspend funding beginning FY 2009-10. Without the STIP/TDA fund swap obtained from the City of Fairfield, these programs would have been unfunded. Consequently, a substantial amount of STAF fund from FY 2007-08 is carried over and reprogrammed for the continuation of multi-year and on-going projects.

3. ***The Project Development*** total budget is reduced by $5.92 million. The budget primarily changed due to the $6.3 million anticipated RM 2 allocation request from MTC for the initial construction activities of the I-80 HOV Ramp Metering portion of the project, and the designation of STA as the lead agency. Subsequently, the designated lead agency is now changed to Caltrans for construction of the Ramp Metering. The North Connector East project is now in its final design and right-of-way acquisition, and preliminary construction phase. With this project under construction phase, the budget is increased for the anticipated engineering and construction cost. A federal funding allocation request for the Jepson Parkway Project is reflected in the budget for the continuation of the project. A budget reduction is made to the SR 12 Median Barrier Study ($619,746) and the Project Study Report (PSR) for the SR 12/Church Road ($44,693) to reflect the changed project requirements, such as completing the Major Investment Study (MIS) prior to the Median Barrier PSR and a need for oversight from Caltrans. Continuation of this project will be reflected in the subsequent fiscal year budget revisions. The SR 12 Bridge Realignment Study budget is reduced by $163,501 due to delayed project activities. This funding will be carried over into the next fiscal year and will be reflected in the FY 2009-10 budget. The Regional Impact Fee Feasibility Study (AB 1600) budget was originally approved

under the Strategic Planning Department. This Study is now grouped under the work tasks of the Project Development Department for its coordination and program activities.

4. ***The Strategic Planning*** total budget is reduced by $109,670. The anticipated new studies and plan updates for the following studies: Alternative Fuel Study, I-80/I-680/I-780 Transit Corridor Study (Operational), Rail Station and Service Plan Update and Implementation Plan, Solano Senior and Disable Transit Plan Update, Rail Crossing Plan, and the Water Transit Plan were originally funded by the STAF, STP, and STIP/TDA fund swap from the City of Fairfield. With the State Budget reduction to the STAF and TDA funds, these studies are temporarily on hold until funding revenue is secured. Consequently, the Comprehensive Transportation Plan (CTP) update, which includes the following studies: the Countywide Bicycle Master Plan Update, Countywide Pedestrian Plan Update, the Routes of Regional Significance Update, and Safe Route to Transit Study is ongoing and the budget is increased by ($97,233) for these activities. In addition, the SR 12 MIS/Corridor Study is ongoing using the STIP/PPM funds reallocated from the SR 12 Median Barrier Study. STA was awarded funding from the Coastal Conservancy Funds for the SR 12 Jameson Canyon Ridge Trail Study in the amount of $55,000. In December, STA received a letter from the State Coastal Conservancy to immediately suspend all work under any agreement due to the State budget crisis. No funding letter has been received to completely cancel the agreement.

Status of Cost of Living Adjustment (COLA) for STA Staff in FY 2009-10
The STA Board has adopted a policy for calculating cost of living adjustments for STA staff salaries using the average Consumer Price Index (CPI) of three areas: United States cities, Western Urban areas, and the San Francisco/Oakland/San Jose urban area. Staff recommends no COLA adjustments for the FY 2009-10 budget. The fiscal impact of a COLA adjustment for STA employees is estimated to be approximately $53,519. This amount will be a cost reduction for the FY 2009-10 budget.

To ensure conformance with the Office of Management and Budget (OMB) Circular A-87 (Cost Principles of State, Local, and Indian Tribal Government) and the STA's Accounting Policies and Procedures, the approved budget for FY 2008-9 is revised to reflect changes in the budget revenue and expenditures.

Fiscal Impact:
The total FY 2008-09 budget changes of $6.23 million includes the reduction of STAF and TDA funding.

Recommendation:
Adopt FY 2008-09 Mid-Year Budget Revision as shown in Attachment A.

Attachments:
A. STA FY 2008-09 Mid-Year Budget Revision dated March 11, 2009.

ATTACHMENT A

Solano Transportation Authority

FY 2008-09 MID-YEAR BUDGET REVISON

March 11, 2009

REVENUES

STA Fund	Adopted FY 08-09	Proposed FY 08-09
MembersContribution/Gas Tax (Reserve Accounts)	108,801	108,801
Members Contribution/Gas Tax	205,785	205,785
Transportation Dev. Act (TDA) Art. 4/8	451,425	**406,282**
State Transit Assistance Fund (STAF)	968,896	**327,378**
Surface Transportation Program (STP)	723,309	**753,045**
State Planning & Research (SP&R)- SR 113 MIS	16,000	**51,729**
SP&R - Operation/Implementation Plan	150,000	**170,000**
State Transportation Improvement Program (STIP)/Planning, Programming and Monitoring (PPM)	1,066,169	**773,990**
State Transportation Improvement Program (STIP)	34,943	**42,098**
Regional Measure (RM) 2 - North Connector - Design	26,806	**25,394**
Regional Measeure (RM) 2 - I-80 HOV Lanes	6,500	**7,440**
Regional Measure (RM) 2 - I-80 Interchange Project	26,806	**25,106**
Regional Measure (RM) 2 - I-80 East Bound (EB) Truck Scales Relocation	48,727	**26,135**
Transportation for Clean Air (TFCA)	524,019	**426,650**
ECMAQ - MTC	150,000	**251,080**
Regional Measure (RM) 2 - Transit	70,000	**99,500**
Regional Rideshare Program (RRP)	240,000	240,000
Community Based Transit Study (CBTS)	120,000	120,000
City of Fairfield (swap) Transportation Dev. Act (TDA)	529,381	**400,000**
Bay Area Ridge Trails	55,000	55,000
AVA Program/DMV	11,100	11,100
Local Funds - Cities/County	99,600	**103,495**
Sponsors	13,000	**18,250**
Subtotal	$ 5,646,267	$ **4,648,258**

TFCA Program		
Transportation for Clean Air (TFCA)	422,977	**409,857**
Subtotal	$ 422,977	$ **409,857**

Abandoned Vehicle Abatement Program		
Department of Motor Vehicle (DMV)	358,900	358,900
Subtotal	$ 358,900	$ 358,900

I-80 East Bound (EB) Truck Scales Relocation		
RM 2 Funds	3,547,648	3,547,648
Subtotal	$ 3,547,648	$ 3,547,648

Jepson Parkway Project		
State Transportation Improvement Program (STIP)	1,115,087	1,115,087
Subtotal	$ 1,115,087	$ 1,115,087

Jameson Canyon Project		
STIP/TCRP	3,500,000	3,500,000
Subtotal	$ 3,500,000	$ 3,500,000

North Connector East (Chadbourne Rd/Right of Way)		
Preliminary Engineering/Right of Way - RM-2 Funds	4,623,194	**5,625,382**
Subtotal	$ 4,623,194	$ **5,625,382**

I-80/I-680/SR 12 Interchange EIR/EIS		
RM 2 Funds	6,479,033	6,479,033
Subtotal	$ 6,479,033	$ 6,479,033

SR 12 Bridge Realignment		
Fedeal Earmark	193,821	**60,000**
City of Rio Vista	44,680	**15,000**
Subtotal	$ 238,501	$ **75,000**

I-80 High Occupancy Vehicle (HOV) Lane/Ramp Metering		
PA/ED Design RM-2	7,293,500	**997,224**
Subtotal	$ 7,293,500	$ **997,224**

I-80 HOV/Turner Parkway Overcrossing		
Federal Earmark	10,000	**205,216**
Local Funds - STA/Solano County/City of Vallejo	2,000	**51,303**
Subtotal	$ 12,000	$ **256,519**

TOTAL, ALL REVENUE	$ 33,237,107	$ 27,012,908

EXPENDITURES

Operations & Administration	Adopted FY 08-09	Proposed FY 08-09
Operations Management	1,517,962	**1,436,884**
STA Board of Directors/Administration	51,800	**43,300**
Expenditure Plan	88,000	**0**
Contributions to STA Reserve Account	108,801	108,801
Subtotal	$ 1,766,563	$ 1,588,985

Transit and Rideshare Services/SNCI		
Transit/SNCI Management/Administration	476,945	**480,656**
Employer/Van Pool Outreach	12,200	12,200
SNCI General Marketing	114,872	114,872
Commute Challege	16,000	16,000
Bike to Work Campaign	28,000	28,000
Bike Links	15,000	15,000
Incentives	25,000	25,000
Emergency Ride Home (ERH) Program	5,000	5,000
Transit Management Administration	225,000	**219,066**
Solano Express	100,000	**35,000**
Community Based Transit Study	120,000	120,000
Lifeline Program	15,000	**22,709**
Paratransit Coordinating Council (PCC)	45,000	45,000
Solano Paratransit Review	40,000	**60,000**
Transit Marketing	70,000	**99,500**
Transit Consolidation Implementation	75,000	**71,200**
Subtotal	$ 1,383,017	$ 1,369,203

Project Development		
Project Management/Administration	133,223	**109,223**
Safe Route to School Program	151,263	**147,135**
Regional Impacr Fee (Feasibility Study/AB 1600)	200,000	**150,000**
I-80/I-680/I-780 Operation/Implementation Plan	200,000	**232,500**
Project Study Report (PSR) SR 12/Church	64,000	**19,307**
SR 12 Median Barrier Study (MBS)/PSR	746,934	**127,188**
Jepson Parkway	1,115,087	1,115,087
Jameson Canyon Project	3,500,000	3,500,000
I-80/I-680/SR 12 Interchange PA/ED	6,479,033	6,479,033
North Connector-East (Chadbourne Rd/Right of Way)	4,623,194	**5,625,382**
I-80/HOV Lanes/Ramp Metering	7,293,500	**997,224**
I-80 HOV/Turner Parkway Overcrossing	12,000	**256,519**
I-80 East Bound (EB) Truck Scales Relocation	3,547,648	3,547,648
SR 12 Bridge Realignment Study	238,501	**75,000**
DMV Abandoned Vehicle Abatement (AVA) Program	358,900	358,900
Subtotal	$ 28,663,283	$ 22,740,146

Strategic Planning		
Planning Management/Administration	96,272	**76,469**
SR 113 MIS/Corridor Study	20,000	**64,624**
SR 12 MIS/Corridor Study	15,000	**265,000**
Events	18,000	**11,250**
Model Development/Maintenance	80,000	**75,000**
Solano County TLC Program	225,000	**150,982**
TFCA Programs	422,977	**409,857**
Comprehensive Transportation Plan (CTP)/EIR	109,159	**206,392**
Safe Route to Transit	42,836	**0**
Alternative Fuel Study	10,000	**0**
I-80/I-680/I-780 Transit Corridor Study (Operational Plan)	100,000	**0**
Rail Station and Service Plan Update and Implementation Plan	80,000	**0**
Solano Senior & Disable Transit Plan Update	80,000	**0**
Rail Crossing Plan	30,000	**0**
Water Transit Plan	40,000	**0**
SR 12 Jameson Canyon Ridge Trail Study	55,000	55,000
Subtotal	$ 1,424,244	$ 1,314,574

TOTAL, ALL EXPENDITURES	$ 33,237,107	$ 27,012,908

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DATE: March 18, 2009
TO: STA Baord
FROM: Janet Adams, Deputy Executive Director/Director of Projects
RE: Amendment to Programming of the State Transportation Improvement Program (STIP)

Background:
The State Transportation Improvement Program (STIP) is a multi-year capital improvement program. STIP funding is split 25% to the Interregional Transportation Improvement Program (ITIP) with projects nominated by Caltrans, and 75% to the Regional Transportation Improvement Program (RTIP), decided by regional agencies. The STIP cycle is programmed every two years and covers a five-year period. The Solano Transportation Authority (STA) is responsible for development and programming of the RTIP for Solano County which is then submitted to MTC as part of the programming of the nine county Bay Area RTIP.

On March 2, 2004, voters passed Regional Measure 2 (RM 2), raising the toll on the seven State-owned bridges in the Bay Area by $1.00. This extra dollar is to fund various transportation projects within the region that have been determined to reduce congestion or to make improvements to travel in the toll corridors. The projects are specifically identified in Senate Bill (SB) 916. The Metropolitan Transportation Commission (MTC) manages the RM 2 funding for projects and programs, and the STA is the project sponsor for all Solano County capital RM 2 projects. Two of these RM 2 projects are the Vallejo Station with $28 million and the I-80/I-680/State Route (SR) 12 Interchange with $100 million dedicated to the projects.

RM 2 provides $100 million for improvements to the I-80/I-680/State Route (SR) 12 Interchange. A portion of these funds provided for the advancement of the High Occupancy Vehicle (HOV) Lanes currently under construction, a portion of these funds have advanced the North Connector and are part of the construction financing strategy. The remaining RM 2 funds are dedicated to the remaining Interchange Complex. The current allocation of funds is as follows:

I-80 HOV Lanes	$7.525 million
North Connector	$20.052 million
I-80/I-680/SR 12 Interchange Complex	$72.423 million

The Vallejo Station is a nearly $100 million planned improvement that will be constructed in three primary phases. The first phase, a 12-Bay bus transfer facility (aka – the Vallejo Transit Center), is fully funded and will begin construction this summer. The second phase is the 740 space southern half of the Vallejo Station Parking Structure and Paseo with 460 interim surface spaces and acquisition of all necessary rights of way for the full project. The second phase of the project is fully funded and ready to begin construction in Fiscal Year (FY) 2009-10. The third phase (north half of the Vallejo Station Parking Structure) will complete the project and is not yet fully funded.

The 2008 STIP programming for Solano County includes $11.412 million for the North Connector Project construction phase for the FY 2009-10. These STIP funds would supplement the RM 2 funds dedicated to the Project. (Attachment A) The 2008 STIP also includes $13.128 million for the Vallejo Station that is currently programmed for FY 2011-12.

The North Connector Project Environmental Impact Report (EIR) was approved by the STA Board in May 2008. The Right of Way acquisition is underway and the construction of the East End will be ready to advertise this spring. The Vallejo Station has cleared all issues relating to the environmental document litigation and will be ready to start construction on the Phase 2 project in FY 2009-10.

Discussion:

The North Connector is a local road project that is ready to begin construction this fiscal year. However, the STIP funds programmed for this project will not be available until FY 2009-10. Similarly, the Phase 2 of the Vallejo Station will be ready to begin construction in FY 2009-10 with the STIP funds programmed for this project in FY 2011-12. As a result, a swap of funds is proposed is proposed to shift the STIP funds that are currently programmed for the North Connector to the I-80/I-680/SR 12 Interchange and replace those funds with RM 2 funds. This shift of funds will insure the North Connector can begin construction this FY and move the STIP funds to a high profile interstate project that will be a high priority of the California Transportation Commission (CTC).

It is proposed that $11.412 million in STIP funds currently programmed for the North Connector in FY 2009-10 be reprogrammed to the Vallejo Station project (same program year) and $11.412 of the $13.128 million in STIP funds programmed for the Vallejo Station project in FY 2011-12 be reprogrammed to the I-80/I-680/SR 12 Interchange (again, same program year). The details of this swap would be:

- Reprogram $11.412 million in STIP currently programmed for the North Connector to phase 2 of the Vallejo Station project (no change in program year – FY 2009-10).
- Reprogram $11.412 million of the $13.128 in STIP funds currently programmed to Vallejo Station to the I-80/I-680/SR 12 Interchange (no change in program year FY 2011-12).
- Retain $1.716 million in STIP funds in FY 2011-12 for the Vallejo Station project.

As a result of this change, the North Connector East End will be fully funded with RM 2 and local funds and able to proceed to construction this fiscal year. The Vallejo Station Phase 2 would be fully funded and can proceed to construction next fiscal year (FY 2009-10).

This proposal has been discussed with the City of Vallejo, CTC and MTC staff and they are in concurrence with this proposal.

At the February 25, 2009 Technical Advisory committee (TAC), this proposed action received unanimous support to send a recommendation to the STA Board to approve the proposed STIP amendments.

Fiscal Impact:
This change will move the programmed STIP funds from the North Connector to the I-80/I-680/SR 12 Interchange and fully fund the regional share of the Project with RM 2 funds. This construction allocation for the RM 2 funds has already been made to MTC. The Vallejo Station Project is sponsored by the City of Vallejo and this proposed reprogramming of STIP funds will bring in line the programming year of the STIP with the timing of the project ready to begin construction.

Recommendation:
Approve the STIP programming changes as follows:

1. Reprogram $11.412 million in STIP funds (FY 2009-10) currently programmed for the North Connector Project to the Vallejo Station Project (FY 2009-10).
2. Reprogram $11.412 million in STIP funds currently programmed to the Vallejo Station Project (FY 2011-12) to the I-80/I-680/SR 12 Interchange (FY 2011-12).
3. Retain $1.716 million in STIP funds (program year FY 2011-12) that are currently programmed for the Vallejo Station project.

Attachments:

A. 2008 Solano County RTIP Program

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2008 SUMMARY OF STIP COUNTY SHARES

Does Not Include ITIP Interregional Share Funding (See Separate Listing)

($1,000's)

Total County Share (from 2007 Report)	83,850
2008 STIP Fund Estimate Adjustment for Prior Year Project Lapses	575
Less GARVEE debt service	0
Less 2006-07 Allocations and closed projects	(6,053)
Less Projects Lapsed, July 1, 2007-June 30, 2008	(333)
2008 STIP Fund Estimate Formula Distribution	10,041
Total County Share, June 30, 2008 (includes TE)	88,080

Solano

							Project Totals by Fiscal Year						Project Totals by Component					
Agency	Rte	PPNO	Project	Ext	Voted	Total	Prior	08-09	09-10	10-11	11-12	12-13	R/W	Const	E & P	PS&E	R/W Sup	Con Sup
Highway Projects:																		
MTC		2152	Planning, programming, and monitoring		Jul-07	35	35	0	0	0	0	0	0	35	0	0	0	0
MTC/STA		2263	Planning, programming, and monitoring		Jul-07	853	853	0	0	0	0	0	0	853	0	0	0	0
Solano TA	loc	5301	Jepson: Vanden Rd widen (County)		Sep-07	1,837	1,837	0	0	0	0	0	0	0	1,837	0	0	0
Caltrans	12	367D	Jameson Canyon Rd widening (TCRP #157)(CMIA)			7,000	0	0	7,000	0	0	0	0	7,000	0	0	0	0
Solano TA	loc	5301	Jepson Parkway (Respread)			36,657	0	2,400	3,800	0	30,457	0	3,800	30,457	0	2,400	0	0
Solano TA	loc	5301K	Loc rds north of Rt 80/680/12 (TCRP #25)			11,412	0	0	11,412	0	0	0	0	11,412	0	0	0	0
MTC		2152	Planning, programming, and monitoring			175	0	35	35	35	35	35	0	175	0	0	0	0
MTC/STA		2263	Planning, programming, and monitoring			2,225	0	589	589	589	229	229	0	2,225	0	0	0	0
			Subtotal, Highway Projects			60,194	2,725	3,024	22,836	624	30,721	264	3,800	52,157	1,837	2,400	0	0
Rail and Transit Projects:																		
Dixon	rail	6046	Dixon rail station improvements (supplemental)		Dec-07	1,330	1,330	0	0	0	0	0	0	0	0	1,330	0	0
Vallejo	ferry	2261	Vallejo Baylink ferry maintenance facility			4,300	0	0	0	4,300	0	0	0	4,300	0	0	0	0
Vallejo	ferry	2260	Vallejo ferry terminal, parking, phase 2 (06S-03)			13,128	0	0	0	0	13,128	0	0	13,128	0	0	0	0
Fairfield	rail	6045K	Capitol Corridor rail station, Fairfield			4,000	0	0	0	0	4,000	0	0	4,000	0	0	0	0
			Subtotal, Rail & Transit Projects			22,758	1,330	0	0	4,300	17,128	0	0	21,428	0	1,330	0	0
Transportation Enhancement (TE) Projects:																		
Suisun City	te	5152G	Driftwood Drive waterfront pedestrian plaza		Jul-07	372	372	0	0	0	0	0	0	372	0	0	0	0
Vacaville	te	5152E	Jepson Parkway Gateway enhancement			350	0	120	230	0	0	0	0	230	0	120	0	0
MTC/STA	res	5152A	TE reserve (County Share)			2,633	0	701	721	609	549	53	0	2,633	0	0	0	0
MTC	res	5152A	TE reserve (MTC Share)			601	0	0	0	0	0	601	0	601	0	0	0	0
			Subtotal TE Projects			3,956	372	821	951	609	549	654	0	3,836	0	120	0	0
	Total Programmed or Voted since July 1, 2007					86,908												

Balance of STIP County Share, Solano	
Total County Share, June 30, 2008	88,080
Total Now Programmed or Voted Since July 1, 2007	86,908
Unprogrammed Share Balance	1,172
Share Balance Advanced or Overdrawn	0

ATTACHMENT A

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STA
Solano Transportation Authority

DATE: March 9, 2009
TO: STA Board
FROM: Robert Guerrero, Senior Planner
RE: Solano County Clean Air Grant Priorities

Background:
The Bay Area Air Quality Management District (BAAQMD) and the Yolo Solano Air Quality Management District (YSAQMD) annually provides clean air funding to cities and counties within their jurisdictions for projects that reduce air pollution from motor vehicles, such as clean air vehicle infrastructure, clean air vehicles, shuttle bus services, bicycle projects, and alternative modes promotional/educational projects. The two Air Districts divide Solano County. The cities of Benicia, Fairfield, Suisun City, Vallejo, and southwestern portions of Solano County are located in the Bay Area air basin and are eligible for BAAQMD funding. The cities of Dixon, Rio Vista, Vacaville, and the unincorporated area located in northeastern Solano County are part of the Sacramento air basin, and are eligible for YSAQMD funding.

Funding for both clean air programs are provided by a $4 vehicle registration fee collected from counties within the BAAQMD air basin. The YSAQMD also has funds to allocate from a fee collected with property taxes in areas within its air basin. The STA is responsible for programming the BAAQMD Transportation Fund for Clean Air (TFCA) funding for Solano County. A slightly different process is implemented for programming YSAQMD Clean Air Funds. The YSAQMD is directly responsible for programming the Clean Air Funds; however, they have set up a review process which includes participation from STA Board members to review and recommend projects to the YSAQMD Board.

Both Air Districts are in the process finalizing actual funding amounts available to program. STA expects to receive an estimated $310,000 from the BAAQMD Transportation Fund for Clean Air Program (TFCA) and $340,000 from the YSAQMD Clean Air Program. Both grant programs continue to shrink as a result of the reduction in the number of motor vehicles registered. In prior years STA received $350,000- $420,000 from the TFCA program and an average of $420,000 from the Clean Air Program.

Discussion:
Due to the expected decreases in Clean Air grant funding from both air districts, STA staff recommends focusing investment of the clean air funds into three programs. All three programs directly benefits member agencies by providing marketing of commute alternatives, capital for bike and pedestrian projects, and strategies for implementing SB 375 and have been identified as priorities by the STA Board. These programs are:

1. Solano Napa Commuter Information's (SNCI) Rideshare Incentives Program
2. Solano Safe Routes to School Program
3. Development of a Solano Climate Protection Plan pursuant to SB 375

To ensure successful implementation of each program and because of the anticipated fluctuations in funding in the future, STA staff recommends prioritizing these programs for the Clean Air

Funds for at least the next two years. Attachment A is a matrix of a proposed funding recommendation for each program.

SNCI's Rideshare Incentives Program Summary

SNCI's Rideshare Incentives Program continues to be a cost effective and successful program in terms of air emission benefits as calculated through the BAAQMD's TFCA program. Benefits of the program include marketing and promotion of commute alternatives through transit brochure distribution, vanpool formations, bicycle and pedestrian education, employer presentations, marketing events, and incentives campaigns (e.g. Bike to Work Day and Commute Challenge). Last year, SNCI was successful in recruiting more participants in the Bike to Work campaign and large employers and their employees to participate in the Solano Commute Challenge. SNCI also took the lead in being the primary support for vanpools in Solano County and Napa County with 230 vanpools currently travelling to or from both counties.

The SNCI program traditionally receives the majority of its program funding through a combination of TFCA and federal Congestion Management Air Quality (CMAQ) Improvement Program grant funds. The TFCA portion represented the contribution for ridesharing services for the area of Solano County located in the Bay Area Air Basin. The CMAQ funds were used to match the TFCA funds for an amount relatively close to the population split for the portion of Solano County located in the Yolo Solano Air Basin. The population split was roughly 2 to 1. Therefore the CMAQ match was generally 1/3 of the TFCA amount dedicated to the SNCI program.

CMAQ program funding is dependent on the future approval of a federal transportation authorization bill and on priorities outlined in the Metropolitan Transportation Commission's Regional Transportation Plan. STA anticipates that new CMAQ funds will not be available for the next few years.

In order to maintain the SNCI program's current level of service for the portion of Solano County located in the Yolo Solano Air Basin, it is recommended to prioritize the program for the upcoming YSAQMD Clean Air Grant funding. The YSAQMD Clean Air Funds has supplemented CMAQ funds in the past and is the most logical match for the BAAQMD's TFCA funds, in lieu of the CMAQ funding.

Over the next two years, the SNCI program will require a total of $300,000 each year to maintain its current level of service. A funding split of approximately $200,000 from the TFCA program with a match of $100,000 from the YSAQMD Clean Air Grant each year is recommended.

Solano Safe Routes to School Summary

STA began the development of its Safe Routes to School (SR2S) Program in 2005, in response to the growing childhood obesity epidemic, student travel safety concerns, growing air pollution, and traffic congestion near schools in Solano County. The program works to encourage more students to walk and bike to school by identifying a balance of traffic calming and safety engineering projects, student education & safety training, encouragement contests & events, and enforcement coordination with police. The Solano SR2S Program achieves air emission reductions by encouraging students to walk and bike to school, eliminating parent vehicle trips. Most of these trips are under 1 mile. Vehicles often are not sufficiently warmed up for these short trips and usually sit idle at schools in congestion, creating some of the worst vehicle pollution for sensitive student lungs, contributing to Solano County's high child asthma rates.

The Solano SR2S Program currently has a total of $856,000 for eligible engineering and education projects. Of the $856,000, only $60,000 is dedicated for SR2S engineering projects within the Yolo Solano Air Basin. The remaining balance of funding is generated and committed toward education and engineering projects within the portion of the county located in the Bay Area Air Basin. The funds are committed to schools and public agencies throughout the county to implement the goals outlined in the SR2S Plan. The program has been successful in engaging the participation of every school district in the county. Currently, 10 schools are participating in the program and staff and the SR2S Advisory Committee is targeting the eventual participation of every school located in Solano County. As a result, a part time project coordinator is recommended to assist in implementing the program countywide over the next two years. The estimated cost to fund a part time coordinator over the next two years is $120,000.

In summary, the amounts recommended for the Solano SR2S Program is $60,000 from TFCA and $60,000 from the YSQMD Clean Air Program for a total of $120,000 to implement the program over the next two years. This program is supported by the YSAQMD. STA staff is coordinating with the BAAQMD to confirm its eligibility for funding.

Solano Climate Protection Summary

Recent climate change and global warming legislation impose relatively new regulations that are not widely understood and will require significant multi-agency participation. A comprehensive document that summarizes recent policy and to comply with legislation that may affect Solano County's transportation and land use planning and proactive steps to comply with the legislation's requirement. Recently, the County of Solano and the STA have been tasked by the City County Coordinating Council to develop a countywide Climate Protection Plan for Solano County in partnership with the seven cities. The plan's initial goals include a discussion of current legislation and the creation of uniform guidelines that can be used to address State mandates to inventory greenhouse gas emissions. In addition, the plan will promote countywide strategies to reduce greenhouse gas emissions. Currently, the cities and the county unincorporated are addressing climate protection legislation separately with little or no guidance.

The total amount estimated to complete a comprehensive climate protection plan is $60,000. A total of $45,000 is recommended from the BAAQMD TFCA program and $15,000 from the YSAQMD Clean Air Funds. This recommendation is consistent with the 2/3 1/3 population split previously mentioned. This plan is supported by the YSAQMD, STA staff is coordinating with the BAAQMD to confirm its eligibility for funding.

On Wednesday, February 25, 2009, the STA Technical Advisory Committee reviewed and recommended this item for STA Board approval. If approved by the STA Board, STA staff will need to submit a TFCA FY 2009-10 allocation application package to the BAAQMD with a Board resolution committing to the proposed projects (see Attachment A). The three proposals for YSAQMD funding will be submitted to the Joint YSAQMD Steering Committee for funding.

Fiscal Impact:

BAAQMD TFCA and YSAQMD Funding are recommended to be committed for the following programs and plans over the next two years:

1. Solano Napa Commuter Information (SNCI) Rideshare Incentives Program: $600,000
2. STA Safe Routes to School Program: $120,000
3. Solano County Climate Protection Plan: $60,000

Over the next two years, the remaining balance of funding from both programs total $485,000. The balance of funding is recommended to be committed on a competitive project selection process beginning FY 2009-10 for YSAQMD and FY 2010-11 for TFCA.

Recommendation:

Approve the following:

1. Prioritize BAAQMD TFCA and YSAQMD Clean Air Funds for projects in FY 2009-10 and 2010-11 for the Solano Napa Commuter Information Program, Solano Safe Routes to School Program, and development of a County Climate Change Strategy for SB 375 as indicated in Attachment A; and
2. FY 2009-10 TFCA Program Manager Resolution No. 2009-05 as shown in Attachment B.

Attachments:

A. Recommended BAAQMD and YSAQMD Clean Air Funding FY 2009-10 and FY 2010-11
B. FY 2009-10 TFCA Program Manager Resolution No. 2009-05

ATTACHMENT A

Recommended BAAQMD and YSAQMD Clean Air Funding

	TFCA		YSAQMD		
	FY 2009-10	FY 2010-11	FY 2009-10	FY 2010-11	2-Year Total
SNCI	$205,000	$200,000	$100,000	$100,000	$600,000
Safe Routes to School	$60,000		$60,000		$120,000
Climate Protection Plan	$45,000		$15,000		$60,000
Total:	$310,000	$200,000	$175,000	$100,000	$780,000
Est. Available Funding	$310,000	$310,000*	$340,000*	$310,000*	$1,270,000
Remaining Balance To Program	$0	$110,000	$165,000	$210,000	$485,000

*Based on current estimate for FY 2009-10.

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ATTACHMENT B

SOLANO TRANSPORTATION AUTHORITY
STA RESOLUTION 2009-05

A RESOLUTION OF THE SOLANO TRANSPORTATION AUTHORITY AUTHORIZING AN APPLICATION FOR TRANSPORTATION FUND FOR CLEAN AIR (TFCA) TO THE BAY AREA AIR QUALITY MANAGEMENT DISTRICT (BAAQMD) FOR FY 2009-10 40% PROGRAM MANAGER FUNDS

WHEREAS, the Solano Transportation Authority (STA) is the Congestion Management Agency for Solano County and is the BAAQMD designated administrator for the TFCA 40% Program Manager funds; and

WHEREAS, the estimated TFCA 40% Program Manager Funds allocation for FY 2009-2010 is $310,000; and

WHEREAS, the STA prioritized projects for FY 2009-10 TFCA 40% Program Manager funds on March 18, 2009; and

WHEREAS, the TFCA priority project for the FY 2009-10 Solano TFCA 40% Program Manager funds are Solano Napa Commuter Information's (SNCI) Rideshare Incentives Program; Solano Safe Routes to School Program; Solano Climate Protection; and

WHEREAS, on February 25, 2009 the STA Technical Advisory Committee reviewed and recommended the proposed priority projects; and

WHEREAS, all TFCA funding is required to reduce air pollution from motor vehicles and the STA Board has determined that all the proposed projects support the BAAQMD's Clean Air Program objectives and policies, and will reduce air emissions; and

NOW, THEREFORE, BE IT RESOLVED, the Solano Transportation Authority Board of Directors hereby authorizes the Executive Director to submit an application for FY 2009-10 Solano TFCA 40% Program Manager funds to the BAAQMD for the Solano Napa Commuter Information's (SNCI) Rideshare Incentives Program for $205,000; Solano Safe Routes to School Program for $60,000; Solano Climate Protection for $45,000.

_____
James P. Spering, Chair
Solano Transportation Authority

I, Daryl K. Halls, the Solano Transportation Authority Executive Director, do hereby certify that the above and foregoing resolution was introduced, passed, and adopted by said Authority at a regular meeting thereof held this the day of March 18, 2009.

_____
Daryl K. Halls, Executive Director
Solano Transportation Authority

Passed by the Solano Transportation Authority (STA) Board on this 18th day of March 2009 by the following vote:

Ayes: _____
Nos: _____
Absent: _____
Abstain: _____
Attest:

_____
Clerk of the Board

STA
Solano Transportation Authority

DATE: March 10, 2009
TO: STA Board
FROM: Janet Adams, Deputy Executive Director/Director of Projects
RE: Jepson Parkway Project, Final Environmental Impact Report (FEIR)

Background:
The Solano Transportation Authority (STA) is the Lead Agency under the California Environmental Quality Act (CEQA) for the Jepson Parkway Project. This project would upgrade and widen existing roadways—Walters Road, Cement Hill Road, Vanden Road, Leisure Town Road—and construct a new extension of Walters Road to create a new 12-mile-long north-south local four-lane roadway connecting the cities of Suisun City, Fairfield and Vacaville and unincorporated Solano County. The project corridor extends from Interstate 80 (I-80), which is a major east-west regional freeway connecting the San Francisco Bay Area with Sacramento and points east on the north, and State Route (SR) 12 on the south.

The purpose of the project is to provide roadway improvements that create a safe, convenient, integrated and continuous route for local travel through central Solano County. The project is designed to meet the objectives of the 2000 *Jepson Parkway Concept Plan* (Concept Plan), developed to address intra-county mobility for Solano residents. As envisioned by the Concept Plan, the Jepson Parkway would improve safety at various locations and along various road segments; offer relief from existing and anticipated traffic congestion on north-south routes in Solano County; provide improved and new transit, bicycle, and pedestrian facilities to encourage non-motor travel and accommodate future implementation of bus service; and include a new crossing of the Union Pacific Railroad (UPRR) tracks. The Concept Plan also proposes advisory design guidelines that would promote visual continuity along the roadway through the consistent use of design elements such as landscaping and signage.

The environmental process for the Jepson Parkway project began in 2000 with a Notice of Preparation (NOP) and a Public Scoping meeting held on August 9, 2000, at the Suisun City Hall. STA then proceeded in cooperation with Caltrans (which is delegated authority for NEPA by the Federal Highway Administration (FHWA) for this project under Section 6005 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act, A Legacy for Users [SAFETEA-LU]) to prepare a joint-National Environmental Protection Act (NEPA)/CEQA environmental document (Environmental Impact Report/ Environmental Impact Statement [EIR/EIS]). Attachment A represents the four built alternatives that have been studied in the environmental document.

Updates of project activities and the current status of the Jepson Parkway project were provided and reported on the STA website (www.solanolinks.com). A double-sided, one-page newsletter announcing release of the Draft EIR/EIS was circulated on May 28, 2008. This newsletter was directly mailed to approximately 7000 people, including all those who resided

within 200 feet of any of the project alternatives as well as to other interested parties including any groups or individuals who had requested to be notified of the availability of the environmental document. The newsletter provided project information including project sponsors, project goals, an overview of project alternatives, and the date, time, and location of the public hearing as well as contact information for submitting comments.

The Draft EIR/EIS was circulated for agency and public review for 60 days between June 6th and August 6, 2008. Display advertisements announcing the availability of the Draft EIR/EIS and the public hearing were published in the Vallejo Times-Herald and the Fairfield-Suisun Daily Republic on June 8th and June 22, 2008, and in the Vacaville Reporter on June 10th, June 21st, and June 22, 2008. The Draft EIR/EIS was made available for review online at www.solanolinks.com and print copies of the environmental document and supporting technical reports were provided for review at STA offices and other public agency offices in Solano County.

A property owners meeting was held on Thursday, July 17, 2008. Approximately 100 property owners whose property may require a temporary construction easement or a permanent right of way acquisition with one or more of the proposed alternatives where invited to view project exhibits and discuss the project with the project team. Eight people attended the meeting.

Written comments on the Draft EIR/EIS were received from nine federal, state and local agencies and 10 other interested groups and businesses. Also received was a petition from about 60 residents and 17 letters or emails from members of the public; 15 residents spoke at the public hearing. The Final EIR includes copies of all of these comments along with the STA's response to each comment. A list of those commenting on the Draft EIR/EIS, and a summary of their comments is attached (Attachment C).

In preparing the Final EIR, STA has responded to all the comments received on the Draft EIR/EIS during the circulation period. The Final EIR includes copies of all of the comments along with the STA's response to each comment. The comments have been fully responded to and there are no outstanding issues. Pursuant to CEQA Guidelines §15088, written proposed responses to the comments made by public agencies were transmitted to those agencies on March 5, 2009, to ensure their receipt 10 days prior to the March 18, 2009 Board meeting to certify the Final EIR. All text changes from the Draft EIR/EIS are marked with a bar in the margin of the Final EIR.

Key Issues Raised during the Environmental Review Process:
Comments received during public and agency review of the Draft EIR covered a wide range of issues, but there were several key issues of concern in a number of comments that are discussed in more detail below.

The U.S. Environmental Protection Agency (EPA), the U.S. Fish and Wildlife Service (USFWS), the California Native Plant Society, California Department of Fish and Game (CDFG) and one resident made comments related to impacts and mitigation for sensitive species. The candidate Preferred Alternative, Alternative B, was modified in close coordination with USFWS to avoid and minimize impacts to biological resources. Conceptual mitigation measures have been identified, and those pertaining to CDFG concerns were modified in accordance with CDFG's comments.

Several comment contributors, including the U.S. EPA, City of Suisun, and several residents raised concerns about the air emissions impacts of the project and about climate change legislation and project contributions to greenhouse gases. Responses pointed to the multi-modal features of the project, which should reduce private automobile use, and the reductions in emissions that will result from reduced congestion on I-80 and SR 12 and the decrease in the out of direction travel for local trip makers currently using these freeway facilities. Construction emissions for Alternative B were calculated and a locational analysis for mobile source air toxics (MSATs) was performed with results of both reported in the Final EIR. No new mitigation measures were required.

U.S. EPA also raised concerns about the project's potential growth inducing impacts and contributions to cumulative effects on biological resources. The response emphasized the low growth-inducing potential of a local travel serving project that expands existing local roadways rather than create new facilities. The extension of Solano County's Orderly Growth Initiative (Measure T) in the November 2008 election was cited. Other projects with impacts on jurisdictional wetlands/waters and federally listed species such as Contra Costa goldfields, vernal pool crustaceans, and California tiger salamander habitat in the greater project area will be required to adopt the least impacting, practicable alternatives, and ensure that impacts are minimized and compensatory mitigation is provided. Under these conditions, there should not be substantial contributions to cumulative effects.

Travis Air Force Base officials expressed concerns about homeland defense with Alternatives C and E. These concerns weighed heavily in the alternatives analysis that resulted in identification of Alternative B as the Least Environmentally Damaging, Practicable Alternative (LEDPA) and the best candidate for the preferred alternative.

A petition signed by about 60 Leisure Town Road residents and other residents expressed concerns about traffic noise and the potential effects of the project on nearby home values. The methodology for identifying feasible and reasonable soundwalls was explained, and additional noise analysis was performed for specific properties. It was explained that numerous studies have examined the connection between transportation improvements and the values of proximate residential property over the past 30 years or so without reaching consensus that transportation projects cause a decline in property values. Good schools and access to employment and other opportunities are important factors in buyers' decisions about where to live.

Residents and others expressed their preference for one or another alternative, or requested specific traffic measures, including restriction of truck traffic or specific turning facilities. These were referred to the alternatives analysis that resulted in the identification of Alternative B as the Least Environmentally Damaging Practicable Alternative and Preferred Alternative. Requests for turning lanes and other facilities will be addressed during final design. Requests for traffic restrictions were reported for the consideration of the agencies of jurisdiction.

Based on review of all of the comments received from agencies and the public during the comment period, and an alternatives analysis required in conformance with Section 404 of the Clean Water Act (described in the next section), it has been determined that Alternative B is the Least Environmentally Damaging Practicable Alternative and the best candidate to be selected as the Preferred Alternative.

Selection of the Preferred Alternative:
Four build alternatives and the no-build alternative were fully and equally evaluated in terms of their potential impacts and benefits, and also with reference to various NEPA-related processes, including Section 4(f) of the Department of Transportation Act, Section 7 of the federal Endangered Species Act, and Section 404 of the Clean Water Act. Table 1 provides a summary of impacts by alternative.

Table 1
Summary of Impacts by Alternative

Affected Resource	Alternative B	Alternative C	Alternative D	Alternative E
Section 4(f)				
Parks and Recreation	No Impact	No Impact	No Impact	4(f) Use
Meet Project Purpose and Need				
Safe north-south route for local trips without using I-80 (intersections below local LOS standards in 2015)	3	3	3	4
Use existing roadways to minimize impacts	Walters Road Extension	Yes	Yes	Yes
Enhance multi-modal options – transit/bikes/peds	Yes	Yes	Yes	Yes
Potential National Security Conflict from Proposed Flyover Ramp at Air Base Parkway and Peabody Road				
Visual access to base facilities	No	Yes	No	Yes
Interference with helicopter flight paths	No	Yes	No	Yes
Community Impacts				
Jobs Lost	58 jobs	40 jobs	224 jobs	80 jobs
Relocations				
Residential - Single Family/Multi family (units)	0	0	0	26/10
Non-residential (structures)	12	11	17	5
Biological Resources				
Loss of Contra Costa Goldfield habitat (acres)				
Direct	0.56	0.37	0.37	0.37
Indirect	2.37	2.91	1.19	2.91
Total	2.93	3.28	1.56	3.28
Loss of other vernal pools (acres)	0.97	1.30	1.26	1.17
Loss or degradation of suitable upland habitat for California Tiger Salamander (acres)	20.6	20.6	20.6	1.6
Loss of wetlands (acres)	2.94	1.17	1.17	0.40
Loss of Waters of the U.S. (acres)	2.43	2.03	1.64	0.64
Loss of Swainson's Hawk nesting and foraging habitat (acres)	58.5	57.4	49	32.1
Loss of riparian woodland (acres)	2.1	2.1	2.1	0.4
Loss of Pappose spikeweed (acres)	1.0	0	0	0
Loss of Gairdner's yampah (acres)	2.0	0	0	0
Loss of Saline Clover (acres)	1.0	0	0	0
Loss of elderberry shrubs that are habitat for Valley Elderberry Longhorn Beetle (shrubs)	8	8	8	13
Farm/Agricultural Lands				
Conversion of Farmlands (acres)/ Williamson Act Contract (parcels)	75.4 acres/ 1 parcel	68.6 acres/ 2 parcels	64.5 acres/ 1 parcel	29.6 acres/ 6 parcels

Note: Impact categories not shown on table do not help to discriminate among alternatives.

Consistent with Section 404 guidelines, an alternatives analysis was performed to identify the Least Environmentally Damaging, Practicable Alternative (LEDPA) which would become the Preferred Alternative. This analysis is explained in detail in Final EIR Volume I Section 3.15.3.2, and Volume II, Essay Response 2. The results of the analysis are briefly summarized here.

- Alternative E, while it appears to have fewer impacts to natural resources than the other build alternatives, would result in permanent use of recreation lands from Al Patch Park and Will C. Wood High School that are protected by Section 4(f) of the Department of Transportation Act. The Secretary of Transportation may not approve a project that uses 4(f)-protected property if there is any feasible and prudent alternative to such use. Alternative E also would result in acquisition of 26 single-family and 10 multi-family residential units, while none of the other build alternatives would require residential relocations. Alternative E was therefore found not to be practicable.

- Alternative D would displace industrial and commercial facilities in the Tolenas Industrial Park, resulting in the unacceptable loss of some 224 local jobs, far more than with any other alternative. Numerous alternative alignments were evaluated for this segment of Alternative D to avoid this impact, but none was feasible. Therefore, Alternative D was not practicable.

- Alternatives C and E would require an aerial ramp to be constructed at the intersection of Peabody Road and Air Base Parkway, which would provide high-elevation visual and physical access to Travis Air Force Base facilities. This access posed concerns for homeland defense that were raised by Travis Air Force Base officials in their comment letter on the Draft EIR/EIS. Also, Alternative C would affect an area containing natural and created vernal pools and seasonal wetlands with good populations of Contra Costa goldfields, and a contiguous property that is being developed as a mitigation bank. Travis officials have agreed to preserve the Air Base's portion of these lands in perpetuity, and using these lands for Alternative C would violate this agreement. Thus, Alternative C was not practicable.

By process of elimination, Alternative B is the remaining practicable alternative. While Alternative B would affect sensitive natural resources, informal consultation with the USFWS and the NEPA-404 MOU signatories (as described in the following paragraphs), has resulted in the identification of avoidance, minimization, and mitigation measures that would achieve the appropriate balance of resource protection, project construction, and mitigation costs to address these impact issues. Alternative B is proposed to be selected by STA as the Preferred Alternative.

Alternative B - Preferred Alternative:
Biological Resources/Wetlands. The alignment and profile of Alternative B were modified in consultation with USFWS to reduce impacts to natural resources. The alignment was shifted, widening was accomplished to one or the other side rather than symmetrically, and 670 feet of bridge were added to maintain key drainages and reduce impacts to sensitive areas. A Biological Assessment was prepared to address remaining impacts on listed rare, threatened, and endangered species for formal consultation with the USFWS under Section 7 of the federal Endangered Species Act. Affected resources include vernal pool fairy shrimp, vernal pool tadpole shrimp, critical habitat for vernal pool fairy shrimp and vernal pool tadpole shrimp, Contra Costa goldfields, critical habitat for Contra Costa goldfields, habitat for Valley

elderberry longhorn beetle, and upland habitat for California tiger salamander. The Biological Assessment was forwarded to the USFWS on March 5, 2009, with a request for their no-jeopardy Biological Opinion. Close coordination with USFWS staff has continued prior to and during development of the Biological Assessment. The only outstanding issue is the timing for mitigation for the later phases of the project. It is anticipated that the USFWS will return a no-jeopardy Biological Opinion before the end of April, 2009.

Because the alternatives would potentially affect over five acres of wetlands/waters, the project is implementing the NEPA-404 Integration Memorandum of Understanding. Checkpoints 1 (Purpose and Need) and 2 (Alternatives) have been completed; the third and last checkpoint (Identification of the Least Environmentally Damaging, Practicable Alternative [LEDPA] and approval of conceptual mitigation) is in progress. All of the signatory agencies sent representatives to the Checkpoint 3 informational meeting (held November 20, 2008), where the alternatives analysis and rationale for identifying the LEDPA was discussed. All participants expressed their understanding and general agreement with the LEDPA designation. STA's request for their formal written agreement is pending receipt of the Corps LEDPA concurrence letter. Close coordination with the Corps has been ongoing, and its concurrence letter is anticipated in the near future. It is expected that the other three signatories will agree with the Corps concurrence and that this final checkpoint will be completed before the end of May 2009.

Level of Service (LOS) on Solano County Roads. The Updated Transportation/ Circulation Impacts Report was completed in 2007. It compared results determined by the previous report with results based on the more recently completed 2030 travel demand model. The analysis considered and applied local Level of Service (LOS) standards from STA, City of Fairfield, City of Suisun City, City of Vacaville and Solano County. Most unsignalized intersections evaluated would not meet local LOS standards by 2010, however, the addition of a signal would improve the LOS to acceptable levels. All study intersections would operate better under any of the build alternatives than under no-build conditions in 2010 and 2030. No build alternatives would result in study intersections operating below local LOS standards in 2030.

Funding. To secure its Fiscal Year 2008-2009 State Transportation Improvement Program (STIP) funding and expedite the project development process, certification of the Final EIR is being advanced ahead of the NEPA process. With Jepson Parkway Final EIR certification on March 18th, it is anticipated to have the California Transportation Commission (CTC) vote in May to secure the needed money to begin final design. The joint EIR/EIS document may be used as the EIR pursuant to CEQA statute §21083.7 and because the joint EIR/EIS was originally prepared to comply with the provisions of the CEQA Guidelines (see Guidelines §15221(a)(2)). STA is the lead agency for CEQA and has jurisdiction over CEQA review and processing for this local project. This CEQA-only document does not require re-circulation or re-issuance of the NOP, as there are no new significant impacts or new significant information reported therein (see CEQA §21092.1). Also, the Final EIR commits to incorporate and satisfy all minimization and compensation requirements resulting from consultations under the NEPA-related processes, including Section 404 of the Clean Water Act, Checkpoint 3 of the NEPA-404 Integration Memorandum of Understanding, and Section 7 of the federal Endangered Species Act, as well as the California Fish and Game code.

Project Phasing. Pending completion of the Environmental Review phase of the project, final design will begin in June, 2009 and proceed by segment, with each segment taking approximately one year. Final Plans, Specifications, and Estimates (PS&E) are anticipated to be completed by June 2010 for Phase 1. The project is anticipated to be constructed in three phases as funding becomes available.

Phase 1 – Will widen Vanden Road to four lanes from 500 feet east of the Vanden Road/Cement Hill Road/Peabody Road intersection to the Vanden Road/Leisure Town Road intersection. This segment is 2.8 miles long and includes a widened bridge crossing at Union Creek. It is anticipated that this phase will take two years to complete.

Phase 2 – Will widen Leisure Town Road to four lanes from the Vanden Road/Leisure Town Road intersection to the south side of the Leisure Town Road/Orange Drive intersection. This five-mile segment includes widening the New Alamo Creek Bridge, an extension of the existing Alamo Creek box culvert, and connection to a pipe storm drain system. This phase is expected to take three years to complete.

Phase 3 – Will widen Walters Road to four lanes from Tabor Avenue to Huntington Drive, construct the four-lane Walters Road extension from Huntington Drive to Cement Hill Road, and widen Cement Hill Road to four lanes from the Walters Road extension through the Vanden Road/Peabody Road/Cement Hill Road intersection. This 2.6-mile-long segment includes a new crossing of the Union Pacific Railroad (UPRR) along the Walters Road extension and separate bridges spanning a tributary of McCoy Creek, the Strassberger Detention Pond, and wetland resources, some containing habitat for Contra Costa goldfields. This phase is expected to take three years to complete

Construction of the first segment is planned to overlap final design and right-of-way acquisition for the remaining two segments, with Phase 1 beginning in 2010, and Phase 2 beginning upon the completion of Phase 1. Phases 2 and 3 may overlap in construction schedules. Project completion is expected between 2015 and 2018.

Conclusion:

Based on the analysis completed for the EIR, Alternative B would have impacts in the following areas that would be considered significant or potentially significant without the implementation of mitigation measures:

❖ Biological Resources	❖ Noise
❖ Conversion of Farmland	❖ Paleontological Resources
❖ Community Impacts	❖ Traffic
❖ Cultural Resources	❖ Utilities
❖ Hazardous Materials	❖ Visual/Aesthetics
❖ Hydrology	❖ Construction Phase Air Quality

Mitigation measures have been identified and included in the EIR that would reduce these significant and potentially significant impacts to a less-than-significant level. The EIR does not identify any significant unavoidable impacts that would occur as a result of the Project.

A Mitigation Monitoring Reporting Record has been prepared and included in the Final EIR. The Mitigation Monitoring Reporting Record is a requirement under CEQA and will allow STA staff to ensure that mitigation measures specified in the EIR are implemented and that they are effective at reducing the significant impacts identified in the document.

The benefits of the Project include providing an integrated and continuous route for local north-south trips between Vacaville, Fairfield and Suisun City, and unincorporated areas of central Solano County as an alternative to using I-80 and SR 12; providing local travelers a safe, convenient route between Vacaville, Fairfield, Suisun City and unincorporated areas of central Solano County using existing local roadways; enhancing multimodal transportation options for local trips, by providing a safe, convenient bicycle and pedestrian path and a continuous north-south route for transit use; and, by enhancing multi-modal options, reducing private automobile use, air emissions and greenhouse gases by reducing congestion on I-80 and SR 12 and reducing out of direction travel for local trip makers currently using these freeway facilities.

Recommendation:

CONDUCT a public hearing to consider:

1. **ADOPTION** of Alternative B as the Preferred Jepson Parkway Project Alternative;
2. **CERTIFICATION** of the Final Environmental Impact Report (FEIR) for the Jepson Parkway Project;

Then:

3. **APPROVE** Resolution No. 2009-03, including certification of the Environmental Impact Report for the Jepson Parkway Project, Exhibit A: Findings of Fact and Exhibit B: Mitigation Monitoring Reporting Program; and
4. **DIRECT** that upon approval of Action Non-Financial Item IX.B. (approval of the Jepson Parkway Project), that the Executive Director File a Notice of Determination with the County Clerk of Solano County and with the State Office of Planning and Research and Authorize payment of the filing fees.

Attachments:

A. Jepson Parkway Alternatives Map
B. Jepson Parkway Project - Final EIR (provided to Board members under separate cover). Parties interested in obtaining a copy can do so by contacting STA staff or via the STA website at http://www.sta.dst.ca.us/projects-nc.html. Copies will also be available at the STA Board Meeting.
C. Jepson Parkway Project - Summary of Written Comments Received on the Draft EIR/EIS – 2008
D. Resolution No. 2009-03, including Exhibit A: Findings of Fact and Exhibit B: Mitigation Monitoring Reporting Program

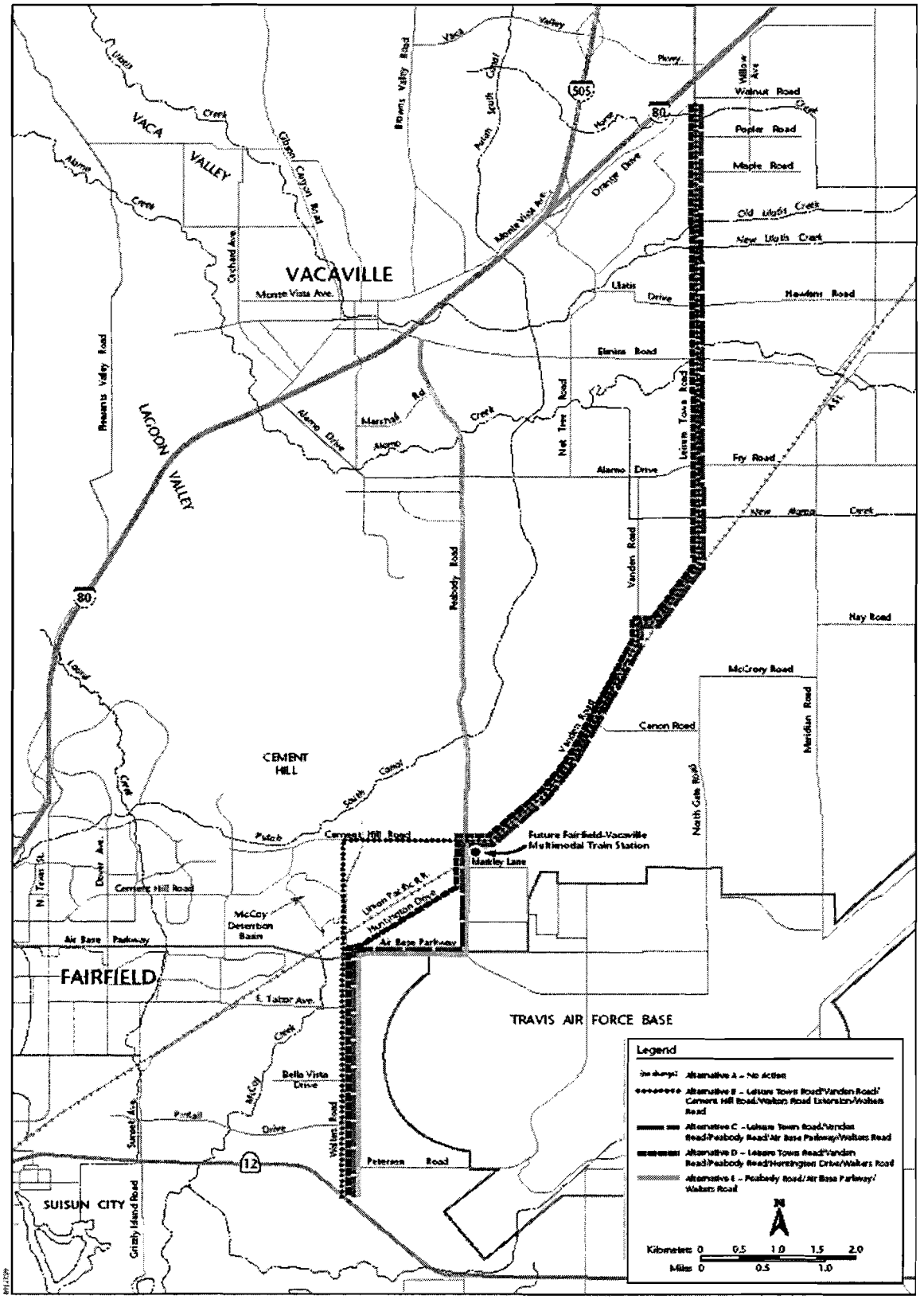

Figure 2-2
Jepson Parkway Project Location

The Jepson Parkway Project - Final EIR was hand delivered to the Board members under separate cover on March 8, 2009. Parties interested in obtaining a copy can do so by contacting STA staff or via the STA website at http://www.sta.dst.ca.us/projects-nc.html. Copies will also be available at the STA Board Meeting.

Summary of Written Comments Received on the Jepson Parkway Project Draft EIR/EIS–June 2008

Jepson Parkway DEIR/DEIS Comments

Organization	Topic(s)	Response
FEMA	Flood Insurance Maps, Floodplains	Base floodplain will not be raised due to project.
Department of the Air Force, Travis AFB	Homeland Defense concerns with Alternatives C and D; preserve issue with Alternative C.	Selection of Alternative B as the Preferred Alternative will avoid Homeland Defense concerns, impacts to preserve area.
US Fish and Wildlife Service	Biological Resources and Impacts, Critical Habitats, Surveys, Growth Inducement, Hydrology,	In consultation with the USFWS, the Preferred Alternative has been modified to avoid and minimize impacts to biological resources. All survey information has been forwarded to the USFWS. A Biological Assessment has been prepared for USFWS review. The Jepson Parkway project is designed to serve planned and programmed development. A local traffic serving facility using existing roadways has very limited growth-inducing potential. Design of all new and expanded culverts will maintain existing hydrologic conditions.
US Environmental Protection Agency	Wetlands, Habitat, Construction Emissions, MSATs, Growth Inducement, Cumulative Effects	The Preferred Alternative has been modified to avoid and minimize impacts to wetlands and biological habitats. Growth inducement impacts are unlikely for a local travel serving project that expands existing local roadways rather than create new facilities. Solano County's Orderly Growth Initiative (Measure T) was extended in the November 2008 election. Required resource agency consultations and permit conditions will assure that applicants adopt the least impacting, practicable alternatives, that impacts are minimized, and that compensatory mitigation is provided.
California Department of Fish and Game	Permit Conditions, Mitigation, Protocol Surveys for Burrowing Owls.	Permit conditions and mitigation measures have been revised per CDFG comments. Mitigation will consider Dobles Property Mitigation Bank, the Proposed Noonan/Muzzy Ranch Mitigation Bank, and/or the Fairfield -owned Strassberger property. Owl survey information has been forwarded to CDFG.
Solano County Department of Resource Management	Project Description, Funding, Project Phasing for Vanden Road segment.	The project description was revised in response to comments. Rural Vanden Road segment is planned to be constructed first. STA will work with the County on funding equity.
Solano Irrigation District	Design Issues, District facilities	All District facilities will be relocated as necessary.
City of Fairfield	In favor of Alternative B	Alternative B has been identified as the Preferred Alternative.
City of Suisun	Land Use, Climate Change	The discussion of land uses in the project area was revised per the comment letter. References were provided to discussion of climate change in the EIR/EIS.
California Native Plant Society	Multimodal Features, Best Management Practices, Impacts to Habitat for Sensitive Plants.	The Preferred Alternative includes multimodal features. All standard BMPs will be incorporated into the project. The Preferred Alternative was modified to avoid and minimize impacts to wetlands and listed plant habitats.
Cambridge Estates of Fairfield	Opposing Alternatives C, D, and E	Alternative B has been identified as the Preferred Alternative.
Compu-Tech Lumber	ROW Requirements and Access, in favor of Alternatives C & E	Alternative B has been identified as the Preferred Alternative; current lease agreement includes

		termination when property is needed for future ROW.
Edenbridge, Inc.	Floodplains, Other Bio Resource and Hydrology Findings, Opposition to Alternative B.	A Floodplain Analysis will be completed during final design; current bio resource and hydrologic survey findings, reference to ongoing Section 7 consultation with U.S. Fish and Wildlife Service.
K&J Erickson and Associates	Need for Left Turn Lane, Concern for Pedestrian Safety, Noise along Leisure Town Road	The Preferred Alternative includes design features and sound walls as described by the commenter.
Kinder Morgan	Impacts to Kinder Morgan Facilities	The Preferred Alternative has been designed to avoid Kinder Morgan Facilities.
Union Pacific Railroad	Support for New Grade Separations with Build Alternatives, Traffic Warrants For Other Grade Separations, Separation of Bike/Ped Facilities from UP Tracks and Potential for Trespassing, Potential Air Quality Impacts	The Preferred Alternative does not include new at-grade railroad crossings; project will not generate new traffic; bike/ped path will be widely separated from UP. No CO violations would result from project.
Vacaville Chamber of Commerce	Project Support	Thank you for your comment.
Valley Church – Maple Road, Vacaville	Design of Turn Lanes on Leisure Town Road	Request will be considered during final design.
Valley Church – Maple Road, Vacaville	Design of Turn Lanes on Leisure Town Road	Request will be considered during final design.
Leisure Town Petition – 62 Signatures from Residents in Vacaville along Leisure Town Road	Home Values, Safety, Noise along Leisure Town Road, Support for Alternative E.	Reference to EIR/EIS Noise Impact Analysis and Abatement Determinations; numerous studies conducted over the past 30 years have failed to reach consensus that transportation projects depress proximate property values. The project includes a 35- to 55-foot wide linear park along Leisure Town Road; Alternative B has been selected as Preferred.
Resident – Fallen Leaf Drive, Vacaville	Noise along Leisure Town Road.	The project includes sound walls along Leisure Town Road.
Resident – Travis AFB	Truck Traffic and Speed Restrictions on Leisure Town Road, Design Issues, Noise	Truck traffic is currently restricted along Leisure Town Road. The project includes sound walls along Leisure Town Road. Design request will be considered during final design.
Resident – Near Leisure Town Road, Vacaville (Letter includes 14 Other Names)	Noise along Leisure Town Road, Air Quality	The project includes sound walls along Leisure Town Road, but the segment between Kingswood and Marshall Road would not meet feasibility criteria. No CO impacts would result from the project.
Resident – Sage Sparrow Circle, Vacaville	Noise, Property Value Impacts, Support for Alternative E.	Referred commenter to Essay Responses regarding identification of the Preferred Alternative and noise impact analysis and determination of sound walls. Numerous studies conducted over the past 30 years have failed to reach consensus that transportation projects depress proximate property values.
Resident – Oakmeade Drive, Vacaville	Noise along Leisure Town Road, Traffic, Support for Alternative E.	The project includes sound walls along Leisure Town Road. Referred commenter to Essay Responses regarding selection of the Preferred Alternative and noise impact analysis and determination of sound walls.
Resident – Fallen Leaf Drive, Vacaville	Traffic, Other Anticipated Impacts, Support for Alternatives A or E.	Referred commenter to Essay Responses regarding project traffic implications, identification of the Preferred Alternative; explained project design and alternative mode features, and referenced the Transportation, Growth Inducement, Air Quality, and Noise Sections of the EIR/EIS.
Resident – Alamo Place Neighborhood, Vacaville	Design Features of Alternatives	Referred commenter to Essay Response regarding identification of the Preferred Alternative, and clarified

		features of bike/ped path with this alternative.
Resident – Vacaville	Traffic, Design, Impacts on Travis AFB	Traffic in the corridor would improve with the project. Referred commenter to Essay Response regarding identification of the Preferred Alternative.
Resident – Peabody Road, Vacaville	Prefers Alternatives C or D; would like bus route from Greyhound on Peabody to TAFB, LRT Vacaville to Fairfield.	Referred commenter to Essay Responses regarding identification of the Preferred Alternative and transit alternatives considered but eliminated from further consideration.
Resident – Peabody Road, Vacaville	Revising preference to Alternatives B and C because of jobs loss with D.	Referred commenter to Essay Response regarding identification of the Preferred Alternative.
Resident – Arbor Oaks Drive, Vacaville	Sound Wall for Leisure Town Road, Potential Intersection Closure	The project includes sound walls along Leisure Town Road, clarification of plans for intersection.
Resident – Vacaville	Opposed to Project	Thank you for your comment.
Resident – Leisure Town Road, Vacaville	Traffic/Access, Noise along Leisure Town Road, Air Quality, Property Values, Trees and Fence Line/Proximity of Widened Roadway	Referred commenter to Essay Responses regarding identification of the Preferred Alternative and noise impact analysis; clarified results of noise analysis. No CO impacts would result from the project. Described proposed change in access. Numerous studies conducted over the past 30 years have failed to reach consensus that transportation projects depress proximate property values. Fencing/landscaping removed would be replaced. Explained relocation assistance.
Resident – Suisun City	Opposing Project	Thank you for your comment.
Resident – Fox Hollow Way, Vacaville	Limit Leisure Town Road to two lanes and restrict speeds to 40 mph, need to signalize intersection,	Referred commenter to Essay Responses regarding identification of the Preferred Alternative and noise impact analysis. Referred to Transportation section of EIR/EIS regarding recommendations and warrants for signalization.
Resident – Address Unknown	Potential Impacts to Sensitive Species	After discussion with the USFWS, the Preferred Alternative has been modified to avoid and minimize impacts to biological resources. All survey information has been forwarded to the USFWS. A Biological Assessment has been prepared for USFWS review.
Resident – Forest Ridge Circle, Vacaville	Truck Traffic on Leisure Town Road, Noise, Design	Truck traffic is currently restricted along Leisure Town Road. The project includes sound walls along Leisure Town Road. Referred commenter to Essay Responses regarding identification of the Preferred Alternative and Noise.
Resident – Fallbrook Avenue, Vacaville	Turning movements	Referred commenter to Essay Response regarding identification of the Preferred Alternative.
Resident – Arbor Oaks Drive, Vacaville	Traffic Restrictions, Noise along Leisure Town Road, Design	Explained anticipated traffic restrictions, referred commenter to Essay Responses regarding identification of the Preferred Alternative and Noise Impact Analysis.
Resident – Forest Ridge Circle, Vacaville	Prefers Alternative E	Referred commenter to Essay Response regarding identification of the Preferred Alternative.
Resident – Sage Sparrow Circle, Vacaville	Property Values, Prefers Alternative E	Numerous studies conducted over the past 30 years have failed to reach consensus that transportation projects depress proximate property values. Referred commenter to Essay Response regarding identification of the Preferred Alternative.
Resident – Forest Ridge Circle, Vacaville	Noise along Leisure Town Road, Traffic Restrictions	Truck traffic is currently restricted along Leisure Town Road. The project includes sound walls along Leisure Town Road. Referred commenter to Essay Responses regarding identification of the Preferred Alternative and Noise.

Resident – Huntington Court, Vacaville	ROW Impacts on Business	Existing lease includes termination when future extension of Walters Road is constructed.
Resident – Robert Road, Vacaville	Truck Traffic on Leisure Town Road	Truck traffic is currently restricted along Leisure Town Road. Referred commenter to Essay Response regarding identification of the Preferred Alternative.
Resident – Arbor Oaks, Vacaville	Noise along Leisure Town Road, Design	The project includes sound walls along Leisure Town Road. Referred commenter to Essay Response regarding identification of the Preferred Alternative.
Resident – Arbor Oaks, Vacaville	Access	Clarified features of Preferred Alternative.
Resident – Leisure Town Road, Vacaville	Property Acquisition Process, Property Values, Dilapidated Fence.	ROW acquisition will be subject to the Uniform Relocation Assistance and Real Properties Acquisition Policies Act of 1970. Referred commenter to Essay Response regarding identification of the Preferred Alternative.
Resident – Carson Court, Vacaville	Tree Preservation, RR Grade Separation, widening of 113 North of SR 12.	Clarified features of Preferred Alternative and referred commenter to the Essay Response regarding identification of the Preferred Alternative.
Resident – Freitas Way, Vacaville	Appreciates STA's Work, Asks That Signals Be Avoided.	Thank you for your comment.
Resident – Fallen Leaf Drive, Vacaville	In Favor of Alternative E, Noise, Need for Landscaping, Compensation for Property Impacts.	Referred commenter to Essay Responses regarding identification of the Preferred Alternative and noise impacts analysis, referenced the noise analysis, clarified design features of project, clarified truck restrictions.
Resident – Fallen Leaf Drive, Vacaville	Aesthetics, Need for Landscaping.	Clarified landscaping features of preferred alternative and commitments of City of Vacaville.
Resident – Fallen Leaf Drive, Vacaville	Preference for Alternatives A, E, Mass Transit, Noise, Appropriate Landscaping.	Referred commenter to Essay Responses regarding identification of the Preferred Alternative, noise impacts analysis and transit alternatives considered but eliminated; clarified landscaping features of preferred alternative and commitments of City of Vacaville.

SOLANO TRANSPORTATION AUTHORITY

STA RESOLUTION 2009-03

RESOLUTION OF THE SOLANO TRANSPORTATION AUTHORITY APPROVING AND CERTIFYING THE ENVIRONMENTAL IMPACT REPORT FOR THE JEPSON PARKWAY PROJECT, AND ADOPTING THE FINDINGS OF FACT AND MITIGATION MONITORING AND REPORTING PROGRAM

WHEREAS, the subject project is known as the Jepson Parkway Project; and

WHEREAS, the Jepson Parkway Project is a multi-jurisdictional project to construct a north-south local transportation link from Interstate 80 at Leisure Town Road in Vacaville to State Route 12 in Suisun City along with transit, bicycle/pedestrian and other safety and ancillary improvements to relieve traffic congestion and reduce private automobile use from the presently longer routes of travel between Interstate 80 and State Route 12; and

WHEREAS, on June 6, 2008, the Draft Jepson Parkway Environmental Impact Report/Environmental Impact Statement (EIR/EIS) was circulated for public and agency comments for a 60-day review period; and

WHEREAS, a public hearing on the Draft EIR/EIS was held in the City of Vacaville on June 24, 2008 and, in accordance with the provisions of the California Environmental Quality Act, the public review period closed on August 6, 2008. STA received 37 comment letters, including nine (9) letters from State and local agencies; and

WHEREAS, the Solano Transportation Authority prepared the draft EIR/EIS, considered written comments on the proposed Jepson Parkway Project EIR/EIS, has prepared responses to each comment and prepared Findings of Fact and a Mitigation Monitoring and Reporting Record to reduce adverse environmental impacts to less than significance.

NOW, THEREFORE, BE IT RESOLVED that in accordance with the provisions of the California Environmental Quality ACT, the Board of the Solano Transportation Authority hereby:

1. Finds that the Environmental Impact Report for the Jepson Parkway Project, which consists of the Draft Environmental Impact Report and the Final Environmental Impact Report (collectively the "EIR"), has been completed in accordance with the requirements of the California Environmental Quality Act, Public Resources Code sections 21000 *et seq.* ("CEQA") and California Code of Regulations, Title 14, sections 15000 *et seq.* ("CEQA Guidelines").

2. Certifies that the EIR was prepared, published, circulated, and reviewed in accordance with the requirements of CEQA and the CEQA Guidelines, that the EIR is adequate, accurate, objective, and complete.

3. Certifies that it has been presented with the EIR; that it has reviewed the EIR and considered the information contained in the EIR prior to acting on the proposed

Jepson Parkway Project; and that the EIR reflects Solano Transportation Authority's independent judgment and analysis.

4. Pursuant to CEQA Guidelines sections 15091, and in support of its approval of the Jepson Parkway Project, approves and adopts the attached Findings of Fact in support of approval of the Jepson Parkway Project, as set forth in the attached Exhibit A of this Resolution.

5. Finds that all potentially significant impacts associated with the Project can be fully avoided or mitigated to less-than-significant through the adoption of mitigation measures, and accordingly, is not required to adopt a statement of overriding considerations required by CEQA Guidelines section 15093.

6. Adopts the Mitigation Monitoring and Reporting Program, as set forth in the attached Exhibit B of this Resolution. Solano Transportation Authority adopts the Mitigation Monitoring and Reporting Program pursuant to CEQA section 21081.6 and CEQA Guideline section 15091, and in support of approval of the Jepson Parkway Project, to ensure implementation of all reasonably feasible mitigation and other measures identified in the EIR. Solano Transportation Authority finds that these mitigation measures are fully enforceable conditions of the Jepson Parkway Project and shall be binding on Solano Transportation Authority and all other affected parties.

7. Directs that, pursuant to CEQA Guideline section 15094, staff immediately file a Notice of Determination with the County Clerk of Solano County and with the State Office of Planning and Research.

8. Pursuant to CEQA Guidelines section 15091(e), the documents and other materials that constitute the record of proceedings upon which the Solano Transportation Authority has based its decision are located in and may be obtained from the Solano Transportation Authority, One Harbor Center, Suite 130, Suisun City, California 94585.

James Spering, Chair
Solano Transportation Authority

I, Daryl K. Halls, the Solano Transportation Authority Executive Director, do hereby certify that the above and foregoing resolution was introduced, passed, and adopted by said Authority at a regular meeting thereof held this 18th day of March, 2009.

Daryl K. Halls, Executive Director
Solano Transportation Authority

Passed by the Solano Transportation Authority (STA) Board on this 18th day of March, 2009 by the following vote:

Ayes: _____
Nos: _____
Absent: _____
Abstain: _____

Attest: _____
Johanna Masiclat
Clerk of the Board

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Exhibit A
Findings of Fact
Environmental Impact Report for the Jepson Parkway Project

I. INTRODUCTION

Pursuant to the California Environmental Quality Act (CEQA) and the CEQA Guidelines,[1] the Solano Transportation Authority (STA), as the CEQA lead agency, has evaluated the environmental impacts of the Jepson Parkway Project (project). The project includes roadway improvements in mid-Solano County between Interstate 80 (I-80) in Vacaville on the north and State Route (SR) 12 in Suisun City on the south. The approximately 12-mile corridor, referred to as the Jepson Corridor, is located within the jurisdictions of the Cities of Suisun City, Fairfield, and Vacaville, and unincorporated portions of central Solano County. The proposed action envisions a safe, convenient route for local traffic in this portion of the County, while providing opportunities for multimodal use and unifying landscape and design features to enhance the aesthetics and character of the adjoining communities.

CEQA provides that a public agency shall not approve a project with significant environmental impacts when there are feasible mitigation measures or feasible alternatives that can substantially lessen or avoid those impacts. An agency can approve a project with significant impacts only when specific economic, legal, social, technological, or other considerations make it infeasible to substantially lessen or avoid a significant impact.

Upon the completion of an Environmental Impact Report (EIR) that identifies one or more potentially significant environmental impacts, the approving agency must make one or more of the following findings for each identified significant impact:

1. Changes or alterations that mitigate or avoid the significant environmental effects as identified in the EIR have been required in or incorporated into the project; or

2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency; or

3. Specific economic, legal, social, technological or other considerations, make infeasible the mitigation measures or alternatives identified in the EIR. (Pub. Resources Code, § 21081(a).)

Further, where the above-described findings reveal that one or more environmental impacts would remain significant even after the imposition of all feasible mitigation measures, or after the identification of a feasible project alternative, the agency may not approve the project without first adopting a statement of overriding considerations that identifies the specific economic, legal, social, technological, or other benefits of the project that the agency's decision-making body believes outweigh the significant environmental impact(s) of the project. (Pub. Resources Code, § 21081(b).)

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[1] CEQA is found at Public Resources Code § 21000 *et seq.* The CEQA Guidelines are found at California Code of Regulations, title 14 § 15000 *et seq.*

In accordance with CEQA, STA adopts these Findings of Fact (Findings) for the project.

II. PROJECT DESCRIPTION

The project would upgrade and link a series of existing local two- and four-lane roadways (as well as construct an extension of an existing roadway) to provide a four- to six-lane north-south local travel route for motorists who face increasing congestion when traveling between jurisdictions in central Solano County. Roadways proposed for improvements in the corridor include Leisure Town Road, Vanden Road, Cement Hill Road, and Walters Road, including an extension of Walters Road north of its existing terminus to Cement Hill Road. These existing roadway segments are depicted on Figure 1-2 (EIR[2], p. 1-3). The project also includes safety improvements such as the provision of roadway medians, traffic signals, shoulders, separate turn lanes, railroad grade separations, separate bike lanes/pedestrian paths, landscaping. (EIR, p. 1-1)

Several different packages of improvements, referred to as the build alternatives, were formulated in the EIR to meet the project objectives. In addition, CEQA requires the consideration of a no-build alternative, the purpose of which is to disclose the effects of doing nothing. Each of the four build alternatives described in the EIR has independent utility, meaning that the proposed roadway improvements could be implemented for any alternative and that completion of other projects would not be required in order to realize the operational benefits of the specific alternative. In addition, the four build alternatives were designed to complement future planned transportation projects. Figure 2-1 (EIR, p. 2-5) shows a map of the four build alternatives.

Although all five alternatives were discussed and analyzed in the Draft EIR (DEIR), it was determined in the Final EIR (FEIR) that Alternative B, Leisure Town Road–Vanden Road–Cement Hill Road–Walters Road extension–Walters Road, is the preferred alternative (EIR, pp. 2-44, 2-45). The various build alternatives have potential impacts in different environmental categories and different amounts of impact where they had impacts in the same environmental categories. Therefore, the selection of the preferred alternative was derived on the basis of a process of elimination that considered each of the related environmental laws. The following is a summary of the reasoning behind selecting Alternative B as the preferred alternative:

- Alternative D would displace industrial and commercial properties in the Tolenas Industrial Park along Huntington Drive in the City of Fairfield and would result in the loss of some 224 local jobs. The severe economic hardship to these employees and the City of Fairfield is not acceptable to the local community. There is no way to construct Alternative D to avoid these impacts; therefore, Alternative D was not considered practicable as the preferred alternative.

- While Alternative E appeared to have the least overall impacts to natural resources among the build alternatives, it would result in permanent use of 1.7 acres of land from Al Patch Park and 1.2 acres of land from Will C. Wood High School. Both of these properties are protected under a federal law, Section 4(f) of the Department of Transportation Act. Section 4(f) prohibits the Secretary of Transportation from

[2] References to the EIR are to the Jepson Parkway Project Final Environmental Impact Report, Volume 1, March 2009.

approving a project that uses 4(f)-protected property if there is a feasible and prudent alternative to that use. Under Section 4(f) regulations, Alternative E cannot be selected as the preferred alternative unless all of the other build alternatives can be shown not to be prudent and feasible. Alternative E also would result in the acquisition of 26 single-family and 10 multi-family residential units along Peabody Road in the City of Vacaville.

- An aerial ramp proposed to be constructed at the intersection of Peabody Road and Air Base Parkway with either Alternative C or Alternative E would provide high-elevation visual access to Travis Air Base facilities, including the Aero Club landing strip and the David Grant Hospital. David Grant Hospital serves sensitive Defense Department missions and is designed to provide emergency functions. This visual access—particularly on a roadway that offers quick access and retreat—poses a concern for homeland defense. Travis Air Force Base officials raised this concern in their comments on the Draft EIR; see Volume II of the Final EIR, Letter 2. In light its potential homeland defense concerns, residential impacts, and Section 4(f) impacts, Alternative E was not determined to be practicable as the preferred alternative.

- Alternative C, because it would also require the aerial ramp at Peabody Road and Air Base Parkway, would have an impact on homeland defense. Additionally, as described in the Travis Air Force Base letter referenced above, Alternative C has the potential to affect an area of high habitat value, consisting of a combination of natural and created vernal pools and seasonal wetlands with good populations of Contra Costa goldfields, and a contiguous property that is being developed as a mitigation bank. This site includes mitigation area for vernal pools where efforts are currently underway to propagate and preserve goldfields and other listed and special status plant species. Travis officials have agreed to maintain the portion on the Air Base for preservation of vernal pools, wetlands and these plant species. Using these lands for Alternative C would violate this agreement. Because of the homeland defense issue and the potential impacts to dedicated wetland and plant preservation areas, Alternative C was not considered practicable as the preferred alternative.

- By this process of elimination, Alternative B is the remaining practicable alternative. Similar to other build alternatives, Alternative B would affect vernal pools and other seasonal wetlands, as well as other waters of the U.S., along the proposed Walters Road extension and Cement Hill Road. These waters provide high quality habitat for wetland vegetation and wildlife. But in consultation with the U.S. Fish and Wildlife Service (USFWS) and the NEPA-404 Memorandum of Understanding (MOU) signatories, avoidance, minimization, and mitigation measures have been identified and agreed to that would achieve the appropriate balancing of resource protection, project construction, and mitigation costs to address these impact issues. (EIR, pp. 2-44, 2-45)

Alternative B (subsequently referred to as the project) would provide a four-lane divided arterial for the entire length of the corridor and includes improvements to (from north to south) Leisure Town Road, Vanden Road, Cement Hill Road, and Walters Road (Figure 2-2, EIR, p. 2). The project components include the widening of existing roadways along the alternative; construction of a northern extension of Walters Road between Cement Hill Road and the intersection of Air Base Parkway; a grade separation (overpass) of the Union Pacific Railroad (UPRR) mainline tracks as part of the Walters Road extension; improvements at the Leisure Town Road crossings

of Alamo Creek and New Alamo Creek; a new crossing of McCoy Creek; bicycle and pedestrian paths; landscaping; and utilities relocation. (EIR, pp. 2-29, 2-30)

The alignment for the project begins in Vacaville on Leisure Town Road at Orange Drive. It extends south along Leisure Town Road to the intersection of Leisure Town Road and Vanden Road in unincorporated Solano County. It then extends southwest along Vanden Road to the intersection of Cement Hill Road/Vanden Road and Peabody Road in Fairfield. From here, the alignment continues west along Cement Hill Road to the intersection of Cement Hill Road and the north end of the Walters Road extension, extends south along the Walters Road extension to the intersection of Walters Road and Air Base Parkway, and then continues south along Walters Road in Fairfield and Suisun City to the Walters Road/SR 12 intersection. (EIR, pp. 2-29, 2-30)

The project would provide an additional north/south crossing of the UPRR mainline tracks in eastern Fairfield. The proposed Walters Road extension is approximately one mile southwest of the Peabody Road crossing. This distance is the ideal spacing for arterials. The City of Fairfield desires an additional crossing of the UPRR mainline tracks, as provided by Alternative B because:

- The additional crossing would provide an alternative crossing in the event the main entrance to Travis Air Force Base (AFB) is closed for security reasons and the closure backs up traffic into the adjacent Air Base Parkway/Peabody Road intersection;

- The additional crossing and the Walters Road extension alignment would provide a valuable transportation network improvement, offering important redundant connections that would ease future congestion on the already heavily traveled Air Base Parkway and Peabody Road segments; and

- The wider six-lane UPRR overpass needed for the other build alternatives, and the partial interchange at the Peabody Road/Vanden Road intersection, also would substantially reduce the amount of land available for the Fairfield/Vacaville train station that Fairfield is planning to locate at the southeast corner of the intersection of Cement Hill Road/Peabody Road and Vanden Road. (EIR, pp. 2-29, 2-30)

The project's location has been positioned to minimize impacts to biologically sensitive areas to the extent feasible. These Findings generally describe the project and the environmental determinations regarding the project, as set forth in the EIR.

III. PROJECT HISTORY

In 2000, STA, Solano County, and the Cities of Vacaville, Fairfield, and Suisun City completed the *Jepson Parkway Concept Plan* (Concept Plan). The Concept Plan was developed to address intra-county mobility for Solano County residents. It focused on a comprehensive, innovative, and coordinated strategy for developing what has become known as the Jepson Parkway Corridor. Completed after a process of extensive community input, the Concept Plan provided a coordinated strategy for developing a multimodal corridor that would link land use and transportation decisions, support the use of alternative modes of transportation, and minimize impacts on existing and future residential neighborhoods. The concept plan also identified improvements to the corridor that would provide intra-county mobility for central Solano County

residents. The corridor improvements were designed to relieve existing and future congestion, address existing safety issues, and facilitate the use of alternative travel modes. (EIR, p. 1-4)

Planning efforts leading to the development of the Concept Plan began in the late 1980s. In 2000, the Federal Highway Administration (FHWA), Caltrans, and STA began the scoping process in anticipation of the preparation of an Environmental Impact Report/Environmental Impact Statement (EIR/EIS) for improvements to the Jepson Parkway Corridor as outlined in the Concept Plan. (EIR, pp. 4-1 - 1-5)

A Notice of Preparation (NOP) and a Notice of Intent (NOI) were released in summer 2000 to announce that environmental documents were being prepared to assess the effects of the Jepson Parkway Project. Comments received in response to the notices were taken into account in the preparation of the document. A public scoping meeting for the project was held on August 9, 2000. (EIR, p. S-32)

On June 6, 2008, the Draft EIR/EIS was circulated for public and agency comments for a 60-day review period. A public hearing on the Draft EIR/EIS was held in Vacaville on June 24, 2008. The public review period closed on August 6, 2008. STA received 37 comment letters, including nine letters from State and local agencies.

Following the close of the public comment period and to ensure that State funds programmed for the project would be committed on schedule, STA decided to complete the CEQA EIR in advance of completing the NEPA EIS. The joint EIR/EIS document may be used as the EIR pursuant to CEQA §21083.7 and because it was originally prepared to comply with the provisions of the CEQA guidelines (see Guidelines §15221(a)(2)).

IV. THE RECORD

For the purposes of CEQA and these Findings, the administrative record for the project consists of the following:

1. All non-privileged relevant staff reports, memoranda, maps, minutes, and other planning documents prepared by STA staff and consultants relating to the project that are available to the public in accordance with the California Public Records Act;

2. The Environmental Impact Report prepared for the project and all documents on which the CEQA documents rely by reference, including all documents collectively representing the Final EIR for the project;

3. All written comments, inquiries, and testimony concerning the CEQA documents received by STA from public agencies and all interested members of the public concerning the project, up to and including STA's action to approve the project, and any written comments and responses from STA;

4. Testimony received by STA at all noticed public hearings, including comments on the project and/or the EIR;

5. Documents submitted in association with the project that describe the project and support or augment the environmental documents prepared pursuant to CEQA for the project;

6. Any documents that embody STA's action on the project, including staff reports, statements of decision and resolutions, and the minutes of public hearings, meetings, and workshops on the project;

7. These Findings of Fact adopted in connection with the project;

8. All other information, including documents or testimony developed by or submitted to STA, STA's consultants, or their agencies supporting or augmenting the environmental documents prepared pursuant to CEQA;

11. The National Pollutant Discharge Elimination Service (NPDES) General Permit for Discharges of Stormwater Runoff Associated with Construction Activity; and

12. Any other documents required for inclusion in an administrative record in accordance with Public Resources Code section 21167.6, subdivision (e).

The custodian of documents comprising the record of proceedings is STA, whose office is at One Harbor Center, Suite 130, Suisun, CA 94585, in conjunction with PBS&J, STA's environmental consultants, whose office is at 353 Sacramento Street, Suite 1000, San Francisco, CA 94111. Documents comprising the administrative record may be physically housed in these or other locations.

V. DISCRETIONARY ACTIONS

The discretionary actions for the project involve the following approvals by STA:

1. Certification of the EIR, including adoption of the CEQA Mitigation Monitoring and Reporting Program;

2. Adoption of these Findings of Fact.

STA has primary approval authority over the project. However, a number of responsible agencies also have discretionary authority over the project. The discretionary agency actions for the project include:

- United States Army Corps of Engineers (USACE): Section 404, Clean Water Act permit;

- United States Fish and Wildlife Service (USFWS): Biological Opinion from USFWS under Section 7 of the federal Endangered Species Act;

- Environmental Protection Agency (EPA);

- California Department of Fish and Game: Fish and Game Code Section 1602 agreement for work with local creeks, consistency finding on the USFWS Biological Opinion, California Fish and Game Code Section 2081 letter of concurrence from California Department of Fish and Game (CDFG) for the loss of special-status species habitat;

- California Department of Transportation (Caltrans);

- San Francisco Bay Regional Water Quality Control Board: Section 401, Clean Water Act water quality certification, Section 402, Clean Water Act National Pollutant Discharge Elimination System permit;

- County of Solano;

- City of Fairfield;

- City of Suisun City; and

- City of Vacaville (EIR, p. S-33 and p. 5-4).

These findings are made by STA pursuant to section 15091 of the California Code of Regulations, Title 14 (also referred to as the CEQA Guidelines).

VI. THE EIR

Pursuant to section 15146(a) of the CEQA Guidelines, the EIR for the project summarizes with specificity the effects of a series of actions that will need to be undertaken to implement the project. (All subsequent references to the "EIR" shall include the Draft EIR, the Final EIR, and any supplements, addenda, etc.)

Information in the Final EIR augments and supersedes, where relevant, the Draft EIR and constitutes the bases for the environmental analysis of the project.

According to CEQA Guidelines section 15132, the Final EIR shall consist of:

(a) The Draft EIR or a revision of the draft;

(b) Comments and recommendations received on the Draft EIR either verbatim or in summary;

(c) A list of persons, organizations, and public agencies commenting on the Draft EIR;

(d) The responses of the lead agency to significant environmental points raised in the review and consultation process; and

(e) Any other information added by the lead agency.

The EIR for the project fulfills all of the necessary requirements of CEQA and the CEQA Guidelines. Pursuant to CEQA, the EIR includes mitigation measures for each potentially significant environmental impact. A mitigation monitoring and reporting program has been prepared and included in the EIR, and will be adopted by STA along with the EIR.

VII. TERMINOLOGY OF THE FINDINGS

Public Resources Code section 21081(a) and CEQA Guidelines section 15091 require that for each significant environmental effect identified in the EIR for a proposed project, the approving agency must issue a written finding reaching one or more of three allowable conclusions, including a brief explanation of the rationale for reaching each conclusion. The first potential

finding is that "[c]hanges or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment." (Pub. Resources Code, § 21081(a)(1).) The second potential finding is that "[t]hose changes or alterations are within the responsibility or jurisdiction of another public agency and have been, or can and should be, adopted by that other agency." (Pub. Resources Code, § 21081(a)(2).) The third potential finding is that "[s]pecific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report." (Pub. Resources Code, § 21081(a)(3).)

For purposes of these Findings, the term "mitigation measures" shall constitute the changes or alterations discussed above. The term "avoid or substantially" will refer to the effectiveness of one or more of the mitigation measures or alternatives to substantially lessen an otherwise significant environmental effect or to reduce it to a less than significant level. (*See Laurel Hills Homeowners' Association v. City Council* (1978) 83 Cal.App.3d 515) When an impact remains significant or potentially significant after mitigation is applied, the Findings will indicate that the impact is still significant. Subsequent references in these Findings to significant effects shall include both significant and potentially significant effects.

In the process of adopting mitigation, STA has had to decide whether the mitigation proposed in the EIR is feasible. Pursuant to the CEQA Guidelines, " '[f]easible' means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors." (CEQA Guidelines, § 15364.) The concept of feasibility also encompasses the question of whether a particular alternative or mitigation measure promotes the underlying goals and objectives of a project. (*Sequoyah Hills Homeowners Association v. City of Oakland* (1993) 23 Cal.App.4th 704, 715; *City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 410, 417.) "'[F]easibility' under CEQA encompasses 'desirability' to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors." (*City of Del Mar, supra,* 133 Cal.App. 3d at 417.)

VIII. LEGAL EFFECT OF THE FINDINGS

STA makes these Findings pursuant to Public Resources Code section 21081(a) and section 15091 of the CEQA Guidelines. STA finds that where more than one reason exists for any finding, each reason independently supports these findings. All feasible mitigation measures that avoid or substantially lessen the significant effects of the project and that are adopted are binding on STA and its assigns or successors in interest at the time of approval of the project.

IX. MONITORING PROGRAM

As required by Public Resources Code section 21081.6, STA, in adopting these Findings, also adopts a mitigation monitoring and reporting program pursuant to Public Resources Code section 21081.6 and CEQA Guidelines section 15097. The monitoring program is designed to ensure that during implementation of the project, STA and any other responsible parties implement the adopted mitigation measures. The monitoring program is set forth as an exhibit to the resolution approving these Findings of Fact. STA will ensure that the monitoring and reporting obligations are fulfilled. STA has authority to stop the project, or take other appropriate action if it determines that any adopted mitigation is not being satisfactorily fulfilled.

X. FINDINGS REGARDING SIGNIFICANT EFFECTS AND MITIGATION MEASURES

STA has reviewed the EIR for the project and has considered the public record on the project. The EIR sets forth environmental effects of the project that would be potentially significant or significant in the absence of mitigation measures for the project. These effects (or impacts) are set forth below along with the adopted mitigation measures, changes, or alterations that will avoid or substantially lessen those potentially significant or significant effects.

STA is not required by law to adopt mitigation measures for impacts that are less than significant. The voluntary adoption of such mitigation measures with respect to certain impacts does not obligate STA to similarly adopt measures with respect to other less than significant impacts.

After reviewing the public record, STA makes the following findings regarding the significant effects of the project.

1. Findings Concerning Land Use

Less Than Significant Impact – Impact LU-1: Would the Project Conflict with Existing Land Uses? Indirect short-term land use conflicts would result from construction activities. Temporary construction impacts could affect residents and businesses immediately adjacent to the entire length of the corridor. With the exception of the Walters Road extension, the project would only modify existing roads. The Walters Road extension would construct a new roadway in an area that is primarily undeveloped and used as grazing land and would also pass though a small portion of land currently used as a storage yard for Computech Lumber. As such, the project would not divide an established community. (EIR, p. 3.1-9)

> **STA Adopts the Following Finding**: Because the impact is less than significant, no mitigation measures are required.

Less Than Significant Impact – Impact LU-2: Would the Project Conflict with Planned Land Uses? The project is not anticipated to result in conflicts with planned land uses in the corridor. Approved projects adjacent to the project corridor have been designed to accommodate the projected right-of-way needs of the project, eliminating potential conflicts. (EIR, p. 3.1-10)

> **STA Adopts the Following Finding**: Because the impact is less than significant, no mitigation measures are required.

Less Than Significant Impact – Impact LU-4: Would the Project be Consistent with Local and Regional Plans and Policies? The project is generally consistent with the general plans from Solano County, the City of Vacaville, the City of Fairfield, and the City of Suisun City. (EIR, pp. 3.1-16, 3.1-17)

> **STA Adopts the Following Finding**: Because the impact is less than significant, no mitigation measures are required.

Less Than Significant Impact – Impact LU-6: Would the Project Result in Impacts to Parks and Recreational Facilities? The project would have no impact on any of the parks along the alignment. (EIR, p. 3.1-21)

STA Adopts the Following Finding: Because the impact is less than significant, no mitigation measures are required.

2. Findings Concerning Growth Impacts

Less Than Significant Impact – Impact GR-1: Would the Project Induce Growth? Overall, the pressure to hasten planned development or allow unplanned growth on agricultural lands in the corridor would be largely offset and controlled by the strong regulatory framework that is currently in place to discourage premature and unplanned growth adjacent to and near the corridor. These are considered strong enough to substantially slow, limit, and direct growth that would be induced by the project. (EIR, p. 3.2-5)

STA Adopts the Following Finding: Because the impact is less than significant, no mitigation measures are required.

3. Findings Concerning Farmlands/Agricultural Lands Impacts

Significant Impact – Impact FA-1: Would the Project Directly Convert Important Farmlands? The project would result in the conversion of an estimated 75.4 acres of farmland adjacent to Leisure Town Road, Vanden Road, Cement Hill Road, and Walters Road. This total represents 0.02 percent of both the total farmlands and prime farmlands inventoried by the California Department of Conservation (DOC) in Solano County in 2000. The acquisitions would be in the form of narrow strips of right-of-way along existing roadways. (EIR, p. 3.3-6)

STA Adopts the Following Finding: Changes or alterations have been required of, or incorporated into, the project that mitigate or avoid the significant effects associated with the conversion of important farmlands.

Facts in Support of the Finding: STA adopts the following mitigation measure that will reduce to less-than-significant levels the adverse effects of the impact. This mitigation measure will reduce the conversion of important farmland to a less-than-significant level.

Mitigation Measure FA-1: Compensate for Conversion of Important Farmland, including Prime Farmland. To compensate for the conversion of important farmland, the project sponsors would purchase permanent agricultural easements or provide funds to an agricultural land trust. Two examples are provided below:

- The project sponsors shall purchase permanent agricultural easements from willing sellers along one or both sides of Vanden Road within the Vacaville/Fairfield community separator/greenbelt, as designated in the Vacaville and Fairfield general plans, or east of Leisure Town Road. Agricultural easements would allow farmlands to remain in agricultural use and to be owned and managed by private landowners. To the extent possible, agricultural easements

shall be established on properties with farmland similar in quality to the farmland converted by the project. Easement acquisitions shall be large enough (e.g., 160 acres) to allow for continued viable grazing uses of properties. Potential costs for easement purchases have been estimated to range from $2,000 to $10,000 per acre. Under the easement agreements, the Solano Land Trust could be designated as the entity to hold easement and development rights.

- The project sponsors shall provide funds to the Agricultural Land Stewardship Program operated by the DOC or the Solano Land Trust in an amount adequate to purchase agricultural easements on farmland similar in quality to the farmland converted by the project. Purchasing agricultural easements would compensate for project-related conversions by permanently protecting agricultural lands. Funds provided to a local land trust shall be targeted for purchasing easements on farmland along the corridor.

  For Prime Farmland, Farmland of Statewide Importance, or Unique Farmland converted in the City of Fairfield, the project sponsors would be required to participate in Fairfield's agricultural mitigation program. Fairfield requires either (a) conservation of an equivalent amount of impacted farmland; or (b) payment of $12,000 per acre of converted farmland. (EIR, p. 4-3)

Less Than Significant Impact – Impact FA-2: Would the Project Conflict with Williamson Act Contract Lands? Within the portion of the corridor adjacent to the project route, one property (Contract 36) is currently under an active Williamson Act contract. Construction of the project would conflict with the contract governing this property, located southeast of the intersection of Air Base Parkway and Walters Road. Acquiring the contracted land could not be avoided because widening Walters Road to the west would displace other uses, resulting in substantial relocation impacts. The project would require the termination of Williamson Act contract protections for the contracted land acquired; however, contract protections would remain in place for the remainder of the parcel. This acquisition would not substantially reduce the agricultural viability of the property. The project sponsor would comply with the requirements of the Williamson Act in acquiring the strip of contracted land. (EIR, p. 3.3-8)

4. Findings Concerning Community Impacts

Less Than Significant Impact – Impact CI-1: Would the Project Affect Community Cohesion? Effects on community cohesion are not expected to be substantial because the roadways that would be widened already separate existing neighborhoods, which currently have few common characteristics. (EIR, p. 3.4-12)

STA Adopts the Following Finding: Because the impact is less than significant, no mitigation measures are required.

Significant Impact – Impact CI-7: Would the Project Result in Relocation and Population Impacts? No residential units would be displaced under the project. Consequently, the project would not adversely affect population in the area. However, the project would require the full acquisition of two non-residential parcels and partial acquisition of additional parcels resulting in the displacement of ten commercial and two

public structures. The loss of these commercial and public buildings could have detrimental effects on the continued use of the businesses located on these parcels. (EIR, pp. 3.4-20, 3.4-21)

STA Adopts the Following Finding: Changes or alterations have been required of, or incorporated into, the project that mitigate or avoid the significant relocation impacts.

Facts in Support of the Finding: STA adopts the following mitigation measures that will reduce to less-than-significant levels the adverse effects of the impact. In addition, compliance with the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act would minimize the relocation effect. (EIR, p. 3.4-21)

Mitigation Measure CI-1: Reconstruct Displaced Driveways and Replace Displaced Fencing, Signage, Trees, and Landscaping. The project sponsor shall reconstruct driveways displaced by roadway construction to allow for safe property access and use. Additionally, to the extent possible, fencing, signage, trees, and other landscaping displaced by the project on affected residential, business, and agricultural properties shall be replaced. (EIR, p. 3.4-28)

Mitigation Measure CI-2: Relocate the Travis Unified School District Facility. If the project would make the Travis Unified School District (TUSD) property untenable for continued use as a district meeting and storage facility, the project sponsors shall coordinate with the TUSD to locate and purchase a site for relocation of the facility. (EIR, p. 3.4-28)

Less Than Significant Impact – Impact CI-8: Would the Project Impact Parking? Construction of the project would displace no public parking in the study area, but off-street parking associated with a few private businesses would be permanently displaced. In most cases, the loss of parking is minor and the parking can be relocated elsewhere. These minor losses of parking are described in detail in the Community Impact Assessment. (EIR, pp. 3.4-26, 3.4-27)

STA Adopts the Following Finding: Because the impact is less than significant, no mitigation measures are required.

5. Findings Concerning Utilities/Emergency Services Impacts

Significant Impact – Impact UT-1: Would the Project Affect Police, Fire, and Emergency Service Providers? Potential short-term impacts on police, fire, and emergency services providers would result from construction of the project. Potential impacts include increased emergency response times along the entire route caused by congestion, temporary lane or road closures, and traffic detours during project construction. However, the operation of the project would not adversely affect police, fire, and emergency vehicle response times and would not substantially affect public or school bus routes. After construction is complete, the new roadway would improve access throughout the area, including emergency access. (EIR, p. 3.5-2)

STA Adopts the Following Finding: Changes or alterations have been required of, or incorporated into, the project that mitigate or avoid the significant effects associated with emergency service provider access during construction.

Facts in Support of the Finding: STA adopts the following mitigation measure that will reduce to less-than-significant levels the adverse effects of the impact. This mitigation measure will ensure access for emergency vehicles during construction of the project.

> ***Mitigation Measure UT-1: Notify Emergency Service Providers and Allow Emergency Vehicles on Closed Roadways.*** In the special provisions of the highway contracts, the project sponsor shall require that emergency service providers such as police, fire, and ambulance services be notified at least one week before any streets or intersections are closed during the construction phase. To the extent possible, emergency vehicles shall be allowed through roadway segments temporarily closed for construction purposes. These measures shall also be incorporated into the Transportation Management Plan to be prepared for the project. (EIR, p. 3.5-6)

Less Than Significant Impact – Impact UT-2: Would the Project Affect Utilities? Construction of the project would result in various effects on utilities within or adjacent to the proposed right-of-way. The project would install, relocate, or extend the following utilities along the corridor: irrigation facilities; storm drain systems; joint pole lines (PG&E, AT&T, and cable); conduits for future fiber-optic communication cables; and the placement of existing overhead utilities underground. Based on these proposed treatment of utilities, the project would not adversely affect utilities in the corridor. (EIR, pp. 3.5-3, 3.5-4)

STA Adopts the Following Finding: Because the impact is less than significant, no mitigation measures are required.

6. Findings Concerning Traffic and Transportation/Pedestrian and Bicycle Facilities Impacts

Significant Impact – Impact TRA-1: Would the Project Result in a Change in 2010 Peak Hour Intersection Level of Service? Implementation of the project would result in an improvement in the level of service at most of the study intersections in the corridor. All but three of the study intersections would operate at or above local level of service (LOS) standards. The three intersections that would continue to operate at below local LOS standards during the AM and/or PM peak hours include Leisure Town Road/Stonegate Drive; Leisure Town Road/Ulatis Drive; and Leisure Town Road/Marshall Road. Each of these three intersections is unsignalized. (EIR, p. 3.6-19)

STA Adopts the Following Finding: Changes or alterations have been required of, or incorporated into, the project that mitigate or avoid the significant effects associated with 2010 peak hour intersection LOS.

Facts in Support of the Finding: STA adopts the following mitigation measure that will reduce to less-than-significant levels the adverse effects of the impact. This mitigation measure will ensure an improvement in 2010 peak hour intersection LOS.

Mitigation Measure TRA-1: Evaluate Unsignalized Study Intersections in the Corridor for Signal Warrants. Pursuant to Caltrans/FHWA requirements, a traffic operations analysis was conducted based on travel demand forecasts through the 2030 project horizon year. Consistent with standard traffic operations analysis practice, a full set of warrants for unsignalized study intersections in the corridor shall be investigated based on field-measured traffic data and a thorough study of traffic and roadway conditions by an experienced engineer under the direction of STA or the local jurisdiction. Regular monitoring of actual traffic conditions and accident data shall be undertaken by the jurisdiction responsible for implementation of signalization to prioritize and program intersections for signalization where and when warrants are met. (EIR, p. 3.6-24)

Less Than Significant Impact – Impact TRA-2: Would the Project Change Truck Egress Capacities along Huntington Drive? Implementation of the project would not include improvements to Huntington Drive. Therefore, the project would not have an effect on roadway operations along Huntington Drive. (EIR, p. 3.6-19)

STA Adopts the Following Finding: Because the impact is less than significant, no mitigation measures are required.

Less Than Significant Impact – Impact TRA-3: Would the Project Have an Effect on Pedestrians and Bicyclists in the Corridor? The project includes the addition of an off-street paved bicycle path along the length of the corridor as well as "activity nodes" at strategic locations to encourage bicycle and pedestrian use for both recreation and transportation purposes. This would be a beneficial impact. The proposed bicycle path along sections of existing Walters Road would require an exception to the design criteria in the Caltrans Highway Design Manual (HDM). This would not be considered an adverse effect. Other design constraints and provisions for adequate signage would need to be considered as part of final design. (EIR, p. 3.6-21)

STA Adopts the Following Finding: Because the impact is less than significant, no mitigation measures are required.

Beneficial Impact – Impact TRA-4: Would the Project Have an Effect on Transit Service in the Corridor? The project includes the operation of two new bus routes to provide future transit service along the corridor. This would be a beneficial impact of the project. (EIR, p. 3.6-21)

STA Adopts the Following Finding: Because the impact is beneficial, no mitigation measures are required.

Significant Impact – Impact TRA-5: Would the Project Result in Short-Term Construction-Related Changes in Circulation and Local Traffic Patterns? Constructing the project would cause short-term disruptions in existing circulation patterns, including the use of temporary detours and temporary roads. Temporary construction impacts could affect residents and businesses along the entire length of the project. (EIR, p. 3.6-21)

STA Adopts the Following Finding: Changes or alterations have been required of, or incorporated into, the project that mitigate or avoid the significant effects associated with short-term construction-related changes in circulation and local traffic patterns.

Facts in Support of the Finding: STA adopts the following mitigation measure that will reduce to less-than-significant levels the adverse effects of the impact. This mitigation measure will reduce the impacts related to short-term construction-related changes in circulation and local traffic patterns.

Mitigation Measure TRA-2: Implement Traffic Management Plan during Construction. The project sponsors shall prepare and implement a construction phasing plan and Traffic Management Plan (TMP) that defines how traffic operations would be managed and maintained during each phase of construction. The plan shall be developed with the direct participation of the appropriate jurisdiction (Fairfield, Vacaville, Suisun City, and/or Solano County). At least one lane in each direction of the alignment shall be available at all times during the construction process. All cross-traffic lanes shall be kept open during construction except for during temporary non-peak-hour closures. At least one lane under flagger control shall be provided at all times during temporary intersection closures. In addition, the property owners of all businesses adjacent to the construction areas shall be consulted. To the maximum practical extent, the plan shall:

- Identify the locations for temporary detours and temporary roads to facilitate local traffic patterns and through-traffic requirements. If temporary roadway or intersection closures are required for construction purposes, the TMP shall specify off-peak timeframes for closures.

- Detail how access shall be maintained to individual businesses, residences, and farmlands where construction activities may interfere with ingress and egress. Any driveway closures shall take place during non-business hours.

- Notify affected businesses and residents at least two weeks in advance of lane or roadway closures or impacts related to access. Personnel of emergency response services such as fire and police protection shall also be notified one to two weeks in advance of any lane or road closures so that alternate routes can be taken.

- Specify predetermined haul routes from staging areas to construction sites and to disposal areas with the appropriate jurisdiction(s) prior to construction. The routes shall follow streets and highways that provide the safest route, minimize truck traffic impacts to sensitive receptors, and have the least impact on traffic.

- Require the contractor to provide information to the public using signs, press releases, and other media tools of traffic closures, detours, or temporary displacement of left-turn lanes.

- Identify a single phone number that property owners and businesses can call for construction scheduling, phasing, and duration information, as well as for complaints.

- Identify construction activities that must take place during off-peak traffic hours or result in temporary road closures due to concerns regarding traffic safety or traffic congestion. Any road closures shall be done at night under ordinary circumstances. If unforeseen circumstances require road closing during the day, the appropriate jurisdiction(s) shall be consulted. (EIR, pp. 3.6-24, 3.6-25)

Less Than Significant Impact – Impact TRA-6: Would the Project Impact Parking in the Corridor? Construction of the project would displace no public parking in the study area, but off-street parking associated with a few private businesses would be permanently displaced. In most cases, the loss of parking is minor and the parking can be relocated onsite or the parking can be permanently lost without affecting the viability of the business. (EIR, p. 3.6-22)

STA Adopts the Following Finding: Because the impact is less than significant, no mitigation measures are required.

7. Findings Concerning Visual/Aesthetics Impacts

Significant Impact – Impact VIS-1: Would the Project Result in Temporary Visual Changes from Construction? Construction of the project would create temporary changes in views of and from the corridor. Construction activities would introduce: considerable heavy equipment, associated vehicles, safety and directional signage, and staging areas into the viewshed of public roadways and residential and business properties. Construction-related visual elements would be most noticeable in Landscape Unit 1. The sensitivity of residents to such impacts would be high. Therefore, residents would experience a short-term change in the visual character of the area near their residences while the staging area was in use. (EIR, pp. 3.7-26, 3.7-28)

STA Adopts the Following Finding: Changes or alterations have been required of, or incorporated into, the project that mitigate or avoid the significant effects associated with temporary visual changes from construction.

Facts in Support of the Finding: STA adopts the following mitigation measure that will reduce to less-than-significant levels the adverse effects of the impact. This mitigation measure will reduce the temporary visual impact related to construction to a less-than-significant level.

Mitigation Measure VIS-1: Install Temporary Visual Barriers between Construction Staging Areas and Residences. During construction, fencing (e.g., chain link with slats or fencing made of windscreen material) will be installed to obstruct undesirable views of construction staging areas from adjacent residences. The fencing will also help to maintain the privacy of residents. These fences will be approximately 7 feet high and will block views from residents' yards. (EIR, p. 3.7-42)

Significant Impact – Impact VIS-2: Would the Project Result in Permanent Changes in Light and Glare? New sources of light and the extension of roadways into new areas would result in permanent changes in light and glare. Under the project, vegetation that shades the roadway would be removed, which would increase the amount of reflective glare from the roadway surface, increasing the amount of ambient light affecting viewer groups. In addition,

the number of lights throughout the corridor would increase in areas where little or no roadway lighting currently exists. The change in intensity and location of light could result in an increase in light and glare over existing conditions. (EIR, p. 3.7-28)

STA Adopts the Following Finding: Changes or alterations have been required of, or incorporated into, the project that mitigate or avoid the significant effects associated with permanent changes in light and glare.

Facts in Support of the Finding: STA adopts the following mitigation measure that will reduce to less-than-significant levels the adverse effects of the impact. This mitigation measure will reduce the impact of increased light and glare to a less-than-significant level.

Mitigation Measure VIS-2: Prepare and Implement a Lighting Plan. STA or the appropriate local agency will require the contractor to prepare and implement a lighting plan that demonstrates that project lighting will not increase ambient nighttime lighting conditions for surrounding residential properties by more than 0.5-foot candles, the recommended level of illumination for a walkway along a residential roadside. Designs for shields and directional lighting will be included in this plan to minimize the distance at which light emanating from the proposed action is visible and to mitigate the effects of glare. The residential areas will be shielded from lighting effects to the extent feasible. The following points provide additional detail on street lights to be incorporated into the lighting plan:

- Street lights will be cut-off-type fixtures that cast low-angle illumination to minimize incidental spillover of light onto adjacent properties and open space. Fixtures that project upward and horizontally shall not be used.
- Street lights will be shaded and directed away from the residential and open space areas adjacent to the project site.
- Street light lamps will provide natural light qualities, and will be used only where necessary for safety and security purposes.
- Street light mountings will be downcast and the height of placement minimized to reduce potential for backscatter into the nighttime sky and incidental spillover into adjacent properties and open space. Street light mountings shall have low-sheen, nonreflective finishes.

Mitigation Measure VIS-3: Construct Walls and Barriers with Low-Sheen and Non-Reflective Surface Materials. Retaining walls and barriers (e.g., railings) will be designed with low-sheen, nonreflective surface materials to reduce potential for glare. Finishes on walls will be matte and roughened; the use of smoothly troweled surfaces and glossy paint will be avoided. (EIR, p. 3.7-42)

Less Than Significant Impact – Impact VIS-3: Would the Project Result in Permanent Visual Changes Resulting from Earthwork and Vegetation Removal? Throughout the corridor, the existing roadside landscaping would be functionally and visually affected to accommodate the roadway widening. Existing right-of-way vegetation would be removed

throughout the corridor, which would change the current visual character of the roadways during construction. Approximate estimates of the total numbers of trees that would be removed within each landscape unit include: 65 trees from Landscape Unit 1; 55 trees from Landscape Unit 2; and 10 trees from Landscape Unit 8. However, the effects of tree removal would be short-term because extensive replacement landscaping is included as part of the project design. (EIR, pp. 3.7-28, 3.7-30)

STA Adopts the Following Finding: Because the impact is less than significant, no mitigation measures are required.

Significant Impact – Impact VIS-4: Would the Project Result in Permanent Changes to Views in Landscape Unit 1? The project would change the existing character of Landscape Unit 1 from a mixed suburban/rural setting to a suburban transportation corridor. The vividness, intactness, and unity of this unit would be adversely affected by the project due to the increase in visual dominance of the roadway; the current visual quality rating would be reduced from a visual quality rating of moderate (3.7) to a rating of moderately low (3). (EIR, p. 3.7-30)

STA Adopts the Following Finding: Changes or alterations have been required of, or incorporated into, the project that mitigate or avoid the significant effects associated with permanent changes to views in Landscape Unit 1.

Facts in Support of the Finding: STA adopts Mitigation Measures VIS-2, VIS-3 (see above), and VIS-4 (below), along with project design elements described above in Impact VIS-3, to reduce this impact to a less-than-significant level. (EIR, p. 3.7-30)

Mitigation Measure VIS-4: Incorporate Design Characteristics to Minimize Visual Obtrusion. Structural and vertical elements such as bridges, railings, abutments, piers, supports, and similar features will have a minimum profile to reduce visual intrusion and obstruction. Supports, piers, and railings will have an "open" structure (i.e., "transparency") wherever possible to facilitate views beyond. Vertical elements will be designed at even intervals and spacing to create aesthetic rhythm. Finished surfaces on all vertical features will have color and sheen that minimize contrast with the daytime sky. Additionally, major vertical elements at locations identified by the local agency, such as bridges and creek crossings, will be celebrated through public art and landscape enhancements and will be used as community gateway features. (EIR, pp. 3.7-43, 3.7-44)

Significant Impact – Impact VIS-5: Would the Project Result in Permanent Changes to Views in Landscape Unit 2? Widening of the roadway and introduction of new roadway would change the existing character of Landscape Unit 2 considerably, from a somewhat rural character to a suburban transportation corridor. The vividness, intactness, and unity of the unit would be affected by the project due to the increase in visual dominance of the roadway; the current visual quality rating would be reduced from moderate (3.7) to moderately low (3). (EIR, p. 3.7-32)

STA Adopts the Following Finding: Changes or alterations have been required of, or incorporated into, the project that mitigate or avoid the significant effects associated with permanent changes to views in Landscape Unit 2.

Facts in Support of the Finding: STA adopts Mitigation Measures VIS-2 through VIS-4 (above), along with project design elements described above in Impact VIS-3, to reduce this impact to a less-than-significant level. (EIR, p. 3.7-32)

No Impact – Impact VIS-6: Would the Project Result in Permanent Changes to Views in Landscape Unit 3? No roadway improvements would occur in Landscape Unit 3. Therefore, there would be no permanent changes to views in Landscape Unit 3 and no impact would occur. (EIR, p. 3.7-32)

STA Adopts the Following Finding: Because there is no impact, no mitigation measures are required.

No Impact – Impact VIS-7: Would the Project Result in Permanent Changes to Views in Landscape Unit 4? No roadway improvements would occur in Landscape Unit 4. Therefore, there would be no permanent changes to views in Landscape Unit 4 and no impact would occur. (EIR, p. 3.7-32)

STA Adopts the Following Finding: Because there is no impact, no mitigation measures are required.

Significant Impact – Impact VIS-8: Would the Project Result in Permanent Changes to Views in Landscape Unit 5? Permanent changes in views would occur in Landscape Unit 5 in the Walters Road extension area. Operation of the project would create new views in the landscape unit for recreationists and motorists who would travel on the new roadway. New views would be rural in character, primarily views of open agricultural land. However, the vividness, intactness, and unity of this landscape unit would be affected under the project; the existing visual quality rating for the landscape unit would be reduced from moderate (4.3) to moderately low (3). (EIR, p. 3.7-35)

STA Adopts the Following Finding: Changes or alterations have been required of, or incorporated into, the project that mitigate or avoid the significant effects associated with permanent changes to views in Landscape Unit 5.

Facts in Support of the Finding: STA adopts Mitigation Measures VIS-2 through VIS-4 (above), along with project design elements described above in Impact VIS-3, to reduce this impact to a less-than-significant level. (EIR, p. 3.7-35)

No Impact – Impact VIS-9: Would the Project Result in Permanent Changes to Views in Landscape Unit 6? No roadway improvements would be constructed in Landscape Unit 6. Therefore, there would be no permanent changes to views in Landscape Unit 6 and no impact would occur. (EIR, p. 3.7-37)

STA Adopts the Following Finding: Because there is no impact, no mitigation measures are required.

No Impact – Impact VIS-10: Would the Project Result in Permanent Changes to Views in Landscape Unit 7? No roadway improvements would occur in Landscape Unit 7. Therefore, there would be no permanent changes to views in Landscape Unit 7 and no impact would occur. (EIR, p. 3.7-37)

STA Adopts the Following Finding: Because there is no impact, no mitigation measures are required.

Significant Impact – Impact VIS-11: Would the Project Result in Permanent Changes to Views in Landscape Unit 8? The project would include the construction of soundwalls along sections of the existing Walters Road. These soundwalls would reduce the visual quality of the landscape unit, inasmuch as they would create a more uniform and possibly institutional feel to the area. The introduction of soundwalls would reduce the vividness, intactness, and unity; the current visual quality rating would be reduced from a numerical rating of (3.3) to (3), while still retaining the unit's visual quality rating of moderately low. (EIR, p. 3.7-40)

STA Adopts the Following Finding: Changes or alterations have been required of, or incorporated into, the project that mitigate or avoid the significant effects associated with permanent changes to views in Landscape Unit 8.

Facts in Support of the Finding: STA adopts Mitigation Measures VIS-2 through VIS-4 (above) and Mitigation Measure VIS-5 (below), along with project design elements described above in Impact VIS-3, to reduce this impact to a less-than-significant level. (EIR, p. 3.7-40)

Mitigation Measure VIS-5: Provide Aesthetic Treatments to All Noise Barriers. Aesthetic treatments to all noise barriers will be added, including landscaping and low-sheen and non-reflective surface materials. The finish will be matted and roughened, and the use of smooth troweled surfaces and glossy paint will be avoided. (EIR, p. 3.7-43)

Less Than Significant Impact – Impact VIS-12: Would the Project be Consistent with Local Visual Policies? The project is generally consistent with and would not conflict with local visual policies. (EIR, p. 3.7-40, p. 3.7-41)

STA Adopts the Following Finding: Because the impact is less than significant, no mitigation measures are required.

8. Findings Concerning Cultural Resources Impacts

Significant Impact – Impact CR-1: Would the Project Affect Identified Cultural Resources? Although investigations in the Area of Potential Effects (APE) have not identified any archaeological resources, areas of low-lying alluvial terrace deposits associated with drainages have the potential to contain previously unidentified buried resources. Construction and staging activities in these areas have some potential to disturb buried, undiscovered archaeological sites and human remains. (EIR, p. 4-6)

STA Adopts the Following Finding: Changes or alterations have been required of, or incorporated into, the project that mitigate or avoid the significant effects associated with identified cultural resources.

Facts in Support of the Finding: STA adopts the following mitigation measures that will reduce to less-than-significant levels the adverse effects of the impact. This mitigation measure will ensure the protection of cultural resources.

Mitigation Measure CR-1: Monitor Construction Activities within Area of Potential Effect Segments Designated Highly Sensitive for the Presence of Buried Archaeological Resources. An archaeological monitor shall be present full-time during all subsurface construction activities within the APE (Area of Potential Effects) segments designated highly sensitive for the presence of buried archaeological resources. A daily log shall be completed by the archaeological monitor. Information to be recorded shall include the date, names of monitors, engineering stations of construction monitored, and a narrative report of the day's activities in which cultural resource problems and concerns are recorded. The archaeological monitor shall maintain a file of the forms, and copies shall be made available to the resident engineer and environmental coordinator on a weekly basis.

The archaeological monitor shall have the authority to temporarily halt all construction operations within 100 feet of a find or resource exposure to determine whether historic properties are present and whether they would be adversely affected by continuing construction operations. The archaeological monitor shall give immediate notification of such decisions to the appropriate authorities, including the construction foreman, resident engineer, segment manager, and principal investigator. Work may continue or be redirected to other locations outside the temporarily halted construction zone. (EIR, p. 4-7)

Mitigation Measure CR-2: Stop Work if Archaeological Materials Are Discovered during Construction. If archaeological materials (e.g., chipped or ground stone, historic debris, building foundations, or nonhuman bone) are inadvertently discovered during ground-disturbing activities, the construction contractor shall stop work in that area and within 100 feet of the find until a qualified archaeologist can assess the significance of the find and develop appropriate treatment measures. Treatment measures shall be made in consultation with STA, FHWA, State Historic Preservation Officer (SHPO), and other consulting parties to the National Historic Preservation Act (NHPA) Section 106 review process. Treatment measures typically include development of avoidance strategies or mitigation of impacts through data-recovery programs such as excavation or detailed documentation. If cultural resources are discovered during construction activities, the construction contractor and lead contractor compliance inspector shall verify that work is halted until appropriate treatment measures are implemented. (EIR, p. 4-7)

Mitigation Measure CR-3: Stop Work if Human Remains Are Discovered during Construction. If human remains of Native American origin are discovered during ground-disturbing activities, it is necessary for STA and FHWA to comply with State laws relating to the disposition of Native American burials, which fall within the jurisdiction of the Native American Heritage Commission (NAHC) (California Public Resources Code (PRC) 5097). If human remains are discovered or recognized in any location other than a dedicated cemetery, STA and FHWA will not allow further excavation or disturbance within 328.1 feet of the find or any nearby area reasonably suspected to overlie adjacent human remains until both of the following occur:

- The County Coroner has been informed and has determined that no investigation of the cause of death is required.

- If the remains are of Native American origin:

  - The descendants from the deceased Native Americans have made a recommendation to the landowner or the person responsible for the excavation work for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in PRC 5097.98, or

  - NAHC was unable to identify a descendant or the descendant failed to make a recommendation within 24 hours after being notified by the NAHC. (EIR, p. 4-7, 4-8)

9. Findings Concerning Hydrology and Floodplains Impacts

Significant Impact – Impact HYD-1: Would the Project Permanently Change Local Stormwater Drainage Patterns or Volumes? The introduction of new impervious surfaces caused by roadway widening and the construction of new roadway surface for the Walters Road extension would result in the potential to generate additional runoff during storm events. Encroachment into the floodplain from road widening and bridge crossings, and the resulting changes in impervious surfaces, could also cause direct and indirect changes in local stormwater drainage patterns. A detailed hydraulics analysis would be performed to determine whether the existing culvert on Alamo Creek can be lengthened or should be replaced with a larger culvert or series of culverts that has better hydraulic conveyance. The project would not adversely alter drainage patterns and would improve existing conditions by reducing the potential for localized flooding due to the current lack of storm drainage facilities. (EIR, pp. 3.9-17, 3.9-18)

STA Adopts the Following Finding: Changes or alterations have been required of, or incorporated into, the project that mitigate or avoid the significant effects associated with local stormwater drainage patterns or volumes.

Facts in Support of the Finding: STA adopts the following mitigation measures that will reduce to less-than-significant levels the adverse effects of the impact. This mitigation measure will ensure that local stormwater drainage patterns or volumes are not permanently changed.

Mitigation Measure HYD-1: Prepare Detailed Master Drainage Plan (MDP) and Implement Plan Requirements. In coordination with the Cities of Fairfield, Vacaville, and Suisun City, STA shall prepare a detailed drainage report (also called a master drainage plan [MDP] or runoff design report) for the entire construction area. This MDP shall include detailed hydrology and hydraulics for the project's affected creek encroachment areas, bridges, culverts, and associated floodplain areas. This MDP shall be reviewed and approved by the Solano County Water Agency (SCWA), Solano County, and STA, and reviewed by the Cities of Fairfield, Suisun, and Vacaville. STA shall include in the project design, drawings, and plans the flow and drainage control requirements identified in the MDP in order to prevent flood and flood flow impacts. The drainage system will be designed in accordance with the

flood control design criteria of Solano County and SCWA. The MDP shall ensure that project design and drainage plans comply with Executive Order 11988, Sections 3.b and 4.c. The MDP will be coordinated with any required mitigation measures associated with work in the creeks and streams that require a 404 or 401 permit.

The MDP shall be prepared by a registered water resources civil engineer before site development begins and shall include:

- An accurate calculation of pre- and post- project runoff conditions using standards specified in the Solano County Hydrology Manual. These conditions shall be determined at all water crossings along the project corridor and at intermediate locations necessary to obtain an accurate determination of flood potentials. Post-project runoff conditions shall include any detention structures incorporated into the site design.

  If post-project runoff rate and volume exceed existing conditions for the design storm event, the MDP shall include calculations of the amount of detention required to reduce stormwater runoff to pre-project levels.

- A detailed hydraulic analysis. An accurate determination of base (e.g., irrigation ditch areas) and post-project flood elevation levels and hydraulic conditions using standard hydraulics engineering methods (e.g., Hydrologic Engineering Centers River Analysis System) shall be prepared. These techniques shall be used to accurately evaluate potential changes in design storm flood elevations and flow erosive potential for the design of flow conveyance or control features. Additional topography surveying may be required to accurately describe the existing floodplain within areas not mapped by the Federal Emergency Management Agency (FEMA) (e.g., irrigation/drainage channels adjacent to roads).

  If post-project conditions exceed drainage design standards as specified in the Solano County Hydrology Manual or if they otherwise contribute to adverse hydraulic impacts in the drainage system, the proposed drainage system structures shall be redesigned to minimize impacts. For example, if the proposed box culvert for Alamo Creek is found to create adverse hydraulic impacts in Alamo Creek (e.g., back up of flood flows, concentrated high velocity flow, and others), according to this detailed hydraulic analysis, then other designs shall be assessed (e.g., bridge). One or more system designs shall be prepared to mitigate potential project impacts and to minimize changes from the original plan while mitigating adverse impacts.

  The standards for proposed drainage systems shall be evaluated on a project-specific basis.

- An inventory and assessment of any existing drainage facilities within the corridor including any necessary upgrades, replacements, redesigns, and rehabilitation.

- Proposed storm drainage systems will be designed to convey both on-site and off-site stormwater runoff to regional streams and creeks. Storm drainage systems

will use existing facilities within the corridor as available and upgrade undersized facilities as needed.

- Proposed design measures to remove structures from 100-year floodplain areas. Where structures are below the post-project 100-year flood elevation level, design measures shall be developed and implemented to remove these structures from the floodplain. Any substantial removal or import of fill material, placement or removal of barriers, or placement or removal of drainage systems to remove structures from floodplain shall be included in all hydraulic analyses.

- A description of the proposed maintenance program for the on-site drainage system(s). (EIR, p. 3.9-21, 3.9-23)

Mitigation Measure HYD-2: Improve Under Capacity Culverts. Many of the existing drainage facilities in the rural areas are undersized and full of sediment. Consistent with Mitigation Measure HYD-1, a detailed hydraulic analysis will be completed for the project to identify the appropriate culvert size.

The existing culverts under Vanden Road at Union Creek shall be replaced with a bridge or series of box culverts sufficient for adequate hydraulic capacity during a 100-year flood event. A detailed hydraulic analysis (see Mitigation Measure HYD-1) of the design configurations shall be conducted to determine sizing and efficacy of both the bridge and large culvert structures for mitigating flood conditions. The roadway shall also be raised in this area by approximately two feet to four feet above the existing road elevation to be higher than the elevation of the mapped floodplain. (EIR, p. 3.9-23)

Significant Impact – Impact HYD-2: Would the Project Encroach into the FEMA-Mapped 100-Year Floodplain? The project would encroach on the mapped 100-year floodplain of Alamo Creek, Union Creek, and McCoy Creek, increasing the potential for flooding. (EIR, p. 3.9-19)

STA Adopts the Following Finding: Changes or alterations have been required of, or incorporated into, the project that mitigate or avoid the significant effects associated with FEMA-mapped 100-year floodplains.

Facts in Support of the Finding: STA adopts Mitigation Measures HYD-1 and HYD-2 (above), to reduce this impact to a less than significant impact on FEMA-mapped 100-year floodplains. (EIR, pp. 3.9-19)

Significant Impact – Impact HYD-3: Would the Project Potentially Encroach into Floodplains Not Mapped by FEMA? The project would cross and possibly affect several irrigation canals, existing culverts, and several drainages in areas where FEMA floodplain studies have not been performed, increasing the potential for flooding. Irrigation canals along Leisure Town Road would be impacted by road construction and would require extensions or reconstruction. A detailed hydraulics analysis is necessary to determine whether extending culverts would provide adequate hydraulic conveyance. Based on warning signs on Cement Hill Road that indicate that the road is subject to flooding, the area around McCoy Creek may be within the 100-year floodplain. A detailed hydraulics analysis will establish the limits

of the floodplain, determine future road surface elevation to prevent flow from overtopping the road during a 100-year event, and provide adequate hydraulic conveyance under the road at each drainage channel crossing to prevent flooding north of the road. (EIR, p. 3.9-20)

STA Adopts the Following Finding: Changes or alterations have been required of, or incorporated into, the project that mitigate or avoid the significant effects associated with floodplains not mapped by FEMA.

Facts in Support of the Finding: STA adopts Mitigation Measure HYD-1 (above), to reduce this impact to a less than significant impact on floodplains not mapped by FEMA. (EIR, p. 3.9-20)

10. <u>Findings Concerning Water Quality and Stormwater Runoff Impacts</u>

Less Than Significant Impact – Impact WQ-1: Would the Project Result in Temporary Construction-Related Water Quality Impacts? The project would not require temporary or permanent dewatering or waste discharges. Surface water quality could be affected by construction grading, earthmoving, and facility construction activities that would occur over several months. The construction activities resulting from implementation of the project would directly disturb soils and channel banks near Alamo Creek, New Alamo Creek, Union Creek, and McCoy Creek. Preparation of a Stormwater Pollution Prevention Plan (SWPPP), as required by the NPDES permit, would minimize water quality impacts during construction and beneficial uses of downstream receiving waters would not be substantially altered. (EIR, p. 3.10-8)

STA Adopts the Following Finding: Because the impact is less than significant, no mitigation measures are required.

Less Than Significant Impact – Impact WQ-2: Would the Project Result in Permanent Changes in Local Stormwater Contaminant Loading? The project may result in additional impervious surfaces that may contribute to an increase in the transport of pollutants to waterways. Greater quantities of contaminants, such as petroleum products and other substances, could be deposited on these new surfaces and added to stormwater runoff, increasing the contaminant loading potential of the roadways. Contaminants in roadway runoff, if discharged untreated into receiving water bodies, could be toxic to fish and other aquatic organisms. Preparation of a Post-Construction Stormwater Management Plan (SMP), as required by the NPDES permit, would avoid any permanent impacts to water and beneficial uses of downstream receiving waters would not be substantially altered. (EIR, p. 3.10-8)

STA Adopts the Following Finding: Because the impact is less than significant, no mitigation measures are required.

11. Findings Concerning Geology Impacts

Less Than Significant Impact – Impact GEO-1: Would the Project Expose People to Injury or Structures to Damage from Potential Rupture of a Known Earthquake Fault, Strong Groundshaking, Seismic-Related Ground Failure, Liquefaction, or Landslides?

Groundshaking caused by an earthquake on the Green Valley fault or other active and potentially active faults in the region could damage project facilities and result in injury to people using these facilities. Slope failures caused by project construction or operation, earthquakes, high rainfall, human activities, or other means, could cause damage to project facilities and result in injury to people using these facilities. The amount of surface alteration necessary to accommodate the construction of the project is not considered a substantial geologic change in itself. However, the alteration of topography for construction of the roadways raises issues of slope and soil instability in the corridor. Substantial amounts of material would be needed to fill low areas along the alignment, and deep cuts are proposed through the bedrock ridges of the foothills. The creation of cuts in alluvium, and the placement of fill under new or widened roadways in the corridor would have the potential to create unstable slopes if the cuts and fills are not specifically designed for stability. (EIR, pp. 3.11-7, 3.11-8)

STA is required to conduct the necessary site-specific studies, in compliance with the Uniform Building Code and Caltrans Standards seismic design criteria and bridge standards, to ensure that project facilities avoid alignments on active fault zones and areas with expansive soils. STA would be required to design the roadway and associated improvements in conformance with the applicable jurisdiction's *Design and Construction Standards*. For bridges or other concrete structures, structural design shall be in accordance with Caltrans' *Bridge Design Specifications, Bridge Memos to Designers, Bridge Design Practices Manual*, and *Bridge Design Aids Manual*. Bridge design shall be based on the "Load Factor Design" methodology with HS20-44 live loading. Seismic design shall conform to the *Bridge Design Specifications*, and Section 20 of the *Memos to Designers* including "*Caltrans Seismic Design Criteria*".

Prior to approval of the project design, a completed report of soil and/or rock conditions along the alignment would be required that evaluates potential slope instability conditions. The evaluations would be conducted in accordance with the applicable jurisdiction's Design and Construction Standards. The evaluations must be conducted by registered professionals, and measures to reduce or eliminate slope instability be applied, depending on the soil and/or rock conditions. At a minimum, the investigations must describe the characteristics of the soil and/or materials at the location of the cut or fill; the most appropriate type of support systems for the proposed slopes; the design criteria for the recommended support system, including the estimated ground settlement rate beneath the support system; the necessary subgrade preparation; the lateral pressures for retaining walls; the drainage conditions; the design slopes for cut and fill sections; and, the suitability of on-site soils for use as backfill. The recommendations of the slope and/or structural reports are required to be incorporated in the Plans and Specifications for the design of the project.

Compliance with the above-described regulations would avoid impacts associated with seismic and soil hazards.

STA Adopts the Following Finding: Because the impact is less than significant, no mitigation measures are required.

Less Than Significant Impact – Impact GEO-2: Would the Project Result in Damage to Facilities and Injury to the Public from Presence of Expansive Soils? The Soil Survey of Solano County indicates that soils with high shrink-swell potential are present in the corridor. The presence of expansive soils could result in damage to project facilities and injury to people using these facilities. Avoidance and minimization measures (EIR, p. 3.11-9) have been identified to ensure that project facilities are designed to avoid or minimize the potential for damage or injury associated with expansive soils. (EIR, p. 3.11-8)

STA Adopts the Following Finding: Because the impact is less than significant, no mitigation measures are required.

Significant Impact – Impact GEO-3: Would the Project Result in the Destruction of Buried Paleontological Resources or Unique Geologic Features? Previously unknown paleontological resources or unique geologic features may be discovered during construction and construction activities could damage such resources. (EIR, p. 3.11-8)

STA Adopts the Following Finding: Changes or alterations have been required of, or incorporated into, the project that mitigate or avoid the significant effects associated with buried paleontological resources or unique geologic features.

Facts in Support of the Finding: STA adopts the following mitigation measure that will reduce to less-than-significant levels the adverse effects of the impact. This mitigation measure will ensure that buried paleontological or unique geologic features are not destroyed.

Mitigation Measure GEO-1: Stop Work if Unique Geologic or Paleontological Materials Are Discovered during Construction. If unique geological or paleontological materials are inadvertently discovered during ground-disturbing activities, the construction contractor shall stop work in that area and within 100 ft of the find until a qualified geologist/paleontologist can assess the significance of the find and develop appropriate treatment measures. Treatment measures shall be developed in consultation with STA and Caltrans and may include excavation and removal. (EIR, p. 3.11-10)

12. Findings Concerning Hazardous Waste and Materials Impacts

Significant Impact – Impact HAZ-1: Would the Project Expose Construction Workers or Nearby Land Uses to Previously Unknown Hazardous Materials? The S&W Paving, AAA Sales, and ADCO Auto Wrecking site is used as an auto wrecking yard, which potentially stores and/or uses several types of hazardous materials. The facility was listed as an underground storage tank (UST) on the Environmental First Search database report. No right-of-way is required from this site and the auto wrecking yard is several hundred feet from the proposed project construction limits. However, unknown hazardous materials associated with soil and groundwater contamination may be encountered during construction. In addition, construction activities could disturb previously unidentified hazardous materials. (EIR, p. 3.12-9)

STA Adopts the Following Finding: Changes or alterations have been required of, or incorporated into, the project that mitigate or avoid the significant effects associated with exposure of construction workers or nearby land uses to previously unknown hazardous materials.

Facts in Support of the Finding: STA adopts the following mitigation measure that will reduce to less-than-significant levels the adverse effects of the impact. This mitigation measure will ensure that construction workers or nearby land uses are not exposed to previously unknown hazardous materials.

Mitigation Measure HAZ-1: Develop a Health and Safety Plan to Address Worker Health and Safety. A Health and Safety Plan (HSP) shall be prepared to address worker safety when working with potentially hazardous materials, including biological contaminants, potentially lead-based paint, transformer fluids, soils potentially containing aerially deposited lead (ADL), and other construction-related materials within the right-of-way for any soil disturbance. Proper worker safety for handling and removal of contaminated soil materials shall also be included in the HSP and the HSP shall address worker safety when working in areas with agricultural chemicals.

Furthermore, the STA or the appropriate local agency shall confirm the location of underground pipeline crossings and prepare and implement the HSP for excavation work at these pipeline crossings prior to excavation activities. Critical locations may require a private utility relocation or special excavation techniques. The HSP shall address worker safety when working near pipeline crossings and emergency plans in the event of a pipeline rupture or if a pre-existing leak is encountered during construction. (EIR, pp. 3.12-17, 3.12-18)

Mitigation Measure HAZ-2: Perform Additional Literature Review to Identify Potential for Historical Contamination. During the design phase, STA shall perform a literature review, including a file review at the Solano County Resource Management Agency, to determine past site uses and the extent of any hazardous materials issues that may exist at the Adco Auto Wreckers on Cement Hill Road. If there is a potential for contamination from these sites within the proposed alignment in this area, soil sampling and screening for potential contaminants shall be conducted at representative locations according to a Solano County Resource Management Agency approved Sampling Plan for a Phase II site assessment. If contaminated soil and/or groundwater are encountered during the site screening, a Health and Safety Plan shall be completed to address potential worker health and safety issues while working with contaminated soil and/or groundwater and a Soil Management Plan shall be completed to address excavation, removal, and disposal of contaminated soil. These plans shall be approved by the Solano County Resource Management Agency or other appropriate regulatory agency prior to grading of the project segment within this area. (EIR, p. 3.12-18)

Mitigation Measure HAZ-3: Conduct Soil Sampling and Analysis to Identify and Remove Contaminated Soil. STA or the appropriate local agency shall require the construction contractor to perform a detailed walking reconnaissance of the UPRR and former Sacramento Northern Railroad tracks immediately adjacent to or

intersected by the planned roadway alignment. This reconnaissance shall be performed to identify potentially stained soil, and lubricator and battery boxes containing oil, grease, and other petroleum hydrocarbons along project segments within 50 feet of existing or former railroad alignments. The contractor shall also inspect leaking storage tank sites and the Kinder Morgan petroleum pipeline alignment in the corridor. Leaking storage tanks at the Bonfare Market shall be inspected and sampled for contamination.

If potentially contaminated sites are encountered, a Soil Management Plan shall be completed to address testing, excavation, removal, and disposal of contaminated soil. If soil staining or visible contaminants are encountered during construction, soil sampling and analysis shall be performed and contaminated soil removed from the site and transported to an approved disposal facility in compliance with Occupational Safety and Health Administration (OSHA) safety regulations under the direction of the agency overseeing the project. The Solano County Resource Management Agency and local fire departments shall be notified immediately if contamination is encountered during construction. (EIR, p. 3.12-18)

Mitigation Measure HAZ-8: Test Soil and Groundwater at LUST and UST Sites and Remove Contaminated Soil. Soil and groundwater samples will be taken using direct push Geoprobe equipment within the vicinity of the UST and leaking underground storage tank (LUST) sites. The samples will be tested for petroleum hydrocarbons and CAM-17 metals. Leaking storage tanks at the Bonfare Market shall be inspected and sampled for contamination. A report will be submitted to STA upon receipt of analytical results. Areas of contaminated soil will be transported off site, if necessary. Impacted groundwater will be containerized in a Baker tank and analyzed prior to evaluating disposal options. An environmental report summarizing field activities and analytical results will be prepared for sites. This report will include a summary of excavation and disposal activities for impacted soil and/or groundwater.

Based on preliminary engineering requirements for excavation, ground water depths, and site conditions, potential contaminated soil and groundwater volumes and associated remediation costs were developed for each hazardous release site discussed in the impacts section and shown in Figures 3.12-2 (EIR, p. 3.12-11), 3.12-3a (EIR, p. 3.12-14), and 3.12-3b (EIR, p. 3.12-16). Table 3.12-3 (EIR, p. 3.12-20) presents the potential volume of contaminated soil and groundwater and the potential costs for remediation of each site. Remediation costs for soil includes removing the contaminated soil, transporting the contaminated soil to a Class II hazardous waste site, and importing clean soil. (EIR, pp. 3.12-19, 3.12-20)

Significant Impact – Impact HAZ-2: Would the Project Expose Known Hazardous Materials to Humans and the Environment? The Initial Site Assessment (ISA) indicates that the project alignment generally has the potential for exposure to hazardous materials in the form of ADL, polychlorinated biphenyls (PCBs) in transformers, heavy metals such as chromium and lead in yellow street striping, and petroleum hydrocarbons from leaking storage tanks, petroleum pipelines, and railroad use. In addition, the ISA identified two leaking storage tank sites along the alignment. One site is located at 817 Leisure Town Road, but no right-of-way is required and no physical improvements are proposed adjacent to or within 500 feet of this site. The other site is at 2301 Walters

Road in the City of Fairfield. Although no right-of-way is required from this site, roadway and trenching operations would occur adjacent to the site within Walters Road. It is probable that contaminated soil and groundwater would be encountered.

Other potential sources of contamination include aerially applied chemicals during agricultural use of adjacent parcels that could present a respiratory irritant to construction workers. Construction may require the movement or disposal of soils or materials containing some or all of these hazardous materials. (EIR, pp. 3.12-12, 3.12-13)

STA Adopts the Following Finding: Changes or alterations have been required of, or incorporated into, the project that mitigate or avoid the significant effects associated with exposure of humans or the environment to known hazardous materials.

Facts in Support of the Finding: STA adopts the following mitigation measures, along with Mitigation Measures HAZ-3 and HAZ-8 (above), that will reduce to less-than-significant levels the adverse effects of the impact. This mitigation measure will ensure that humans or the environment are not exposed to known hazardous materials.

Mitigation Measure HAZ-4: Conduct Sampling, Testing, Removal, Storage, Transportation, and Disposal of Yellow Striping along Existing Roadway. Before construction, STA or the appropriate local agency shall ensure that sampling and testing of yellow pavement striping scheduled for removal is performed to determine whether lead is present. If lead is present, the striping shall be removed according to regulatory procedures. If the existing pavement would be buried by new pavement as part of the project, this mitigation measure would not be required. Burying existing pavement would effectively eliminate precipitation contact with the lead-contaminated paint and the potential for lead to leach from the paint into soils and runoff. All aspects of the proposed action associated with removal, storage, transportation, and disposal will be in strict accordance with appropriate regulations. Lead-containing stripe materials shall be disposed of at a Class 1 disposal facility. (EIR, pp. 3.12-18, 3.12-19)

Mitigation Measure HAZ-5: Conduct Sampling and Analysis of Transformer Fluid from Electrical Transformers. If leaks from electrical transformers that will either remain within the project construction zone or require removal or relocation are encountered before or during construction, STA or the appropriate local agency shall ensure that the transformer fluid is sampled and analyzed by qualified personnel for detectable levels of PCBs. The owner of the transformers shall verify the contents of the transformer before relocation and take proper mitigation actions, if required. If PCBs are detected, the transformer shall be removed and disposed of in accordance with regulatory agency requirements. Any stained soil encountered below electrical transformers with detectable PCB levels shall also be handled and disposed of in accordance with regulatory agency requirements. (EIR, p. 3.12-19)

Mitigation Measure HAZ-6: Conduct Testing for Aerially Deposited Lead in Surface and Near-Surface Soils. During the design phase of the project, STA or the appropriate local agency shall ensure that the contractor conducts a preliminary investigation and screening for ADL for portions of the project located immediately adjacent to Leisure Town Road (north of Alamo Drive) and Walters Road (from

south of Air Base Parkway to Petersen Road) to determine the levels of lead in the surface and near-surface soils. If ADL is encountered above the regulatory thresholds, a Soil Management Plan, approved by the Solano County Resource Management Agency or other appropriate regulatory authority, shall be completed to address excavation, removal, and disposal of contaminated soil. Lead-impacted soils shall be handled or disposed of in accordance with regulatory agency requirements. (EIR, p. 3.12-19)

Mitigation Measure HAZ-7: Time Construction to Avoid Exposure of Construction Workers to Respiratory Irritants from Aerially Applied Chemicals. Construction activities adjacent to agricultural fields shall not occur during aerial application of chemicals and for at least 24 hours following application or for as long as recommended by the chemical label, whichever time period is greater. STA or the appropriate local agency shall ensure that the contractor coordinates with individual growers on the timing of aerially applied chemicals on parcels within or adjacent to the corridor to avoid effects on workers during construction. (EIR, p. 3.12-19)

Mitigation Measure HAZ-9: Phase 2 Environmental Site Assessments (ESA). As part of the design process, site specific Phase 2 ESAs will be conducted for each parcel that requires a full or partial right–of–way take. The Phase 2 ESA will be conducted in accordance with requirements of the Final Rule for All Appropriate Inquires (AII) promulgated as an amendment to CERCLA. Areas potentially impacted with contaminants will be investigated and sampled, the constituents of concern identified, and any impacts delineated in the Phase 2 ESA. STA or the local agency will make every effort to have the property owner, or responsible party, investigate and clean-up the contamination prior to acquisition.

Significant Impact – Impact HAZ-3: Would the Project Expose Humans and the Environment to Hazardous Conditions from the Accidental Release of Hazardous Materials? Construction of the project would involve the use of heavy equipment, small quantities of hazardous materials, and larger quantities of potentially hazardous road construction materials that may result in hazardous conditions onsite. In addition, sanitary sewer and petroleum pipelines may cross or exist within the planned roadway alignment. Furthermore, other unknown abandoned pipelines may exist within the corridor. If pre-existing leaks are encountered or if pipelines are ruptured during construction, construction workers or nearby land uses could be exposed to biological or hazardous material contamination. (EIR, p. 3.12-17)

STA Adopts the Following Finding: Changes or alterations have been required of, or incorporated into, the project that mitigate or avoid the significant effects associated with exposure of humans or the environment to hazardous conditions from the accidental release of hazardous materials.

Facts in Support of the Finding: STA adopts Mitigation Measure HAZ-1 (above) that will reduce to less-than-significant levels the adverse effects of the impact. This mitigation measure will ensure that humans or the environment are not exposed to hazardous conditions from the accidental release of hazardous materials. (EIR, p. 3.12-17)

13. Findings Concerning Air Quality Impacts

Less Than Significant Impact – Impact AQ-1: Would the Project Result in Violations of Carbon Monoxide NAAQS? Based on the data contained in Table 3.13-4 (EIR, p. 3.13-13), modeled carbon dioxide (CO) concentrations are below the more stringent California Ambient Air Quality Standards (CAAQS). There would be no violations of the CO standards. (EIR, p. 3.13-12)

STA Adopts the Following Finding: Because the impact is less than significant, no mitigation measures are required.

Significant Impact – Impact AQ-2: Would the Project Increase ROG, NO_x, and PM_{10} construction-related emissions? Construction of the project would occur over a period of approximately four years. Construction emissions would include fugitive dust emissions during ground-disturbing activities, in particular during grading. Construction emissions would also include exhaust emissions from construction equipment. This would be an adverse effect of the project. (EIR, p. 3.13-14)

STA Adopts the Following Finding: Changes or alterations have been required of, or incorporated into, the project that mitigate or avoid the significant effects associated with ROG, NO_x, and PM_{10} construction-related emissions.

Facts in Support of the Finding: STA adopts the following mitigation measures to ensure that construction-related emissions are not increased.

Mitigation Measure AQ-1: Implement Construction Mitigation Measures to Reduce Construction Equipment Exhaust Emissions. If a project exceeds the Yolo-Solano Air Quality Management District (YSAQMD) threshold, the District recommends implementation of construction equipment exhaust control measures to reduce a project's construction impacts to a less-than-adverse level. Therefore, the following measures will be implemented as part of the project:

STA or the appropriate local agency shall require all construction contractors to reduce construction-related emissions by restricting unnecessary vehicle idling to five minutes, use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, and/or other options as they become available. (EIR, p. 3.13-17)

Mitigation Measure AQ-2: Implement Construction Mitigation Measures to Reduce Construction Emissions, as Required by the Bay Area Air Quality Management District (BAAQMD). BAAQMD requires implementation of control measures to reduce a project's construction impacts to a less-than-adverse level. Therefore, the following measures will be implemented as part of the project:

- Water exposed surfaces twice daily;
- Cover all trucks hauling soil, sand, and other loose materials or maintain at least two feet of freeboard;

- Pave, apply water three times daily, or apply nontoxic soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction sites;
- Sweep daily with water sweepers all paved access roads, parking areas, and staging areas at construction sites;
- Sweep streets daily with water sweepers if visible soil material is carried onto adjacent public streets;
- Hydroseed or apply nontoxic soil stabilizers to inactive construction areas (previously graded areas inactive for 10 days or more);
- Enclose, cover, water twice daily, or apply nontoxic soil binders to exposed stockpiles (dirt, sand, etc.);
- Limit traffic speeds on unpaved roads to 15 mph;
- Install sandbags or other erosion control measures to prevent silt runoff to public roadways; and
- Replace vegetation in disturbed areas as quickly as possible (EIR, p. 3.13-17).

Less Than Significant Impact – Impact AQ-3: Would the Project Meet Regional Conformity? The project is fully funded and is in the 2005 Regional Transportation Plan (RTP), which was found to conform by the Metropolitan Transportation Commission (MTC) on February 23, 2005. The project is also included in the MTC financially constrained 2007 TIP, which was found to conform by FHWA on October 2, 2006. The design concept and scope of the project is consistent with the project description in the 2005 RTP, 2007 TIP, and the assumptions in the MTC's regional emissions analysis. While this project would not implement a Transportation Control Measure (TCM) identified in the State Implementation Plan (SIP) and RTP, it would not interfere with implementation of any TCMs. The project therefore meets the regional tests for conformity with the SIP. (EIR, pp. 3.13-14, 3.13-15)

STA Adopts the Following Finding: Because the impact is less than significant, no mitigation measures are required.

Less Than Significant Impact – Impact AQ-4: Would the Project Result in an Increase in Mobile Source Air Toxics? The increase in vehicle miles of travel (VMT) from existing conditions would lead to higher Mobile Source Air Toxics (MSAT) emissions along the corridor, along with a corresponding decrease in MSAT emissions along the parallel routes. The emissions increase is offset somewhat by lower areawide VMT due a reduction in congestion along other routes. Additionally, emissions would likely be lower than present levels in the design year as a result of EPA's national control programs that are projected to reduce MSAT emissions by 57 to 87 percent between 2000 and 2020.

The additional travel lanes contemplated as part of the project would have the effect of moving some traffic closer to nearby homes and businesses; therefore, there may be localized areas where ambient concentrations of MSATs could be higher than under existing conditions. The magnitude and the duration of these potential increases compared to existing

conditions cannot be accurately quantified due to the inherent deficiencies of current models. In addition, on a regional basis, EPA's vehicle and fuel regulations, coupled with fleet turnover, would over time cause substantial reductions that, in almost all cases, would cause region-wide MSAT levels to be substantially lower than today. (EIR, pp. 3.13-15, 3.13-17)

STA Adopts the Following Finding: Because the impact is less than significant, no mitigation measures are required.

Less Than Significant Impact – Impact AQ-5: Would the Project Result in the Release of Naturally Occurring Asbestos (NOA) or Structural Asbestos? The potential for naturally occurring asbestos in the project vicinity is low. However, the project would require relocation of underground utilities, potential relocation of buildings, and bridge improvements. These structures could include asbestos-containing materials (ACMs). Should the project geologist encounter asbestos or ACMs during construction, handling and disposal of these materials would be subject to existing regulations. (EIR, 3.13-17)

STA Adopts the Following Finding: Because the impact is less than significant, no mitigation measures are required.

14. <u>Findings Concerning Noise Impacts</u>

Significant Impact – Impact N-1: Would the Project Result in the Exposure of Noise-Sensitive Land Uses to Construction Noise? During construction of the project, noise from construction activities may intermittently dominate the noise environment in the immediate area of construction. In general, adverse noise impacts from construction are not anticipated because construction would be short-term, intermittent, and dominated by local traffic noise. However, construction activity in proximity to noise-sensitive land uses could result in noise levels that exceed the thresholds. This would be considered an adverse effect for noise sensitive land uses, which are located along Leisure Town Road and Walters Road. (EIR, pp. 3.14-11, 3.13-12)

STA Adopts the Following Finding: Changes or alterations have been required of, or incorporated into, the project that mitigate or avoid the significant effects associated with exposure of noise-sensitive land uses to construction noise.

Facts in Support of the Finding: STA adopts the following mitigation measures to ensure that construction-related emissions are the project does not expose noise-sensitive land uses to construction noise.

Mitigation Measure N-1: Employ Noise-Reduction Construction Measures. The construction contractor shall employ noise-reducing construction practices such that noise from construction does not exceed 90 dBA at noise-sensitive uses during daytime hours. Measures that can be used to limit noise may include the following:

- Locating equipment as far as practical from noise-sensitive uses;
- Using sound-control devices such as mufflers on equipment;
- Turning off idling equipment;

- Using equipment that is quieter than standard equipment;
- Selecting construction-access routes that affect the fewest number of people;
- Using noise-reducing enclosures around noise-generating equipment;
- Constructing barriers between noise sources and noise-sensitive land uses or taking advantage of existing barrier features (terrain, structures) to block sound transmission; and
- Temporarily relocating residents during periods of high construction noise that cannot be reduced effectively by other means.

The construction contractor shall prepare a detailed noise control plan based on the construction methods proposed. This plan shall identify specific measures determined to be feasible by STA or the implementing agency that shall be taken to ensure compliance with the noise limits specified above. The noise control plan shall be reviewed and approved by STA before any noise-generating construction activity begins. (EIR, p. 3.14-27)

Mitigation Measure N-2: Prohibit Nighttime Construction Activities. Consistent with the Vacaville Noise Ordinance, STA or the appropriate local agency shall ensure that construction activities are prohibited between 10:00 p.m. and 6:00 a.m. Monday through Saturday or until 8:00 a.m. on Sunday mornings. This stipulation shall be made part of the construction contract. (EIR, p. 3.14-27)

Mitigation Measure N-3: Disseminate Essential Information to Residences and Implement a Complaint/Response Tracking Program. The construction contractor shall notify residences within 500 feet of the construction areas of the construction schedule in writing before construction. The construction contractor shall designate a noise disturbance coordinator who will be responsible for responding to complaints regarding construction noise. The coordinator shall determine the cause of the complaint and ensure that reasonable measures are implemented to correct the problem. A contact telephone number for the noise disturbance coordinator shall be posted conspicuously on construction site fences and shall be included in the written notification of the construction schedule sent to nearby residents. (EIR, p. 3.14-27)

Significant Impact – Impact N-2: Would the Project Result in the Exposure of Noise-Sensitive Land Uses to Noise Levels above the Noise Abatement Criteria (NAC) or a Substantial Increase in Traffic Noise? Traffic noise levels within the corridor would increase compared to existing and future no-project conditions. Implementation of the project would result in noise impacts at noise-sensitive areas as a result of noise levels that would approach or exceed the FHWA NAC. Because noise levels under existing conditions and under the project exceed the NAC, noise abatement measures must be considered with implementation of the project. (EIR, pp. 3.14-14 to 3.14-17)

STA Adopts the Following Finding: Changes or alterations have been required of, or incorporated into, the project that mitigate or avoid the significant effects associated with

the exposure of noise-sensitive land uses to noise levels above the NAC or a substantial increase in traffic noise.

Facts in Support of the Finding: STA will consider and adopt noise abatement measures during final design of the project. (EIR, 3.14-19 to 3.13.14-23)

15. <u>Findings Concerning Biological Environment Impacts</u>

Significant Impact – Impact BR-1: Would the Project Result in the Loss of Riparian Woodland? The project would require placement of a portion of Old Alamo Creek into a concrete box culvert, resulting in direct impacts to riparian woodland along the creek. The riparian woodland associated with the culverted portion would be removed. Additional woodland areas outside the culverted section could be indirectly affected by sedimentation at or near the waterline of Old Alamo Creek or by erosion of the bank, resulting in an adverse effect. (EIR, p. 3.15-8)

STA Adopts the Following Finding: Changes or alterations have been required of, or incorporated into, the project that mitigate or avoid the significant effects associated with the loss of riparian woodland.

Facts in Support of the Finding: STA adopts the following mitigation measures that will reduce to less-than-significant levels the adverse effects of the impact. These mitigation measures will reduce the loss of riparian woodland to a less-than-significant level.

Mitigation Measure BR-1: Avoid and Minimize Potential Indirect Disturbance of Riparian Communities. To the extent possible, STA or the appropriate local agency will ensure that the contractor will avoid and minimize potential indirect disturbance of riparian communities by implementing the following measures:

- Riparian communities, such as those along Old Alamo Creek that are adjacent to all construction zones, will be protected by installing temporary construction fencing to protect riparian vegetation outside the construction zone. The locations of the fencing will be marked in the field with stakes and flagging and shown on the construction drawings. The construction specifications will contain clear language that prohibits all construction-related activities, vehicle operation, material and equipment storage, and other surface-disturbing activities within the fenced environmentally sensitive areas.

- The potential for long-term loss of riparian vegetation within the construction zone will be minimized by trimming vegetation rather than removing entire shrubs. Shrubs that need to be trimmed will be cut at least one foot above ground level to leave the root systems intact and allow for more rapid regeneration. Cutting will be limited to the minimum area necessary within the construction zone. Cutting will be allowed only for shrubs; all trees will be avoided. Also, cutting will be allowed only in areas that do not provide habitat for sensitive species. To protect nesting birds, STA or the appropriate local agency will not allow pruning or removal of woody riparian vegetation between March 1 and August 15.

- A certified arborist will be retained to perform any necessary pruning or root cutting of riparian trees within the construction zone to further minimize harm to vegetation and ensure rapid regeneration.

- Areas that undergo vegetative pruning and tree removal will be inspected immediately before construction, immediately after construction, and one year after construction to determine the amount of existing vegetative cover, cover that has been removed, and cover that resprouts. If after one year these areas have not resprouted sufficiently to return the cover to the pre-project level, the contractor will replant the areas with the same species to reestablish the cover to the pre-project condition.

- Work in riparian areas, such as those along Old Alamo Creek, will be conducted between June 15 and October 15, and disturbed areas will be stabilized with erosion control measures before October 15. (EIR, pp. 3.15-10, 3.15-11)

Mitigation Measure BR-2: Compensate for Permanent Loss of Riparian Communities. STA or the appropriate local agency will compensate for construction-related permanent loss of riparian communities, such as those along Old Alamo Creek, due to direct impacts at a minimum ratio of 2:1 (2 acres restored or created for every 1 acre permanently affected) as described in the Draft Solano County Multi-species Habitat Conservation Plan (MSHCP). Compensation requirements are based on a total direct impact on 2.1 acres. This compensation is being provided pursuant to CEQA/NEPA and FHWA policies on mitigating effects to natural lands. Compensation may be a combination of on-site or off-site restoration/creation (i.e., restore riparian in areas disturbed by construction where possible, or at an agency-approved off-site mitigation area), contribution of funds to an approved mitigation bank for restoration activities on public lands, and mitigation credits. The resource agencies may require a higher compensation ratio as part of their permit authorizations. This ratio will be confirmed through coordination with State and federal agencies as part of the permitting process for the proposed action. One or more of the following compensation options will be implemented by STA or the appropriate local agency for any riparian vegetation that is removed.

- Funds will be contributed to an approved mitigation bank for riparian restoration activities along the Old Alamo Creek corridor or on other public lands in the project vicinity. STA or the appropriate local agency will contact appropriate individuals to determine whether there is a potential to create, restore, or enhance riparian habitat in appropriate preserves.

- A riparian restoration plan will be developed and implemented that involves creating or enhancing riparian habitat in the construction area or project vicinity. STA or the appropriate local agency will retain a restoration ecologist to develop a riparian restoration plan that identifies erosion control, habitat replacement, and maintenance and enhancement of riparian habitat as the primary mitigation goals. Potential restoration sites will be evaluated by STA or the appropriate local agency to determine whether this is a feasible option. If STA or the appropriate local agency determines that on-site or off-site restoration is possible, a

restoration plan will be developed that describes where and when restoration will occur and who will be responsible for developing, implementing, and monitoring the restoration plan. Potential mitigation sites in the Old Alamo Creek corridor that could be used to create or enhance riparian habitat include riparian areas that currently support non-native species (e.g., giant reed). In these areas, non-native species would be removed and replanted with native riparian species, and sparsely vegetated or degraded riparian areas that could be enhanced by planting native woody species.

Potential mitigation sites in the Old Alamo Creek corridor will be evaluated as part of a formal riparian mitigation plan. The following factors will be assessed as part of the plan: soils, hydrology (including groundwater levels and surface inundation), land use, potential disturbances, habitat functions, costs associated with maintaining the plantings, and overall potential for survival.

The riparian restoration plan will also include a list of recommended plant species, design specifications, an implementation plan, a maintenance program, and a mitigation monitoring program that includes California Department of Fish and Game (CDFG)-approved performance standards (e.g., 70 percent survival of trees and shrubs planted after five years). The plan will also identify appropriate methods for eradicating infestations of weeds. At least five years of monitoring (longer if required as a condition of permits) will be conducted by STA or the appropriate local agency to document the degree of success or failure in achieving success criteria (to be determined in consultation with CDFG as part of the mitigation monitoring plan) and to identify remedial actions. Annual monitoring reports will be submitted to CDFG, the U.S. Army Corps of Engineers (Corps), Caltrans, and other interested agencies. Each report will summarize data collected during the monitoring period, describe how the habitats are progressing in terms of the success criteria, and discuss any remedial actions performed. Additional reporting requirements imposed by permit conditions will be incorporated into the mitigation plan and implemented as appropriate. (EIR, p. 3.15-11 to 3.15-13)

Significant Impact – Impact BR-2: Would the Project Result in Habitat Fragmentation? The Walters Road extension would be constructed through currently undeveloped land, which contains a large contiguous area of annual grassland/grazing land habitat with vernal pools, seasonal drainages and a perennial pond, and is identified as a High Value Conservation Area in the Version 2.2 Draft MSHCP). Construction of a roadway would result in fragmentation and is likely to lessen the quality of that habitat. However, revisions to the alignment for the Walters Road extension segment were made to minimize fragmentation and impacts to vernal pools and endangered species. Nonetheless, some degree of fragmentation of grassland habitat would remain where the new road crossed over land at ground level. Wildlife movement would be restricted in these areas, or would force individuals to cross the road, resulting in road kills. (EIR, p. 3.15-9, 3.15-10)

STA Adopts the Following Finding: Changes or alterations have been required of, or incorporated into, the project that mitigate or avoid the significant effects associated with habitat fragmentation.

Facts in Support of the Finding: STA adopts the following mitigation measure that will reduce to less-than-significant levels the adverse effects of the impact. This mitigation measure will reduce the severity of the fragmentation to a less-than-significant level.

Mitigation Measure BR-7: Modify Roadway Design to Maintain Natural Hydrology and Reduce Resource Loss and Habitat Fragmentation. To maintain as much of the natural hydrology within the Walters Road extension segment alignment as possible, minimize placement of fill in waters of the United States and non-jurisdictional wetlands, and minimize impacts on Contra Costa goldfields, the roadway alignment has been modified by shifting the centerline, and/or widening primarily to one or the other side; narrowing inside shoulder widths; and using structure to span and avoid direct impacts to wetlands; an additional 670 feet of structure is proposed to be incorporated to reduce direct impacts to seasonal wetlands and Contra Costa goldfields in this area. (EIR, p. 3.15-26)

Significant Impact – Impact BR-3: Would the Project Result in the Loss of Trees Protected by Local Tree Ordinances? The project would result in the removal of non-native landscape trees and up to 19 native oak trees along Leisure Town Road. There would be an adverse effect. (EIR, p. 3.15-10)

STA Adopts the Following Finding: Changes or alterations have been required of, or incorporated into, the project that mitigate or avoid the significant effects associated with the loss of trees protected by local tree ordinances.

Facts in Support of the Finding: STA adopts the following mitigation measure that will reduce to less-than-significant levels the adverse effects of the impact. This mitigation measure will reduce the loss of trees protected by local tree ordinances to a less-than-significant level.

Mitigation Measure BR-3: Plant Native Trees in Rural Landscaping Areas. As proposed, STA or the appropriate local agency will plant native trees in rural areas as part of project landscaping. For rural areas in annual grassland communities, landscaping will include coast live oak (*Quercus agrifolia*), valley oak (*Quercus lobata*), interior live oak (*Quercus wislizenii*), and coyote brush (*Baccharis pilularis*). For drainages in rural areas, landscaping will include box elder (*Acer negundo var. californicum*), California black walnut (*Juglans californica var. hindsii*), valley oak (*Quercus lobata*), California sycamore (*Platanus racemosa*), Fremont's cottonwood (*Populus fremontii*), California blackberry (*Rubus ursinus*), and Goodding's willow (*Salix gooddingii*). STA or the appropriate local agency shall monitor planted trees for five years, and ensure survivorship of a minimum of 80 percent of planted trees after five years by replanting any trees that do not survive. (EIR, p. 3.15-12, 3.15-13)

Significant Impact - Impact BR-5: Would the Project Result in Fill of or Disturbance to Seasonal Wetlands? Direct impacts would result from placement of permanent fill in seasonal wetlands, some of which may be considered jurisdictional by the Corps. Additional seasonal wetlands would be indirectly affected by sedimentation and possibly by modification of hydrology. There would be an adverse effect. (EIR, p. 3.15-22)

STA Adopts the Following Finding: Changes or alterations have been required of, or incorporated into, the project that mitigate or avoid the significant effects associated with the fill of or disturbance to seasonal wetlands.

Facts in Support of the Finding: STA adopts the following mitigation measures, including Mitigation Measure BR-7 (above), that will reduce to less-than-significant levels the adverse effects of the impact. These mitigation measures will reduce the fill of or disturbance to seasonal wetlands to a less-than-significant level.

Mitigation Measure BR-4: Obtain and Comply with Conditions of Clean Water Act Permits and Streambed Alteration Agreement. Before any construction activities are initiated, STA or the appropriate local agency will obtain the following permits:

- CWA Section 404 permit from the Corps, and/or Report of Waste Discharge for Waters of the State;
- CWA Section 401 water quality certification from the Regional Water Quality Control Board (RWQCB);
- CWA Section 402/National Pollution Discharge Elimination System permit from the California State Water Resources Control Board (SWRCB) [requiring preparation of a Stormwater Pollution Prevention Plan (SWPPP)]; and
- CFGC Section 1602 streambed alteration agreement from CDFG.

Copies of these permits will be provided to the contractor with the construction specifications. STA or the appropriate local agency will be responsible for ensuring compliance with the conditions set forth in these permits. STA or the appropriate local agency will also be responsible for the preparation and implementation of a Mitigation Monitoring Plan based on the permit requirements. The monitoring period shall not be less than five years. The target criteria for specified years of monitoring are as follows (though these may be subject to change pending consultation with the Corps during the permit process):

Year 1 50 percent combined area and basal cover (rhizomatous turf) of all vegetation in the preserve wetland; at least two hydrophytic plants co-dominant with whatever other vegetative cover exists.

Year 3 60 percent combined area and basal cover (rhizomatous turf) of all vegetation in the preserve wetland; prevalence of hydrophytic species in terms of both cover and dominant species composition of the vegetation; native vascular species will comprise 50 percent of the vegetation in the preserve wetland.

Year 5 70 percent combined area and basal cover (rhizomatous turf) of all vegetation in the preserve wetland. More than 50 percent dominance in terms of both cover and species composition of facultative (FAC), facultative wetland (FACW), and obligate (OBL) species throughout the preserved wetland area; native vascular species will comprise 65 percent of the vegetation in the preserve wetlands

Once the necessary permits are obtained, STA or the appropriate lead agency shall implement Mitigation Measures BR-8 and BR-9. (EIR, p. 3.15-25)

Mitigation Measure BR-5: Implement Measures to Protect Water Quality. STA or the appropriate local agency will ensure that the contractor implements the general measures recommended in Section 3.10, Water Quality and Stormwater Runoff, to protect water quality and aquatic resources in Old Alamo Creek, Union Creek, McCoy Creek, tributary streams, and wetlands. Implementation of Mitigation Measures WQ-1 to WQ-3 under Section 3.10, Water Quality and Stormwater Runoff, will concurrently satisfy water quality protection requirements under this section. (EIR, p. 3.15-25, 3.15-26)

Mitigation Measure BR-6: Avoid and Minimize Disturbance of Waters of the United States and Non-jurisdictional Wetlands. STA or the appropriate local agency will ensure that the contractor will minimize indirect impacts on waters of the United States and non-jurisdictional wetlands throughout the study area by implementing the following measures:

- To maintain hydrologic connections, the project design will include culverts for all seasonal and perennial drainages that are waters of the United States, and/or waters of the State;

- Construction activities will be prohibited in saturated or ponded waters during the wet season (spring and winter) to the maximum extent possible. Where such activities are unavoidable, protective practices, such as using padding or vehicles with balloon tires, will be employed;

- Where determined necessary, geotextile cushions and other appropriate materials (e.g., timber pads, prefabricated equipment pads, geotextile fabric) will be used in saturated conditions to minimize damage to the substrate and vegetation;

- Exposed slopes and streambanks will be stabilized immediately following completion of construction activities. Other waters of the United States will be restored in a manner that encourages vegetation to reestablish to its pre-project condition and reduces the effects of erosion on the drainage system;

- In highly erodible stream systems, banks will be stabilized using a nonvegetative material that will bind the soil initially and break down within a few years. If STA or the appropriate local agency determines that more aggressive erosion control treatments are needed, the contractor will be directed to use geotextile mats, excelsior blankets, or other soil stabilization products;

- During construction, trees, shrubs, debris, or soils that are inadvertently deposited below the ordinary high-water mark (OHWM) of any streams will be removed in a manner that minimizes disturbance of the creek bed and bank;

- All activities will be completed promptly to minimize their duration and resultant impacts;

- Construction inspectors will routinely inspect protected areas to ensure that protective measures are in place and effective; and

- All protective measures will remain in place until all construction activities near the resource have been completed and will be removed immediately following construction and reclamation activities. (EIR, p. 3.15-26)

Mitigation Measure BR-8: Compensate for the Permanent and Temporary Filling of Seasonal Wetland, Freshwater Marsh, and Pond. The project will result in the fill of wetlands and other waters of the United States. As part of compliance with the CWA Section 404 permit, STA or the appropriate local agency will be required to compensate for filling waters of the United States (direct impacts) to ensure no net loss of habitat functions and values. Compensation will be provided pursuant to CEQA/NEPA and FHWA policies on mitigating effects to natural lands. Waters of the United States in the study area include seasonal wetlands, freshwater marshes, and drainages. Fill of non-jurisdictional waters, including the pond habitat, protected under the Porter Cologne Water Quality Control Act is prohibited without the prior acquisition of the Waste Discharge Permit. STA or the appropriate local agency will also compensate for filling these non-jurisdictional waters.

Compensation for seasonal wetlands, freshwater marshes, and ponds will be provided at a minimum ratio of 2:1 (2 acres of mitigation for every 1 acre of waters of the United States filled) or 9:1(9 acres of mitigation for every 1 acre of waters of the United States filled) in areas where Contra Costa goldfields are present (see Section 3.15.5, Threatened and Endangered Species). Compensation ratios for wetland habitats supporting other threatened or endangered species also are described in Section 3.15.5. Compensation may be achieved through a combination of mitigation credits, off-site preservation, and on-site restoration/creation. Compensation for the pond habitat will be out-of-kind and will consist of freshwater marsh habitat, which provides higher-value wildlife habitat than the pond that would be affected by the project. Final compensation ratios will be determined by State and federal agencies during consultation and permitting processes for the proposed action.

STA or the appropriate local agency will implement one or more of the following options to compensate for potential impacts associated with filling waters of the United States and non-jurisdictional wetlands:

- Mitigation bank credits will be purchased at a locally approved bank. One mitigation bank option is Wildlands North Suisun Mitigation Bank. This bank is currently available and provides vernal pool credits that can apply to seasonal wetland compensation. STA or the appropriate local agency will provide written evidence to the resource agencies that compensation has been established through the purchase of mitigation credits. The amount to be paid will be the fee that is in effect at the time the fee is paid.

- Funds equal to the amount needed to purchase mitigation bank credits will be contributed to the preservation of vernal pool complexes within the McCoy Creek watershed, a High Conservation Value Area identified in the Draft MSHCP. The Draft MSHCP directs that conservation lands will be held in fee ownership or as

conservation easements, and will have resource management plans and funding sources for management in perpetuity. This area is also identified in the Draft MSHCP as one of five core Contra Costa goldfields populations, and is near a substantial goldfields population on public land at Travis AFB. To implement this option, STA or the appropriate local agency will coordinate with appropriate individuals to determine whether there is a potential to purchase and preserve wetlands in the McCoy Creek watershed. This option will be coordinated with mitigation for Contra Costa goldfields and listed vernal pool crustaceans.

- A wetland restoration plan will be developed and implemented that involves creating or enhancing seasonal wetland and freshwater marsh either in the study area or in the project vicinity. Potential restoration sites will be evaluated by STA or the appropriate local agency to determine whether this is a feasible option. If STA or the appropriate local agency determines that on-site or off-site restoration is possible, a restoration plan will be developed that describes where and when restoration will occur and who will be responsible for developing, implementing, and monitoring the restoration plan. Potential mitigation sites in the vicinity of the Walters Road extension portion of the alignment could be used to preserve and create or enhance seasonal wetland and freshwater marsh. Use of this option for seasonal wetland compensation will be coordinated with mitigation for Contra Costa goldfields and for listed vernal pool crustaceans. (EIR, pp. 3.15-27, 3.15-28)

Mitigation Measure BR-9: Compensate for the Permanent and Temporary Filling of Other Waters of the United States. STA or the appropriate local agency will compensate for filling other waters of the United States (a direct impact) in seasonal and perennial drainages. This compensation is being provided pursuant to CEQA/NEPA and FHWA policies on mitigating effects to natural lands. Compensation for loss of other waters of the United States in Old Alamo Creek, which supports a riparian community, will be provided at a minimum ratio of 2:1 (2 acres restored or created for every 1 acre permanently affected). Compensation will include restoration or enhancement of riparian and in-stream habitats on Old Alamo Creek or other streams in the study area. This mitigation measure will follow the guidelines for riparian habitat compensation.

Most drainages in the study area, including Union Creek and its tributaries, McCoy Creek and its tributaries, and unnamed drainages, do not support riparian habitat. Compensation for loss of other waters of the United States in these drainages will include restoration or enhancement of stream channel habitat at a minimum ratio of 1:1 (1 acre restored or enhanced for every 1 acre permanently affected). Restoration or enhancement will be implemented in the affected drainages or will be focused in McCoy Creek in the study area. The restoration or enhancement will include bank stabilization improvements to decrease erosion and improve water quality. A plan will be developed to make the bank slopes less vertical and to plant an appropriate grass seed mix to control bank erosion.

STA or the appropriate local agency will retain a restoration ecologist to develop a mitigation plan that identifies erosion control, habitat replacement, and maintenance

and enhancement of habitat as the primary mitigation goals. The habitat mitigation plan will include a list of recommended plant species, design specifications, an implementation plan, a maintenance program, and a monitoring program. STA or the appropriate local agency will implement the mitigation plan. At least five years of monitoring (more if required as a condition of permits) will be conducted by STA or the appropriate local agency to document whether success criteria are achieved (to be determined as part of the mitigation plan) and to identify remedial actions. Annual monitoring reports will be submitted to CDFG, the Corps, Caltrans, and other interested agencies. Each report will summarize data collected during the monitoring period, describe how the habitats are progressing in terms of the success criteria, and discuss any remedial actions performed. Additional reporting requirements imposed by permit conditions will be incorporated into the mitigation plan and implemented as appropriate.

Compensation for non-jurisdictional drainage impacts, which include irrigation and roadside ditches, will include maintenance or reconstruction of the irrigation drainages after road construction and replacement of the roadside drainages with a new system to convey stormwater. (EIR, p. 3.15-28, 3.15-29)

Significant Impact - Impact BR-6: Would the Project Result in Fill of or Disturbance to Freshwater Marsh? Placement of fill would cause direct impacts on freshwater marsh, some of which may be considered jurisdictional by the Corps. Additional freshwater marsh areas would be indirectly affected by sedimentation and possibly by modification of hydrology. These communities provide important habitat functions for wildlife. There would be an adverse effect. (EIR, p. 3.15-23)

STA Adopts the Following Finding: Changes or alterations have been required of, or incorporated into, the project that mitigate or avoid the significant effects associated with the fill of or disturbance to freshwater marshes.

Facts in Support of the Finding: STA adopts Mitigation Measures BR-4 to BR-9 (above) that will reduce to less-than-significant levels the adverse effects of the impact. These mitigation measures will reduce the fill of or disturbance to freshwater marshes to a less-than-significant level. (EIR, p. 3.15-23)

Significant Impact - Impact BR-7: Would the Project Result in Fill of or Disturbance to Seasonal Drainages? Placement of permanent fill would result in direct impacts on seasonal drainages, some of which may be considered jurisdictional by the Corps. Additional areas of seasonal drainages would be indirectly affected by sedimentation and possibly by modification of hydrology, as discussed above for seasonal wetlands. Roadside ditches that function as a storm drain system would be replaced with a new system, where necessary, to convey drainage along Leisure Town Road. There would be an adverse effect. (EIR, p. 3.15-23)

STA Adopts the Following Finding: Changes or alterations have been required of, or incorporated into, the project that mitigate or avoid the significant effects associated with the fill of or disturbance to seasonal drainages.

Facts in Support of the Finding: STA adopts Mitigation Measures BR-4 to BR-9 (above) that will reduce to less-than-significant levels the adverse effects of the impact. These mitigation measures will reduce the fill of or disturbance to seasonal drainages to a less-than-significant level. (EIR, p. 3.15-23)

Significant Impact - Impact BR-8: Would the Project Result in Fill of or Disturbance to Perennial Drainages? Placement of permanent fill would result in direct impacts on perennial drainages, some of which may be considered jurisdictional by the Corps. Additional areas of perennial drainages would be indirectly affected by sedimentation and possibly by modification of hydrology. Additionally sections of Old Alamo Creek, Union Creek and its tributaries, tributaries to McCoy Creek, and other unnamed drainages would be placed within box culverts, or spanned where possible. There would be an adverse effect associated with these changes. (EIR, p. 3.15-24)

STA Adopts the Following Finding: Changes or alterations have been required of, or incorporated into, the project that mitigate or avoid the significant effects associated with the fill of or disturbance to perennial drainages.

Facts in Support of the Finding: STA adopts Mitigation Measures BR-4 to BR-9 (above) that will reduce to less-than-significant levels the adverse effects of the impact. These mitigation measures will reduce the fill of or disturbance to perennial drainages to a less-than-significant level. (EIR, p. 3.15-24)

Significant Impact - Impact BR-9: Would the Project Result in Fill of or Disturbance to Perennial Pond Habitat? Permanent fill would be placed in perennial pond habitat. Additional pond areas would be indirectly affected by sedimentation and possibly by modification of hydrology, as discussed for seasonal wetlands. (EIR, p. 3.15-24)

STA Adopts the Following Finding: Changes or alterations have been required of, or incorporated into, the project that mitigate or avoid the significant effects associated with the fill of or disturbance to perennial pond habitat.

Facts in Support of the Finding: STA adopts Mitigation Measures BR-4 to BR-9 (above) that will reduce to less-than-significant levels the adverse effects of the impact. These mitigation measures will reduce the fill of or disturbance to perennial pond habitat to a less-than-significant level. (EIR, p. 3.15-24)

Significant Impact - Impact BR-11: Would the Project Result in Loss of Brittlescale? Brittlescale was identified in seasonal wetlands north of McCoy Creek in the Walters Road extension segment. All of the brittlescale plants in the study area would be avoided. Potential indirect impacts on the seasonal wetlands that support the brittlescale would be avoided by including culverts in the road design to maintain existing hydrologic conditions. (EIR, p. 3.15-32)

STA Adopts the Following Finding: Changes or alterations have been required of, or incorporated into, the project that mitigate or avoid the significant effects associated with the loss of brittlescale.

Facts in Support of the Finding: STA adopts the following mitigation measures that will reduce to less-than-significant levels the adverse effects of the impact. These mitigation measures will reduce the loss of brittlescale to a less-than-significant level.

Mitigation Measure BR-10: Conduct a Biological Resources Education Program for Construction Crews and Enforce Construction Restrictions. STA or the appropriate local agency will ensure that the contractor will conduct worker environmental awareness training (WEAP) for construction crews before project implementation. The education program will include a brief overview of the special-status species that are known to or could potentially occur in the study area. The overview will cover the life history, habitat requirements, and legal status of each species and will include photographs of the species. The training will identify the portions of the study area in which these species may occur. The program shall also cover all mitigation measures, environmental permits and proposed project plans, such as the Stormwater Pollution Prevention Plan (SWPPP), best management practices (BMPs), erosion control and sediment plan, and any other required plans. Restrictions and guidelines that must be observed by construction personnel are listed below:

- Project-related vehicles will be driven at or below the posted speed limit on hard-surfaced roads and at or below 15 mph on unpaved roads in the study area;
- Off-road travel using project-related vehicles and construction equipment, and all ground disturbing activities will be restricted to the designated construction area;
- All food-related trash will be disposed of in closed containers and removed from the study area at least once per week during the construction period. Construction personnel will not feed or otherwise attract wildlife to the study area;
- No pets or firearms will be allowed in the study area; and
- To prevent possible resource damage from hazardous materials such as motor oil or gasoline, construction personnel will not service vehicles or construction equipment outside designated staging areas.

Any worker who encounters damaged vegetation or causes harm to a special-status plant or wildlife species will immediately report the incident to the biological monitor. The monitor will immediately notify STA or the appropriate local agency, which will provide verbal notification to the USFWS Endangered Species Office in Sacramento, California, and to the local CDFG warden or biologist within three working days. STA or the appropriate local agency will follow up with written notification to USFWS and CDFG within five working days.

The designated environmental inspector shall be responsible for ensuring that construction personnel adhere to the guidelines and restrictions. WEAP training sessions shall be conducted as needed for new personnel brought onto the job during the construction period. (EIR, p. 3.15-34)

Mitigation Measure BR-11: Retain a Biologist to Monitor Construction Activities. STA or the appropriate local agency will retain a biological monitor to monitor all construction activities located within 250 feet of special-status plant and wildlife populations (including Contra Costa goldfields and vernal pool crustaceans, discussed under Section 3.15.5, Threatened and Endangered Species). The monitor will ensure compliance with all conservation measures and applicable resource agency permits and prevent any potential take of listed species, or impacts to sensitive habitat. More than one monitor may be required depending on the distance between construction activities and the proximity to wetland resources. The biological monitor will assist the construction crew as needed to comply with all project implementation restrictions and guidelines. Also, the biological monitor will be responsible for ensuring that the contractor maintains the staked and flagged perimeters of the construction area and staging areas adjacent to sensitive biological resources. (EIR, pp. 3.15-34, 3.15-35)

Mitigation Measure BR-12: Install Construction Barrier Fencing around the Construction Area. STA or the appropriate local agency will ensure that the contractor installs orange construction barrier fencing to identify environmentally sensitive areas in the construction area, including Old Alamo Creek, Union Creek, McCoy Creek, unnamed drainages, wetlands, elderberry shrubs, special-status plant populations, oak trees, and any trees that support nests of special-status bird species. Before construction, a qualified biologist will identify sensitive biological habitat on site before the final design plans are prepared so that the areas to be fenced can be included in the plans. The contractor will work with the project engineer and a resource specialist to identify the locations for the barrier fencing and will place stakes around the sensitive resource sites (a minimum of one foot buffer) to indicate these locations. The protected areas will be designated as environmentally sensitive areas and clearly identified on the construction plans. The fencing will be installed before construction activities are initiated and will be maintained throughout the construction period. The following paragraph will be included in the construction specifications:

The contractor's attention is directed to the areas designated as "environmentally sensitive areas." These areas are protected, and no entry by the contractor for any purpose will be allowed unless specifically authorized in writing. The contractor will take measures to ensure that contractor's forces do not enter or disturb these areas, including giving written notice to employees and subcontractors.

Temporary fences around the environmentally sensitive areas will be installed as one of the first orders of work. Temporary fences will be furnished, constructed, maintained, and removed as shown on the plans, as specified in the special provisions, and as directed by the project engineer. The fencing will be commercial-quality woven polypropylene, orange in color, and at least four feet high (Tensor Polygrid or equivalent). The fencing will be tightly strung on posts set at maximum intervals of 10 feet. No encroachment into fenced areas shall be permitted during construction and the fence shall remain in place until all construction activities have been completed. (EIR, p. 3.15-35)

Mitigation Measure BR-13: Minimize Potential Impacts on Special-Status Plant Species during Construction. STA or the appropriate local agency will ensure that the contractor will minimize potential construction-related impacts on special-status plant species by implementing the following measures to the extent possible:

- In areas that contain special-status plants, construction activities will be conducted during the period when special-status plants are not flowering or fruiting (i.e., generally between August and January).

- As described in the Draft MSHCP, the topsoil from the area within the study area that contains the potentially affected special status plant populations will be excavated with the roots, rhizomes, and seed bank in place; depth of excavation will be determined after further research on the species and site conditions. This excavation will occur after the plants have flowered and set seed, generally in November/December, when the soils are elastic and easy to move. The excavation will be done by hand or with a truck-mounted tree spade. The equipment will be chosen depending on the depth and diameter of excavation required. The topsoil will be placed on a transplant site immediately after excavation. This activity will be conducted or monitored by a botanist to ensure that the appropriate amount of topsoil is removed and placed in the appropriate location. Special project specifications will be developed for removing and relocating soils containing special-status plants. Because all identified special-status plants to be affected are wetland species, the transplant location will be located within the same wetland complex as the impact location. (EIR, p. 3.15-35, 3.15-36)

Mitigation Measure BR-15: Implement Mitigation Measure BR-7. Modify Roadway Design to Maintain Natural Hydrology and Reduce Resource Loss and Habitat Fragmentation. Implementation of Mitigation Measure BR-7 requires modifications to roadway design that will reduce impacts on special status plants. (EIR, p. 3.15-36)

Significant Impact - Impact BR-12: Would the Project Result in Loss of Pappose Spikeweed? Pappose spikeweed was identified in seasonal wetlands north and south of McCoy Creek in the Walters Road extension segment. Because of the abundance of the species in this area, it is assumed to also occupy seasonal wetlands west of this area; under the project, pappose spikeweed plants would be directly affected. Potential indirect impacts on other seasonal wetlands that support the pappose spikeweed would be avoided by including culverts in the road design to maintain existing hydrologic conditions. (EIR, p. 3.15-32)

STA Adopts the Following Finding: Changes or alterations have been required of, or incorporated into, the project that mitigate or avoid the significant effects associated with the loss of pappose spikeweed.

Facts in Support of the Finding: STA adopts the following mitigation measure, including Mitigation Measures BR-10 to BR-13 and BR-15 (above), which will reduce to less-than-significant levels the adverse effects of the impact. These mitigation measures will reduce the loss of pappose spikeweed to a less-than-significant level. (EIR, p. 3.15-32)

Mitigation Measure BR-14: Compensate for Loss of Pappose Spikeweed. STA or the appropriate local agency will compensate for the permanent loss of occupied pappose spikeweed habitat. This compensation is being provided pursuant to CEQA/NEPA and FHWA policies on mitigating effects to special status plant habitat. Compensation will include preservation at a ratio of 3:1 (3 acres preserved for each 1 acre of occupied habitat removed during construction). The area to be preserved will include either private property or City of Fairfield property located adjacent to the Walters Road extension area, which is part of the McCoy Creek watershed High Value Conservation area identified in Draft MSHCP. (EIR, p. 3.15-36)

Significant Impact- Impact BR-13: Would the Project Result in Loss of Gairdner's Yampah? Gairdner's yampah was identified in the annual grassland/seasonal wetland mosaic along and north of McCoy Creek in the Walters Road extension segment. None of the Gairdner's yampah plants in the study area would be directly affected. However, construction of the project could result in potential indirect impacts on seasonal wetland areas that support Gairdner's yampah along the Walters Road extension. (EIR, p. 3.15-33)

STA Adopts the Following Finding: Changes or alterations have been required of, or incorporated into, the project that mitigate or avoid the significant effects associated with the loss of Gairdner's yampah.

Facts in Support of the Finding: STA adopts Mitigation Measures BR-10 to BR-13 and BR-15 (above) that will reduce to less-than-significant levels the adverse effects of the impact. These mitigation measures will reduce the loss of Gairdner's yampah to a less-than-significant level. (EIR, p. 3.15-33)

Significant Impact - Impact BR-14: Would the Project Result in Loss of Saline Clover? Specific locations of the saline clover variety of *T. depauperatum* were not mapped within the study area. However, the species was observed during surveys in the Walters Road extension area in parts of seasonal wetlands, co-occurring with Contra Costa goldfields. Avoidance of Contra Costa goldfields populations would concurrently avoid co-occurring saline clover populations. Potential indirect impacts on seasonal wetlands that support saline clover would be avoided by including culverts in the road design to maintain existing hydrologic conditions. (EIR, p. 3.15-33)

STA Adopts the Following Finding: Changes or alterations have been required of, or incorporated into, the project that mitigate or avoid the significant effects associated with the loss of saline cover.

Facts in Support of the Finding: STA adopts Mitigation Measures BR-10 to BR-13 and BR-15 (above) that will reduce to less-than-significant levels the adverse effects of the impact. These mitigation measures will reduce the loss of saline cover to a less-than-significant level. (EIR, p. 3.15-33)

Significant Impact - Impact BR-16: Would the Project Result in Loss of Habitat for Northwestern Pond Turtle? The California Natural Diversity Database (CNDDB) (2008) lists several records for northwestern pond turtle within a 10-mile radius of the study area. Several adult and juvenile western pond turtles were observed in the McCoy Detention Basin during surveys conducted in March and April of 2007. The presence of a variety of size

classes implies that the species is breeding at that location. Northwestern pond turtles occur in the study area based on the presence of suitable aquatic habitat. There would be an adverse effect. (EIR, p. 3.15-40, 3.15-41)

STA Adopts the Following Finding: Changes or alterations have been required of, or incorporated into, the project that mitigate or avoid the significant effects associated with the loss of habitat for northwestern pond turtles.

Facts in Support of the Finding: STA adopts the following mitigation measure, including Mitigation Measures BR-10 to BR-12 (above), which will reduce to less-than-significant levels the adverse effects of the impact. These mitigation measures will reduce the loss of habitat for the northwestern pond turtle to a less-than-significant level. (EIR, p. 3.15-41)

Mitigation Measure BR-16: Conduct Preconstruction Surveys for Western Pond Turtle. STA or the appropriate local agency will ensure that a clearance survey for western pond turtles is conducted by a qualified biologist in all areas of aquatic habitat that cannot be avoided, within 24 hours prior to construction. If any western pond turtles are found, they should be moved, or encouraged to move to a safe location outside the construction zone.

Significant Impact - Impact BR-17: Would the Project Disturb Burrowing Owl Breeding or Wintering Burrow Sites? Nesting burrowing owls were observed along the alignment during surveys. Because burrowing owls have been documented in suitable habitat within the study area, there is potential for burrowing owls to occupy the study area before project construction begins. Construction could harm owls if a burrowing owl breeding or wintering burrow site is found within 250 feet of the study area. There would be an adverse effect. (EIR, p. 3.15-41)

STA Adopts the Following Finding: Changes or alterations have been required of, or incorporated into, the project that mitigate or avoid the significant effects associated with the disturbance of burrowing owl breeding or wintering burrow sites.

Facts in Support of the Finding: STA adopts the following mitigation measure, including Mitigation Measures BR-10 to BR-12 (above), which will reduce to less-than-significant levels the adverse effects of the impact. These mitigation measures will reduce the disturbance of burrowing owl breeding or wintering burrow sites to a less-than-significant level. (EIR, p. 3.15-41)

Mitigation Measure BR-17: Conduct Preconstruction Surveys for Active Burrowing Owl Burrows and Implement the CDFG Guidelines for Burrowing Owl Mitigation, if Necessary. The Staff Report on Burrowing Owl Mitigation (CDFG 1995) recommends that preconstruction surveys be conducted to locate active burrowing owl burrows in the study area and in a 250-foot-wide buffer zone around the study area. STA or the appropriate local agency will retain a qualified biologist to conduct preconstruction surveys for active burrows according to CDFG guidelines. The surveys will include a nesting season survey and wintering season survey. If no burrowing owls are detected, no further mitigation will be required. If active

burrowing owls are detected in the survey area, STA or the appropriate local agency will implement the following measures:

- Occupied burrows will not be disturbed during the nesting season (February 1 to August 31).

- When destruction of occupied burrows is unavoidable during the non-nesting season (September 1 to January 31), unsuitable burrows will be enhanced (enlarged or cleared of debris) or new burrows created (installing artificial burrows) at a ratio of 2:1 on protected lands approved by CDFG. Newly created burrows will be installed following guidelines established by CDFG.

- If owls must be moved away from the study area, passive relocation techniques (e.g., installing one-way doors at burrow entrances) will be used instead of trapping. At least one week will be allowed to accomplish passive relocation and allow owls to acclimate to alternate burrows.

- If active burrowing owl burrows are found and the owls must be relocated, STA or the appropriate local agency will offset the loss of foraging and burrow habitat in the study area by acquiring and permanently protecting a minimum of 6.5 acres of foraging habitat per occupied burrow identified in the study area. This compensation would be provided pursuant to CEQA/NEPA and FHWA policies on mitigating effects on special status species. The protected lands should be located adjacent to the occupied burrowing owl habitat in the study area or at another occupied site near the study area. The location of the protected lands will be determined in coordination with CDFG. STA or the appropriate local agency will also prepare and implement a monitoring plan and provide long-term management and monitoring of the protected lands. The monitoring plan will specify success criteria, identify remedial measures, and require an annual report to be submitted CDFG.

- If avoidance is the preferred method of dealing with potential impacts, no disturbance should occur within 160 feet of occupied burrows during the nonbreeding season (September 1 to January 31) or within 250 feet during the breeding season. Avoidance also requires that at least 6.5 acres of foraging habitat (calculated based on an approximately 300-feet foraging radius around an occupied burrow) contiguous with occupied burrow sites be permanently preserved for each pair of breeding burrowing owls or single unpaired resident bird. The configuration of the protected site will be submitted to CDFG for approval. (EIR, pp. 3.15-44, 3.15-45)

Significant Impact - Impact BR-18: Would the Project Result in Loss of Swainson's Hawk Nesting and Foraging Habitat? No Swainson's hawk nests were observed in the study area during field surveys. Although no nests are known to occur in the study area, Swainson's hawks could establish a nest in or near the area during the construction year. Construction-related disturbances could result in the abandonment of Swainson's hawk nests, leading to the death of eggs or young. In addition, the proposed action also would result in the removal or disturbance of annual grasslands and agricultural lands, which provide

foraging habitat for Swainson's hawks. All annual grasslands and agricultural lands larger than two contiguous acres provide potential habitat. There would be an adverse effect. (EIR, pp. 3.15-41, 3.15-42)

STA Adopts the Following Finding: Changes or alterations have been required of, or incorporated into, the project that mitigate or avoid the significant effects associated with the loss of Swainson's hawk nesting and foraging habitat.

Facts in Support of the Finding: STA adopts the following mitigation measure, including Mitigation Measures BR-10 to BR-12 (above), which will reduce to less-than-significant levels the adverse effects of the impact. These mitigation measures will reduce the loss of habitat for the Swainson's hawk nesting and foraging habitat to a less-than-significant level. (EIR, p. 3.15-42)

Mitigation Measure BR-18: Implement the CDFG Guidelines for Swainson's Hawk Foraging Habitat Mitigation and Conduct Preconstruction Surveys for Nesting Swainson's Hawks. The Staff Report Regarding Mitigation for Impacts to Swainson's Hawk (Buteo swainsoni) in the Central Valley of California (CDFG 1994) recommends mitigation of the removal of suitable Swainson's hawk foraging habitat at a ratio determined by the distance to the nearest active nest. Because the nearest known nest is one mile from the study area, the recommended compensation ratio would be 1:1 (1 acre replaced for every 1 acre removed), which is also consistent with the Draft MSHCP. Total compensation would be 58 acres. STA or the appropriate local agency will accomplish this mitigation either by developing and implementing a project-specific mitigation agreement that would be submitted to CDFG for approval or by purchasing Swainson's hawk mitigation credits at a CDFG/Draft MSHCP-approved mitigation bank. This compensation would be provided pursuant to CEQA/NEPA and FHWA policies on mitigating effects on special status species. It may also be feasible to combine this mitigation requirement with wetland or vernal pool upland mitigation discussed for wetlands or threatened and endangered species because mitigation lands for vernal pools and seasonal wetland swales include grasslands that are also suitable Swainson's hawk foraging habitat.

If construction is scheduled to occur during the Swainson's hawk breeding season (generally March 1 through August 15), STA or the appropriate local agency will retain a qualified wildlife biologist to conduct preconstruction surveys for nesting Swainson's hawks in suitable habitat within a 0.25-mile radius of the construction site. If no Swainson's hawks are found nesting within the areas surveyed, then no further mitigation will be required. If Swainson's hawks are found nesting within a 0.25-mile radius of the construction site, CDFG will be consulted to determine whether a no-disturbance buffer would be required until after the young have fledged (as determined by a qualified wildlife biologist). Impact avoidance measures will be conducted pursuant to CDFG mitigation guidelines. (EIR, p. 3.15-45)

Significant Impact - Impact BR-19: Would the Project Result in Degradation or Disturbance to White-Tailed Kite Nesting Sites? No white-tailed kites were observed in the study area during field survey. However, this species has been recorded nesting approximately 0.5 miles east of the study area (CNDDB 2008), and trees in the study area

provide suitable nesting habitat for white-tailed kites. Based on the presence of suitable habitat, white-tailed kites could potentially nest in or adjacent to the study area. Construction of the project could degrade suitable nesting habitat for white-tailed kites if these activities occur during the breeding season (generally between March 1 and August 15) and if nests are present in or adjacent to the study area. This disturbance could cause nest abandonment and would be an adverse effect. (EIR, p. 3.15-42)

STA Adopts the Following Finding: Changes or alterations have been required of, or incorporated into, the project that mitigate or avoid the significant effects associated with the degradation or disturbance to white-tailed kite nesting sites.

Facts in Support of the Finding: STA adopts the following mitigation measure, including Mitigation Measures BR-10 to BR-12 (above), which will reduce to less-than-significant levels the adverse effects of the impact. These mitigation measures will reduce the degradation or disturbance to white-tailed kite nesting sites to a less-than-significant level. (EIR, p. 3.15-42)

Mitigation Measure BR-19: Avoid Disturbance of Nesting Special-Status and Non-Special-Status Migratory Birds and Raptors. To avoid impacts on potentially nesting Cooper's hawk, white-tailed kite, northern harrier, and non-special-status migratory birds and raptors, STA or the appropriate local agency will implement the following avoidance and minimization measures:

- To the extent possible, vegetation removal activities associated with the proposed action will be conducted outside the breeding season (generally between March 1 and August 15) for migratory birds and raptors.

- If vegetation removal activities are to take place during the breeding season for these species (generally between March 1 and August 15), a qualified wildlife biologist will be retained to conduct focused nesting surveys for Cooper's hawk, white-tailed kite, northern harrier, and non-special-status migratory birds and raptors.

- If active Cooper's hawk, white-tailed kite, northern harrier, or non-special-status migratory bird or raptor nests are found in the study area, and if construction activities must occur during the breeding season, STA or the appropriate local agency will consult CDFG to determine and implement appropriate "no-disturbance" buffers around the nest sites until the young have fledged (as determined by a qualified biologist).

- If other active non-special-status migratory bird nests are found in the study area, and if construction activities must occur during the breeding season, STA or the appropriate local agency will consult USFWS to develop and implement an MOU to promote the conservation of migratory bird populations.

- If surveys indicate that no special-status or non-special-status birds are nesting in or adjacent to the study area, no further mitigation will be required. (EIR, pp. 3.15-45, 3.15-46)

Significant Impact - Impact BR-20: Would the Project Result in Degradation or Disturbance to Northern Harrier Nesting Sites? No northern harriers or large ground nests were observed in the study area during field surveys. However, because northern harriers are known to occur in the project vicinity, and suitable nesting and foraging habitat is available in the study area, northern harriers could nest in the study area. Construction of the project could degrade suitable nesting habitat for northern harriers if these activities occur during the breeding season (generally between March 1 and August 15) and if nests are present in or adjacent to the study area. This disturbance could cause nest abandonment. This would be an adverse effect. (EIR, p. 3.15-43)

STA Adopts the Following Finding: Changes or alterations have been required of, or incorporated into, the project that mitigate or avoid the significant effects associated with the degradation or disturbance to northern harrier nesting sites.

Facts in Support of the Finding: STA adopts Mitigation Measures BR-10 to BR-12 and BR-19 (above), which will reduce to less-than-significant levels the adverse effects of the impact. These mitigation measures will reduce the degradation or disturbance to northern harrier nesting sites to a less-than-significant level. (EIR, p. 3.15-43)

Significant Impact - Impact BR-21: Would the Project Result in Disturbance to Nesting Sites of Migratory Birds, including Raptors? Implementation of the project could affect nesting migratory birds, including raptors, if construction activities remove or otherwise disturb occupied nests during the breeding season (generally between March 1 and August 15). Construction activities during the breeding season could result in death of young or loss of reproductive potential, resulting in large subsequent population declines affecting local population viability. This would be an adverse effect. (EIR, p. 3.15-43)

STA Adopts the Following Finding: Changes or alterations have been required of, or incorporated into, the project that mitigate or avoid the significant effects associated with the disturbance to nesting sites of migratory birds.

Facts in Support of the Finding: STA adopts Mitigation Measures BR-10 to BR-12 and BR-19 (above), which will reduce to less-than-significant levels the adverse effects of the impact. These mitigation measures will reduce the disturbance to nesting sites of migratory birds to a less-than-significant level. (EIR, p. 3.15-43)

Significant Impact - Impact BR-23: Would the Project Result in Loss or Degradation of Contra Costa Goldfields Populations? Placement of permanent fill related to the Walters Road extension, and subsequent shading of this area by the bridge, as well as the widening of existing Walters Road, would cause indirect impacts on seasonal wetlands occupied by Contra Costa goldfields. Additional seasonal wetland areas supporting Contra Costa goldfields would be indirectly affected by sedimentation and possibly by modification of hydrology in the vicinity of the Walters Road extension. (EIR, p. 3.15-57)

STA Adopts the Following Finding: Changes or alterations have been required of, or incorporated into, the project that mitigate or avoid the significant effects associated with the loss or degradation of Contra Cost goldfields populations.

Facts in Support of the Finding: STA adopts the following mitigation measures, including Mitigation Measures BR-10 to BR-12 (above), which will reduce to less-than-significant levels the adverse effects of the impact. These mitigation measures will reduce loss or degradation of Contra Costa goldfields populations to a less-than-significant level. (EIR, p. 3.15-57)

Mitigation Measure BR-20: Implement Mitigation Measure BR-7: Modify Roadway Design to Maintain Natural Hydrology and Reduce Resource Loss and Habitat Fragmentation. Implementation of Mitigation Measure BR-7 requires modifications to roadway design that will reduce impacts on threatened and endangered plant and wildlife species. (EIR, p. 3.15-61)

Mitigation Measure BR-21: Compensate for the Permanent Loss of Contra Costa Goldfields. Concurrently with implementation of Mitigation Measure BR-4, STA or the appropriate local agency will develop and implement a plan to compensate for the permanent loss of Contra Costa goldfields. The Contra Costa goldfields compensation plan will include mitigation for impacts on seasonal wetlands because the species is associated with seasonal wetlands. This compensation for permanent or temporary loss of Contra Costa goldfields in the study area, which is being provided pursuant to consultation with USFWS and consistent with CEQA/NEPA and FHWA policies on mitigating effects to threatened or endangered species, will consist of the following:

a. As described in the Draft MSHCP, occupied Contra Costa goldfields habitat will be preserved in perpetuity at a 9:1 ratio (9 acres of credits purchased at an approved mitigation bank or 9 acres of occupied habitat preserved for each 1 acre of occupied habitat removed during construction).

b. Contra Costa goldfields habitat will be created/restored at a 3:1 ratio (3 acre of Contra Costa goldfields habitat restored for each 1 acre of occupied habitat removed).

Compensation for areas of Contra Costa goldfields indirectly affected in the study area will consist of the following:

c. Occupied Contra Costa goldfields habitat will be preserved in perpetuity at a 9:1 ratio (9 acres of occupied habitat preserved for each 1 acre of occupied habitat indirectly affected during construction).

Final compensation requirements, the feasibility of creating a preservation area (including protection and management options), and the methods for restoration will be determined in compliance with the USFWS Biological Opinion for the project USFWS Biological Opinion. (EIR, p. 3.15-61)

Significant Impact - Impact BR-24: Would the Project Result in Loss of Vernal Pool Crustaceans? The project could adversely affect wetlands identified as suitable vernal pool crustacean habitat located adjacent to Leisure Town Road and Vanden Road, between Cement Hill Road and Air Base Parkway, and along the east side of Walters Road. (EIR, p. 3.15-59)

STA Adopts the Following Finding: Changes or alterations have been required of, or incorporated into, the project that mitigate or avoid the significant effects associated with the loss of vernal pool crustaceans.

Facts in Support of the Finding: STA adopts the following mitigation measures that will reduce to less-than-significant levels the adverse effects of the impact. These mitigation measures will reduce the loss of vernal pool crustaceans to a less-than-significant level. (EIR, p. 3.15-29)

Mitigation Measure BR-22: Minimize Potential Impacts on Listed Vernal Pool Crustaceans and Contra Costa Goldfields.

a. Salvage of seeds, or topsoil with seeds for use in suitable enhanced, restored, and/or created Contra Costa goldfields pools, if such enhancement, restoration, or creation is approved by the USFWS.

b. Construction will occur, to the extent feasible, in the dry season.

c. In areas where complete avoidance, buffer areas, or equally effective protective measures to reduce the effects of surface disturbance and compaction are not feasible, the following measures shall be implemented:

   i. Prior to allowing any vehicles or heavy equipment into Walters Road extension Area, STA or their agent shall install wooden mats in all areas where vehicles will encroach upon vernal pool crustacean and/or Contra Costa goldfields habitat. The wooden mats will help distribute the weight of vehicles and equipment and will prevent substantial disturbance of soil in these areas.

   ii. Wooden mats shall only remain in the habitat areas as long as necessary for the construction work in the area. As soon as the work is completed, all fabric, wooden mats and any other construction related materials shall be removed from the site.

e. Mowing for fire hazards and other maintenance activities shall be limited to those detailed in the 404 permit.

f. Discharge of water and/or dust control shall only occur in accordance with the Regional Water Quality Control Board permits.

g. Implement Mitigation Measure BR-10: Conduct a Biological Resources Education Program for Construction Crews and Enforce Construction Restrictions.

h. Implement Mitigation Measure BR-11: Retain a Biologist to Monitor Construction Activities.

i. Implement Mitigation Measure BR-12: Install Construction Barrier Fencing around the Construction Area. (EIR, p. 3.15-62)

Mitigation Measure BR-23: Compensate for Permanent Losses of Vernal Pool Fairy Shrimp and Vernal Pool Tadpole Shrimp Habitat. To compensate for impacts on habitat for federally listed vernal pool fairy shrimp and vernal pool tadpole shrimp, STA or the appropriate local agency will preserve and create additional habitat for these species using compensation ratios approved by USFWS. This compensation, which is being provided pursuant to CEQA/NEPA and FHWA policies on mitigating effects to threatened or endangered species, will be achieved using the following:

a. In areas considered to be occupied Contra Costa goldfields habitat, compensation for loss of vernal pool crustacean habitat will be accomplished concurrently with compensation for Contra Costa goldfields.

b. Suitable vernal pool crustacean habitat not occupied by Contra Costa goldfields will be preserved at a 4:1 ratio (4 acres preserved for every 1 acre of habitat directly or indirectly affected). Preservation lands will be established at a USFWS-approved conservation area, or preservation credits will be purchased from a USFWS-approved mitigation bank.

c. Suitable vernal pool crustacean habitat not occupied by Contra Costa goldfields will be created at a 2:1 ratio (2 acres created for every 1 acre of habitat directly affected). Vernal pools will be created at a USFWS-approved conservation area, or creation credits will be purchased from a USFWS-approved mitigation bank.

Final compensation requirements, the feasibility of creating a preservation area (including protection and management options), and the methods for restoration will be determined in compliance with the USFWS Biological Opinion for the project USFWS Biological Opinion. (EIR, pp. 3.15-62, 3.15-63)

No Impact - Impact BR-25: Would the Project Result in Loss of Delta Green Ground Beetle? Delta green ground beetle, or suitable habitat for this species is not known to occur along the proposed alignment, based on extensive, focused surveys. Therefore, no project-related impacts on Delta green ground beetle would occur. (EIR, p. 3.15-59)

STA Adopts the Following Finding: Because there are no impacts, no mitigation measures are required.

Significant Impact - Impact BR-26: Would the Project Result in Loss of Elderberry Shrubs That Are Habitat for Valley Elderberry Longhorn Beetle? Six elderberry shrubs with stems as large as one inch in diameter at ground level along Old Alamo Creek may be adversely affected by construction activities. Four shrubs would be directly affected, and two shrubs would be indirectly affected. (EIR, p. 3.15-60)

STA Adopts the Following Finding: Changes or alterations have been required of, or incorporated into, the project that mitigate or avoid the significant effects associated with the loss of elderberry shrubs that are habitat for Valley Elderberry Longhorn Beetle.

Facts in Support of the Finding: STA adopts the following mitigation measures that will reduce to less-than-significant levels the adverse effects of the impact. These

mitigation measures will reduce the loss of elderberry shrubs to a less-than-significant level. (EIR, p. 3.15-60)

Mitigation Measure BR-24: Minimize Impacts on Valley Elderberry Longhorn Beetle. Impacts on suitable elderberry shrubs shall be avoided during all phases of the proposed project where feasible. Complete avoidance is accomplished through establishment and maintenance of a minimum buffer zone of 100 feet from the drip lines of any suitable elderberry shrub. Firebreaks shall not be allowed within these buffer zones, and any areas temporarily disturbed within this buffer zone during construction shall be restored immediately following construction.

For those shrubs that will not be directly removed by the project, any ground disturbing activities within 100 feet of elderberry plants with stems measuring 1.0 inch or greater in diameter at ground level shall conform to the following avoidance measures:

a. STA shall provide a minimum setback of at least 20 feet from the drip line of each suitable elderberry shrub. The setbacks shall be fenced and flagged to prevent equipment and materials encroachment into the setback zone. Fire fuel breaks (disked land) may not be included within the 20 foot setback.

b. Signs will be erected every five feet along the edge of the setback zone with the following information, "This area is habitat of the valley elderberry longhorn beetle, a threatened species, and must not be disturbed. This species is protected by the Endangered Species Act of 1973, as amended. Violators are subject to prosecution, fines, and imprisonment." These signs should be clearly readable from a distance of 20 feet, and must be maintained for the duration of construction (USFWS 1999).

c. Construction contractors shall be instructed about the status of the beetle, the need to protect its elderberry host plant, the need to avoid damaging the elderberry plants and the possible penalties for not complying with these requirements.

d. No insecticides, herbicides, fertilizers, or other chemicals that might harm the beetle or its host plant shall be used in the buffer areas, or within 100 feet of any elderberry plant with one or more stems measuring 1.0 inch or greater in diameter at ground level.

e. Mowing of grasses/ground cover shall occur only from July through April to reduce fire hazard. No mowing shall occur within 50 feet of elderberry plant stems. Mowing must be done in a manner that avoids damaging plants (e.g., avoid stripping away bark through careless use of mowing/trimming equipment).

f. Trimming of elderberry stems less than one inch in diameter may occur between September 1 and March 14. The recommended period for trimming is from November first through the first two weeks in February when the plants are dormant and after they have lost their leaves. (EIR, p. 3.15-63, 3.15-64)

Mitigation Measure BR-25: Compensate for Impacts on Valley Elderberry Longhorn Beetle. To compensate for impacts on habitat for valley elderberry longhorn beetle, STA or the appropriate local agency will preserve and create additional habitat for these species using compensation ratios approved by USFWS. This compensation, which is being provided pursuant to CEQA/NEPA and FHWA policies on mitigating effects to threatened or endangered species, will be achieved by purchasing credits at USFWS-approved mitigation banks. Final compensation requirements have been determined in coordination with the resource agencies and in compliance with the USFWS Biological Opinion for the project USFWS Biological Opinion.

- All elderberry shrubs with one or more stems measuring one inch or more in diameter that will be directly affected by construction activities will be transplanted to a conservation area in accordance with USFWS's Conservation Guidelines for Valley Elderberry Longhorn Beetle.

- Each elderberry stem measuring one inch or more in diameter at ground level that is within 100 feet of construction activities will be replaced in a conservation area with elderberry seedlings or cuttings at a ratio between 1:1 and 8:1. The ratio used for each affected plant will depend on the diameter of the stem at ground level, whether the shrub is located in riparian habitat, and whether the shrub has evidence of exit holes.

- A mix of native tree and plant species representative of those associated with the elderberry shrubs in the study area will be planted in the conservation area. The trees and plants will be planted at ratios of 1:1 (the ratio represents native trees and plants to each elderberry seedling or cutting) for replacement of elderberry shrubs without exit holes. A mixture of native grasses and forbs also will be planted in the conservation area.

- Each transplanted elderberry shrub will have at least 1,800 square feet of area. As many as five additional elderberry seedling or cuttings and up to five associated native plants may also be planted in the 1,800 square feet.

- Maintenance, remedial measures, and reporting will be conducted, following the requirements of the USFWS guidelines (1999). (EIR, p. 3.15-64)

Significant Impact - Impact BR-27: Would the Project Result in Loss or Degradation of Suitable Habitat for California Tiger Salamander? Terrestrial habitat for California tiger salamander along Vanden Road may be adversely affected by construction activities. No aquatic habitat would be affected. (EIR, p. 3.15-60)

STA Adopts the Following Finding: Changes or alterations have been required of, or incorporated into, the project that mitigate or avoid the significant effects associated with the loss or degradation of suitable habitat for California tiger salamander.

Facts in Support of the Finding: STA adopts the following mitigation measures that will reduce to less-than-significant levels the adverse effects of the impact. These

mitigation measures will reduce the loss or degradation of suitable habitat for California tiger salamander to a less-than-significant level.

Mitigation Measure BR-26: Minimize Potential Impacts on California Tiger Salamanders. Consistent with the Draft MSHCP, STA or the appropriate local agency will ensure that the contractor will minimize potential impacts on California tiger salamanders and their aquatic and terrestrial habitats during construction by implementing the following measures, consistent with the requirements of the Biological Opinion:

a. To minimize disturbance of breeding and dispersing California tiger salamanders, all construction activity within California tiger salamander upland habitat (defined as all habitat within1.24 miles of aquatic habitat) will be conducted during the dry season between May 1 and October 15 or before the onset of the rainy season, whichever occurs first. If construction activities are necessary in California tiger salamander upland habitat between October 16 and April 30, STA or the appropriate local agency will contact the USFWS Sacramento Field Office for approval to extend the work period.

b. To minimize disturbance and mortality of adult and juvenile California tiger salamanders in aquatic habitat and underground burrows, STA or the appropriate local agency will minimize the extent of ground-disturbing activities within these habitats (grasslands within 1.24 miles of aquatic habitat) by requiring the contractor to limit the work area to the minimum necessary for construction. In addition, STA or the appropriate local agency will ensure that the contractor will install temporary exclusion fence between the construction work area and potential aquatic habitat for all construction within grasslands that occur within 1.24 miles of aquatic habitat.

c. Consistent with Mitigation Measure BR-11, STA or the appropriate local agency will ensure that a qualified wildlife biologist monitors all construction activities within California tiger salamander upland habitat. This will ensure no take of individual California tiger salamander occurs during road widening and improvements along Vanden and Leisure Town Road. If a California tiger salamander is found, then the monitor shall immediately stop construction and contact USFWS and/or CDFG for advice. (EIR, p. 3.15-64, 3.15-65)

Mitigation Measure BR-27: Compensate for Removal and Disturbance of California Tiger Salamander Habitat. STA or the appropriate local agency will compensate for the removal or disturbance of potential upland habitat suitable aquatic habitat for California tiger salamanders, consistent with the requirements of the USFWS Biological Opinion. This compensation, which is being provided pursuant to CEQA/NEPA and FHWA policies on mitigating effects on threatened or endangered species, will be achieved as follows: STA or the appropriate local agency will preserve additional upland habitat within a USFWS-approved conservation area at a minimum 3:1 ratio (3 acres created or preserved for each 1 acre removed) and aquatic habitat at a minimum 3:1 ratio (3 acres created or preserved for each 1 acre removed). STA or the appropriate local agency will coordinate or consult with USFWS to determine the appropriate compensation ratio and location of the conservation are.

This may be accomplished by purchasing credits at a USFWS-approved mitigation bank. (EIR, p. 3.15-65)

Significant Impact - Impact BR-29: Would the Project Result in the Spread of Invasive Weed Species? Invasive weed species in the study area are present along roadsides, which are routinely disturbed by shoulder maintenance and vegetation management activities. The project would create additional disturbed area for a temporary period, but it would not substantially increase the area along existing roads subject to repeated disturbance because the new road shoulders would replace existing road shoulders. However, the Walters Road extension between Cement Hill Road and Huntington Drive will pass through currently undeveloped grassland/pasture. Therefore, the project is anticipated to change the area currently occupied by invasive weeds and the potential for spreading invasive weed species. (EIR, p. 3.15-68)

STA Adopts the Following Finding: Changes or alterations have been required of, or incorporated into, the project that mitigate or avoid the significant effects associated with the spread of invasive weed species.

Facts in Support of the Finding: STA adopts the following mitigation measures that will reduce to less-than-significant levels the adverse effects of the impact. These mitigation measures will reduce the spread of invasive weed species to a less-than-significant level.

Mitigation Measure BR-28: Educate Construction Crews on Invasive Species Control and Prevention, and Monitor Compliance. Consistent with the Draft MSHCP, the Executive Order on Invasive Species, E.O. 13112, and subsequent guidance from the Federal Highway Administration, STA or the appropriate local agency will avoid introducing or spreading invasive weeds into previously uninfested areas by ensuring that the biological resources education program for construction crews includes education on weed identification and the importance of controlling and preventing the spread of invasive weeds. Small, isolated infestations will be treated with CDFG-approved eradication methods at an appropriate time to prevent or destroy viable plant parts or seeds. All equipment will be washed before entering the study area. Equipment will be washed off site at a paved facility, located away from environmentally sensitive areas. The resource monitors will routinely inspect construction activities to verify that construction equipment is being washed. STA or the appropriate local agency will ensure that the contractor will implement measures set forth in the SWPPP to revegetate and restore disturbed areas immediately after construction is complete. (EIR, p. 3.15-69)

Mitigation Measure BR-29: Implement Revegetation and Restoration Measures Required in the Storm Water Pollution Prevention Plan. Once construction is complete, STA or the appropriate local agency will require the contractor to implement the measure set forth in the SWPPP to revegetate and restore disturbed areas immediately after construction. The revegetation portion of the SWPPP will require the use of certified weed-free native and non-native mixes. The SWPPP will also specify that all disturbed areas will be weeded and reseeded in subsequent years if determined necessary. (EIR, p. 3.15-69)

16. Findings Concerning Energy Impacts

Beneficial Impact - Impact EN-1: Would the Project Affect Energy Use? The project would increase capacity and improve roadway operations. A decrease in average travel time, vehicle delay, and duration of congestion along arterial roads, along with new bus routes and improved bicycle and pedestrian circulation would result in a decrease of direct energy consumed. Due to all these advantages, the long-term impacts of the project on transportation and vehicular traffic energy use would generally be beneficial. (EIR, p. 3.16-2)

> **STA Adopts the Following Finding**: Because impacts would be beneficial, no mitigation measures are required.

17. Findings Concerning Cumulative Effects

In accordance with section 15130(b) of the CEQA Guidelines, Chapter 3 of the EIR addresses the cumulative impacts of the project based on other planned transportation, residential, park, and commercial projects in the vicinity of the project. Seven major transportation projects will be constructed in the project area: (1) Leisure Town Road Overcrossing and interchange at I-80; (2) Elmira Road widening; (3) improvements to the I-80/I505 interchange; (4) I-80/North Texas Street interchange and Manuel Campos Parkway extension; (5) the Fairfield-Vacaville Multimodal Train Station; (6) the Solano Countywide Bicycle Plan; and (7) a High-Occupancy Vehicle (HOV) lane on I-80. In addition, other projects in the vicinity of the Jepson Parkway project include two residential developments, one commercial development, one park development, and the expansion of Travis Air Force Base. (EIR, pp. 3-2 to 3-5)

The Project could contribute to cumulative environmental impacts associated with: land use; growth; farmlands/agricultural lands; community impacts; utilities/emergency services; traffic and transportation/pedestrian and bicycle facilities; visual/aesthetics; hydrology and floodplains; geology; hazardous waste and materials; air quality; noise; and biological environment. However, with adopted mitigation measures, these cumulative impacts are less than significant.

Less Than Significant Impact – Impact LU-3: Would the Project, in Combination with Other Development, Result in Cumulative Land Use Effects? Land use conflicts are unique to the specific area in which a project is proposed, and as such, they do not combine with other land use conflicts. The land use impacts of the project would not combine with the effects of other projects since the project's impacts are limited to resources that are specifically located within the proposed right-of-way or immediately adjacent to the right-of-way. The project would not substantially conflict with planned development in the corridor. Additional cumulative development would not combine with the project to result in land use conflicts. (EIR, p. 3.1-12)

> **STA Adopts the Following Finding**: Because the impact is less than significant, no mitigation measures are required.

Less Than Significant Impact – Impact LU-5: Would the Project, in Combination with Other Development, Result in Cumulative Effects Related to Plans and Policies? Consistency with plans and policies is generally project-specific and does not combine with

potential inconsistencies of other projects in the planning area. The project would not result in substantial conflicts with any adopted plans or policies. Therefore, there would be no cumulative impact related to consistency with plans and policies. (EIR, p. 3.1-18)

STA Adopts the Following Finding: Because the impact is less than significant, no mitigation measures are required.

Less Than Significant Impact – Impact LU-7: Would the Project, in Combination with Other Development, Result in Cumulative Effects to Parks and Recreational Facilities? Cumulative development, as identified in the adopted general plans of Vacaville and Fairfield, would increase the use of parks and recreation facilities in the corridor. The project would not contribute to the increased number of park users. In addition, there are no cumulative transportation projects that would require land from the park facilities that would be affected by the project. As such, there would be no cumulative effect to park and recreational facilities. (EIR, p. 3.1-22)

STA Adopts the Following Finding: Because the impact is less than significant, no mitigation measures are required.

Less Than Significant Impact – Impact GR-2: Would the Project, in Combination with Other Development, Result in Cumulative Growth Inducement Effects? The improved access to commute routes provided by the project would create pressure to hasten planned development or allow unplanned growth on agricultural lands in the corridor. Similarly, several other past, present, and future planned transportation improvement projects would relieve congestion and improve regional access, potentially increasing growth pressures in the Vacaville–Fairfield–Suisun City area.

This pressure, however, would be largely offset and controlled by the strong regulatory framework of policies and development constraints that are currently in place to discourage premature and unplanned growth in the corridor. These measures include the Solano Irrigation District (SID) Master Water Agreement, the City of Vacaville's Planned Growth Ordinance and Comprehensive Annexation Plan, the Solano County Orderly Growth Initiative, and Fairfield's Measure L. Although growth pressures cumulatively generated by the project and similar projects could overcome these growth policies and constraints, potentially resulting in development proposals that could hasten planned growth or lead to unplanned growth, the growth controls already in place are considered strong enough to substantially slow, limit, and direct growth potentially induced by the cumulative effects of these projects. (EIR, pp. 3.2-6, 3.2-7)

STA Adopts the Following Finding: Because the impact is less than significant, no mitigation measures are required.

Less Than Significant Impact – Impact FA-3: Would the Project, in Combination with Other Development, Result in the Cumulative Conversion of Farmland? Several transportation and development projects included in this cumulative analysis would convert farmland in Solano County. Based on a review of the California Department of Conservation Important Farmland Map for Solano County (2004), much of the farmland converted by these projects would consist of lower-quality grazing lands; however, prime farmlands would also be converted in several locations. These conversions would add to the relatively small

amounts of farmland that would be converted by the project. Cumulatively, farmland converted in Solano County by these projects would be unavoidable and could be substantial. However, the project's contribution to the conversion of farmland is not considered substantial. Therefore, the cumulative impact to farmland would not be adverse. (EIR, pp. 3.3-9, 3.3-10)

STA Adopts the Following Finding: Because the impact is less than significant, no mitigation measures are required.

Less Than Significant Impact – Impact CI-9: Would the Project, in Combination with Other Development, Result in Cumulative Relocation and Population Effects? The relocation and population effects potentially resulting from construction of the project are limited to homes and businesses that are specifically located within the proposed right-of-way or immediately adjacent to the right-of-way. Thus, the Jepson Parkway Project would not combine with other cumulative projects to adversely affect the population. (EIR, p. 3.4-28)

STA Adopts the Following Finding: Because the impact is less than significant, no mitigation measures are required.

Less Than Significant Impact – Impact UT-3: Would the Project, in Combination with Other Development, Result in Cumulative Utilities/Emergency Service Effects? Most of the effects on utilities potentially resulting from construction of the project are limited to resources that are specifically located within the proposed right-of-way or immediately adjacent to the right-of-way. Effects on emergency services response times, operations and routes would have potential to occur only during the construction phase of each segment of the project. Other development in the general area is not expected to combine with the location-specific roadway effects to produce cumulative effects. In addition, Mitigation Measure UT-1 would reduce the project's impact to emergency services. (EIR, 3.5-6)

STA Adopts the Following Finding: Because the impact is less than significant, no mitigation measures are required.

Less Than Significant Impact – Impact TRA-7: Would the Project Result in a Change in the 2030 Cumulative Peak Hour Intersection Level of Service? The cumulative analysis assumes all unsignalized study intersections would be signalized by 2030. Implementation of the project would result in improved levels of service at all of the study intersections along the project alignment. All of the study intersections would operate at or above local LOS standards. (EIR, p. 3.6-23)

STA Adopts the Following Finding: Because the impact is less than significant, no mitigation measures are required.

Significant Impact – Impact VIS-13: Would the Project Result in Cumulative Visual/Aesthetic Effects? Several of the proposed projects and on-going projects in the surrounding area are transportation oriented. These developments, combined with the present project would contribute to the transition of the general project vicinity from a mixed suburban/rural setting to a suburban transportation corridor. Improvements to existing roadways, the addition of a multimodal train station, a bicycle path, and the expansion of

arterial roads in the area would contribute to the transportation oriented theme within the project area. However, this would not be an adverse change in the overall visual character of the entire corridor. No identified scenic resources would be impacted. (EIR, pp. 3.7-41, 3.7-42)

STA Adopts the Following Finding: Changes or alterations have been required of, or incorporated into, the project that mitigate or avoid the significant cumulative impacts on visual/aesthetic effects.

Facts in Support of the Finding: STA adopts the following mitigation measures that will reduce to less-than-significant levels the cumulative adverse effects on visual/aesthetic effects.

Mitigation Measure: Mitigation Measures VIS-1 to VIS-5 (EIR, pp. 3.7-41, 3.7-42) would reduce the impact of visual/aesthetic effects from implementation of the proposed action. Therefore, with these mitigation measures in place, no contribution to cumulative impacts would occur from implementation of any of the project.

Significant Impact – Impact HYD-4: Would the Project, in Combination with Other Development, Result in Cumulative Effects to Hydrology and Floodplains? The proposed project would introduce new impervious surfaces that would result in an incremental reduction in the amount of natural soil surfaces available for infiltration of rainfall and runoff, potentially generating additional runoff during storm events. Additional runoff can contribute to the flood potential of natural stream channels, and accelerate soil erosion and stream channel scour. Additional development in the vicinity of the corridor would also increase impervious surfaces and associated runoff. (EIR, p. 3.9-21)

STA Adopts the Following Finding: Changes or alterations have been required of, or incorporated into, the project that mitigate or avoid the significant cumulative impacts on hydrology and floodplains.

Facts in Support of the Finding: STA adopts the following mitigation measures that will reduce to less-than-significant levels the cumulative adverse effects on hydrology and floodplains.

Mitigation Measure: Mitigation Measures HYD-1 and HYD-2 (EIR, pp. 3.9-21, 3.9-23) would reduce the impact on hydrology and floodplains from implementation of the proposed action. Therefore, with these mitigation measures in place, no contribution to cumulative impacts would occur from implementation of any of the project.

Less Than Significant Impact – Impact WQ-3: Would the Project Result in Cumulative Water Quality Effects? The project would potentially contribute to a cumulative increase in stormwater contaminants due to the incremental increase in roadway surface area, increased transport of pollutants to waterways, and increased use of the roadway over time as future development occurs in the corridor. As development in the surrounding urban areas and use of the proposed roadway improvements increase, greater quantities of contaminants could be deposited on the road surfaces, contributing to a cumulative increase in stormwater contaminant loading. Compliance with the avoidance and minimization measures will ensure

that the project will not have a cumulatively considerable contribution to a regional increase in stormwater contaminants and beneficial uses of downstream receiving waters would not be substantially altered. (EIR, p. 3.10-9)

STA Adopts the Following Finding: Because the impact is less than significant, no mitigation measures are required.

Less Than Significant Impact – Impact GEO-4: Would the Project Result in Cumulative Geology Effects? Construction in the corridor could lead to an increase in the potential for seismic or expansive soil related hazards. Compliance with existing laws and regulations, however, would eliminate this potential effect. (EIR, p. 3.11-8)

STA Adopts the Following Finding: Because the impact is less than significant, no mitigation measures are required.

Significant Impact – Impact HAZ-4: Would the Project Result in Cumulative Hazardous Materials Effects? Additional cumulative development in the corridor could disturb existing hazardous materials and generate additional hazardous materials. (EIR, p. 3.12-17)

STA Adopts the Following Finding: Changes or alterations have been required of, or incorporated into, the project that mitigate or avoid the significant cumulative impacts from hazardous materials effects.

Facts in Support of the Finding: STA adopts the following mitigation measures that will reduce to less-than-significant levels the cumulative adverse effects from hazardous materials.

Mitigation Measure: Mitigation Measures HAZ-1 to HAZ-9 (EIR, pp. 3.12-17, 3.12-20) would reduce the impact from hazardous materials due to the proposed action. Therefore, with these mitigation measures in place, no contribution to cumulative impacts would occur from implementation of any of the project.

Significant Impact – Impact AQ-6: Would the Project Result in Cumulative Air Quality Effects? Construction activities associated with the project would generate emissions of ROG, NO_x, and PM_{10}. The emissions generated would contribute to the already degraded cumulative air quality conditions in Solano County. Traffic conditions for the years 2010 and 2030 without the project were modeled to evaluate CO concentrations relative to the CAAQS. Modeled concentrations for the year 2010 are higher than those for the year 2030, although peak-hour traffic volumes are higher in the year 2030. This is due to the decrease in EMFAC2007 emission factors for carbon monoxide from the year 2010 to the year 2030. Modeled CO concentrations under the project are below the CAAQS. Therefore, there would be no violations of the CO standards under cumulative year 2010 and 2030 conditions. (EIR, p. 3.13-17)

STA Adopts the Following Finding: Changes or alterations have been required of, or incorporated into, the project that mitigate or avoid the significant cumulative impacts on air quality.

Facts in Support of the Finding: STA adopts the following mitigation measures that will reduce to less-than-significant levels the cumulative adverse effects on air quality.

Mitigation Measure: Mitigation Measures AQ-1 and AQ-2 (EIR, pp. 3.13-17, 3.13-18) would reduce the air quality impacts from to the proposed action. Therefore, with these mitigation measures in place, no contribution to cumulative impacts would occur from implementation of any of the project.

Significant Impact – Impact N-3: Would the Project Result in Cumulative Noise Effects? Traffic levels for the years 2010 and 2030 that were used to determine the traffic noise within the corridor include traffic levels from cumulative projects. Based on the noise levels determined in the Noise Study, the project plus cumulative development would result in noise levels that would approach or exceed the NAC. Because there would be an exceedance of the NAC, noise abatement was considered. (EIR, pp. 3.14-18, 3.14-19)

STA Adopts the Following Finding: Changes or alterations have been required of, or incorporated into, the project that mitigate or avoid the significant cumulative impacts on noise.

Facts in Support of the Finding: STA adopts the following mitigation measures that will reduce to less-than-significant levels the cumulative adverse effects on noise.

Mitigation Measure: Prior to approval of the project, STA or the appropriate local agency would evaluate the cost reasonableness of noise barriers in identified locations based on the estimated cost of the barrier and reasonableness allowances presented in the Noise Study. (EIR, p. 3.14-19)

Significant Impact BR-4: Would the Project Result in Cumulative Impacts to Natural Communities? Cumulative impacts on riparian woodland and loss of protected oak trees would result from construction of the other planned projects and general development projects in Solano County. (EIR, p. 3.15-10)

STA Adopts the Following Finding: Changes or alterations have been required of, or incorporated into, the project that mitigate or avoid the significant cumulative impacts on natural communities.

Facts in Support of the Finding: STA adopts the following mitigation measures that will reduce to less-than-significant levels the cumulative adverse effects on natural communities.

Mitigation Measure: Mitigation Measures BR-1 to BR-3 (EIR, pp. 3.15-10 to 3.15-13) would reduce the impact on natural communities from implementation of the proposed action. Therefore, with these mitigation measures in place, no contribution to cumulative impacts would occur from implementation of any of the project.

Significant Impact BR-10: Would the Project Result in Cumulative Impacts to Wetlands and Other Waters of the United States? Cumulative impacts on wetlands and other waters of the United States could result from construction of other general development projects in Solano County. Seasonal wetland impacts caused by projects initiated by the

Solano County Water Agency will be mitigated and compensated for through the Draft MSHCP. Construction of any of the project would add to the cumulative loss of wetlands and other waters of the United States. (EIR, pp. 3.15-24, 3.15-25)

STA Adopts the Following Finding: Changes or alterations have been required of, or incorporated into, the project that mitigate or avoid the significant cumulative impacts on wetlands and other waters of the United States.

Facts in Support of the Finding: STA adopts the following mitigation measures that will reduce to less-than-significant levels the cumulative adverse effects on wetlands and other waters of the United States.

Mitigation Measure: Mitigation Measures BR-4 to BR-9 (EIR, pp. 3.15-25 to 3.15-29) would reduce the impact of loss of wetlands and other waters of the United States from implementation of the proposed action. Therefore, with these mitigation measures in place, no contribution to cumulative impacts would occur from implementation of any of the project.

Significant Impact BR-15: Would the Project Result in Cumulative Impacts to Plant Species? Cumulative impacts on special-status plant species, including habitat for brittlescale, pappose spikeweed, Gairdner's yampah, and saline clover, could result from construction of the other planned projects and general development projects in Solano County. (EIR, p. 3.15-33)

STA Adopts the Following Finding: Changes or alterations have been required of, or incorporated into, the project that mitigate or avoid the significant cumulative impacts on special-status plants or their habitat.

Facts in Support of the Finding: STA adopts the following mitigation measures that will reduce to less-than-significant levels the cumulative adverse effects on special-status plants or their habitat.

Mitigation Measure: Mitigation Measures BR-10 to BR-15 (EIR, pp. 3.15-34 to 3.15-36) would reduce the impact of loss of on special-status plants or their habitat from implementation of the proposed action. Therefore, with these mitigation measures in place, no contribution to cumulative impacts would occur from implementation of any of the project.

Significant Impact BR-22: Would the Project Result in Cumulative Impacts to Animal Species? Cumulative impacts on animal species could result from construction of other general development projects in Solano County. Construction of the project would add to the cumulative loss of suitable habitat for northwestern pond turtle, burrowing owl, Swainson's hawk, white-tailed kite, northern harrier, and migratory bird species, including raptors. (EIR, pp. 3.15-43, 3.15-44)

STA Adopts the Following Finding: Changes or alterations have been required of, or incorporated into, the project that mitigate or avoid the significant cumulative impacts on animal species or their habitat.

Facts in Support of the Finding: STA adopts the following mitigation measures that will reduce to less-than-significant levels the cumulative adverse effects on animal species or their habitat.

***Mitigation Measure*:** Mitigation Measures BR-16 to BR-19 (EIR, pp. 3.15-44 to 3.15-46) would reduce the impact of loss of animal species or their habitat from implementation of the proposed action. Therefore, with these mitigation measures in place, no contribution to cumulative impacts would occur from implementation of any of the project.

Significant Impact BR-28: Would the Project Result in Cumulative Impacts to Threatened and Endangered Species? Cumulative impacts on threatened and endangered species could result from construction of other development projects in Solano County. Construction of the project would add to the cumulative loss of suitable habitat for vernal pool crustaceans, Valley Elderberry Longhorn Beetle (VELB), California tiger salamander, and Contra Costa goldfields. (EIR, pp. 3.15-60, 3.15-61)

STA Adopts the Following Finding: Changes or alterations have been required of, or incorporated into, the project that mitigate or avoid the significant cumulative impacts on threatened or endangered species.

Facts in Support of the Finding: STA adopts the following mitigation measures that will reduce to less-than-significant levels the cumulative adverse effects on animal species or their habitat.

Mitigation Measure: Mitigation Measures BR-20 to BR-27 (EIR, pp. 3.15-61 3.15-65) would reduce the impact on threatened and endangered species from implementation of the proposed action. Therefore, with these mitigation measures in place, no contribution to cumulative impacts would occur from implementation of any of the project.

Significant Impact BR-30: Would the Project Result in the Cumulative Spread of Invasive Species? Cumulative impacts related to the potential spread of invasive weed species could result from construction of other general development projects in Solano County. Construction of the project would cause disturbance in a currently undeveloped area and thus encourage invasive weed species along the Walters Road extension area. (EIR, pp. 3.15-68, 3.15-69)

STA Adopts the Following Finding: Changes or alterations have been required of, or incorporated into, the project that mitigate or avoid the significant cumulative impacts on the spread of invasive species.

Facts in Support of the Finding: STA adopts the following mitigation measures that will reduce to less-than-significant levels the cumulative adverse effects on the spread of invasive species.

Mitigation Measure: Mitigation Measures BR-28 and BR-29 (EIR, p. 3.15-69) would reduce the impact on the spread of invasive species from implementation of the proposed action. Therefore, with these mitigation measures in place, no

contribution to cumulative impacts would occur from implementation of any of the project.

18. Findings Concerning Growth-Inducing Impacts

In compliance with CEQA requirements, section 3.2 of the EIR analyzes the growth-inducing impacts that can be anticipated from adoption and implementation of the project. Section 15126.2(d) of the CEQA Guidelines provides that an EIR shall:

> "Discuss the ways in which the proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. Included in this are projects which would remove obstacles to population growth (a major expansion of a waste water treatment plant might, for example, allow for construction in service areas.) Increases in the population may tax existing community service facilities, requiring construction of new facilities that could cause significant environmental effects. Also discuss the characteristic of some projects which may encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively. It must not be assumed that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment."

As discussed in the section 3.2 of the EIR, the extent to which the project would induce growth in the corridor depends in large part on the strength of local planning and growth management mechanisms, including general plan land use designations and policies, zoning designations, and urban limit lines. In addition to these growth management mechanisms, the SID Master Agreement, City of Vacaville Planned Growth Ordinance and Comprehensive Annexation Plan, Solano County Orderly Growth Initiative (Proposition A), and City of Fairfield Measure L, would serve to control growth potentially encouraged by the roadway improvements associated with the project

Overall, the pressure to hasten planned development or allow unplanned growth on agricultural lands in the corridor created by improved access to commute routes would be largely offset and controlled by the strong regulatory framework that is currently in place to discourage premature and unplanned growth adjacent to and near the corridor. Although these controls are potentially subject to alteration if economic and political pressures encourage local elected officials and voters to modify growth controls, they are considered strong enough to substantially slow, limit, and direct growth that would be induced by the project. (EIR, p. 3.2-5)

Please refer to the previous discussions in these Findings for the analysis of each potentially significant impact and the adopted mitigation measures.

19. Findings Concerning Irreversible Environmental Changes

Chapter 4 of the EIR addresses CEQA's requirement that an EIR disclose all significant impacts, including those that cannot be mitigated to a less-than-significant level. (*See* Pub. Resources Code, § 2100(b)(2)(B); CEQA Guidelines, § 15126.2(c).) The project would result in an irreversible commitment of energy resources, primarily in the form of fossil fuels (e.g., fuel, oil, natural gas, and gasoline) for construction equipment, as well as consumption

or destruction of other nonrenewable and slowly renewable resources (e.g., gravel, metals, and water). The project would also result in the permanent conversion of open space to developed land uses (i.e., roadway facilities). This conversion would represent an irreversible commitment of land to another land use. (EIR, p. 4-10) However, since feasible mitigation exists to mitigate all potentially significant impacts, STA finds that there are no significant unavoidable impacts for the project.

XI. FINDINGS REGARDING PROJECT ALTERNATIVES

Public Resources Code section 21002 provides that "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects, and that the procedures required by [CEQA] are intended to assist public agencies in systematically identifying both the significant effects of proposed Projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects." This section further provides that "in the event specific economic, social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects thereof." (Pub. Resources Code, § 21002.)

CEQA defines "feasible" to mean "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social and technological factors." (Pub. Resources Code, § 21061.1.) The CEQA Guidelines add another factor: "Legal" considerations. (CEQA Guidelines, § 15264; *see also Citizens of Goleta Valley v. Board of Supervisors* ("*Goleta II*") (1990) 52 Cal.3d 553, 565; *Sequoyah Hills Homeowners Assn. v. City of Oakland* ("*Sequoyah Hills*") (1993) 23 Cal.App.4th 704, 715.)

Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries, and whether the proponent can reasonably acquire, control, or otherwise have access to the alternative site. (CEQA Guidelines, § 15126.6(f)(1).)

The concept of "feasibility" also encompasses the question of whether a particular alternative or mitigation measure promotes the underlying goals and objections of a project. (*City of Del Mar v. City of San Diego* ("*City of Del Mar*") (1982) 133 Cal.App.3d 410, 417. "Feasibility" under CEQA encompasses "desirability, to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors." (*Id. see also Sequoyah Hills,* 23 Cal.App.4th at 715.)

Where a significant impact can be substantially lessened solely by the adoption of mitigation measures, the agency in drafting its findings has no obligation to consider the feasibility of alternatives with respect to that mitigated impact, even if the alternative would mitigate the impact in question to a greater degree than the project as mitigated. (*See* Pub. Resources Code, § 21081(b).) The California Supreme Court has stated that, "[w]isdom of approving...any development project, a delicate task which requires a balancing of interests, is necessarily left to the sound discretion of the local officials and their constituents who are responsible for such decisions. The law as we interpret and apply it simply requires that those decisions be informed, and therefore balances." (*Goleta II*, *supra*, 52 Cal.3d at 576.)

A "public agency may approve a developer's choice of a project once its significant adverse effects have been reduced to an acceptable level—that is, all avoidable damages has been eliminated and that which remains is otherwise acceptable." (*See Laurel Hills*, *supra*, 83 Cal.App.3d at 521.) In this context, acceptable means that on balance, "the specific economic, legal, social, technological, or other benefits of a proposal [sic] project outweigh the unavoidable adverse environmental effects…." (CEQA Guidelines, § 15093(a).)

Factors Considered in Identifying Alternatives for the Project

In determining what alternatives should be considered in the EIR, it is important to acknowledge the objectives of the project, the project's significant effects, and unique project considerations. These factors are crucial to the development of alternatives that meet the criteria specified in section 15126.6(a) of the CEQA Guidelines.

The project is designed to meet the objectives of the Concept Plan. These objectives include: safety improvements at various locations and along various road segments; relief from existing and anticipated traffic congestion on north-south routes in central Solano County; improved and new transit, bicycle, and pedestrian facilities; and a crossing of the UPRR tracks.[3] The Concept Plan also proposes advisory guidelines that address visual continuity along the roadway for design elements such as landscaping and signage. The project design is consistent with these guidelines. (EIR, p. 1-6) Other factors considered in identifying project alternatives include the following selection criteria:

- Natural environmental effects.
- Physical environmental effects.
- Community effects.
- Transportation effectiveness.
- Engineering feasibility.
- Financial feasibility. (EIR, p. 2-1)

Alternatives Analysis

As described above, several different packages of improvements, referred to as the "build alternatives", were formulated in the EIR to meet the needs of the project objectives. In addition, CEQA requires the consideration of a "no-build" alternative, the purpose of which is to disclose the effects of doing nothing:

- Alternative A: No Build (No Action).
- Alternative B: Leisure Town Road, Vanden Road, Cement Hill Road, Walters Road extension, Walters Road.

[3] Moore Iacofano Goltsman, Inc (MIG). 2000. Jepson Parkway Concept Plan. Berkeley, CA. Prepared for the Solano Transportation Authority, Suisun City, CA.

- Alternative C: Leisure Town Road, ,Vanden Road, Peabody Road, Air Base Parkway, Walters Road.

- Alternative D: Leisure Town Road, Vanden Road, Peabody Road, Huntington Drive, Walters Road.

- Alternative E: Peabody Road, Air Base Parkway, Walters Road.

Although a total of five alternatives were discussed and analyzed in the EIR, it was determined in the FEIR that Alternative B is the preferred alternative. (EIR, p. 2-44) Since Alternative B will be adopted as the project, the impacts and mitigation measures related to Alternative B will not be further discussed in this section. Please refer to Section X, Findings Regarding Significant Effects and Mitigation Measures, of this document for a more detailed description of Alternative B's impacts and mitigation measures.

Alternatives Considered but Rejected

In addition to the five alternatives evaluated in the EIR, STA considered numerous other alternative locations for the project roadway in the project area. These locations were considered but rejected, principally due to impacts to other resources, planned development, or roadways.

Transportation Systems Management Alternative: This alternative consisted of low-cost capital improvements to improve the function of the existing roadway and transit systems. Improvements would include extension of pedestrian/bicycle facilities along existing roadways within the Jepson Parkway corridor and provision of additional bus transit services within the corridor. This alternative was eliminated because it did not meet the project purpose and need. (EIR, pp. 2-45, 2-46)

Mass Transit Alternative: This alternative would have involved the construction of new two-lane roadways, widening existing roadways to four or six lanes, or a combination of new construction and improvements to existing roadways. It would dedicate one lane in each direction to exclusive HOV (bus, vanpool, and carpool) use during peak commute periods. This alternative was eliminated because it did not meet the project purpose and need. (EIR, p. 2-35)

Limited Access Expressway Alternative: This alternative would have constructed an expressway along the length of the Jepson Parkway corridor. The expressway would maximize traffic-carrying capacity within the corridor by limiting the number of access points along a four-lane roadway. The number of existing driveways and cross streets would be consolidated by constructing access roads parallel to the expressway or by constructing grade separations at high-volume intersections. This alternative was eliminated because it did not meet the project purpose and need. (EIR, pp. 2-46, 2-47)

North of Interstate 80 Alternative: This alternative would have constructed a new two- or four-lane divided arterial roadway between Vacaville in the vicinity of the I-80/Leisure Town Road interchange to Fairfield in the vicinity of the I-80/SR 12 interchange. This new connection would essentially parallel I-80 on its north side and use existing roads where feasible. This alternative was eliminated because it did not meet the project purpose and need because it would not address transportation issues in the central Solano County corridor. (EIR, p. 2-47)

East of Leisure Town Road Alternative: This alternative would have constructed a divided arterial roadway the length of the Jepson Parkway corridor. In Vacaville between I-80 and the Leisure Town Road/Alamo Drive intersection, this alternative would follow either two potential directions, as explained in further detail in Chapter 2. Since the alternative would be located east of the communities proposed to be served, the alternative would not meet the project purpose and need. (EIR, pp. 2-47, 2-48)

Alternative A-No Build Alternative

1. Description

Alternative A is the No Build alternative. Under Alternative A, none of the proposed roadway improvements would be constructed. However, ongoing maintenance of existing roads and facilities would continue. (EIR, p. 2-4)

2. Environmental Impacts

Under the No Build Alternative, the adverse environmental impacts associated with construction and use of the project would not occur. However, without the project, the need to reduce existing and future traffic congestion, improve roadway safety, accommodate planned growth, and support future multimodal transit options and bicycle and pedestrian use in Solano County would be unmet. Traffic congestion would continue and would contribute to travelers' delays and increased air emissions. (EIR, p. 2-4.)

3. Relationship to Project Objectives

The No Build Alternative would fail to meet the project objectives described in the Purpose and Need. Because no roadway or intersection improvements would be implemented in the corridor, the majority of intersections in the corridor would operate at below LOS standards in the AM peak hour, the PM peak hour, or both. As such, traffic conditions in the project area under Alternative A would deteriorate and would fail to meet the goals and objectives of the project. (EIR, p. 3.6-23)

Alternative B- Leisure Town Road–Vanden Road–Cement Hill Road–Walters Road extension–Walters Road

1. Description

Alternative B is the preferred alternative, and as such, has been chosen as the project. Please refer to Section II, Project Description, of this document for more details.

2. Environmental Impacts

Please refer to Section X, "Findings Regarding Significant Effects and Mitigation Measures", of this document for a more detailed description of Alternative B's impacts and mitigation measures.

3. Relationship to Project Objectives

Alternative B would: include safety improvements along the corridor; provide relief from existing and anticipated traffic congestion; and improve bicycle, transit, and pedestrian facilities. (EIR, pp. 3.6-19 to 3.6-23) As such, Alternative B would meet the project objectives.

Alternative C- Leisure Town Road–Vanden Road–Peabody Road–Air Base Parkway–Walters Road

1. Description

Alternative C would provide a four- to six-lane divided arterial for the entire length of the roadway. The Alternative C alignment begins on Leisure Town Road at Orange Drive and is identical to Alternative B until it reaches the intersection of Cement Hill Road/Vanden Road and Peabody Road. Alternative C continues south on Peabody Road from the Cement Hill Road/Vanden Road intersection to the intersection with Air Base Parkway. Alternative C continues west along Air Base Parkway to Walters Road. From the intersection of Air Base Parkway and Walters Road, Alternative C would continue south on Walters Road to SR 12. The project components for Alternative C include roadway widening, improvements at the crossings of Alamo Creek, New Alamo Creek, and Union Creek, bicycle and pedestrian paths, landscaping, and utilities relocation. (EIR, pp. 2-36 to 2-38)

2. Environmental Impacts

A "flyover" ramp proposed to be constructed at the intersection of Peabody Road and Air Base Parkway with Alternative C would provide high-elevation visual access to Travis Air Base facilities, including the Aero Club landing strip and the David Grant Hospital. David Grant Hospital serves sensitive Defense Department missions and is designed to provide emergency functions. This visual access—particularly on a roadway that offers quick access and retreat—poses a concern for homeland defense.

Also, Alternative C has the potential to affect an area of high habitat value, consisting of a combination of natural and created vernal pools and seasonal wetlands with good populations of Contra Costa goldfields, and a contiguous property that is being developed as a mitigation bank. This site includes mitigation area for vernal pools where efforts are currently underway to propagate and preserve goldfields and other listed and special status plant species. Travis officials have agreed to maintain the portion on the Air Base for preservation of vernal pools, wetlands and these plant species. Using these lands for Alternative C would violate this agreement.

3. Relationship to Project Objectives

Alternative C would: include safety improvements along the corridor; provide relief from existing and anticipated traffic congestion; and improve bicycle, transit, and pedestrian facilities. (EIR, pp. 3.6-19 to 3.6-23) As such, Alternative C would meet the project objectives.

Alternative D- Leisure Town Road–Vanden Road–Peabody Road–Huntington Drive–Walters Road

1. Description

Alternative D would provide a four- to six-lane divided arterial in the corridor. Alternative D is identical to Alternatives B (the project) and C, except that it does not include Cement Hill Road, improvements to Air Base Parkway, or the construction of a northern extension of Walters Road. The Alternative D alignment continues south on Peabody Road from the intersection of Cement Hill Road/Vanden Road and Peabody Road to the intersection of Huntington Drive and Peabody Road. The alignment then continues along Huntington Drive to the Huntington Drive/Walters Road intersection. From the intersection of Huntington Drive to the Huntington Drive and Walters Road, Alternative D would continue south on Walters Road to SR 12.This alternative would require construction of an overcrossing at the UPRR tracks just south of the intersection of Cement Hill Road/Vanden Road and Peabody Road and the realignment of Markeley Lane. (EIR, pp. 2-38, 2-40)

2. Environmental Impacts

Alternative D would displace industrial and commercial properties in the Tolenas Industrial Park along Huntington Drive in the City of Fairfield and would result in the loss of some 224 local jobs. The severe economic hardship to these employees and the City of Fairfield is not acceptable to the local community. There is no way to construct Alternative D to avoid these impacts; therefore, Alternative D was not considered practicable as the preferred alternative.

3. Relationship to Project Objectives

Alternative D would: include safety improvements along the corridor; provide relief from existing and anticipated traffic congestion; and improve bicycle, transit, and pedestrian facilities. (EIR, pp. 3.6-19 to 3.6-23) As such, Alternative D would meet the project objectives.

Alternative E- Peabody Road–Air Base Parkway–Walters Road

1. Description

Alternative E would provide a four- to six-lane divided arterial along the entire roadway. Two lanes would be added to the existing two- to four-lane facility. The alignment differs from Alternatives B (the project), C, and D in the northern portion, between I-80 and Vanden Road in Vacaville. Instead of starting at the I-80/Leisure Town Road interchange, this alternative alignment begins at the intersection of Peabody Road and Elmira Road in Vacaville and travels south along Peabody Road until it meets the Alternative C alignment at the intersection of Peabody Road and Cement Hill Road/Vanden Road. (EIR, pp. 2-40 to 2-42)

2. Environmental Impacts

While Alternative E appears to have the least overall impacts to natural resources among the build alternatives, Alternative E would result in permanent use of 1.7 acres of land from Al

Patch Park and 1.2 acres of land from Will C. Wood High School. Both of these properties are protected by Section 4(f) of the Department of Transportation Act. Alternative E would also result in the acquisition of 26 single-family and 10 multi-family residential units along Peabody Road in the City of Vacaville.

Alternative E also includes a "flyover" ramp at the intersection of Peabody Road and Air Base Parkway. As described above for Alternative C, this flyover ramp would provide high-elevation visual access to Travis Air Base facilities, including the Aero Club landing strip and the David Grant Hospital. David Grant Hospital serves sensitive Defense Department missions and is designed to provide emergency functions. This visual access—particularly on a roadway that offers quick access and retreat—poses a concern for homeland defense.

3. Relationship to Project Objectives

Alternative E would: include safety improvements along the corridor; provide relief from existing and anticipated traffic congestion; and improve bicycle, transit, and pedestrian facilities. (EIR, pp. 3.6-19 to 3.6-23) As such, Alternative E would meet the project objectives.

XII. ADDITIONAL FINDINGS

The EIR identified a number of potentially significant environmental effects (or "impacts") that the project will cause. STA finds that all potentially significant impacts associated with the project can be fully avoided (i.e., mitigated to less than significant) through the adoption of feasible mitigation measures. Accordingly, no statement of overriding considerations is required by CEQA. (CEQA Guidelines, § 15093; *see also* Pub. Resources Code, § 21081(b).)

STA finds that the project will benefit the region by improving the local roadway system and relieving traffic congestion caused by the increased development in the project area. Creating an alternate route by constructing roadway improvements in mid-Solano County between I-80 in Vacaville and SR 12 in Suisun City would provide a safe, convenient route for local traffic in this portion of the County. In addition, the project would provide opportunities for multimodal use and unifying landscape and design features to enhance the aesthetics and character of the adjoining communities.

Further, STA finds that the project has been designed to reduce environmental impacts to the extent feasible, while still meeting project objectives. Implementation of the project would result in an irreversible commitment of energy resources, primarily in the form of fossil fuels for construction equipment, as well as consumption or destruction of other nonrenewable and slowly renewable resources. The project would also result in the permanent conversion of open space to developed land uses. (EIR, p. 4-10) However, as stated above, mitigation measures are provided to reduce these impacts to less-than-significant levels. In addition, the commitment of these resources is based on the concept that residents in the immediate area, region, and State would benefit from the improved quality of the transportation system. These benefits would consist of improved accessibility and safety, which are expected to outweigh the commitment of these resources. (EIR, p. 3.18-1)

Exhibit B

Jepson Parkway Project

Mitigation Monitoring and Reporting Record

Task and Brief Description	Responsible Agency	Timing / Phase	Action Taken to Comply with Task	Task Completed	Remarks	Environmental Compliance
Community Impacts						
Mitigation Measure CI-1: Reconstruct Displaced Driveways and Replace Displaced Fencing, Signage, Trees, and Landscaping. The project sponsor shall reconstruct driveways displaced by roadway construction to allow for safe property access and use. Additionally, to the extent possible, fencing, signage, trees, and other landscaping displaced by the project on affected residential, business, and agricultural properties shall be replaced.	STA or its representative	Design/ Construction				
Mitigation Measure CI-2: Relocate the Travis Unified School District Facility. If the project would make the TUSD property untenable for continued use as a district meeting and storage facility, the project sponsors shall coordinate with the TUSD to locate and purchase a site for relocation of the facility.	STA or its representative	Design/ Construction				
Utilities/Emergency Services						
Mitigation Measure UT-1: Notify Emergency Service Providers and Allow Emergency Vehicles on Closed Roadways. In the special provisions of the highway contracts, the project sponsor shall require that emergency service providers such as police, fire, and ambulance services be notified at least one week before any streets or intersections are closed during the construction phase. To the extent possible, emergency vehicles shall be allowed through roadway segments temporarily closed for construction purposes. These measures shall also be incorporated into the Transportation Management Plan to be prepared for the project.	STA or its representative	Preconstruction				
Traffic and Transportation/Pedestrian and Bicycle Facilities						
Mitigation Measure TRA-1: Evaluate Unsignalized Study Intersections in the Corridor for Signal Warrants. A full set of warrants for unsignalized study intersections in the corridor	STA or its representative	Design/ Post construction monitoring				

Task and Brief Description	Responsible Agency	Timing / Phase	Action Taken to Comply with Task	Task Completed	Remarks	Environmental Compliance
shall be investigated based on field-measured traffic data and a thorough study of traffic and roadway conditions by an experienced engineer under the direction of STA or the local jurisdiction. Regular monitoring of actual traffic conditions and accident data shall be undertaken by the jurisdiction responsible for implementation to prioritize and program intersections for signalization where warrants are met.						
Mitigation Measure TRA-2: Implement Traffic Management Plan During Construction. The project sponsors shall prepare and implement a construction phasing plan and Traffic Management Plan (TMP) that defines how traffic operations would be managed and maintained during each phase of construction. The plan shall be developed with the direct participation of the appropriate jurisdiction (Fairfield, Vacaville, Suisun City, and/or Solano County). At least one lane in each direction of the alignment will be available at all times during the construction process. All cross-traffic lanes will be kept open during construction except for during temporary non-peak-hour closures. At least one lane under flagger control will be provided at all times during temporary intersection closures. In addition, the property owners of all businesses adjacent to the construction areas shall be consulted. To the maximum practical extent, the plan shall: • Identify the locations for temporary detours and temporary roads to facilitate local traffic patterns and through-traffic requirements. If temporary roadway or intersection closures are required for construction purposes, the TMP will specify off-peak timeframes for closures. • Detail how access will be maintained to individual businesses, residences, and farm lands where construction activities may interfere with ingress and egress. Any driveway closures shall take place during non-business hours. • Notify affected businesses and residents at least two weeks in advance of lane or roadway closures or impacts related to access. Personnel of emergency response services such as fire	STA or its representative	Preconstruction				

Task and Brief Description	Responsible Agency	Timing / Phase	Action Taken to Comply with Task	Task Completed	Remarks	Environmental Compliance
and police protection will also be notified one to two weeks in advance of any lane or road closures so that alternate routes can be taken. • Specify predetermined haul routes from staging areas to construction sites and to disposal areas of agreement with the appropriate jurisdiction(s) prior to construction. The routes shall follow streets and highways that provide the safest route, minimize truck traffic impacts to sensitive receptors, and have the least impact on traffic. • Require the contractor to provide information to the public using signs, press releases, and other media tools of traffic closures, detours, or temporary displacement of left-turn lanes. • Identify a single phone number that property owners and businesses can call for construction scheduling, phasing, and duration information, as well as for complaints. • Identify construction activities that must take place during off-peak traffic hours or result in temporary road closures due to concerns regarding traffic safety or traffic congestion. Any road closures will be done at night under ordinary circumstances. If unforeseen circumstances require road closing during the day, the appropriate jurisdiction(s) shall be consulted.						
Visual/Aesthetics						
Mitigation Measure VIS-1: Install Temporary Visual Barriers between Construction Staging Areas and Residences. During construction, fencing (e.g., chain link with slats or fencing made of windscreen material) will be installed to obstruct undesirable views of construction staging areas from adjacent residences. The fencing will also help to maintain the privacy of residents. These fences will be approximately seven feet high and will block views from residents' yards.	STA or its representative	Preconstruction				

Task and Brief Description	Responsible Agency	Timing / Phase	Action Taken to Comply with Task	Task Completed	Remarks	Environmental Compliance
Mitigation Measure VIS-2: Prepare and Implement a Lighting Plan. STA or the appropriate local agency will require the contractor to prepare and implement a lighting plan that demonstrates that project lighting will not increase ambient nighttime lighting conditions for surrounding residential properties by more than 0.5-foot candles, the recommended level of illumination for a walkway along a residential roadside. Designs for shields and directional lighting will be included in this plan to minimize the distance at which light emanating from the proposed action is visible and to mitigate the effects of glare. The residential areas will be shielded from lighting effects to the extent feasible. The following points provide additional detail on street lights to be incorporated into the lighting plan: • Street lights will be cut-off-type fixtures that cast low-angle illumination to minimize incidental spillover of light onto adjacent properties and open space. Fixtures that project upward and horizontally shall not be used. • Street lights will be shaded and directed away from the residential and open space areas adjacent to the project site. • Street light lamps will provide natural light qualities, and will be used only where necessary for safety and security purposes. • Street light mountings will be downcast and the height of placement minimized to reduce potential for backscatter into the nighttime sky and incidental spillover into adjacent properties and open space. Street light mountings shall have low-sheen, nonreflective finishes.	STA or its representative	Design/ Preconstruction				
Mitigation Measure VIS-3: Construct Walls and Barriers with Low-Sheen and Non-Reflective Surface Materials. Retaining walls and barriers (e.g., railings) will be designed with low-sheen, nonreflective surface materials to reduce potential for glare. Finishes on walls will be matte and roughened; the use of smoothly troweled surfaces and glossy paint will be avoided.	STA or its representative	Design				

Task and Brief Description	Responsible Agency	Timing / Phase	Action Taken to Comply with Task	Task Completed	Remarks	Environmental Compliance
Mitigation Measure VIS-4: Incorporate Design Characteristics to Minimize Visual Obtrusion. Structural and vertical elements such as bridges, railings, abutments, piers, supports, and similar features will have a minimum profile to reduce visual intrusion and obstruction. Supports, piers, and railings will have an "open" structure (i.e., "transparency") wherever possible to facilitate views beyond. Vertical elements will be designed at even intervals and spacing to create aesthetic rhythm. Finished surfaces on all vertical features will have color and sheen that minimize contrast with the daytime sky. Additionally, major vertical elements at locations identified by the local agency, such as bridges and creek crossings, will be celebrated through public art and landscape enhancements and will be used as community gateway features.	STA or its representative	Design				
Mitigation Measure VIS-5: Provide Aesthetic Treatments to All Noise Barriers. Aesthetic treatments to all noise barriers that may be required for the chosen alternative will be added, including landscaping and low-sheen and non-reflective surface materials. The finish will be matted and roughened, and the use of smooth toweled surfaces and glossy paint will be avoided.	STA or its representative	Design				
Hydrology and Floodplains						
Mitigation Measure HYD-1: Prepare Detailed Master Drainage Plan (MDP) and Implement Plan Requirements. In coordination with the cities of Fairfield, Vacaville, and Suisun City, STA shall prepare a detailed drainage report (also called a master drainage plan or runoff design report) for the entire construction area. This MDP shall include detailed hydrology and hydraulics for the chosen alternative's affected creek encroachment areas, bridges, culverts, and associated floodplain areas. This MDP shall be reviewed and approved by the Solano County Water Agency, Solano County, and STA, and reviewed by the Cities of Fairfield, Suisun, and Vacaville. STA shall include in the project design, drawings, and plans the flow and drainage control requirements identified in the MDP in order to prevent flood and flood flow impacts. The drainage	STA or its representative	Design/ Preconstruction				

Task and Brief Description	Responsible Agency	Timing / Phase	Action Taken to Comply with Task	Task Completed	Remarks	Environmental Compliance
system will be designed in accordance with the flood control design criteria of Solano County and the Solano County Water Agency (SCWA). The MDP shall ensure that project design and drainage plans comply with Executive Order 11988, Sections 3.b and 4.c. The MDP shall be prepared by a registered water resources civil engineer before site development begins and shall include: An accurate calculation of pre- and post- project runoff conditions using standards specified in the Solano County Hydrology Manual. These conditions shall be determined at all water crossings along the project corridor and at intermediate locations necessary to obtain an accurate determination of flood potentials. Post-project runoff conditions shall include any detention structures incorporated into the site design. If post-project runoff rate and volume exceed existing conditions for the design storm event, the MDP shall include calculations of the amount of detention required to reduce stormwater runoff to pre-project levels. • A detailed hydraulic analysis. An accurate determination of base (e.g., irrigation ditch areas) and post-project flood elevation levels and hydraulic conditions using standard hydraulics engineering methods (e.g., Hydrologic Engineering Centers River Analysis System) shall be prepared. These techniques shall be used to accurately evaluate potential changes in design storm flood elevations and flow erosive potential for the design of flow conveyance or control features. Additional topography surveying may be required to accurately describe the existing floodplain within areas not mapped by FEMA (e.g., irrigation/drainage channels adjacent to roads). If post-project conditions exceed drainage design standards as specified in the Solano County Hydrology Manual or if they otherwise contribute to adverse hydraulic impacts in the drainage system, the proposed drainage system structures shall be redesigned to minimize impacts. For example, if the proposed box culvert for Alamo Creek is found to create						

Task and Brief Description	Responsible Agency	Timing / Phase	Action Taken to Comply with Task	Task Completed	Remarks	Environmental Compliance
adverse hydraulic impacts in Alamo Creek (e.g., back up of flood flows, concentrated high velocity flow, and others), according to this detailed hydraulic analysis, then other designs shall be assessed (e.g., bridge). One or more system designs shall be prepared to mitigate potential project impacts and to minimize changes from the original plan while mitigating adverse impacts. The standards for proposed drainage systems shall be evaluated on an alternative-specific basis. • An inventory and assessment of any existing drainage facilities within the corridor including any necessary upgrades, replacements, redesigns, and rehabilitation. • Proposed design measures to remove structures from 100-year floodplain areas. Where structures are located below the post-project 100-year flood elevation level, design measures shall be developed and implemented to remove these structures from the floodplain. Any substantial removal or import of fill material, placement or removal of barriers, or placement or removal of drainage systems to remove structures from floodplain shall be included in all hydraulic analyses. • A description of the proposed maintenance program for the onsite drainage system(s).						
Mitigation Measure HYD-2: Improve Culverts under Vanden Road and Raise Roadway. The existing culverts under Vanden Road at Union Creek shall be replaced with a bridge or large culvert sufficient for adequate hydraulic capacity during a 100-year flood event. A detailed hydraulic analysis (see Mitigation Measure HYD-1) of the design configurations shall be conducted to determine sizing and efficacy of both the bridge and large culvert structure for mitigating flood conditions. The roadway shall also be raised in this area by approximately 1.6 feet to 3.3 feet above the existing road elevation to be higher than the elevation of the mapped floodplain. These improvements shall be included in all hydrologic and hydraulic analysis specified in Mitigation Measure HYD-1 and will be	STA or its representative	Design/ Preconstruction				

Task and Brief Description	Responsible Agency	Timing / Phase	Action Taken to Comply with Task	Task Completed	Remarks	Environmental Compliance
designed in accordance with Executive Order 11988, Sections 3.b and 4.c.						
Geology, Soils, and Seismicity						
Mitigation Measure GEO-1: Stop Work if Unique Geologic or Paleontological Materials Are Discovered during Construction. If unique geological or paleontological materials are inadvertently discovered during ground-disturbing activities, the construction contractor shall stop work in that area and within 100 feet of the find until a qualified geologist/paleontologist can assess the significance of the find and develop appropriate treatment measures. Treatment measures shall be developed in consultation with STA and Caltrans and may include excavation and removal.	STA or its representative	Construction				
Hazardous Waste and Materials						
Mitigation Measure HAZ-1: Develop a Health and Safety Plan to Address Worker Health and Safety. A Health and Safety Plan (HSP) shall be prepared to address worker safety when working with potentially hazardous materials, including biological contaminants, potentially lead-based paint, transformer fluids, soils potentially containing ADL, and other construction-related materials within the right-of-way for any soil disturbance. Proper worker safety for handling and removal of contaminated soil materials shall also be included in the HSP and the HSP shall address worker safety when working in areas with agricultural chemicals. Furthermore, the STA or the appropriate local agency shall confirm the location of underground pipeline crossings and prepare and implement the HSP for excavation work at these pipeline crossings prior to excavation activities. Critical locations may require a private utility location or special excavation techniques. The HSP shall address worker safety when working near pipeline crossings and emergency plans in the event of a pipeline rupture or if a pre-existing leak is	STA or its representative	Preconstruction				

Task and Brief Description	Responsible Agency	Timing / Phase	Action Taken to Comply with Task	Task Completed	Remarks	Environmental Compliance
encountered during construction.						
Mitigation Measure HAZ-2: Perform Additional Literature Review to Identify Potential for Historical Contamination. During the design phase, STA shall perform a literature review, including a file review at the Solano County Resource Management Agency, to determine past site uses and the extent of any hazardous materials issues that may exist at the Adco Auto Wreckers on Cement Hill Road. If there is a potential for contamination from these sites within the proposed alignment in this area, soil sampling and screening for potential contaminants shall be conducted at representative locations according to a Solano County Resource Management Agency approved Sampling Plan for a Phase II site assessment. If contaminated soil and/or groundwater are encountered during the site screening, a Health and Safety Plan shall be completed to address potential worker health and safety issues while working with contaminated soil and/or groundwater and a Soil Management Plan shall be completed to address excavation, removal, and disposal of contaminated soil. These plans shall be approved by the Solano County Resource Management Agency or other appropriate regulatory agency prior to grading of the project segment within this area.	STA or its representative	Preconstruction				
Mitigation Measure HAZ-3: Conduct Soil Sampling and Analysis to Identify and Remove Contaminated Soil. STA or the appropriate local agency shall require the construction contractor to perform a detailed walking reconnaissance of the UPRR and former Sacramento Northern Railroad tracks immediately adjacent to or intersected by the planned roadway alignment. This reconnaissance shall be performed to identify potentially stained soil, and lubricator and battery boxes containing oil, grease, and other petroleum hydrocarbons along project segments within 50 feet of existing or former railroad alignments. The contractor shall also inspect leaking storage tank sites and the Kinder Morgan petroleum pipeline alignment in the corridor. Leaking storage tanks at the Bonfare Market	STA or its representative	Preconstruction				

Task and Brief Description	Responsible Agency	Timing / Phase	Action Taken to Comply with Task	Task Completed	Remarks	Environmental Compliance
shall be inspected and sampled for contamination. If potentially contaminated sites are encountered, a Soil Management Plan shall be completed to address testing, excavation, removal, and disposal of contaminated soil. If soil staining or visible contaminants are encountered during construction, soil sampling and analysis shall be performed and contaminated soil removed from the site and transported to an approved disposal facility in compliance with Occupational Safety and Health Administration (OSHA) safety regulations under the direction of the agency overseeing the project. The Solano County Resource Management Agency and local fire departments shall be notified immediately if contamination is encountered during construction.						
Mitigation Measure HAZ-4: Conduct Sampling, Testing, Removal, Storage, Transportation, and Disposal of Yellow Striping along Existing Roadway. Before construction, STA or the appropriate local agency shall ensure that sampling and testing of yellow pavement striping scheduled for removal is performed to determine whether lead is present. If lead is present, the striping shall be removed according to regulatory procedures. If the existing pavement would be buried by new pavement as part of the project, this mitigation measure would not be required. Burying existing pavement would effectively eliminate precipitation contact with the lead-contaminated paint and the potential for lead to leach from the paint into soils and runoff. All aspects of the proposed action associated with removal, storage, transportation, and disposal will be in strict accordance with appropriate regulations. Lead-containing stripe materials shall be disposed of at a Class 1 disposal facility.	STA or its representative	Construction				
Mitigation Measure HAZ-5: Conduct Sampling and Analysis of Transformer Fluid from Electrical Transformers. If leaks from electrical transformers that will either remain within the project construction zone or require removal or relocation are encountered before or during construction, STA or the appropriate local agency shall ensure that the transformer fluid	STA or its representative	Preconstruction/ Construction				

Task and Brief Description	Responsible Agency	Timing / Phase	Action Taken to Comply with Task	Task Completed	Remarks	Environmental Compliance
is sampled and analyzed by qualified personnel for detectable levels of PCBs. A PCB site investigation is required within Caltrans right-of-way for any soil disturbance. The owner of the transformers shall verify the contents of the transformer before relocation and take proper mitigation actions, if required. If PCBs are detected, the transformer shall be removed and disposed of in accordance with regulatory agency requirements. Any stained soil encountered below electrical transformers with detectable PCB levels shall also be handled and disposed of in accordance with regulatory agency requirements.						
Mitigation Measure HAZ-6: Conduct Testing for Aerially Deposited Lead in Surface and Near-Surface Soils. During the design phase of the project, STA or the appropriate local agency shall ensure that the contractor conducts a preliminary investigation and screening for ADL for portions of the project located immediately adjacent to Leisure Town Road (north of Alamo Drive) and Walters Road (from south of Air Base Parkway to Petersen Road) to determine the levels of lead in the surface and near-surface soils. If ADL is encountered above the regulatory thresholds, a Soil Management Plan, approved by the Solano County Resource Management Agency or other appropriate regulatory authority, shall be completed to address excavation, removal, and disposal of contaminated soil. Lead-impacted soils shall be handled or disposed of in accordance with regulatory agency requirements.	STA or its representative	Preconstruction				
Mitigation Measure HAZ-7: Time Construction to Avoid Exposure of Construction Workers to Respiratory Irritants from Aerially Applied Chemicals. Construction activities adjacent to agricultural fields shall not occur during aerial application of chemicals and for at least 24 hours following application or for as long as recommended by the chemical label, whichever time period is greater. STA or the appropriate local agency shall ensure that the contractor coordinates with individual growers on the timing of aerially applied chemicals on parcels within or adjacent to the corridor to avoid effects on workers during	STA or its representative	Construction				

Task and Brief Description	Responsible Agency	Timing / Phase	Action Taken to Comply with Task	Task Completed	Remarks	Environmental Compliance
construction.						
Mitigation Measure HAZ-8: Test Soil and Groundwater at LUST and UST sites and Remove Contaminated Soil. Soil and groundwater samples will be taken using direct push Geoprobe equipment within the vicinity of the UST and LUST sites. The samples will be tested for petroleum hydrocarbons and CAM-17 metals. Leaking storage tanks at the Bonfare Market shall be inspected and sampled for contamination. A report will be submitted to STA upon receipt of analytical results. Areas of contaminated soil will be transported off site, if necessary. Impacted groundwater will be containerized in a Baker tank and analyzed prior to evaluating disposal options. An environmental report summarizing field activities and analytical results will be prepared for sites. This report would include a summary of excavation and disposal activities for impacted soil and/or groundwater.	STA or its representative	Construction				
Mitigation Measure HAZ-9: Phase 2 Environmental Site Assessments (ESA). As part of the design process, site specific Phase 2 ESAs will be conducted for each parcel that requires a full or partial right–of–way take. The Phase 2 ESA will be conducted in accordance with requirements of the Final Rule for All Appropriate Inquires (AII) promulgated as an amendment to CERCLA. Areas potentially impacted with contaminants will be investigated and sampled, the constituents of concern identified, and any impacts delineated in the Phase 2 ESA. STA or the local agency will make every effort to have the property owner, or responsible party, investigate and clean-up the contamination prior to acquisition.	STA or its representative	Design/ Preconstruction				
Air Quality						
Mitigation Measure AQ-1: Implement Construction Mitigation Measures to Reduce Construction Equipment Exhaust Emissions. If a project exceeds the YSAQMD threshold, the District recommends implementation of construction equipment	STA or its representative	Construction				

Task and Brief Description	Responsible Agency	Timing / Phase	Action Taken to Comply with Task	Task Completed	Remarks	Environmental Compliance
exhaust control measures to reduce a project's construction impacts to a less-than-adverse level. Therefore, the following measures will be implemented as part of the project: STA or the appropriate local agency shall require all construction contractors to reduce construction-related emissions by restricting unnecessary vehicle idling to 5 minutes, use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, and/or other options as they become available.						
Mitigation Measure AQ-2: Implement Construction Mitigation Measures to Reduce Construction Emissions, as Required by the BAAQMD. As discussed, BAAQMD requires implementation of control measures to reduce a project's construction impacts to a less-than-adverse level. Therefore, the following measures will be implemented as part of the project: • Water exposed surfaces twice daily • Cover all trucks hauling soil, sand, and other loose materials or maintain at least 2 feet of freeboard • Pave, apply water three times daily, or apply nontoxic soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction sites • Sweep daily with water sweepers all paved access roads, parking areas, and staging areas at construction sites • Sweep streets daily with water sweepers if visible soil material is carried onto adjacent public streets • Hydroseed or apply nontoxic soil stabilizers to inactive construction areas (previously graded areas inactive for 10 days or more) • Enclose, cover, water twice daily, or apply nontoxic soil binders to exposed stockpiles (dirt, sand, etc.) • Limit traffic speeds on unpaved roads to 15 mph • Install sandbags or other erosion control measures to prevent	STA or its representative	Construction				

Task and Brief Description	Responsible Agency	Timing / Phase	Action Taken to Comply with Task	Task Completed	Remarks	Environmental Compliance
silt runoff to public roadways • Replace vegetation in disturbed areas as quickly as possible.						
Noise						
Mitigation Measure N-1: Employ Noise-Reduction Construction Measures. The construction contractor will employ noise-reducing construction practices such that noise from construction does not exceed 90 dBA at noise-sensitive uses during daytime hours. Measures that can be used to limit noise may include the following: • Locating equipment as far as practical from noise-sensitive uses • Using sound-control devices such as mufflers on equipment • Turning off idling equipment • Using equipment that is quieter than standard equipment • Selecting construction-access routes that affect the fewest number of people • Using noise-reducing enclosures around noise-generating equipment • Constructing barriers between noise sources and noise-sensitive land uses or taking advantage of existing barrier features (terrain, structures) to block sound transmission • Temporarily relocating residents during periods of high construction noise that cannot be reduced effectively by other means The construction contractor will prepare a detailed noise control plan based on the construction methods proposed. This plan will identify specific measures determined to be feasible by Solano County that will be taken to ensure compliance with the noise limits specified above. The noise control plan will be reviewed and approved by STA before any noise-generating construction activity begins.	STA or its representative	Construction				

Task and Brief Description	Responsible Agency	Timing / Phase	Action Taken to Comply with Task	Task Completed	Remarks	Environmental Compliance
Mitigation Measure N-2: Prohibit Nighttime Construction Activities. Consistent with Vacaville Noise Ordinance, STA or the appropriate local agency will ensure that construction activities are prohibited between 10:00 p.m. and 6:00 a.m. Monday through Saturday or until 8:00 a.m. on Sunday mornings. This stipulation will be made part of the construction contract.	STA or its representative	Construction				
Mitigation Measure N-3: Disseminate Essential Information to Residences and Implement a Complaint/Response Tracking Program. The construction contractor will notify residences within 500 feet of the construction areas of the construction schedule in writing before construction. The construction contractor will designate a noise disturbance coordinator who will be responsible for responding to complaints regarding construction noise. The coordinator will determine the cause of the complaint and ensure that reasonable measures are implemented to correct the problem. A contact telephone number for the noise disturbance coordinator will be posted conspicuously on construction site fences and will be included in the written notification of the construction schedule sent to nearby residents.	STA or its representative	Construction				
Biological Environment						
Mitigation Measure BR-1: Avoid and Minimize Potential Indirect Disturbance of Riparian Communities. To the extent possible, STA or the appropriate local agency will ensure that the contractor will avoid and minimize potential indirect disturbance of riparian communities by implementing the following measures: • Riparian communities, such as those along Old Alamo Creek, that are located adjacent to all construction zones, will be protected by installing temporary construction fencing to protect riparian vegetation outside the construction zone. The locations of the fencing will be marked in the field with stakes and flagging and shown on the construction drawings. The	STA or its representative	Preconstruction/ Construction				

Task and Brief Description	Responsible Agency	Timing / Phase	Action Taken to Comply with Task	Task Completed	Remarks	Environmental Compliance
construction specifications will contain clear language that prohibits all construction-related activities, vehicle operation, material and equipment storage, and other surface-disturbing activities within the fenced environmentally sensitive areas. • The potential for long-term loss of riparian vegetation within the construction zone will be minimized by trimming vegetation rather than removing entire shrubs. Shrubs that need to be trimmed will be cut at least 1 foot above ground level to leave the root systems intact and allow for more rapid regeneration. Cutting will be limited to the minimum area necessary within the construction zone. Cutting will be allowed only for shrubs; all trees will be avoided. Also, cutting will be allowed only in areas that do not provide habitat for sensitive species. To protect nesting birds, STA or the appropriate local agency will not allow pruning or removal of woody riparian vegetation between March 1 and August 15. • A certified arborist will be retained to perform any necessary pruning or root cutting of riparian trees within the construction zone to further minimize harm to vegetation and ensure rapid regeneration. • Areas that undergo vegetative pruning and tree removal will be inspected immediately before construction, immediately after construction, and one year after construction to determine the amount of existing vegetative cover, cover that has been removed, and cover that resprouts. If after one year these areas have not resprouted sufficiently to return the cover to the pre-project level, the contractor will replant the areas with the same species to reestablish the cover to the pre-project condition. • Work in riparian areas, such as those along Old Alamo Creek, will be conducted between June 15 and October 15, and disturbed areas will be stabilized with erosion control measures before October 15.						
Mitigation Measure BR-2: Compensate for Permanent Loss of Riparian Communities. STA or the appropriate local agency will compensate for construction-related permanent loss of	STA or its representative	Construction				

Task and Brief Description	Responsible Agency	Timing / Phase	Action Taken to Comply with Task	Task Completed	Remarks	Environmental Compliance
riparian communities, such as those along Old Alamo Creek, due to direct impacts at a minimum ratio of 2:1 (2 acres restored or created for every 1 acre permanently affected) as described in the Draft MSHCP. Compensation requirements are based on a total direct impact on 2.1 acres. This compensation is being provided pursuant to CEQA/NEPA and FHWA policies on mitigating effects to natural lands. Compensation may be a combination of onsite or offsite restoration/creation (i.e., restore riparian in areas disturbed by construction where possible, or at an agency-approved offsite mitigation area), contribution of funds to an approved mitigation bank for restoration activities on public lands, and mitigation credits. The resource agencies may require a higher compensation ratio as part of their permit authorizations. This ratio will be confirmed through coordination with State and federal agencies as part of the permitting process for the proposed action. One or more of the following compensation options will be implemented by STA or the appropriate local agency for any riparian vegetation that is removed. • Funds will be contributed to an approved mitigation bank for riparian restoration activities along the Old Alamo Creek corridor or on other public lands in the project vicinity. STA or the appropriate local agency will contact appropriate individuals to determine whether there is a potential to create, restore, or enhance riparian habitat in appropriate preserves.						
• A riparian restoration plan will be developed and implemented that involves creating or enhancing riparian habitat in the construction area or project vicinity. STA or the appropriate local agency will retain a restoration ecologist to develop a riparian restoration plan that identifies erosion control, habitat replacement, and maintenance and enhancement of riparian habitat as the primary mitigation goals. Potential restoration sites will be evaluated by STA or the appropriate local agency to determine whether this is a feasible option. If STA or the appropriate local agency determines that onsite or offsite restoration is possible, a restoration plan will be						

Task and Brief Description	Responsible Agency	Timing / Phase	Action Taken to Comply with Task	Task Completed	Remarks	Environmental Compliance
developed that describes where and when restoration will occur and who will be responsible for developing, implementing, and monitoring the restoration plan. Potential mitigation sites in the Old Alamo Creek corridor that could be used to create or enhance riparian habitat include riparian areas that currently support non-native species (e.g., giant reed). In these areas, non-native species would be removed and replanted with native riparian species, and sparsely vegetated or degraded riparian areas that could be enhanced by planting native woody species. Potential mitigation sites in the Old Alamo Creek corridor will be evaluated as part of a formal riparian mitigation plan. The following factors will be assessed as part of the plan: soils, hydrology (including groundwater levels and surface inundation), land use, potential disturbances, habitat functions, costs associated with maintaining the plantings, and overall potential for survival. The riparian restoration plan will also include a list of recommended plant species, design specifications, an implementation plan, a maintenance program, and a mitigation monitoring program that includes CDFG-approved performance standards (e.g., 70 percent survival of trees and shrubs planted after five years). The plan will also identify appropriate methods for eradicating infestations of weeds. At least 5 years of monitoring (longer if required as a condition of permits) will be conducted by STA or the appropriate local agency to document the degree of success or failure in achieving success criteria (to be determined in consultation with CDFG as part of the mitigation monitoring plan) and to identify remedial actions. Annual monitoring reports will be submitted to CDFG, the Corps, Caltrans, and other interested agencies. Each report will summarize data collected during the monitoring period, describe how the habitats are progressing in terms of the success criteria, and discuss any remedial actions performed. Additional reporting requirements imposed by permit conditions will be incorporated into the mitigation plan and implemented as appropriate.						

Task and Brief Description	Responsible Agency	Timing / Phase	Action Taken to Comply with Task	Task Completed	Remarks	Environmental Compliance
Mitigation Measure BR-3: Plant Native Trees in Rural Landscaping Areas. As proposed, STA or the appropriate local agency will plant native trees in rural areas as part of project landscaping. For rural areas in annual grassland communities, landscaping will include coast live oak (Quercus agrifolia), valley oak (Quercus lobata), interior live oak (Quercus wislizenii), and coyote brush (Baccharis pilularis). For drainages in rural areas, landscaping will include box elder (Acer negundo var. californicum), California black walnut (Juglans californica var. hindsii), valley oak (Quercus lobata), California sycamore (Platanus racemosa), Fremont's cottonwood (Populus fremontii), California blackberry (Rubus ursinus), and Goodding's willow (Salix gooddingii). STA or the appropriate local agency shall monitor planted trees for five years, and ensure survivorship of a minimum of 80 percent of planted trees after five years by replanting any trees that do not survive.	STA or its representative	Construction				
Mitigation Measure BR-4: Obtain and Comply with Conditions of Clean Water Act Permits and Streambed Alteration Agreement. Before any construction activities are initiated, STA or the appropriate local agency will obtain the following permits: • CWA Section 404 permit from the Corps, or Report of Waste Discharge for Waters of the State, • CWA Section 401 water quality certification from the RWQCB • CWA Section 402/NPDES permit from State Water Resources Control Board (SWRCB) (requiring preparation of a SWPPP) • CFGC Section 1602 streambed alteration agreement from CDFG Copies of these permits will be provided to the contractor with the construction specifications. STA or the appropriate local agency will be responsible for ensuring compliance with the conditions set forth in these permits. STA or the appropriate	STA or its representative	Preconstruction				

Task and Brief Description	Responsible Agency	Timing / Phase	Action Taken to Comply with Task	Task Completed	Remarks	Environmental Compliance
local agency will also be responsible for the preparation and implementation of a Mitigation Monitoring Plan based on the permit requirements. The monitoring period shall not be less than five years. The target criteria for specified years of monitoring are as follows (though these may be subject to change pending consultation with the Corps during the permit process): Year 1 50 percent combined area and basal cover (rhizomatous turf) of all vegetation in the preserve wetland; at least two hydrophytic plants co-dominant with whatever other vegetative cover exists. Year 3 60 percent combined area and basal cover (rhizomatous turf) of all vegetation in the preserve wetland; prevalence of hydrophytic species in terms of both cover and dominant species composition of the vegetation; native vascular species will comprise 50% of the vegetation in the preserve wetland. Year 5 70 percent combined area and basal cover (rhizomatous turf) of all vegetation in the preserve wetland. More than 50 percent dominance in terms of both cover and species composition of FAC, FACW, and OBL species throughout the preserved wetland area; native vascular species will comprise 65% of the vegetation in the preserve wetlands Once the necessary permits are obtained, STA or the appropriate lead agency shall implement Mitigation Measures BR-8 and BR-9 as indicated in the above permits.						
Mitigation Measure BR-5: Implement Measures to Protect Water Quality. STA or the appropriate local agency will ensure that the contractor implements the general measures recommended in Section 3.10, Water Quality and Stormwater Runoff, to protect water quality and aquatic resources in Old Alamo Creek, Union Creek, McCoy Creek, tributary streams, and wetlands. Compliance with regulatory requirements described in Section 3.10, Water Quality and Stormwater Runoff, will concurrently satisfy water quality protection requirements under this section.	STA or its representative	Construction				

Task and Brief Description	Responsible Agency	Timing / Phase	Action Taken to Comply with Task	Task Completed	Remarks	Environmental Compliance
Mitigation Measure BR-6: Avoid and Minimize Disturbance of Waters of the United States and Nonjurisdictional Wetlands. STA or the appropriate local agency will ensure that the contractor will minimize indirect impacts on waters of the United States and nonjurisdictional wetlands throughout the study area by implementing the following measures: • To maintain hydrologic connections, the project design will include culverts for all seasonal and perennial drainages that are waters of the United States, and/or waters of the State. • Construction activities will be prohibited in saturated or ponded waters during the wet season (spring and winter) to the maximum extent possible. Where such activities are unavoidable, protective practices, such as using padding or vehicles with balloon tires, will be employed. • Where determined necessary, geotextile cushions and other appropriate materials (e.g., timber pads, prefabricated equipment pads, geotextile fabric) will be used in saturated conditions to minimize damage to the substrate and vegetation. • Exposed slopes and streambanks will be stabilized immediately following completion of construction activities. Other waters of the United States will be restored in a manner that encourages vegetation to reestablish to its pre-project condition and reduces the effects of erosion on the drainage system. • In highly erodible stream systems, banks will be stabilized using a nonvegetative material that will bind the soil initially and break down within a few years. If STA or the appropriate local agency determines that more aggressive erosion control treatments are needed, the contractor will be directed to use geotextile mats, excelsior blankets, or other soil stabilization products. • During construction, trees, shrubs, debris, or soils that are inadvertently deposited below the ordinary high-water mark (OHWM) of any streams will be removed in a manner that minimizes disturbance of the creek bed and bank.	STA or its representative	Construction				

Task and Brief Description	Responsible Agency	Timing / Phase	Action Taken to Comply with Task	Task Completed	Remarks	Environmental Compliance
• All activities will be completed promptly to minimize their duration and resultant impacts. • Construction inspectors will routinely inspect protected areas to ensure that protective measures are in place and effective. • All protective measures will remain in place until all construction activities near the resource have been completed and will be removed immediately following construction and reclamation activities.						
Mitigation Measure BR-7: Modify Roadway Design to Maintain Natural Hydrology and Reduce Resource Loss and Habitat Fragmentation. To maintain as much of the natural hydrology within the Walters Road extension segment of the alignment as possible, minimize placement of fill in waters of the United States and non-jurisdictional wetlands, and minimize impacts on Contra Costa goldfields, the roadway alignment has been modified by shifting the centerline, and/or widening primarily to one or the other side; narrowing inside shoulder widths; and using structure to span and avoid direct impacts to wetlands; an additional 670 feet of structure is proposed to be incorporated to reduce direct impacts to seasonal wetlands and Contra Costa goldfields in this area.	STA or its representative	Design/ Construction				
Mitigation Measure BR-8: Compensate for the Permanent and Temporary Filling of Seasonal Wetland, Freshwater Marsh, and Pond. As described in Table 3.15-3, all build alternatives will result in the fill of wetlands and other waters of the United States. As part of compliance with the CWA Section 404 permit, STA or the appropriate local agency will be required to compensate for filling waters of the United States (direct impacts) to ensure no net loss of habitat functions and values. Compensation will be provided pursuant to CEQA/NEPA and FHWA policies on mitigating effects to natural lands. Waters of the United States in the study area include seasonal wetlands, freshwater marshes, and drainages. Fill of non-jurisdictional waters, including the pond habitat,	STA or its representative	Preconstruction/ Construction				

Task and Brief Description	Responsible Agency	Timing / Phase	Action Taken to Comply with Task	Task Completed	Remarks	Environmental Compliance
protected under the Porter Cologne Water Quality Control Act is prohibited without the prior acquisition of the Waste Discharge Permit. STA or the appropriate local agency will also compensate for filling these non-jurisdictional waters. Compensation for seasonal wetlands, freshwater marshes, and ponds will be provided at a minimum ratio of 2:1 (2 acres of mitigation for every 1 acre of waters of the United States filled) or 9:1(9 acres of mitigation for every 1 acre of waters of the United States filled) in areas where Contra Costa goldfields are present (see Section 3.15.5, Threatened and Endangered Species). Compensation ratios for wetland habitats supporting other threatened or endangered species also are described in Section 3.15.5. Compensation may be achieved through a combination of mitigation credits, off-site preservation, and on-site restoration/creation. Compensation for the pond habitat will be out-of-kind and will consist of freshwater marsh habitat, which provides higher-value wildlife habitat than the pond that would be affected by the project. Final compensation ratios will be determined by State and federal agencies during consultation and permitting processes for the proposed action. STA or the appropriate local agency will implement one or more of the following options to compensate for potential impacts associated with filling waters of the United States and non-jurisdictional wetlands: Mitigation bank credits will be purchased at a locally approved bank. One mitigation bank option is Wildlands North Suisun Mitigation Bank. This bank is currently available and provides vernal pool credits that can apply to seasonal wetland compensation. STA or the appropriate local agency will provide written evidence to the resource agencies that compensation has been established through the purchase of mitigation credits. The amount to be paid will be the fee that is in effect at the time the fee is paid. Funds equal to the amount needed to purchase mitigation bank credits will be contributed to the preservation of vernal pool complexes within the McCoy Creek watershed, a High						

Task and Brief Description	Responsible Agency	Timing / Phase	Action Taken to Comply with Task	Task Completed	Remarks	Environmental Compliance
Conservation Value Area identified in the Draft MSHCP. The Draft MSHCP directs that conservation lands will be held in fee ownership or as conservation easements, and will have resource management plans and funding sources for management in perpetuity. This area is also identified in the Draft MSHCP as one of five core Contra Costa goldfields populations, and is near a substantial goldfields population on public land at Travis AFB. To implement this option, STA or the appropriate local agency will coordinate with appropriate individuals to determine whether there is a potential to purchase and preserve wetlands in the McCoy Creek watershed. This option will be coordinated with mitigation for Contra Costa goldfields and listed vernal pool crustaceans. A wetland restoration plan will be developed and implemented that involves creating or enhancing seasonal wetland and freshwater marsh either in the study area or in the project vicinity. Potential restoration sites will be evaluated by STA or the appropriate local agency to determine whether this is a feasible option. If STA or the appropriate local agency determines that on-site or off-site restoration is possible, a restoration plan will be developed that describes where and when restoration will occur and who will be responsible for developing, implementing, and monitoring the restoration plan. Potential mitigation sites in the vicinity of the Walters Road extension portion of the alignment could be used to preserve and create or enhance seasonal wetland and freshwater marsh. Use of this option for seasonal wetland compensation will be coordinated with mitigation for Contra Costa goldfields and for listed vernal pool crustaceans.						
Mitigation Measure BR-9: Compensate for the Permanent and Temporary Filling of Other Waters of the United States. STA or the appropriate local agency will compensate for filling other waters of the United States (a direct impact) in seasonal	STA or its representative	Preconstruction/ Construction				

Task and Brief Description	Responsible Agency	Timing / Phase	Action Taken to Comply with Task	Task Completed	Remarks	Environmental Compliance
and perennial drainages. This compensation is being provided pursuant to CEQA/NEPA and FHWA policies on mitigating effects to natural lands. Compensation for loss of other waters of the United States in Old Alamo Creek, which supports a riparian community, will be provided at a minimum ratio of 2:1 (2 acres restored or created for every 1 acre permanently affected). Compensation will include restoration or enhancement of riparian and in-stream habitats on Old Alamo Creek or other streams in the study area. This mitigation measure will follow the guidelines for riparian habitat compensation. Most drainages in the study area, including Union Creek and its tributaries, McCoy Creek and its tributaries, and unnamed drainages, do not support riparian habitat. Compensation for loss of other waters of the United States in these drainages will include restoration or enhancement of stream channel habitat at a minimum ratio of 1:1 (1 acre restored or enhanced for every 1 acre permanently affected). Restoration or enhancement will be implemented in the affected drainages or will be focused in McCoy Creek in the study area. The restoration or enhancement will include bank stabilization improvements to decrease erosion and improve water quality. A plan will be developed to make the bank slopes less vertical and to plant an appropriate grass seed mix to control bank erosion. STA or the appropriate local agency will retain a restoration ecologist to develop a mitigation plan that identifies erosion control, habitat replacement, and maintenance and enhancement of habitat as the primary mitigation goals. The habitat mitigation plan will include a list of recommended plant						

Task and Brief Description	Responsible Agency	Timing / Phase	Action Taken to Comply with Task	Task Completed	Remarks	Environmental Compliance
species, design specifications, an implementation plan, a maintenance program, and a monitoring program. STA or the appropriate local agency will implement the mitigation plan. At least five years of monitoring (more if required as a condition of permits) will be conducted by STA or the appropriate local agency to document whether success criteria are achieved (to be determined as part of the mitigation plan) and to identify remedial actions. Annual monitoring reports will be submitted to CDFG, the Corps, Caltrans, and other interested agencies. Each report will summarize data collected during the monitoring period, describe how the habitats are progressing in terms of the success criteria, and discuss any remedial actions performed. Additional reporting requirements imposed by permit conditions will be incorporated into the mitigation plan and implemented as appropriate. Compensation for non-jurisdictional drainage impacts, which include irrigation and roadside ditches, will include maintenance or reconstruction of the irrigation drainages after road construction and replacement of the roadside drainages with a new system to convey stormwater.						
Mitigation Measure BR-10: Conduct a Biological Resources Education Program for Construction Crews and Enforce Construction Restrictions. STA or the appropriate local agency will ensure that the contractor will conduct worker environmental awareness training (WEAP) for construction crews before project implementation. The education program will include a brief overview of the special-status species that are known to or could potentially occur in the study area. The overview will cover the life history, habitat requirements, and legal status of each species and will include photographs of the	STA or its representative	Preconstruction. Construction				

Task and Brief Description	Responsible Agency	Timing / Phase	Action Taken to Comply with Task	Task Completed	Remarks	Environmental Compliance
species. The training will identify the portions of the study area in which these species may occur. The program shall also cover all mitigation measures, environmental permits and proposed project plans, such as the Stormwater Pollution Prevention Plan (SWPPP), best management practices (BMPs), erosion control and sediment plan, and any other required plans. Restrictions and guidelines that must be observed by construction personnel are listed below: Project-related vehicles will be driven at or below the posted speed limit on hard-surfaced roads and at or below 15 mph on unpaved roads in the study area. Off-road travel using project-related vehicles and construction equipment, and all ground disturbing activities will be restricted to the designated construction area. All food-related trash will be disposed of in closed containers and removed from the study area at least once per week during the construction period. Construction personnel will not feed or otherwise attract wildlife to the study area. No pets or firearms will be allowed in the study area. To prevent possible resource damage from hazardous materials such as motor oil or gasoline, construction personnel will not service vehicles or construction equipment outside designated staging areas. Any worker who encounters damaged vegetation or causes harm to a special-status plant or wildlife species will immediately report the incident to the biological monitor. The monitor will immediately notify STA or the appropriate local agency, which will provide verbal notification to the USFWS Endangered Species Office in Sacramento, California, and to the local CDFG warden or biologist within three working days. STA or the appropriate local agency will follow up with written notification to USFWS and CDFG within five working days. The designated environmental inspector shall be responsible for ensuring that construction personnel adhere to the guidelines and restrictions. WEAP training sessions shall be conducted as						

Task and Brief Description	Responsible Agency	Timing / Phase	Action Taken to Comply with Task	Task Completed	Remarks	Environmental Compliance
needed for new personnel brought onto the job during the construction period.						
Mitigation Measure BR-11: Retain a Biologist to Monitor Construction Activities. STA or the appropriate local agency will retain a biological monitor to monitor all construction activities located within 250 feet of special-status plant and wildlife populations (including Contra Costa goldfields and vernal pool crustaceans, discussed under Section 3.15.5, Threatened and Endangered Species). The monitor will ensure compliance with all conservation measures and applicable resource agency permits and prevent any potential take of listed species, or impacts to sensitive habitat. More than one monitor may be required depending on the distance between construction activities and the proximity to wetland resources. The biological monitor will assist the construction crew as needed to comply with all project implementation restrictions and guidelines. Also, the biological monitor will be responsible for ensuring that the contractor maintains the staked and flagged perimeters of the construction area and staging areas adjacent to sensitive biological resources.	STA or its representative	Preconstruction/ Construction				
Mitigation Measure BR-12: Install Construction Barrier Fencing around the Construction Area. STA or the appropriate local agency will ensure that the contractor installs orange construction barrier fencing to identify environmentally sensitive areas in the construction area, including Old Alamo Creek, Union Creek, McCoy Creek, unnamed drainages, wetlands, elderberry shrubs, special-status plant populations, oak trees, and any trees that support nests of special-status bird species. Before construction, a qualified biologist will identify sensitive biological habitat on site before the final design plans are prepared so that the areas to be fenced can be included in the plans. The contractor will work with the project engineer	STA or its representative	Preconstruction/ Construction				

Task and Brief Description	Responsible Agency	Timing / Phase	Action Taken to Comply with Task	Task Completed	Remarks	Environmental Compliance
and a resource specialist to identify the locations for the barrier fencing and will place stakes around the sensitive resource sites (a minimum of one foot buffer) to indicate these locations. The protected areas will be designated as environmentally sensitive areas and clearly identified on the construction plans. The fencing will be installed before construction activities are initiated and will be maintained throughout the construction period. The following paragraph will be included in the construction specifications: The contractor's attention is directed to the areas designated as "environmentally sensitive areas." These areas are protected, and no entry by the contractor for any purpose will be allowed unless specifically authorized in writing. The contractor will take measures to ensure that contractor's forces do not enter or disturb these areas, including giving written notice to employees and subcontractors. Temporary fences around the environmentally sensitive areas will be installed as one of the first orders of work. Temporary fences will be furnished, constructed, maintained, and removed as shown on the plans, as specified in the special provisions, and as directed by the project engineer. The fencing will be commercial-quality woven polypropylene, orange in color, and at least four feet high (Tensor Polygrid or equivalent). The fencing will be tightly strung on posts set at maximum intervals of 10 feet. No encroachment into fenced areas shall be permitted during construction and the fence shall remain in place until all construction activities have been completed.						
Mitigation Measure BR-13: Minimize Potential Impacts on Special-Status Plant Species during Construction. STA or the appropriate local agency will ensure that the contractor will minimize potential construction-related impacts on special-status plant species by implementing the following measures to the extent possible:	STA or its representative	Construction				

Task and Brief Description	Responsible Agency	Timing / Phase	Action Taken to Comply with Task	Task Completed	Remarks	Environmental Compliance
• In areas that contain special-status plants, construction activities will be conducted during the period when special-status plants are not flowering or fruiting (i.e., generally between August and January). • As described in the Draft MSHCP, the topsoil from the area within the study area that contains the potentially affected special-status plant populations will be excavated with the roots, rhizomes, and seed bank in place; depth of excavation will be determined after further research on the species and site conditions. This excavation will occur after the plants have flowered and set seed, generally in November/December, when the soils are elastic and easy to move. The excavation will be done by hand or with a truck-mounted tree spade. The equipment will be chosen depending on the depth and diameter of excavation required. The topsoil will be placed on a transplant site immediately after excavation. This activity will be conducted or monitored by a botanist to ensure that the appropriate amount of topsoil is removed and placed in the appropriate location. Special project specifications will be developed for removing and relocating soils containing special-status plants. Because all identified special-status plants to be affected are wetland species, the transplant location will be located within the same wetland complex as the impact location.						
Mitigation Measure BR-14: Compensate for Loss of Pappose Spikeweed. STA or the appropriate local agency will compensate for the permanent loss of occupied pappose spikeweed habitat. This compensation is being provided	STA or its representative	Preconstruction/ Construction				

Task and Brief Description	Responsible Agency	Timing / Phase	Action Taken to Comply with Task	Task Completed	Remarks	Environmental Compliance
pursuant to CEQA/NEPA and FHWA policies on mitigating effects to special status plant habitat. Compensation will include preservation at a ratio of 3:1 (3 acres preserved for each 1 acre of occupied habitat removed during construction). The area to be preserved will include either private property or City of Fairfield property located adjacent to the Walters Road Extension area, which is part of the McCoy Creek watershed High Value Conservation area identified in Draft MSHCP.						
Mitigation Measure BR-15: Implement Mitigation Measure BR-7: Modify Roadway Design to Maintain Natural Hydrology and Reduce Resource Loss and Habitat Fragmentation. Implementation of Mitigation Measure BR-7 requires modifications to roadway design that will reduce impacts on special status plants.	STA or its representative	Design/ Construction				
Mitigation Measure BR-16: Conduct Preconstruction Surveys for Western Pond Turtle. STA or the appropriate local agency will ensure that a clearance survey for western pond turtles is conducted by a qualified biologist in all areas of aquatic habitat that cannot be avoided, within 24 hours prior to construction. If any western pond turtles are found, they should be moved, or encouraged to move to a safe location outside the construction zone.	STA or its representative	Preconstruction/ Construction				
Mitigation Measure BR-17: Conduct Preconstruction Surveys for Active Burrowing Owl Burrows and Implement the CDFG Guidelines for Burrowing Owl Mitigation, if Necessary. The Staff Report on Burrowing Owl Mitigation (CDFG 1994a) recommends that preconstruction surveys be conducted to locate active burrowing owl burrows in the study area and in a 250-foot-wide buffer zone around the study area. STA or the appropriate local agency will retain a qualified biologist to conduct preconstruction surveys for active burrows according to CDFG guidelines. The surveys will include a nesting season survey and wintering season survey. If no burrowing owls are detected, no further mitigation will be required. If active burrowing owls are detected in the survey area, STA or the	STA or its representative	Preconstruction/ Construction				

Task and Brief Description	Responsible Agency	Timing / Phase	Action Taken to Comply with Task	Task Completed	Remarks	Environmental Compliance
appropriate local agency will implement the following measures: • Occupied burrows will not be disturbed during the nesting season (February 1 to August 31). • When destruction of occupied burrows is unavoidable during the non-nesting season (September 1 to January 31), unsuitable burrows will be enhanced (enlarged or cleared of debris) or new burrows created (installing artificial burrows) at a ratio of 2:1 on protected lands approved by CDFG. Newly created burrows will be installed following guidelines established by CDFG. • If owls must be moved away from the study area, passive relocation techniques (e.g., installing one-way doors at burrow entrances) will be used instead of trapping. At least one week will be allowed to accomplish passive relocation and allow owls acclimate to alternate burrows. If active burrowing owl burrows are found and the owls must be relocated, STA or the appropriate local agency will offset the loss of foraging and burrow habitat in the study area by acquiring and permanently protecting a minimum of 6.5 acres of foraging habitat per occupied burrow identified in the study area. This compensation would be provided pursuant to CEQA/NEPA and FHWA policies on mitigating effects on special status species. The protected lands should be located adjacent to the occupied burrowing owl habitat in the study area or at another occupied site near the study area. The location of the protected lands will be determined in coordination with CDFG. STA or the appropriate local agency will also prepare and implement a monitoring plan and provide long-term management and monitoring of the protected lands. The monitoring plan will specify success criteria, identify remedial measures, and require an annual report to be submitted CDFG.						
• If avoidance is the preferred method of dealing with potential impacts, no disturbance should occur within 160 feet of occupied burrows during the nonbreeding season (September 1						

Task and Brief Description	Responsible Agency	Timing / Phase	Action Taken to Comply with Task	Task Completed	Remarks	Environmental Compliance
to January 31) or within 250 feet during the breeding season. Avoidance also requires that at least 6.5 acres of foraging habitat (calculated based on an approximately 300-feet foraging radius around an occupied burrow) contiguous with occupied burrow sites be permanently preserved for each pair of breeding burrowing owls or single unpaired resident bird. The configuration of the protected site will be submitted to CDFG for approval.						
Mitigation Measure BR-18: Implement the CDFG Guidelines for Swainson's Hawk Foraging Habitat Mitigation and Conduct Preconstruction Surveys for Nesting Swainson's Hawks. The Staff Report Regarding Mitigation for Impacts to Swainson's Hawk (Buteo swainsoni) in the Central Valley of California (CDFG 1994b) recommends mitigation of the removal of suitable Swainson's hawk foraging habitat at a ratio determined by the distance to the nearest active nest. Because the nearest known nest is one mile from the study area, the recommended compensation ratio would be 1:1 (1 acre replaced for every 1 acre removed) which is also consistent with the Draft MSHCP. Total compensation would be 58 acres. STA or the appropriate local agency will accomplish this mitigation either by developing and implementing a project-specific mitigation agreement that would be submitted to CDFG for approval or by purchasing Swainson's hawk mitigation credits at a CDFG/Draft MSHCP-approved mitigation bank. This compensation would be provided pursuant to CEQA/NEPA and FHWA policies on mitigating effects on special status species. It may also be feasible to combine this mitigation requirement with wetland or vernal pool upland mitigation discussed for Wetlands or Threatened and Endangered Species because mitigation lands for vernal pools and seasonal wetland swales include grasslands that are also suitable Swainson's hawk foraging habitat. If construction is scheduled to occur during the Swainson's hawk breeding season (generally March 1 through August 15), STA or the appropriate local agency will retain a qualified	STA or its representative	Preconstruction/ Construction				

Task and Brief Description	Responsible Agency	Timing / Phase	Action Taken to Comply with Task	Task Completed	Remarks	Environmental Compliance
wildlife biologist to conduct preconstruction surveys for nesting Swainson's hawks in suitable habitat within a 0.25-mile radius of the construction site. If no Swainson's hawks are found nesting within the areas surveyed, then no further mitigation will be required. If Swainson's hawks are found nesting within a 0.25-mile radius of the construction site, CDFG will be consulted to determine whether a no-disturbance buffer would be required until after the young have fledged (as determined by a qualified wildlife biologist). Impact avoidance measures will be conducted pursuant to CDFG mitigation guidelines.						

Task and Brief Description	Responsible Agency	Timing / Phase	Action Taken to Comply with Task	Task Completed	Remarks	Environmental Compliance
Mitigation Measure BR-19: Avoid Disturbance of Nesting Special-Status and Non-Special-Status Migratory Birds and Raptors. To avoid impacts on potentially nesting Cooper's hawk, white-tailed kite, northern harrier, and non-special-status migratory birds and raptors, STA or the appropriate local agency will implement the following avoidance and minimization measures: • To the extent possible, vegetation removal activities associated with the proposed action will be conducted outside the breeding season (generally between March 1 and August 15) for migratory birds and raptors. • If vegetation removal activities are to take place during the breeding season for these species (generally between March 1 and August 15), a qualified wildlife biologist will be retained to conduct focused nesting surveys for Cooper's hawk, white-tailed kite, northern harrier, and non-special-status migratory birds and raptors. • If active Cooper's hawk, white-tailed kite, northern harrier, or non-special-status migratory bird or raptor nests are found in the study area, and if construction activities must occur during the breeding season, STA or the appropriate local agency will consult CDFG to determine and implement appropriate "no-disturbance" buffers around the nest sites until the young have fledged (as determined by a qualified biologist). • If other active non-special-status migratory bird nests are found in the study area, and if construction activities must occur during the breeding season, STA or the appropriate local agency will consult USFWS to develop and implement an MOU to promote the conservation of migratory bird populations. • If surveys indicate that no special-status or non-special-status birds are nesting in or adjacent to the study area, no further mitigation will be required.	STA or its representative	Preconstruction/ Construction				
Mitigation Measure BR-20: Implement Mitigation Measure BR-7: Modify Roadway Design to Maintain Natural Hydrology and	STA or its	Design				

Task and Brief Description	Responsible Agency	Timing / Phase	Action Taken to Comply with Task	Task Completed	Remarks	Environmental Compliance
Reduce Resource Loss and Habitat Fragmentation. Implementation of Mitigation Measure BR-7 requires modifications to roadway design that will reduce impacts on threatened and endangered plant and wildlife species.	representative					
Mitigation Measure BR-21: Compensate for the Permanent Loss of Contra Costa Goldfields. Concurrently with implementation of Mitigation Measure BR-4, STA or the appropriate local agency will develop and implement a plan to compensate for the permanent loss of Contra Costa goldfields. The Contra Costa goldfields compensation plan will include mitigation for impacts on seasonal wetlands because the species is associated with seasonal wetlands. This compensation for permanent or temporary loss of Contra Costa goldfields in the study area, which is being provided pursuant to consultation with USFWS and consistent with CEQA/NEPA and FHWA policies on mitigating effects to threatened or endangered species, will consist of the following: a. As described in the Draft MSHCP, occupied Contra Costa goldfields habitat will be preserved in perpetuity at a 9:1 ratio (9 acres of credits purchased at an approved mitigation bank or 9 acres of occupied habitat preserved for each 1 acre of occupied habitat removed during construction). b. Contra Costa goldfields habitat will be created/restored at a 3:1 ratio (3 acre of Contra Costa goldfields habitat restored for each 1 acre of occupied habitat removed). Compensation for areas of Contra Costa goldfields indirectly affected in the study area will consist of the following: c. Occupied Contra Costa goldfields habitat will be preserved in perpetuity at a 9:1 ratio (9 acres of occupied habitat preserved for each 1 acre of occupied habitat indirectly affected during construction). Final compensation requirements, the feasibility of creating a preservation area (including protection and management	STA or its representative	Preconstruction				

Task and Brief Description	Responsible Agency	Timing / Phase	Action Taken to Comply with Task	Task Completed	Remarks	Environmental Compliance
options), and the methods for restoration will be determined in compliance with the USFWS Biological Opinion for the project, a copy of which is included in this document in Appendix K, USFWS Biological Opinion.						
Mitigation Measure BR-22: Minimize Potential Impacts on Listed Vernal Pool Crustaceans and Contra Costa Goldfields. a. Salvage of seeds, or topsoil with seeds for use in suitable enhanced, restored, and/or created Contra Costa goldfields pools, if such enhancement, restoration, or creation is approved by the USFWS. b. Construction will occur, to the extent feasible, in the dry season. c. In areas where complete avoidance, buffer areas, or equally effective protective measures to reduce the effects of surface disturbance and compaction are not feasible, the following measures shall be implemented: i. Prior to allowing any vehicles or heavy equipment into Walters Road extension Area, STA or their agent shall install wooden mats in all areas where vehicles will encroach upon vernal pool crustacean and/or Contra Costa goldfields habitat. The wooden mats will help distribute the weight of vehicles and equipment and will prevent substantial disturbance of soil in these areas. ii. Wooden mats shall only remain in the habitat areas as long as necessary for the construction work in the area. As soon as the work is completed, all fabric, wooden mats and any other construction related materials shall be removed from the site. e. Mowing for fire hazards and other maintenance activities shall be limited to those detailed in the 404 permit. f. Discharge of water and/or dust control shall only occur in accordance with the Regional Water Quality Control *Board*	STA or its representative	Construction				

Task and Brief Description	Responsible Agency	Timing / Phase	Action Taken to Comply with Task	Task Completed	Remarks	Environmental Compliance
permits. g. Implement Mitigation Measure BR-10: Conduct a Biological Resources Education Program for Construction Crews and Enforce Construction Restrictions. h. Implement Mitigation Measure BR-11: Retain a Biologist to Monitor Construction Activities. i. Implement Mitigation Measure BR-12: Install Construction Barrier Fencing around the Construction Area.						
Mitigation Measure BR-23: Compensate for Permanent Losses of Vernal Pool Fairy Shrimp and Vernal Pool Tadpole Shrimp Habitat. To compensate for impacts on habitat for federally listed vernal pool fairy shrimp and vernal pool tadpole shrimp, STA or the appropriate local agency will preserve and create additional habitat for these species using compensation ratios approved by USFWS. This compensation, which is being provided pursuant to CEQA/NEPA and FHWA policies on mitigating effects to threatened or endangered species, will be achieved using the following: a. In areas considered to be occupied Contra Costa goldfields habitat, compensation for loss of vernal pool crustacean habitat will be accomplished concurrently with compensation for Contra Costa goldfields. b. Suitable vernal pool crustacean habitat not occupied by Contra Costa goldfields will be preserved at a 4:1 ratio (4 acres preserved for every 1 acre of habitat directly or indirectly affected). Preservation lands will be established at a USFWS-approved conservation area, or preservation credits will be purchased from a USFWS-approved mitigation bank. c. Suitable vernal pool crustacean habitat not occupied by Contra Costa goldfields will be created at a 2:1 ratio (2 acres created for every 1 acre of habitat	STA or its representative	Preconstruction/ Construction				

Task and Brief Description	Responsible Agency	Timing / Phase	Action Taken to Comply with Task	Task Completed	Remarks	Environmental Compliance
directly affected). Vernal pools will be created at a USFWS-approved conservation area, or creation credits will be purchased from a USFWS-approved mitigation bank. Final compensation requirements, the feasibility of creating a preservation area (including protection and management options), and the methods for restoration will be determined in compliance with the USFWS Biological Opinion for the project, a copy of which is included in this document in Appendix K, USFWS Biological Opinion.						
Mitigation Measure BR-24: Minimize Impacts on Valley Elderberry Longhorn Beetle. Impacts on suitable elderberry shrubs shall be avoided during all phases of the proposed project where feasible. Complete avoidance is accomplished through establishment and maintenance of a minimum buffer zone of 100 feet from the drip lines of any suitable elderberry shrub. Firebreaks shall not be allowed within these buffer zones, and any areas temporarily disturbed within this buffer zone during construction shall be restored immediately following construction. For those shrubs that will not be directly removed by the project, any ground disturbing activities within 100 feet of elderberry plants with stems measuring 1.0 inch or greater in diameter at ground level shall conform to the following avoidance measures: a. STA shall provide a minimum setback of at least 20 feet from the drip line of each suitable elderberry shrub. The setbacks shall be fenced and flagged to prevent equipment and materials encroachment into the setback zone. Fire fuel breaks (disked land) may not be included within the 20 foot setback. b. Signs will be erected every five feet along the edge of the setback zone with the following	STA or its representative	Preconstruction/ Construction				

Task and Brief Description	Responsible Agency	Timing / Phase	Action Taken to Comply with Task	Task Completed	Remarks	Environmental Compliance
information, "This area is habitat of the valley elderberry longhorn beetle, a threatened species, and must not be disturbed. This species is protected by the Endangered Species Act of 1973, as amended. Violators are subject to prosecution, fines, and imprisonment." These signs should be clearly readable from a distance of 20 feet, and must be maintained for the duration of construction (USFWS 1999). c. Construction contractors shall be instructed about the status of the beetle, the need to protect its elderberry host plant, the need to avoid damaging the elderberry plants and the possible penalties for not complying with these requirements. d. No insecticides, herbicides, fertilizers, or other chemicals that might harm the beetle or its host plant shall be used in the buffer areas, or within 100 feet of any elderberry plant with one or more stems measuring 1.0 inch or greater in diameter at ground level. e. Mowing of grasses/ground cover shall occur only from July through April to reduce fire hazard. No mowing shall occur within 50 feet of elderberry plant stems. Mowing must be done in a manner that avoids damaging plants (e.g., avoid stripping away bark through careless use of mowing/trimming equipment). f. Trimming of elderberry stems less than one inch in diameter may occur between September 1 and March 14. The recommended period for trimming is between November through the first two weeks in February when the plants are dormant and after they have lost their leaves.						
Mitigation Measure BR-25: Compensate for Impacts on Valley Elderberry Longhorn Beetle. To compensate for	STA or its	Preconstruction/				

Task and Brief Description	Responsible Agency	Timing / Phase	Action Taken to Comply with Task	Task Completed	Remarks	Environmental Compliance
impacts on habitat for valley elderberry longhorn beetle, STA or the appropriate local agency will preserve and create additional habitat for these species using compensation ratios approved by USFWS. This compensation, which is being provided pursuant to CEQA/NEPA and FHWA policies on mitigating effects to threatened or endangered species, will be achieved by purchasing credits at USFWS-approved mitigation banks. Final compensation requirements have been determined in coordination with the resource agencies and in compliance with the USFWS Biological Opinion for the project, a copy of which is included in this document in Appendix K, USFWS Biological Opinion. All elderberry shrubs with one or more stems measuring one inch or more in diameter that will be directly affected by construction activities will be transplanted to a conservation area in accordance with USFWS's Conservation Guidelines for Valley Elderberry Longhorn Beetle.[1] Each elderberry stem measuring one inch or more in diameter at ground level that is within 100 feet of construction activities will be replaced in a conservation area with elderberry seedlings or cuttings at a ratio between 1:1 and 8:1. The ratio used for each affected plant will depend on the diameter of the stem at ground level, whether the shrub is located in riparian habitat, and whether the shrub has evidence of exit holes. A mix of native tree and plant species representative of those associated with the elderberry shrubs in the study area will be planted in the conservation area. The trees and plants will be planted at ratios of 1:1 (the ratio represents native trees and plants to each elderberry seedling or cutting) for replacement of elderberry shrubs without exit holes.[2] A mixture of native grasses and forbs also will be planted in the conservation area. Each transplanted elderberry shrub will have at least 1,800	representative	Construction				

1 U.S. Fish and Wildlife Service, 1999. Conservation guidelines for the valley elderberry longhorn beetle. July 9. Sacramento, CA.

2 Jones & Stokes, Delineation of Waters of the United States Jepson Parkway Project, Table 6, October 2005.

Task and Brief Description	Responsible Agency	Timing / Phase	Action Taken to Comply with Task	Task Completed	Remarks	Environmental Compliance
square feet of area. As many as five additional elderberry seedling or cuttings and up to five associated native plants may also be planted in the 1,800 square feet. Maintenance, remedial measures, and reporting will be conducted, following the requirements of the USFWS guidelines (1999).						
Mitigation Measure BR-26: Minimize Potential Impacts on California Tiger Salamanders. Consistent with the Draft MSHCP STA or the appropriate local agency will ensure that the contractor will minimize potential impacts on California tiger salamanders and their aquatic and terrestrial habitats during construction by implementing the following measures, consistent with the requirements of the Biological Opinion: a. To minimize disturbance of breeding and dispersing California tiger salamanders, all construction activity within California tiger salamander upland habitat (defined as all habitat within1.24 miles of aquatic habitat) will be conducted during the dry season between May 1 and October 15 or before the onset of the rainy season, whichever occurs first. If construction activities are necessary in California tiger salamander upland habitat between October 16 and April 30, STA or the appropriate local agency will contact the USFWS Sacramento Field Office for approval to extend the work period. b. To minimize disturbance and mortality of adult and juvenile California tiger salamanders in aquatic habitat and underground burrows, STA or the appropriate local agency will minimize the extent of ground-disturbing activities within these habitats (grasslands within 1.24 miles of aquatic habitat) by requiring the contractor to limit the work area to the minimum necessary for construction. In addition, STA or the appropriate local agency will ensure that the contractor will install temporary exclusion fence between the construction work area and potential aquatic	STA or its representative	Preconstruction/ Construction				

Task and Brief Description	Responsible Agency	Timing / Phase	Action Taken to Comply with Task	Task Completed	Remarks	Environmental Compliance
habitat for all construction within grasslands that occur within 1.24 miles of aquatic habitat. c. Consistent with Mitigation Measure BR-11, STA or the appropriate local agency will ensure that a qualified wildlife biologist monitors all construction activities within California tiger salamander upland habitat. This will ensure no take of individual California tiger salamander occurs during road widening and improvements along Vanden and Leisure Town Road. If a California tiger salamander is found, then the monitor shall immediately stop construction and contact USFWS and/or CDFG for advice.						
Mitigation Measure BR-27: Compensate for Removal and Disturbance of California Tiger Salamander Habitat. STA or the appropriate local agency will compensate for the removal or disturbance of potential upland habitat suitable aquatic habitat for California tiger salamanders, consistent with the requirements of the USFWS Biological Opinion (see Appendix K). This compensation, which is being provided pursuant to CEQA/NEPA and FHWA policies on mitigating effects on threatened or endangered species, will be achieved as follows: STA or the appropriate local agency will preserve additional upland habitat within a USFWS-approved conservation area at a minimum 3:1 ratio (3 acres created or preserved for each 1 acre removed) and aquatic habitat at a minimum 3:1 ratio (3 acres created or preserved for each 1 acre removed). STA or the appropriate local agency will coordinate or consult with USFWS to determine the appropriate compensation ratio and location of the conservation are. This may be accomplished by purchasing credits at a USFWS-approved mitigation bank.	STA or its representative	Preconstruction/ Construction				
Mitigation Measure BR-28: Educate Construction Crews on Invasive Species Control and Prevention, and Monitor Compliance. Consistent with the Draft MSHCP, the Executive Order on Invasive Species, E.O. 13112, and subsequent	STA or its representative	Preconstruction/ Construction				

Task and Brief Description	Responsible Agency	Timing / Phase	Action Taken to Comply with Task	Task Completed	Remarks	Environmental Compliance
guidance from the Federal Highway Administration, STA or the appropriate local agency will avoid introducing or spreading invasive weeds into previously uninfested areas by ensuring that the biological resources education program for construction crews includes education on weed identification and the importance of controlling and preventing the spread of invasive weeds. Small, isolated infestations will be treated with CDFG-approved eradication methods at an appropriate time to prevent or destroy viable plant parts or seeds. All equipment will be washed before entering the study area. Equipment will be washed off site at a paved facility, located away from environmentally sensitive areas. The resource monitors will routinely inspect construction activities to verify that construction equipment is being washed. STA or the appropriate local agency will ensure that the contractor will implement measures set forth in the SWPPP to revegetate and restore disturbed areas immediately after construction is complete.						
Mitigation Measure BR-29: Implement Revegetation and Restoration Measures Required in the Storm Water Pollution Prevention Plan. Once construction is complete, STA or the appropriate local agency will require the contractor to implement the measure set forth in the SWPPP to revegetate and restore disturbed areas immediately after construction. The revegetation portion of the SWPPP will require the use of certified weed-free native and non-native mixes. The SWPPP will also specify that all disturbed areas will be weeded and reseeded in subsequent years if determined necessary.	STA or its representative	Construction/ Post construction				

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STA
Solano Transportation Authority

DATE: March 9, 2009
TO: STA Board
FROM: Janet Adams, Deputy Executive Director/Director of Projects
RE: Final Project Technical Report for the Jepson Parkway Project

Background:
STA, in conjunction with the cities of Fairfield, Suisun City, and Vacaville, and Solano County, proposes improvements along a 12-mile-long corridor between I-80 in Vacaville and State Route (SR) 12 in Suisun City. The project would widen from two to four lanes and/or upgrade and link a series of existing local two- and four-lane roadways, as well as construct an extension of an existing roadway, to provide a safe, convenient north-south alternative to I-80 and SR 12 for local travel between neighborhoods and jurisdictions in central Solano County. The project includes safety improvements such as roadway medians, traffic signals, standard shoulders, separate turn lanes, and a railroad grade separation. It would construct a separated and landscaped continuous bike lane/pedestrian path to encourage non-motor travel and accommodate future implementation of bus service, including one local and one express route.

The project is designed to meet the objectives of the 2000 Jepson Parkway Concept Plan and is named for Willis Linn Jepson, who was born near Vacaville and was one of America's greatest regional botanists and interpreters of California flora.

Technically a "Local Assistance" type project, the Jepson Parkway is receiving Caltrans Environmental Oversight assistance to expedite the schedule. The Federal Highway Administration (FHWA) has delegated responsibility for National Environmental Policy Act (NEPA) oversight and processing to Caltrans.

The Environmental Impact Report (EIR) for the Jepson Parkway Project has been circulated and is scheduled to be brought to the Board for adoption in March 2009. STA is the California Environmental Quality Act (CEQA) Lead Agency for the EIR.

Discussion:
As part of the Environmental Document preparation, many technical studies have been completed, one of which is the engineering report or Project Technical Report (Attachment A). This engineering report provides the preliminary design information for the Jepson Parkway Project. As part of the project development process, the STA Board is required to approve the project, which is accomplished through the approval of the Project Technical Report. The Technical Advisory Committee (TAC) has reviewed and recommended the STA Board use this Report as a basis for the Project Approval. Once the STA Board considers certification of the environmental document, the STA Board will then consider approving the Project Technical Report and Jepson Parkway Project at at the same Board Meeting.

The Project will be built in phases based on availability of local and regional funds. It is proposed the phases for construction are as follows:

Phase 1 – Widen Vanden Road from 500 feet east of the Vanden Road/Cement Hill Road/Peabody Road intersection to the Vanden Road/Leisure Town Road intersection. This segment is 2.8 miles long and includes a widened bridge crossing at Union Creek. It is anticipated that this phase will take two years to complete.

Phase 2 – Widen Leisure Town Road from the Vanden Road/Leisure Town Road intersection to the south side of the Leisure Town Road/Orange Drive intersection. This 5-mile segment includes widening the New Alamo Creek Bridge, an extension of the existing Alamo Creek box culvert, and connection to a pipe storm drain system. This phase is expected to take three years to complete.

Phase 3 – Widen Walters Road from Tabor Avenue to Huntington Drive, construct the Walters Road extension from Huntington Drive to Cement Hill Road, and widen Cement Hill Road from the Walters Road extension through the Vanden Road/Peabody Road/Cement Hill Road intersection. This 2.6-mile-long segment includes a new crossing of the UPRR and separate bridges spanning a tributary of McCoy Creek, the Strassberger Detention Pond, and wetland resources, some containing habitat for Contra Costa goldfields. This phase is expected to take three years to complete.

At the February 25, 2009 TAC meeting, this proposed action received unanimous support to send a recommendation to the STA Board to approve the Project Technical Report and Jepson Parkway Project.

Fiscal Impact:
Phase 1 of the Jepson Parkway Project is funded at this time by the State Transportation Improvement Program (STIP) funds. While this project is subject to the 50/50 funding policy, whereas 50% of the project funding is from local funds, Phase 1 can proceed using 100% regional funds. A corridor funding agreement will need to be implemented with the local project sponsors and STA to confirm the advance of all regional funds and commitment to delivery of the local funds.

Recommendation:
Approve the following:

1. Project Technical Report for the Jepson Parkway Project; and
2. The Jepson Parkway Project.

Attachments:

A. Project Technical Report for Jepson Parkway Project
(The Jepson Parkway Project Technical Report has been provided to the STA Board members under separate cover. A copy may be obtained by contacting the STA office at (707) 424-6075.)

STA
Solano Transportation Authority

DATE: March 10, 2009
TO: STA Board
FROM: Sam Shelton, Project Manager
RE: STA Safe Routes to School Program's 3-Year Work Plan

Background:
The Solano Transportation Authority (STA) began the development of its Safe Routes to School (SR2S) Program in 2005, in response to the growing childhood obesity epidemic, student travel safety concerns, growing air pollution, and traffic congestion near schools in Solano County. The program works to encourage more students to walk and bike to school by identifying a balance of traffic calming and safety engineering projects, student education & safety training, encouragement contests & events, and enforcement coordination with police. The program also strives to increase interagency cooperation to continue to plan and implement SR2S projects with all local agencies.

In 2005, the STA began the Safe Routes to School (SR2S) Program without identified funding. However, in 2008 the STA has successfully brought together an initial set of funding sources to begin the program:

Grant Program	Agency	STA SR2S Program Use	Grant
Clean Air Program	Yolo-Solano Air Quality Management District (YSAQMD)	FY 2008-09 Engineering Projects in Dixon, Rio Vista and Vacaville	$60,000
STA's Eastern Solano Congestion Mitigation and Air Quality Program (ECMAQ)	Solano Transportation Authority (STA)	FY 2008-09 Engineering Projects in Dixon, Rio Vista and Vacaville	$240,000
Transportation for Clean Air (TFCA) Program Manager funds (managed by STA Staff)	Bay Area Air Quality Management District (BAAQMD)	FY 2008-09 and FY 2009-10 Encouragement & Education activities	$116,000
Transportation for Clean Air (TFCA), Regional Grant (managed by BAAQMD staff)	Bay Area Air Quality Management District (BAAQMD)	FY 2009-10 and FY 2010-11 Education, Encouragement, and Engineering	$400,000
Transportation Enhancements (TE) funds	Solano Transportation Authority (STA)	FY 2009-10 10% grant match for 23 Radar Speed Signs	$40,000
		TOTAL	**$856,000**

In 2008, assisted by the STA's SR2S Plan & Program's recommendations and support, the City of Vallejo and the City of Suisun City received over $1M in grant funding from Caltrans for SR2S Safety Engineering Projects.

After adoption of the STA's Countywide SR2S Plan in February 2008, the STA implemented two pilot programs: 1) a $300,000 pilot engineering project grant program; and 2) a pilot education and encouragement program. $300,000 in pilot engineering projects have been awarded grant funding and are estimated to be completed by the Summer 2009.

Four schools participated in the STA's pilot education and encouragement program between May and June 2008, holding Bike Rodeos and Walk & Roll events in preparation for FY 2008-09 activities. Bike Rodeos are a series of bike safety training stations designed to improve bicycling skills and rider awareness in cooperation with local police. Walk and Roll days are encouragement events where students who walk and bike to school are given tickets (a few blocks from school by volunteers) that they can redeem for treats and prizes.

Discussion:
On January 13, 2009, the Safe Routes to School Advisory Committee (SR2S-AC) reviewed the available grant sources and recommended the attached work plan for the STA's Safe Routes to School Program (see attachment A). The SR2S Program Work Plan reflects the SR2S Plan's priority programs and projects and the SR2S Plan's goals, as adopted by the STA Board in 2007 and 2008. The work plan also includes details about the FY 2008-09 program activities, including the schools involved and the lead staff in charge of the events. The SR2S Advisory Committee commented that there were no available funds for additional projects and programs on the eastern side of Solano County as well as no identified funding for additional SR2S planning and program management. Currently, the only available funding for the SR2S Program comes from the BAAQMD in the form of TFCA grants, restricting the STA's funded activities to only the Cities of Benicia, Fairfield, Suisun City, and Vallejo.

Additional air district funding for programs on the eastern side of Solano County and funding for future SR2S Program coordinators are discussed under 03-18-09 STA Board agenda item V.A, "Solano County Clean Air Grant Priorities".

On February 25, 2009, the STA Technical Advisory Committee (TAC) reviewed and recommended approval of the STA's Safe Routes to School Work Plan for FY 2008-09, FY 2009-10, and FY 2010-11.

Fiscal Impact:
None. Current FY 2008-09 SR2S Program funding is already part of the STA's FY 2008-09 Budget and Work Plan. The recently obtained $400,000 BAAQMD TFCA Regional grant will be included in FY 2009-10 & FY 2010-11 STA Budget amendment recommendations at a later date.

Recommendation:
Forward a recommendation to the STA Board to approve STA's Safe Routes to School Work Plan for FY 2008-09, FY 2009-10, and FY 2010-11, as described in Attachment A.

Attachments:
A. STA SR2S Program Work Plan, 01-13-09

Solano Transportation Authority
Safe Routes to School Program
FY 2008-09, 09-10, 10-11 Work Plan

Safe Routes to School Advisory Committee (SR2S-AC) Tasks:

1. **Review & Recommend the following documents to the STA Board for public release:**
   - *STA SR2S Program Work Plan*
     This document will explain in detail how the STA plans to achieve the goals of the SR2S Program with specific tasks.
   - *STA SR2S Program Status Report*
     This report will describe the status of funded SR2S projects and programs in Solano County. Statistics collected from bi-annual surveys will also be presented in this report.
   - *STA SR2S Program Factsheet*
     This factsheet will be a 2-sided handout, briefly describing the STA's SR2S Program, to educate the public about the SR2S Program.
2. **Advocate for additional funding sources to fund the SR2S Program.**
   - *Federal, State, Regional, and Local*
     Grants come in all shapes and sizes and STA staff will keep the SR2S-AC informed of grant opportunities to fund the SR2S Program.
3. **Recommend SR2S projects and programs to the STA Board for funding.**
   - *Future Education, Encouragement, and Enforcement Programs*
     3-year Education & Encouragement Program: Currently, the STA has *$281,000 for SR2S maps, Walk and Roll events, and education materials in Western Solano County. Funding for projects in Eastern Solano County will need to be identified.
   - *Future Engineering Programs*
     Radar Speed Sign Program: Currently, the STA has $275,000 to build about 23 radar speed signs on the western side of Solano County (Benicia, Fairfield, Suisun City, and Vallejo). Additional funding for projects in Eastern Solano County will need to be identified. STA Staff will work with local SR2S task forces to select projects. Project recommendations will be made by early summer.
   - *Hire Part-time SR2S Coordinators for Program Coordination & Safety*
     As identified in the SR2S Plan, a full-time coordinator will be required to efficiently manage a Countywide SR2S Program. STA Staff has recommended that future air district grants be spent on funding a program coordinator and a safety specialist for FY 2009-10 and FY 2010-11. This program coordinator would also be in charge of adding additional schools to the STA SR2S Plan.

*The STA's SR2S 3-Year Budget has more details of funded projects and programs and is available upon request.

FY 2008-09 Education and Encouragement Specific Work Plan

For FY 2008-09, ten schools have been selected to receive a total of $23,500 for encouragement events (see table below). Based on the 2008 SR2S pilot encouragement events, STA staff believes that about 3-4 encouragement events can be scheduled between now and the end of June per school, for a total of 30 to 40 events. STA does not have dedicated staff to coordinate and facilitate this many events. As discussed at the last two SR2S-AC meetings, committee members recommended entering funding agreements with partner agencies willing to support the program. STA has executed the following funding agreements to support these schools:

FY 2008-09 STA Safe Routes to School Program, Participating Schools, Partner Agencies, and Lead Staff

City	School	Grant Funding	Partner Agency	Staff Contacts
Benicia	Benicia High School	$2,500	Benicia PD	Sgt. Frank Hartig
Benicia	Benicia Middle School	$1,500	Benicia PD	Sgt. Frank Hartig
Benicia	Matthew Turner Elementary	$1,500	Benicia PD	Sgt. Frank Hartig
Fairfield	Anna Kyle Elementary	$2,500	SNCI/SOL Co.	*Judy Leaks / Tracy Nachand
Fairfield	David Weir Elementary	$2,000	SNCI/SOL Co.	*Judy Leaks / Tracy Nachand
Fairfield	E. Ruth Sheldon Elementary	$2,000	SNCI/SOL Co.	*Judy Leaks / Tracy Nachand
Suisun City	Dan O. Root Elementary	$2,500	Suisun PD	Stan Switala, SRO
Suisun City	Suisun Elementary	$2,000	Suisun PD	Stan Switala, SRO
Vallejo	Dan Mini Elementary	$1,500	VCUSD	Vanita Finney
Vallejo	Steffan Manor Elementary	$2,500	VCUSD	Vanita Finney
Vallejo	Widenmann Elementary	$2,000	VCUSD	Vanita Finney

* Judy Leaks and Tracy Nachand will assist with coordination of other schools as needed. An additional $4,000 will be allotted to Solano Napa Commuter Information (SNCI) program to assist as needed.

The table above lists the partner agency staff that will be the lead staff on coordinating and facilitating events at the listed schools. Below is a sample timeline of school-specific meetings & events:

FY 2008-09 STA SR2S Sample School-site Timeline

2009	Meeting/Event	Attendees	Lead Staff Tasks
Feb	Coordination meeting #1 • Set event dates, • Discuss volunteer base, • Event scope & initial materials discussion (prizes.).	• School principals • School volunteer coordinators • Judy Leaks (SNCI) • Partner Agency Representative • Local Police representative	• Set coordination meeting dates. • Begin developing materials. (3.5-4.0 hrs)
Mar	Coordination meeting #2 • Finalize dates & event scope. • Distribute materials	• School principals (optional) • School volunteer coordinator • Judy Leaks (SNCI) • Partner Agency Representative • Local Police representative	• Finalize materials (posters, prizes, treats, tickets). • Set event dates. (2.0-3.0 hrs)
Mar-June	Hold 3-4 Walk & Roll events between March & June. Hold Bike Rodeos with cooperation from police departments.	• SNCI/Solano County assistance (for first event) + volunteers • Partner Agency Representative • Local Police for Bike Rodeos	• Coordinate with schools and facilitate events. (1.5-2.0 hrs/school)
May	Statistics Gathering • Teachers collect walk/bike info	• Sam Shelton (STA) • School Principals • Teachers	TOTAL HOURS = 11-22 5-7 hours startup, 2-3 hours per event (3-4 events) = 6-12 hours

DATE: March 11, 2009
TO: STA Board
FROM: Jayne Bauer, Marketing and Legislative Program Manager
RE: Legislative Update

Background:
STA staff monitors state and federal legislation pertaining to transportation and related issues. The STA Board-approved 2009 Legislative Priorities and Platform provides policy guidance on transportation legislation and activities during 2009. A Legislative Matrix (Attachment A) lists the bills that staff is monitoring and analyzing for this first half of the two-year 2009-10 state legislative session and the 111th congressional legislative session. Legislative updates are included with this report from STA's Federal advocate, Akin/Gump (Attachment B) and State advocate, Shaw/Yoder Inc. (Attachment H).

Discussion:
Federal Stimulus Package:
The American Recovery and Reinvestment Act (ARRA), a $787.2 billion economic recovery package, was signed into law by President Obama. Attachments C and D provide more information on the breakdown of the funds included in the ARRA and details on the Discretionary Grants for surface transportation projects. A separate staff report provides information on the ARRA with regard to secured funding for Solano County.

Federal Legislation:
Additional information is provided on the Federal Gas Tax from the Surface Transportation Revenue Commission Report (Attachment E), the President's Transportation Budget relative to High Speed Rail and transportation spending scoring (Attachment F), and the debate over the transportation budget authorization process (Attachment G).

The Senate passed House of Representatives (HR) 1105, the FY 2009 Federal Omnibus appropriations bill yesterday and the President is expected to sign it today. Included in the bill are the following earmarks for Solano County:

- Hybrid Bus Replacement Solano County $760,000 (Miller, Tauscher)
- Fairfield Transportation Center $475,000 (Tauscher)
- Vacaville Intermodal Station $475,000 (Miller)

State Budget:
State legislators finally approved the State budget on February 19th. While the budget does not suspend Proposition 42, the State Transit Assistance Fund (STAF) program will be reduced by 75% in the current year and be eliminated through 2013.

Attachment H is the monthly legislative update prepared by Gus Khouri of Shaw/Yoder (STA's State advocacy firm) that includes a summary of the State Budget for 2008-09. A Budget

Update from the Metropolitan Transportation Commission (MTC) outlines the impact of the Governor's signed Budget to the Bay Area (Attachment I).

State Legislation:
Shaw/Yoder Inc. has arranged meetings with State legislators and key state agency staff. STA Board members and key community group and business representatives will travel to Sacramento on March 18th to urge support for Solano's transportation priorities. Priorities #4 and #6 of the 2009 STA Legislative Priorities and Platform, will guide the focus of the meetings:

4. *Oppose efforts to reduce or divert funding from transportation projects.*
6. *Support efforts to protect and preserve funding in Public Transportation Account (PTA) base, Prop. 42 and secure spillover funds to transportation.*

Assembly Member Torrico introduced Assembly Bill (AB) 744 to authorize the Bay Area Toll Authority (BATA) to build and operate a value pricing High Occupancy Toll (HOT lane) vehicle network in the Bay Area. Staff recommends a support position on AB 744 (Attachment J), based on Platform #VII (Funding) of the 2009 STA Legislative Priorities and Platform:

VII. 11. Ensure that fees collected for the use of High Occupancy Toll (HOT) lanes are spent to improve operations and mobility for the corridor in which they originate.

Assembly Member Evans introduced Assembly Bill (AB) 1219 at the request of the Solano Transportation Authority (STA) to authorize the STA to directly claim from the Metropolitan Transportation Commission up to 2% of local transportation funds for countywide transit planning and coordination relative to Solano County. The STA currently relies on the City of Vallejo to claim the funds. This bill would provide a more streamlined process for this function. Staff recommends a support position on AB 1219 (Attachment K), based on Priority #10 of the 2009 STA Legislative Priorities and Platform:

10. *Seek eligibility for the Solano Transportation Authority to directly claim Transportation Development Act (TDA) funds from MTC as a planning agency.*

Assembly Member Huffman introduced Assembly Constitutional Amendment (ACA) 9 to change the 2/3 voter-approval requirement for special taxes to authorize a city, county, or special district to impose a special tax with the approval of 55% of its voters voting on the tax. Staff recommends a support position on ACA 9 (Attachment L), based on Priority #5 of the 2009 STA Legislative Priorities and Platform:

4. *Support initiatives to pursue the 55% voter threshold for county transportation infrastructure measures.*

Senator Hancock introduced Senate Bill (SB) 205 to authorize a countywide transportation planning agency, by a majority vote of the agency's board, to impose an annual fee of up to $10 on motor vehicle registration. The bill would require a majority vote of the measure among the voters in the agency's jurisdiction. Fees collected would only pay for programs and projects relative to owners of motor vehicles paying the fee. This bill would require an adopted specified expenditure plan to be in place. Staff recommends a support position on SB 205 (Attachment M), based on Platform #VII (Funding) of the 2009 STA Legislative Priorities and Platform:

VII. 19. Support legislative proposals that authorize Solano County or the Solano Transportation Authority to levy a vehicle registration fee to fund projects that reduce, prevent and remediate the adverse environmental impacts of motor vehicles and their associated infrastructure.

Recommendation:

Approve the following:

1. Assembly Bill (AB) 744(Torrico) – Support;
2. Assembly Bill (AB) 1219 (Evans) – Sponsor/Support;
3. Assembly Constitutional Amendment (ACA) 9 (Huffman) – Support; and
4. Senate Bill (SB) 205 (Hancock) – Support.

Attachments:

A. STA Legislative Matrix
B. Federal Legislative Update (Akin Gump)
C. Federal Economic Stimulus Package Update (Akin Gump)
D. Federal Stimulus Discretionary Categories (Akin Gump)
E. Surface Transportation Revenue Commission Report
F. President's Transportation Budget
G. Transportation Panels Fighting to Keep Budget Authority
H. State Legislative Update (Shaw/Yoder)
I. MTC State Budget Update
J. Assembly Bill (AB) 744 (Torrico)
K. Assembly Bill (AB) 1219 (Evans)
L. Assembly Constitutional Amendment (ACA) 9 (Huffman)
M. Senate Bill (SB) 205 (Hancock)

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Solano Transportation Authority Bill Matrix
as of 3/4/2009

Bill ID/Topic	Location	Summary	Position
AB 744 **Torrico** (D) Transportation: Bay Area high-occupancy vehicle network.	ASSEMBLY RULES	This bill would authorize the Bay Area Toll Authority to acquire, construct, administer, and operate a value pricing high-occupancy vehicle network program on state highways within the geographic jurisdiction of the Metropolitan Transportation Commission, as specified. The bill would authorize capital expenditures for this program to be funded from program revenues, revenue bonds, and revenue derived from tolls on state-owned toll bridges within the geographic jurisdiction of MTC.	
AB 1219 **Evans** (D) Public transportation: Solano Transportation Authority.	ASSEMBLY PRINT 03/02/2009-Read first time.	The Transportation Development Act, also known as the Mills-Alquist-Deddeh Act, provides for the allocation of local transportation funds in each county from 1/4 of 1% of the sales tax to various transportation purposes, including transportation planning, transit operations, and in some cases, local streets and roads. The act is administered by the transportation planning agency having jurisdiction and specifies the sequence of allocations to be made by that agency to eligible claimants. This bill would authorize the Solano Transportation Authority, a joint powers agency, to file a claim with the transportation planning agency for up to 2% of local transportation funds available to the county and city members of the authority for countywide transit planning and coordination relative to Solano County. This bill contains other related provisions and other existing laws.	
AB 277 **Ammiano** (D) Transportation: local retail transaction and use taxes: Bay Area.	ASSEMBLY PRINT 02/13/2009-From printer. May be heard in committee March 15.	The Bay Area County Traffic and Transportation Funding Act establishes a process for each of the 9 counties in the San Francisco Bay Area to impose a retail transactions and use tax for transportation purposes subject to voter approval. Existing law provides for a county transportation expenditure plan to be developed in that regard, with expenditures from tax revenues to be administered by a county transportation authority, or, alternatively, by the Metropolitan Transportation Commission. Existing law requires the membership of a county transportation authority to be specified either in the county transportation expenditure plan or in the retail transactions and use tax ordinance. This bill would delete the option of specifying the membership of the authority in the retail transactions and use tax ordinance.	
ACA 9 **Huffman** (D) Local government bonds: special taxes: voter approval.	ASSEMBLY PRINT 02/10/2009-From printer. May be heard in committee March 9.	The California Constitution prohibits the ad valorem tax rate on real property from exceeding 1% of the full cash value of the property, subject to certain exceptions. This measure would create an additional exception to the 1% limit for a rate imposed by a city, county, or city and county to service bonded indebtedness, incurred to fund specified public improvements, facilities, and housing, and related costs, that is approved by 55% of the voters of the city, county, or city and county, as applicable. This additional exception would apply only if the proposition approved by the voters results in bonded indebtedness that includes specified accountability requirements. This bill contains other related provisions and other existing laws.	

ATTACHMENT A

Solano Transportation Authority Bill Matrix
as of 3/4/2009

Bill ID/Topic	Location	Summary	Position
SB 205 **Hancock** (D) Traffic congestion: motor vehicle registration fees.	SENATE PRINT 02/24/2009-From print. May be acted upon on or after March 26.	Existing law provides for the imposition by certain districts and local agencies of fees on the registration of motor vehicles in certain areas of the state that are in addition to the basic vehicle registration fee collected by the Department of Motor Vehicles for specific limited purposes. The bill would authorize a countywide transportation planning agency, by a majority vote of the agency's board, to impose an annual fee of up to $10 on motor vehicles registered within the county for programs and projects for certain purposes. The bill would require voter approval of the measure. The bill would require the department, if requested, to collect the additional fee and distribute the net revenues to the agency, after deduction of specified costs, and would limit the agency's administrative costs to not more than 5% of the distributed fees. The bill would require that the fees collected may only be used to pay for programs and projects bearing a relationship or benefit to the owners of motor vehicles paying the fee, and would require the agency's board to make a specified finding of fact in that regard. The bill would require the governing board of the countywide transportation planning agency to adopt a specified expenditure plan.	

AKIN GUMP
STRAUSS HAUER & FELD LLP
Attorneys at Law

MEMORANDUM

February 27, 2009

To: Solano County Transportation Authority

From: Akin Gump Strauss Hauer & Feld

Re: February 2009 Report

On February 25, 2009, the House of Representatives approved *The Omnibus Appropriations Act, 2009*. The bill includes funding for transportation and housing programs along with the other 8 appropriations bill that were not enacted in 2008: Agriculture; Commerce, Justice, Science; Energy and Water Development; Financial Services; Interior and the Environment; Labor, Health, and Education; Legislative Branch; and State and Foreign Operations.

The bill appropriates $55 billion for transportation and housing for fiscal year 2009, including $40.7 billion for highways, $484 million over fiscal year 2008 levels; $10.1 billion for the Federal Transit Administration, $773 million more than in fiscal year 2008; $1.5 billion for Amtrak, $165 million over fiscal 2008; and $90 million for intercity passenger rail matching grants, triple the $30 million that was appropriated in fiscal 2008. The bill also includes a provision allowing up to a 90 percent federal share for grants for biodiesel buses and for the net capital cost of factory-installed or retrofitted hybrid electric buses under the Bus and Bus Facilities Program (as opposed to 80 percent).

The bill contains funding for two of STA's priorities: Hybrid Bus Replacement, $760,000, sponsored by Representatives George Miller (D-CA-7) and Ellen Tauscher (D-CA-10); and Vacaville Intermodal Station, $475,000, sponsored by Rep. Miller. Additionally, the bill includes a $475,000 earmark for the Fairfield Transportation Center. As you know, STA is supporting a similar request to expand the Center as a funding priority for Fiscal Year 2010.

The Senate is expected to take up the bill next week. Senate Majority Leader Harry Reid (D-NV) is seeking an agreement with Republicans to limit the number of amendments to the bill and bring it to a final vote before the current continuing resolution expires on March 6. Senate Republicans have objected to the spending levels in the bill and are likely to offer amendments to reduce the spending. Leader Reid will need the support of 60 senators to end debate on the bill if fiscal conservatives mount a filibuster.

The Obama Administration's Fiscal Year 2010 Budget

On February 26, President Obama released a framework for his $3.6 trillion federal budget for fiscal year 2010. The framework proposes an ambitious agenda to reform health care, implement policies to increase energy efficiency and conservation, reduce climate change through a cap and

trade program, increase education spending and half the federal deficit by Fiscal Year 2013. Many of the programs are paid for by repealing Bush Administration tax cuts for wealthy Americans, who earn $250,000 or more, and U.S. businesses, which likely will trigger vigorous debate before Congress.

The Administration intends to release a detailed budget in April, so there are only a few details available concerning the DOT budget. The framework proposes to fund DOT with $72.5 billion in FY 2010. This is a 2.5 percent increase over the $70.7 billion in spending proposed in the House-passed Fiscal Year 2009 omnibus bill and adopted in the stimulus.

The budget does not appear to propose significant spending increases for surface transportation spending in 2010, nor does it propose a "reserve fund" to increase surface transportation in the reauthorization bill if new revenues are found. The framework anticipates developing policy that will put the transportation system "on a sustainable financing path and to make investments in a more sustainable future, enhancing transit options and making our economy more productive and our communities more livable." The framework also states that the Administration will emphasize the use of economic analysis and performance measurement in transportation planning to ensure that taxpayer dollars are better targeted and spent.

The budget proposes a new $1 billion per year appropriation over the next five years for high-speed rail development, to complement the $8 billion "jump start" in rail funding provided by the economic stimulus law.

House Transportation and Infrastructure Committee Chairman James Oberstar (D-MN) has expressed concern regarding the framework's proposal to change the budget treatment of highway, transit, highway safety and airport grant programming to eliminate user-financed contract authority. The Administration would reclassify some elements of transportation spending to show both budget authority and outlays as discretionary. At present, only appropriated budget authority for DOT is counted as part of the discretionary budget. This means that highways, mass transit, airports, and highway and truck safety funding are excluded from budget totals. The change would force transportation funding to fit under the budget ceiling, estimated at just over $110 billion under the proposal and potentially eliminate the "guaranteed" spending that transportation has received.

The American Recovery and Reinvestment Act

On February 17, President Obama signed into law *The American Recovery and Reinvestment Act* (Public Law No. 111-5), a $787.2 billion economic recovery package. The House approved the conference report by a vote of 246-183. No Republican Representatives voted for the bill. The Senate approved the conference report by a vote of 60-38 on February 13. Republican Senators

Arlen Specter (PA), Olympia Snowe (ME) and Susan Collins (ME) voted with the Democrats. The conference on the bill was chaotic with Democratic Leadership attempting to draft a package appealing to more liberal elements in the caucus, who support funding for schools and social services, without losing the support of the three Republican Senators, whose votes were critical to passage. The final bill is a smaller package than the bills passed by the House ($819 billion) and the Senate ($838 billion). Republicans continued to criticize the size of the package, expressing skepticism that it would generate the number of jobs predicted, as well as its impact on the growing federal deficit.

The bill provides $27.5 billion for highway programs, with half of the funding apportioned to States through the Surface Transportation Program formula and the other half through the Fiscal Year 2008 obligation limitation ratio distribution. The bill also provides $6.9 billion for formula grants. Of the $6.9 billion, the Federal Transit Administration will distribute $100 million in discretionary grants for projects that make transit more energy efficient. There also is $750 million available for transit new Starts projects and $750 million in fixed-guideway modernization formula funding. The bill contains a "use it or lose" provision for transit and highway funds, requiring 50 percent of the funds to be allocated within 120 days. The bill also creates a $1.5 billion discretionary fund for surface transportation projects of regional or national significance. We will review the solicitation for this program when DOT issues it and assist you in determining whether the I-80/680 interchange project is a good candidate for funding. The bill also provides $8 billion for discretionary grants for high-speed rail and intercity passenger rail service. The bill also appropriates $150 for rail and transit security grants under homeland security provisions and increases the maximum tax-free employer-provided mass transit to $230, giving it parity with maximum free parking benefit and indexing it to inflation. Finally, the bill includes a $300 million program for the Department of Energy to expand the use of alternative fueled vehicles and advanced technology vehicles. The installation or acquisition of infrastructure necessary to directly support an alternative fueled vehicle or advanced technology vehicle is also eligible. We sent you a notice from DOE on this program yesterday.

Surface Transportation Reauthorization

The debate continues on how to fund transportation projects under the surface transportation reauthorization bill. Transportation Secretary Ray LaHood has ruled out extending the tax on motor vehicle fuels and emphasized the Administration's opposition to increasing the gas tax. On February 20, when Secretary LaHood suggested that the gasoline tax might be replaced by imposing user fees on vehicle miles travelled (VMT), White House Press Secretary Robert Gibbs firmly stated that it would not be accepted as Administration policy.

On February 26, the National Surface Transportation Infrastructure Financing Commission issued a final report that unanimously endorsed the proposal to make a gradual transition from

the gasoline tax to the VMT fee. The commission also recommended that the government should make it easier for states to collect tolls on all sorts of roads, including those that are currently free, and incentives created to encourage private investment in transportation projects.

House Congressional leaders, including T&I Committee Chairman Oberstar, have indicated that an extension and increase in the gasoline tax is the most reliable means of financing infrastructure projects until there can be a transition to VMT. The continued controversy over the issue may delay the reauthorization of the surface transportation reauthorization bill.

AKIN GUMP
STRAUSS HAUER & FELD LLP
Attorneys at Law

MEMORANDUM

February 13, 2009

From: Susan H. Lent

Re: Summary of Transportation Provisions in Economic Stimulus Legislation

The economic stimulus bill is finalized and available through the following link: http://rules.house.gov. The House is scheduled to vote on the agreement this afternoon. The timing of the Senate vote is uncertain because of procedural issues, but should occur either today or sometime this weekend. The conference report includes more than $48.12 billion in transportation funding. Below is a summary of the transportation funding provisions.

1. General

- Funding is 100 percent federal (no local match required). Federal rules otherwise applicable to transportation projects apply (i.e., Davis Bacon, NEPA).

- Within 30 days of enactment, Governors must certify to the Secretary that the state will maintain its effort with regard to state funding for the types of projects funded. The certificate must identify funds the state had planned to expend from state sources as of the date of enactment of the Act through September 30, 2010. If the state does not meet the level of effort certified, then it cannot receive additional funding redistributed by the Secretary after August 1 for fiscal year 2011.

- All grant recipients of transportation funds must submit periodic reports to the Secretary including information such as funds allocated, obligated and outlayed, projects put out to bid, projects under contract, status of projects, and number of jobs created or sustained. The first report is due within 90 days of enactment and must be updated not later than 180 days, 1 year, 2 years and 3 years after the date of enactment.

2. Highway Infrastructure Investment

- $27.5 billion is appropriated. After set-asides for federal lands, territories, oversight and other items, $27.66 billion should be apportioned to states via formula. Half of the $27.66 billion will be apportioned to states through the Surface Transportation Program formula and the other half will be apportioned through the FY 2008 obligation limitation ratio distribution. (There is a $60 million discretionary program for ferry boat and facilities projects).

- The conference report retains Senate language allowing states to use portions of their highway apportionment for "projects that address stormwater runoff, investments in passenger and freight rail transportation, and investments in port infrastructure". Of each state's apportionment, 30 percent must be sub-allocated on the basis of population and three percent must be set aside for transportation enhancements.

- States have 120 days after apportionment (apportionment must be made within 21 days of the law's enactment) to obligate the first 50 percent of their highway apportionments and until one year after apportionment to obligate the remainder. The 50 percent of the funds not obligated within that time will be redistributed to other states that have met their obligation requirement. Suballocated funds are not subject to the 120 day redistribution requirement. The Secretary can exempt states from the redistribution requirement only with extreme circumstances and after giving notice to Congress.

3. Transit Capital Assistance ($8.4 billion) ($150 million for rail and transit security grants under Department of Homeland Security.)

A. Formula Program

- $6.9 billion for formula grants. $100 million is taken off the top for discretionary grants to make transit systems more energy efficient. The remainder is distributed 80 percent by urbanized area formula, 10 percent by the non urbanized area formula, and 10 percent by the high growth and high density formula. Same obligation and redistribution process as for highways applies.

- Recipients cannot commingle the funds with prior year funds.

B. Fixed Guideway Modernization

- $750 million for fixed guideway modernization. Available through 9/30/10. Recipients cannot commingle funds with prior year funds. Same obligation and redistribution rules apply.

C. New Starts/Small Starts

- $750 million for new starts. Projects in construction or able to obligate funds within 150 days of enactment receive priority. Recipients cannot commingle funds with prior year funds.

4. Discretionary Grants for Surface Transportation Projects

- Program survived but it is funded at $1.5 billion, which is a significant reduction from $5.5 billion included in Senate bill.

- Highway and transit projects are eligible as are passenger rail and freight rail transportation projects, and port infrastructure investments including multimodal port facilities.

- Maximum grant is $300 million and minimum grant is $20 million (but the Secretary can waive the minimum size threshold).

- Not more than 20 percent of the $1.5 billion can be allocated to any particular state.

- $200 million of program is available to pay subsidy and administrative costs of projects eligible for TIFIA financing.

- The conference report does not include the provisions in the Senate bill that would have added funds to this program by transferring unused highway and transit formula money to the discretionary grants.

- The Secretary is required to publish criteria for the program within 90 days of passage of the Act. Applications will be due within 180 days after passage and awards must be made within 1 year of passage.

5. Capital Assistance for High Speed Rail Corridors and Intercity Passenger Rail Service

- $8 billion for discretionary grants for intercity passenger rail and high speed rail. The Secretary shall make discretionary grants.

- Within 60 days after passage of the Act, the Secretary shall issue a strategic plan on how he will distribute the funds.

- Within 120 days the Secretary shall issue interim guidance regarding grant requirements for high speed rail corridor program, intercity passenger rail and congestion grants.

- The funds are available for obligation through the end of FY 2012.

6. Grants in Aid for Airports

- $1.1 billion for Airport Improvement Program discretionary grants.

- Secretary shall award 50 percent of grants within 120 days and the remainder within 1 year.

- Priority to be given to projects that can be completed within two years of enactment of the legislation.

- $200 million for facilities and equipment.

7. Amtrak

- $850 million for Amtrak capital grants (the same as the Senate bill).

8. Relevant Tax Provisions

- Sec. 1151 increases the maximum tax-free employer-provided mass transit benefit from $120 per month to $230 per month (the same as the maximum free parking benefit) and indexes the total for subsequent inflation.

- Sec. 1503 prevents interest on private activity bonds issued in 2009 and 2010 from being treated as a tax preference under sec. 57(a) of the tax code.

- Sec. 1504 lowers the minimum speed a high-speed rail project can be able to maintain to be eligible for high-speed rail bonds under sec. 142(i) of the tax coded.

- Sec. 1531 allows certain state and local "Build America" bonds issued by the end of 2011 to pay a federal tax credit equivalent to 35 percent of the interest due.

- Sec. 1601 applies the Davis-Bacon prevailing wage scheme to all projects funded by new energy bonds, economic recovery bonds, school construction bonds, or QZABs under the Act.

THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009[1]

PROVISION	DISTRIBUTION METHOD	CONFERENCE REPORT
COMMERCE, JUSTICE, STATE (CJS)		
DEPT. OF COMMERCE ECONOMIC DEVELOPMENT ASSISTANCE PROGRAM	Funding distributed by formula to regions and then by competitive grant within regions.	$150 million ($50 million may be transferred to federally authorized regional economic development commissions; $50 million to assist communities with sudden job dislocation)
DEPT OF COMMERCE BROADBAND TECHNOLOGY OPPORTUNITIES PROGRAM	Competitive grants to state and local governments, nonprofits and public-private partnerships.	$250 million for competitive grants for innovative programs to encourage sustainable broadband adoption $200 million to upgrade technology and capacity at public computing centers (libraries and community colleges)
DEPARTMENT OF COMMERCE STATE BROADBAND DATA AND DEVELOPMENT GRANTS	Competitive grants to develop and implement statewide strategies to identify and track adoption and availability of broadband.	$350 million from the House bill eliminated
DEPARTMENT OF JUSTICE BYRNE JUSTICE ASSISTANCE GRANTS	Formula grants to state and local governments.	$2 billion

[1] Most of the funds are distributed through existing grant programs. Earmarking has been prohibited.

PROVISION	DISTRIBUTION METHOD	CONFERENCE REPORT
DEPARTMENT OF JUSTICE BYRNE JUSTICE ASSISTANCE COMPETITIVE GRANTS	Competitive peer-reviewed grants to State, local and tribal governments and national, regional and local non-profit organizations	$225 million
DEPARTMENT OF JUSTICE COMMUNITY ORIENTED POLICING	Competitive grants to local governments for hiring of additional law enforcement officers	$1 billion Bill waives 25 percent local match and $75,000 per officer cap
DEPARTMENT OF JUSTICE DETENTION TRUSTEE	Federal Detention Trustee distributes funds to state and local governments holding federal detainees.	$150 million $50 million for construction/renovation; $100 million for operational costs.
INTERNET CRIMES AGAINST CHILDREN TASK FORCE	Competitive grants to state and local governments for investigations.	$50 million DOJ must report on how it will distribute funding within 60 days of enactment.
OFFICE OF VIOLENCE AGAINST WOMEN	Formula and competitive grants for state and local governments	$225 million $175 million for STOP Violence Against Women Formula Grants; $50 million in competitive grants for Transitional Housing Assistance.
ENERGY AND WATER		
ARMY CORPS OF ENGINEERS	Discretionary grants to accelerate ongoing work or begin new projects that can be completed in one year.	$4.6 billion $25 million for investigations; $2 billion for construction; $375 million for Mississippi and tributaries; $2.075 billion for Operations and Maintenance; $100 million for formerly utilized sites remedial action

PROVISION	DISTRIBUTION METHOD	CONFERENCE REPORT
		program The Corps must use funds for projects that: can be obligated/executed quickly, will result in high immediate employment, have little schedule risk, be executed by contract or direct hire of temporary labor. will complete a projected phase or will provide a useful service that does not require additional funding.
DEPARTMENT OF ENERGY ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT PROGRAM	Cities with populations over 35,000 and counties with populations over 200,000 receive funding by formula; Local governments that do not receive formula funding are eligible for pass-through funding from States.	$3.2 billion $2.8 billion for formula grants; $400 million for competitive grants
STATE ENERGY PROGRAM	Formula and discretionary grants.	$3.1 billion.
ALTERNATIVE FUELED VEHICLES PILOT PROGRAM	DOE shall award 30 pilot grants through Clean Cities program to states, local governments, metropolitan transportation authorities, air pollution control districts or private and non-profit entities for the purchase of alternative fuel vehicles, fuel cell or hybrid vehicles, including buses for public transportation. Grants are also available for infrastructure to support the vehicles	$300 million
TRANSPORTATION ELECTRIFICATION	Competitive grants for states, local governments and transportation agencies for qualified electrification projects that reduce emissions, including shipside electrification of vehicles, truck stop electrification,	$400 million

PROVISION	DISTRIBUTION METHOD	CONFERENCE REPORT
	airport ground support equipment and cargo handling equipment.	
WEATHERIZATION ASSISTANCE	Formula grants to States with pass-through to local communities.	$5 billion
		FINANCIAL SERVICES
DEPARTMENT OF TREASURY COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS FUND	Discretionary funding to Community Development Financial Institutions (community development banks, credit unions, venture capital funds, revolving loans) to invest in affordable housing, small businesses and community development in underserved communities	$100 million .
DEPARTMENT OF TREASURY SMALL BUSINESS CAPITAL AVAILABILITY	Expands existing loan programs to increase government financing of small businesses; allows SBA to guarantee up to 90 percent for eligible loans	$636 million
		HOMELAND SECURITY
FEMA STATE AND LOCAL PROGRAMS	Formula grants to State and local governments to upgrade security for infrastructure assets	$300 million $150 million for transit, rail and Amtrak and $150 million for port security;)
FIREFIGHTER ASSISTANCE	Competitive grants to fire departments for projects that support	$210 million

PROVISION	DISTRIBUTION METHOD	CONFERENCE REPORT
GRANTS	homeland security.	No grant above $15 million.
DISASTER ASSISTANCE DIRECT LOAN PROGRAM ACCOUNT	Loans to communities that have had their local economy significantly impacted by a presidentially declared disaster	Loans up to 50 percent of the pre-disaster revenue instead of $5 million cap if the local government has suffered a loss of 25 percent or more in tax revenues.
ENVIRONMENTAL PROTECTION		
BROWNFIELDS	Competitive grants to State and local governments for environmental site assessment and cleanup	$100 million No cost share requirement
SUPERFUND	EPA funding for cleanup at existing superfund sites and to initiate construction at new sites	$600 million
LEAKING UNDERGROUND STORAGE TANK TRUST FUND	Grants to State and local governments	$200 million
CLEAN WATER STATE REVOLVING FUNDS	Formula Grants to States and territories to capitalize their loan funds for publically owned waste water facilities	$4 billion Waives cost share requirement.
DRINKING WATER STATE REVOLVING FUNDS	Formula Grants to States and territories to capitalize their loan funds for publically owned drinking water facilities	$2 billion waives state and DC cost share
DIESEL EMISSIONS REDUCTION ACT	Competitive grants and loans to State and local governments to reduce	$300 million

PROVISION	DISTRIBUTION METHOD	CONFERENCE REPORT
(DERA)	diesel emissions	Waives cost share requirement.
LABOR, HEALTH AND HUMAN SERVICES, EDUCATION		
WORKFORCE INVESTMENT ACT TRAINING AND EMPLOYMENT SERVICES	Formula and discretionary grants to States	$3.950 billion $2.95 billion for State Grants for Job Training; $1.2 billion for youth; $750 million for competitive grants for worker training in high growth industries; $50 million for YouthBuild
HEALTH RESOURCES SERVICES ADMINISTRATION **COMMUNITY HEALTH CENTERS**	Formula and discretionary grants.	$2.5 billion $1.5 billion for construction and renovation of facilities and IT equipment for public health centers, including community health centers. $500 million for grants to public health centers.
CHILDCARE DEVELOPMENT BLOCK GRANT	Formula Grants to States	$2 billion
COMMUNITY SERVICES BLOCK GRANT	Formula Grants to States with a 90 percent pass-through to local community action agencies	$1 billion
SENIOR NUTRITION PROGRAMS	Formula Grants to States	$100 million
TECHNOLOGY DEPLOYMENT	Funding for the National Coordinator for Health Information Technology to invest in health IT architecture	$2 billion

PROVISION	DISTRIBUTION METHOD	CONFERENCE REPORT
		TRANSPORTATION
AIRPORT IMPROVEMENT PROGRAM	Discretionary grants for airport construction projects.	$1.1 billion Secretary shall award 50 percent of grants within 120 days and the remainder within 1 year.
HIGHWAY PROGRAM	Funds distributed by formula to states with a portion suballocated to metropolitan areas	$27.5 billion After set-asides for federal lands, territories, oversight and other items, $27.66 billion should be apportioned to states via formula. Half of the $27.66 billion is apportioned to states through Surface Transportation Program formula and the other half is apportioned through the FY 2008 obligation limitation ratio distribution. States have 120 days after apportionment (apportionment must be made within 21 days of the law's enactment) to obligate the first 50 percent of their highway apportionments and until one year after apportionment to obligate the remainder. The 50 percent of the funds not obligated within that time will be redistributed to other states that have met their obligation requirement. Suballocated funds are not subject to the 120 day redistribution requirement. The Secretary can exempt states from the redistribution requirement only with extreme circumstances and after giving notice to Congress.
SUPPLEMENTAL DISCRETIONARY GRANTS	Discretionary grants for surface transportation projects of national, regional, metropolitan area impact	$1.5 billion. Highway and transit projects are eligible as are passenger rail and freight rail transportation projects, and port infrastructure investments including multimodal port facilities. Maximum grant is $300 million and minimum grant is $20 million (but the Secretary can waive the minimum size threshold). Not more than 20 percent of the $1.5 billion can be allocated to any particular state. $200 million of program is available to pay subsidy and administrative costs of projects eligible for TIFIA financing.

PROVISION	DISTRIBUTION METHOD	CONFERENCE REPORT
TRANSIT	Urbanized and rural formula	$6.9 billion for formula grants. $100 million is taken off the top for discretionary grants to make transit systems more energy efficient. Remainder is distributed 80 percent by urbanized area formula, 10 percent by the non urbanized area formula, and 10 percent by the high growth and high density formula. Same obligation and redistribution process as for highways applies.
	Fixed Guideway Modernization Formula.	$750 million
	New Starts discretionary grants.	$750 million Secretary shall give priority to projects in construction or able to obligate funds within 150 days.
High Speed Rail/Intercity Passenger Rail	Discretionary Grants for intercity passenger rail and high speed rail.	$8 billion
AMTRAK		$850 million
HOUSING AND URBAN DEVELOPMENT		
PUBLIC HOUSING CAPITAL FUND	Formula and discretionary grants for public housing authorities	$4 billion $3 billion through existing formula; $1 billion for competitive grants

PROVISION	DISTRIBUTION METHOD	CONFERENCE REPORT
COMMUNITY DEVELOPMENT BLOCK GRANTS	Formula program	$1 billion
HOME INVESTMENT PARTNERSHIPS	Formula funding for State and local governments to expand supply of affordable housing to low- and very low-income people	$2.25 billion
COMMUNITY DEVELOPMENT FUND REDEVELOPMENT OF ABANDONED AND FORECLOSED HOMES	Competitive grants to state and local governments and non-profit entities to redevelop abandoned and foreclosed homes.	$2 billion.
ASSISTED HOUSING STABILITY& ENERGY & GREEN RETROFIT INVESTMENTS	Owners of property receiving Section 8, Elderly or Disabled Funds	$2.25 billion
EMERGENCY SHELTER GRANTS	Formula grants to State and local governments	$1.5 billion Grants will provide short term rental assistance, housing relocation, and stabilization services for homeless families and those at risk of being homeless
LEAD-BASED PAINT HAZARDS	Competitive grants to State and local governments	$100 million
		EDUCATION
STATE FISCAL STABILIZATION FUND	States receive funding based on a population formula.	$53.6 billion, $39.5 billion to enhance local school budgets. Funds can be used for programs and school modernization/construction.
DEPARTMENT OF EDUCATION SCHOOL	Funding to States to provide assistance to schools not making adequate yearly progress for at least	$720 million

PROVISION	DISTRIBUTION METHOD	CONFERENCE REPORT
IMPROVEMENT PROGRAMS	two years.	
DEPARTMENT OF EDUCATION EDUCATION FOR THE DISADVANTAGED	Formula grants to States to make award to local education agencies (LEAs), especially in high poverty areas, for local school performance improvement. Awards go to schools that do not make adequate yearly progress for at least two years	$13 billion
DEPARTMENT OF EDUCATION IMPACT AID CONSTRUCTION	Grants are awarded both by formula and competition to LEAs that educate federally-connected students or have federally-owned land.	$100 million
DEPARTMENT OF EDUCATION EDUCATION TECHNOLOGY	Awards made by formula to State education agencies (SEAs) that are required to pass though 909 percent of the funding to LEAs to integrate technology into the curriculum	$650 million $1 billion
DEPARTMENT OF EDUCATION EDUCATION FOR HOMELESS CHILDREN AND YOUTH	Formula grants to States	$70 million
DEPARTMENT OF EDUCATION IDEA, PART B STATE GRANTS	Formula grants to states to provide special education and related services to children with disabilities	$11.3 billion
TRANSPARENCY AND OVERSIGHT		
CERTIFICATIONS	Applies to funds made available under Act for infrastructure	Governor, Mayor or other chief executive must certify that infrastructure investments have been fully vetted as required by law and are an appropriate use of taxpayer dollars. Certification shall include description of investments, estimated total funds to be used. Certification will be posted on

PROVISION	DISTRIBUTION METHOD	CONFERENCE REPORT
	investments.	government website and is required before funds are made available.
REPORTS ON USE OF FUNDS	Applies to any entity that receives funds from federal government (including recovery funds received through grant, loan or contract) and includes states.	Recipients must submit report to federal agency from which it receives funds stating (1) total funds received; (2) amount expended or obligated; (3) list of projects or activities with details on jobs created and retained and, for state and local governments, purpose, total cost and rational for funding the investment with Recovery Act funds and the name of the person at the state or local government to contact if there are any concerns; and (4) detailed information on subcontracts or subgrants awarded. Reports will be made publicly available. First report must be submitted within 180 days of enactment,. Funding recipients must register with the Central Contractor Registration Database.
RECOVERY ACCOUNTABILITY AND TRANSPARENCY BOARD		Will conduct oversight of covered funds to prevent fraud, waste and abuse.
PROTECTION OF STATE AND LOCAL GOVERNMENT AND CONTRACTOR WHISTLEBLOWERS		Prohibits retaliation against whistleblowers.
SPECIAL CONTRACTING PROVISIONS		To the maximum extent possible, contracts funded under the Act shall be awarded as fixed price contracts through use of competitive procedures. Otherwise, must post contracts on special website.
	GENERAL PROVISIONS	
AVAILABILITY OF FUNDS		All funds are available for obligation until September 30, 2010 unless stated otherwise elsewhere.

PROVISION	DISTRIBUTION METHOD	CONFERENCE REPORT
LIMIT ON FUNDS		No funds may be used by a state or local government for a casino, aquarium, zoo, golf course or swimming pool.
BUY AMERICA		Iron, steel and manufactured good must be made in the U.S. unless the head of an agency determines requirement would be against the public interest, the iron, steel o manufactured products are not reasonably available or use of U.S. products would increase cost of project by more than 25 percent.
DAVIS BACON		Prevailing wage requirements apply to all laborers and mechanics employed by contractors and subcontractors on projects funded with Recovery Act funds.
NATIONAL ENVIRONMENTAL POLICY ACT (NEPA)		Requires that adequate resources within Act be made available to ensure environmental reviews are completed expeditiously.
ADDITIONAL FUNDING DISTRIBUTION AND ASSURANCE OF APPROPRIATE USE OF FUNDS		Governor must certify within 45 days after enactment of Act that state will request and use funds and funds will be used to create jobs and promote economic growth. If Governor won't accept funds, then State legislature can adopt concurrent resolution to accept funds. After adoption of resolution, funding will be distributed to local governments, council of governments, public entities and public private entities either by formula or at state's discretion.
TAX PROVISIONS		
PRIVATE ACTIVITY BONDS		Interest on private activity bonds issued in 2009 and 2010 excluded from Alternative Minimum Tax; AMT relief for private activity bonds issued after 2003 and refunded in 2009 and 2010.
NEW MARKETS TAX CREDIT	Distributed by Department of Treasury	Increases available credits for each of 2008 and 2009 to $5 billion from $3.5 billion.
RECOVERY ZONE BONDS	New category of tax credit bonds. Each state receives share of national allocation based on percentage of job losses to national average. State allocations are suballocated to local municipalities. Bonds can be used to	Authorizes $10 billion in recovery zone economic development bonds and $15 billion in recovery zone facility bonds.

PROVISION	DISTRIBUTION METHOD	CONFERENCE REPORT
	finance infrastructure, job training, education, and economic development in areas with high poverty, unemployment and foreclosures.	
WITHHOLDING REQUIREMENT ON CERTAIN GOVERNMENTAL PAYMENTS FOR GOODS AND SERVICES		Delays requirement that governmental entities withhold 3 percent on payments for goods and services from contractors for one year.
QUALIFIED SCHOOL CONSTRUCTION BONDS	New category of tax credit bonds.	$22 billion allocated for 2009 and 2010.
QUALIFIED ZONE ACADEMY BONDS	Public schools in empowerment and enterprise zones designed to cooperate with businesses to enhance curriculum and increase graduation and employment rates are eligible.	Additional $1.4 billion in issuing authority for state and local governments in 2009 and 2010 to issue tax credit bonds to finance expenses, including renovations, equipment purchases and teacher training.
BUILD AMERICA BONDS	Gives state and local governments the option to issue tax credit bonds or tax exempt bonds in 2009 and 2010.	Governments issuing tax credit bonds can elect to receive direct payment from federal government equal to subsidy that otherwise would have been delivered through federal tax credit.

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From: Lent, Susan
To: dkhalls@sta-snci.com; jbauer@sta-snci.com; Janet Adams;
Subject: RE: Federal stimulus categories
Date: Thursday, February 19, 2009 2:05:53 PM

Daryl,

Below is a summary of the discretionary programs in the stimulus that may provide funding opportunities for STA. DOT will be issuing notices in the Federal Register on the application procedures and selection criteria for these programs. We will monitor. I also included one DOE program that may be of interest. Please let me know if you would like additional information.

(1)Federal Highways Ferry Boat and Facilities -- $60 million taken off the top of the highway infrastructure funding to fund capital expenditures eligible under the ferry boat discretionary program (23 U.S.C. 147). The Baylink Ferry Maintenance Facility should be eligible to compete for funding.

(2)Federal Transit energy efficiency grant program -- $100 million is taken off the top of the transit capital assistance funds for a new discretionary program to provide grants to public transit agencies for energy efficiency projects. The Act states that FTA shall distribute the funding to public transit agencies that will assist in reducing the energy consumption or greenhouse gas emissions of their public transit operations and that priority shall be given to projects based on total energy savings projected to result from the investment and projected energy savings as a percentage of the total energy usage of the public transit agency. The alternative fuel buses and possibly the transit centers would be eligible to compete for this funding. We will have to see how FTA writes the eligibility requirements.

(3)Department of Transportation Discretionary Grants for Surface Transportation Projects -- $1.5 billion available for highway, transit, passenger rail, freight rail and port infrastructure projects. Maximum grant is $300 million and minimum grant is $20 million. Not more than 20 percent of the $1.5 billion can be allocated to any particular state. This restriction could make it very competitive for California projects. The Secretary is required to publish criteria for the program within 90 days of passage of the Act. Applications will be due within 180 days after passage and awards must be made within 1 year of passage. As we have discussed, the I-80/680/SR 12 interchange may be a good candidate for this project.

(4) Department of Energy -- Alternative Fueled Vehicles Pilot Program -- $300 million is available for 30 pilot grants to states, local governments, transit

agencies, and air pollution control districts to purchase alternative fuel vehicles, including buses for public transportation. This program will be administered under the Clean Cities Program. STA's alternative fuel buses would be eligible for consideration under this program.

From: Lent, Susan
Subject: Surface Transportation Revenue Commission Report
Date: Friday, February 27, 2009 3:04:32 AM
Attachments: image001.gif
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Transportation Watch

Source: Transportation Watch: All Issues > 2009 > February > 02/27/2009 > News > Transportation: Panel Urges Transition From Gas Tax To Miles-Traveled Charge for Road Use

Transportation Panel Urges Transition From Gas Tax To Miles-Traveled Charge for Road Use

The National Surface Transportation Infrastructure Financing Commission Feb. 26 recommended shifting from the current motor fuel tax to a charge on vehicle miles traveled (VMT) as a way to pay for transportation investment needs. In its report, Paying Our Way: A New Framework for Transportation Financing, the commission said that while the fuel tax will lose its power to provide revenue and accurately charge road users over time, it should be increased to provide additional funding while a VMT or other new financing system is put in place.

The commission said about $200 billion from all levels of government is needed annually to "maintain and improve" highway and transit systems, but estimated that only one-third of that could be provided under the current system. The federal share of that funding is about $100 billion, while only about $32 billion each year could be raised over the long run. Otherwise, the investment gap at the federal level will reach almost $400 billion by 2015 and soar to $2.3 trillion by 2035, the report said. Commissioners analyzed more than 40 federal funding sources based on 14 criteria and found that the VMT charge is the most accurate gauge of road costs and would provide adequate funding. It also would be the most direct charge of users, which is not the case under the current gas tax, the report said.

Commission Chairman Robert Atkinson, at an event held to unveil the report, stressed that a final decision does not need to be made immediately. He said the upcoming rewrite of surface transportation policy and funding should include provisions to begin the transition, such as increased research, setting the stage for

a final decision to be made in the following authorization in about six years. The report recommended moving to the system by 2020.

Implementation of a VMT system will be slow, as it involves many administrative and policy concerns, the report said. It likely would take the form of a Global Positioning System (GPS) or other such vehicle-tracking devices that would relay travel information. Charges could be based simply on miles traveled or could incorporate factors such as time of travel, road type, vehicle weight, and fuel efficiency. The federal government would lead the effort but the system would allow state and local governments to "piggyback" on the federal system, adding their own charges for roads in their jurisdictions, the report said.

VMT Pricing an Issue

The report also stressed that setting appropriate prices under a VMT system would be hugely important as the current fuel tax severely undercharges for road use. "Our system is underpriced. Basic economic theory tells us that when something valuable—in this case roadway space—is provided for less than its true cost, demand increases and shortages result," the report said.

But moving from the gas tax to the VMT tax would not help unless the user charges accurately reflect the costs, it explained. "Simply shifting from one revenue system to another will not solve the under-investment problem if rates are not set at sufficient levels and maintained over time to meet the needs," the commission said. Pricing would be at the discretion of Congress in the reauthorization or other measure, either by setting a specific price or establishing certain factors on which the price would be based. The underinvestment problems seen under the current gas tax still could persist with Congress in charge of setting the per-mile fees, several commissioners told BNA after the report was made public. Commissioner Bryan P. Grote said a VMT system still would rely on the "political will" of lawmakers to increase user fees.

The commission did not recommend exact per-mile fees but made estimates based on anticipated needs. Under the $200 billion "maintain and improve" scenario, the commission found that the VMT fee would need to be 2.3 cents per mile for all types of roads, which equates to a gas tax of 48.8 cents. To bring in as much as current Highway Trust Fund revenues, the VMT charge would have to be 0.9 cents per mile. The fee would reach 1.4 cents to match the amount under the proposed gas tax increase.

Atkinson Urges Immediate Action

Atkinson stressed the importance of quickly beginning the transition when he previewed the report in January. "It's not going to happen overnight, but we do think that we can be more aggressive than a lot of people think," he said. The report suggested phasing out the motor fuel tax as the VMT tax is instituted. The idea of a VMT tax already has stirred opposition, with the White House press secretary saying the administration would not support it. Several key House lawmakers responded Feb. 23 that a VMT tax is the best long-term solution.

Jack Basso, director of program finance and management for the American Association of State Highway and Transportation Officials, said there are many administrative issues involving a VMT tax, with collection being one of the largest. The current fuel tax is collected from about 600 refiners, while a VMT tax would be charged directly to the roughly 150 million vehicle owners in the United States, Basso told reporters at a Feb. 24 AASHTO meeting.

Gas Tax Hike a Stopgap Move

Since a VMT transition is not yet set and will be a long process, the commission recommended raising the gas tax by 10 cents and the diesel tax by 15 cents as a stopgap funding boost, which would provide about $20 billion in additional funding each year for the Highway Trust Fund.

The group also recommended indexing those taxes to inflation, which has never occurred over the years of periodic increases approved by Congress. A 10-cent gas tax increase would return the tax's purchasing power to 1993 levels, the last time the tax was raised. The 10-cent gas tax increase would equate to about $5 per vehicle per month, based on current averages, it said.

The report also recommended doubling the Heavy Vehicle Use Tax, which it said has not been increased since 1983, and indexing that tax and the truck tire excise tax to inflation. "The commission recognizes that the increases recommended here are not easy to achieve, especially in the context of the current economic recession, and that larger increases would be even more difficult to enact," the report said, suggesting that the tax increases be part of the upcoming policy rewrite, if not sooner.

The report also recommended allowing imposition of tolling for interstate travel to build new capacity as well as tolling on existing roads in metropolitan areas with populations in excess of 1 million to reduce congestion.

The transportation credit program created by the Transportation Infrastructure Financing and Innovation Act (TIFIA) should have greater credit capacity, a larger scope, and more flexibility, the report said.

The commission, created by Congress in the 2005 surface transportation authorization (Pub. L. No. 109–59), built upon the work of the National Surface Transportation Policy and Revenue Study Commission, but came up with several different findings. The previous commission found a larger investment gap and recommended a 25-cent to 40-cent fuel tax increase over the next five years.

Criticism From Trucking Groups

Stakeholders generally applauded the report, but trucking groups found several faults. The American Trucking Association praised the call for a fuel tax increase but noted some drawbacks, saying the VMT charge would not provide incentives for fuel efficiency, has a greater administrative cost than the fuel tax, and raises privacy and identity theft concerns.

The Owner-Operator Independent Drivers Association agreed that more money is needed but decried the thorough evaluation of how current surface transportation money is spent. "They neglected to address the most fundamental problem associated with financing our nation's infrastructure—reining in and redirecting ineffective and wasteful spending on programs and initiatives that aren't aligned with actual construction and maintenance for our highway system," OOIDA Executive Vice President Todd Spencer said in a statement.

Other stakeholders were more receptive to the report, with positive reactions from the American Association of State Highway and Transportation Officials, the American Road and Transportation Builders Association, the American Public Transportation Association, the American Automobile Association, the Associated General Contractors of America, and the American Council of Engineering Companies.

By Adam Snider

Text of the report is available at http://financecommission.dot.gov/.

Video of the press conference unveiling the report is available at http://www.itif.org/index.php?id=227.

From: Lent, Susan
Subject: President"s Transportation Budget
Date: Friday, February 27, 2009 3:05:59 AM
Attachments: image001.gif
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Transportation Watch

Source: Transportation Watch: All Issues > 2009 > February > 02/27/2009 > Lead Report > Transportation: Budget Pumps More into High-Speed Rail; Opposition Mounts to DOT Scoring Change

Transportation Budget Pumps More into High-Speed Rail; Opposition Mounts to DOT Scoring Change

President Obama's budget outline includes $72.5 billion for the Department of Transportation in fiscal year 2010 and continues the financial support of high-speed rail, which the president has made a key transportation priority. The budget outline proposes a five-year, $5 billion high-speed rail program, on top of the $8 billion provided under the recent economic stimulus law (2515 Transportation Watch, 2/13/09).

The budget did not break down how much funding would head to highways, transit, or Amtrak, though a senior official at the White House's budget arm, the Office of Management and Budget, said the proposal would increase transit spending. There were no policy assumptions in the DOT budget, the OMB official said Feb. 26, adding that it assumes the extension of current Highway Trust Fund revenues. Current law governing surface transportation policy and funding expire Sept. 30 and revenue sources are already the center of debate (2521 Transportation Watch, 2/25/09). "This administration inherited a difficult problem—a system that can no longer pay for itself," Transportation Secretary Ray LaHood said in a Feb. 26 statement. "We are looking at every option to solve it, but we are not going to be ready overnight."

The budget document is only a preliminary outline, with further details slated for an April release. Congress considers a nonbinding budget as a concurrent resolution that does not become law or require the president's signature. The budget does not actually provide the funding, which is done through annual appropriations bills.

Scoring Change Proposed

The budget outline also changes the way transportation spending is scored. Spending on highways, bridges, transit, and aviation would be classified as discretionary spending under the budget proposal, a change from the mandatory spending designation currently used. The change was promoted as a move toward transparency by the senior OMB official, who said it is intended to reflect the real taxpayer cost of transportation and does not simply relabel spending as the old method did.

House Transportation Chairman James Oberstar (D-Minn.) praised the overall budget but opposes the scoring shift. Oberstar said the change has been attempted before but has died in Congress. "To raise this issue again now, when we have important work to do to rebuild our nation's crumbling infrastructure and create family-wage jobs, is both a contradiction and an unnecessary distraction," he said in a statement.

The change would mean less certainty for states in their transportation planning, committee spokesman Jim Berard told BNA. It would create year-to-year funding uncertainty, making long-term projects harder to plan. States currently can anticipate funding over future years based on the recent authorization measure (Pub. L. No. 109–59). "It's very problematic," said Jack Basso, director of program finance and management for the American Association of State Highway and Transportation Officials. Basso told BNA that the move could spell the end of funding guarantees provided through the budgetary firewalls placed around the transportation spending, forcing it to compete with other domestic spending priorities such as health care.

Basso also raised concern about long-term capital projects and said it calls into question the future of the Highway Trust Fund, which is already facing solvency problems. The fund required $8 billion last year and faces another shortfall of at least that amount sometime in 2009. The scoring change would account for about $53 billion in fiscal 2009, the budget says. DOT's discretionary budget would be $70.5 billion in fiscal 2009 under the new system, up from the $17 billion under the old scoring method. DOT's fiscal 2009 budget was part of an omnibus spending bill currently working its way through Congress (2520 Transportation Watch, 2/24/09).

National Infrastructure Bank

The budget outline does not provide any details but does include funding for a national infrastructure bank. The charts accompanying the budget show the bank receiving $5 billion each year for fiscal 2010–14, for a total of $25 billion. The bank,

which would have to be created through legislation, would provide funding for transportation and other infrastructure projects.

Such a bank was proposed last year but never made it past committee hearings (2306 Transportation Watch, 03/12/08). Senate Banking Chairman Christopher J. Dodd (D-Conn.), who cosponsored the 2008 measure, recently made it a priority of his committee, which has jurisdiction over the matter (2513 Transportation Watch, 2/11/09). Oberstar also has been looking into such a bank (2510 Transportation Watch, 2/6/09).

FAA Funds for NextGen

For aviation, the budget proposes replacing some fuel and ticket taxes with direct user fees in 2011. The Bush administration proposed direct user fees as part of a Federal Aviation Administration reauthorization. Congress rejected the idea but has failed to act on a final measure. "Although I will reserve judgment until I learn the details of the administration's proposal, I believe the current system of aviation excise taxes has proven to be a stable and efficient source of funding for our aviation system," Oberstar said. Current FAA programs expire March 31, but lawmakers already are talking about another short-term extension.

The blueprint proposes about $800 million for FAA's upgrade to of air traffic control systems. The Next Generation Air Transportation System is a satellite-based control system that would replace the current ground-based radar. The Government Accountability Office cited newfound progress when it recently took the transition off its list of "high-risk" programs (2500 Transportation Watch, 1/23/09).

It also provides a $55 million increase over fiscal 2009 levels for rural access to aviation but notes that the current system is not effective. The Essential Air Service program was created after airline deregulation in 1978 to subsidize air service in smaller, unprofitable areas. The budget says the administration will work with Congress to redesign the program.

DHS Transportation Funding

Separately, the administration said its budget for the Department of Homeland Security would help to "bolster critical transportation sectors." Specifically, $25 million would be allocated to support integrated planning at DHS and DOT in order to inform development and modernization of "intermodal freight infrastructure linking coastal and inland ports to highway and rail networks," according to OMB.

The budget also includes $64 million to modernize the infrastructure used to vet

travelers and workers in order to reduce the risk of potential terrorism or other activities that threaten transportation systems, the agency said. In addition, the budget proposes to increase an existing aviation passenger security fee, beginning in 2012.

"Increasing this fee will offset costs associated with Transportation Security Administration screening of aviation passengers as the current fee only captures 36 percent of the cost of aviation security," OMB said. "By increasing the fee, offsetting collections from all aviation security fees would cover a majority of the estimated costs of passenger and baggage screening."

The Air Transport Association of America is opposed to increasing the fee, according to Elizabeth Merida, a spokeswoman for the association. "As we've said in the past, airline security is a government responsibility, and so we fully believe that it should be funded by the government and not placed on the backs of airlines or their customers," she said.

By Adam Snider and Alexei Alexis

DOT's budget outline is available at http://www.whitehouse.gov/omb/asset.aspx?AssetId=765.

From: Lent, Susan
To: jbauer@sta-sncl.com;
Subject: Lot"s of developments with transportation to watch...
Date: Monday, March 02, 2009 12:10:45 PM

TRANSPORTATION: TRANSPORTATION PANELS FIGHTING TO KEEP BUDGET AUTHORITY By Darren Goode

Congressional transportation leaders and industry officials are balking at a proposed change in President Obama's budget plan that would keep lawmakers from making long-term investments in highway, transit and airport projects without annual control by appropriators. OMB is proposing to remove the wall that transportation authorizers set up about a decade ago between projects funded by the federal highway, airport and airway trust funds on one side and the discretionary dollars determined by appropriators on the other. OMB says eliminating the multiyear mandatory budget authority, or contract authority, for these infrastructure projects and making them the same as all others will make for simpler accounting and increase transparency. "The change would not affect outlays or the deficit or surplus -- just more transparently convey to the taxpayer the real costs of supporting the transportation infrastructure our nation needs," said OMB in Thursday's budget summary.

That prompted transportation committee leaders to send a letter Friday to Obama and the House and Senate Budget committees, saying the change would harm federal transportation investment and remove the ability of states to plan long-term. "We have a long-standing commitment to ensuring that the user fees deposited into the highway and aviation trust funds are in fact used for their intended purposes -- to rebuild our nation's infrastructure," said the letter, signed by Democratic and GOP leaders on the House Transportation and Infrastructure and Senate Environment and Public Works, Banking and Commerce panels. "It is a big deal," said Jack Basso, director of program finance and management at the American Association of State Highway and Transportation Officials. As the rallying cry for investing in infrastructure has grown louder, "this process seems to fly completely in the face of it," he said. A coalition of transportation groups is working on sending out its own letter critical of OMB's suggestion in the next day or two. The proposal comes as Congress tries to approve this year the next six-year surface transportation reauthorization bill as well as a multiyear bill to help begin modernizing the nation's air traffic control system. Lawmakers in particular are trying to come up with new means of financing the Highway Trust Fund, which is struggling to stay solvent as gas tax receipts continue to fall as cars become more fuel efficient. An OMB spokesman said this reality, underscored by an $8 billion Highway Trust Fund fix Congress approved last year to keep it afloat this year, is why Obama is looking at ways to "ensure that the dollars are used smartly, effectively, and accountably."

One possible way to add dollars is bringing in some revenue that would be generated if Congress approves a climate change plan requiring firms to buy the right to emit greenhouse gas emissions. House and Senate bills primed for introduction soon would dedicate 10 percent of the revenue from auctioning emission credits to expanding transit and passenger rail, supporting development around transit stops, making neighborhoods safer for bikes and pedestrians, and other projects intended to help reduce greenhouse gas emissions from the transportation sector. The original sponsors of the bills will include Reps. Earl Blumenauer, D-Ore., Ellen Tauscher, D-Calif., and Steven LaTourette, R-Ohio, as well as Sens. Thomas Carper, D-Del., and Arlen Specter, R-Pa.

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SHAW / YODER, inc.
LEGISLATIVE ADVOCACY

FEBRUARY 27, 2009

To: Board Members, Solano Transportation Authority

Fm: Joshua W. Shaw, Partner
Gus Khouri, Legislative Advocate
Shaw / Yoder, Inc.

RE: STATE LEGISLATIVE UPDATE- FEBRUARY

State Budget Signed

Governor Schwarzenegger signed the budget package which addresses the current (2008-09) and next (2009-10) budget year on February 20th. The plan includes tax increases ($12.7 billion), program cuts ($22.6 billion), and borrowing ($5.4 billion) to close the state's expected $42 billion dollar deficit by June 30, 2010. The package includes a reserve of $2 billion and a spending cap (based on a ten-year rolling average of General Fund balances) that must be approved by voters during a Special Election in May along with a bevy of other proposals. If the spending cap is approved, revenues will continue for five years, two if the measure fails. Massive cuts to education, healthcare, transportation, and programs to help the disabled were enacted.

- Proposition 42 is protected, although a portion of the amount marked for public transportation is diverted to fund home–to–school transportation and bond debt service. The 2009-10 amount is approximately $1.7 billion – $300 million higher than the 2008-09 amount due to a temporary 1% increase in the state sales tax rate which was included in the budget package.

- The budget contains a three-month deferral of the local portion of the gas tax. Counties are paid gas taxes one month in arrears from when the revenues are actually collected. The budget will delay the January, February, and March payments until the April payment is made in May 2009. The budget contains identical language to last year's gas tax deferral that would allow counties to use Proposition 1B local streets and roads revenues to backfill for this loss. However, due to the state's inability to access the credit markets and the backlog with the Pooled Money Investment Account, we are uncertain when the Controller's office will begin releasing the bond funds to counties. We understand that Proposition

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42 is fully funded and estimated to equal $1.7 billion should the sales tax increase be extended for the full five years.

- The package also includes a 0.5% increase in the vehicle license fee, from 0.65% to 1.15%.

- Transportation capital outlay support is reduced from $570 million to $295 million.

- The package, by enactment of SBx2 4 (Ducheny), also allows up to 15 design-build transportation projects (transit projects are eligible) and authorizes the California Department of Transportation (Caltrans) and local and regional transportation agencies to enter into an unlimited number of public-private partnership agreements until January 1, 2017.

- The State Transit Assistance (STA) program is reduced to $153 million (from the $306 million provided in the budget signed last September), and **ELIMINATED** until 2013 (the program is allowed to remain in statute, but all revenues are diverted away from STA). As a result, we can expect to receive only one more check from the State Controller in the near future. The cuts to STA in 2008-09 can be found in ABx3 7 (Evans), while the elimination of the STA funding through 2013 can be found in SBX3 2 (Ducheny).

- For 2009-10, the proposal provides $350 million for transit capital projects from the Public Transportation Modernization, Improvement, and Service Enhancement Account (PTMISEA) and $100 million for transit security through the Transit System Safety Security and Disaster Response Account (TSSSDRA). The Governor's economic stimulus package which would have accelerated another $800 million in PTMISEA dollars was not included in the package due to the saturation of the Pooled Money Investment Account and inability to sell bonds in a tight credit market.

A proposal to increase the gas tax by 12 cents was scrapped at the eleventh hour. That measure would have provided $1.8 billion in revenue to pay for transportation-related General Obligation bond debt and address needs related to the State Highway Operations and Protection Program (SHOPP) for maintenance and repair of the state highway system. Therefore, the SHOPP will be funded at $1.52 billion rather than $1.795 billion.

Federal Economic Stimulus

On February 23rd, the Senate and Assembly Transportation Committees held a joint informational hearing on the subject of "The American Recovery and Reinvestment Act (ARRA) of 2009: Putting it to work in California." The purpose of the meeting was to describe what California could expect to receive in terms of federal economic stimulus dollars as well as discuss a potential process for expediting disbursement of the funds.

Caltrans Director Will Kempton stated that California could receive up to $4.4 billion in funding. Formula programs in the ARRA apportion $2.57 billion for highways, local streets and roads, freight and passenger rail, and port infrastructure projects, and $1.07 billion for transit projects. In addition, discretionary programs in the ARRA could yield another $300 million from a $1.5 billion program for significant surface transportation projects. The balance would come from the discretionary programs that set aside $8 billion for high speed and intercity rail, $1.3 billion for aviation, and $2.2 billion for AMTRAK, new starts, transit, ferries and other programs.

The ARRA allocates California's $2.57 billion in highway program funds by first setting aside 3 percent of the funding, or approximately $77 million for the purpose of funding transportation enhancement projects. Transportation enhancements include bicycle and pedestrian facilities and safety education, storm water mitigation, information kiosks, historical preservation, landscaping and beautification, and similar projects and programs that are complementary to highway and transit projects. Thirty percent of the $2.57 billion or $771 million is suballocated to urbanized areas and the rest of the state by population based formulas under the federal Surface Transportation Program (STP). The remaining 70 percent (which includes the Transportation Enhancement set aside) or $1.799 billion is allocated to the State.

The approximately $1.07 billion in California's formula transit funds are allocated directly to operators, and metropolitan planning organizations, with Caltrans having a pass through role for some of the rural funds. California will receive approximately $968 million under the urban transit formulas, commonly called the 5307 program, $66 million through the fixed guideway program, and $34 million for non urban transit.

No state can receive more than 20 percent of the funds, which means that the maximum funding to California from this program is capped at $300 million, either through a single grant or multiple grants. The federal share of the project cost can be up to 100 percent. The Secretary of the United States Department of Transportation (US DOT) has until May 18, 2009 to publish criteria for project selection, applications are due in November and projects must be selected by February next year. Projects must complete construction by February 17, 2012.

The ARRA sets aside $8 billion for capital assistance for high speed rail corridors and intercity rail. The Secretary of US DOT is directed to give priority to high speed rail projects. He is also directed to develop a strategic plan for using the funds by April 18, 2009 and issue guidance on grant applications by June 17, 2009.

There are several requirements that will have to be met under the ARRA. The first of which is a maintenance of effort clause that requires the Governor to certify that the State will maintain effort with regard to use of its transportation funds between the date of enactment and September 30, 2010.

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The ARRA also establishes very stringent transparency and accountability requirements for projects. It requires the State and other fund recipients to provide reports at 90 and 180 days, and 1 year, 2 years and 3 years after enactment. These reports must describe the amount of dollars and number of projects to which funds were obligated, awarded and expended. In addition, states will be required to report on jobs created and sustained by the contracts, including salary information and estimates of the number of indirect jobs created for suppliers. US DOT is required to post this, and other information about awards of grants, federal contracts, and to the extent possible, the ARRA related job opportunities on a national website, located at www.recovery.gov.

The State is required to obligate 50 percent of its highway funds, or $900 million within 120 days of apportionment (this is expected to occur as soon as March 2, 2009). Any funds that are still unobligated by the deadline will be returned to US DOT for redistribution to other states. This deadline does not apply to funds that are suballocated to regions under the STP formula. In addition, all funds allocated to the State, including the suballocated funds, must be obligated within one year of apportionment or they too, will be redistributed to other states. A similar provision applies to the urban transit and fixed guideway formula funds, except that the deadline for the first 50 percent of the funds is 180 days. The potential adverse consequences of these deadlines point to the need for the State to act quickly in obligating its funding and the potential for reward through additional funding if it does so.

The ARRA requires states to meet these stringent deadlines without any relaxation of the existing federal regulatory requirements related to programming, environmental review and approval, permitting, bidding and contracting.

Director Kempton wants to modify State law to provide greater delegation to regions for selecting projects and programming funds.

Under current state law, the funds that are not suballocated to the regions, or approximately $1.8 billion, which would include the $77 million set aside for the Transportation Enhancement (TE) program would have to be programmed and allocated by the California Transportation Commission (CTC) through existing processes, which give priority first to the State Highway Operation and Protection Program (SHOPP) and then to State Transportation Improvement Program (STIP), which would then subdivide the remaining funds 75 percent to the Regional Improvement Program, and 25 percent to the Interregional Improvement Program. The suballocated funds or $771 million would be directly programmed into the Metropolitan Transportation Improvement Program and Federal Transportation Improvement Program by the Regions without CTC action. On February 19, 2009, the CTC took action to begin this process, by setting a threshold allocation of $500 million for the SHOPP. The regional share of the STIP would be $975 million and the State share would be $324 million, assuming that the TE set aside were split between the two.

Director Kempton stated that it would be best if the State could apportion the funds entirely using a modification of existing California Streets and Highways Code for allocating STP funds that come to us through the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, better known as SAFETEA – LU. Under this option, 62.5 percent of the total funding or approximately $1.6 billion would be apportioned by population formulas to regions, and 37.5 percent or $964 million would be apportioned to the State. CTC Commissioner John Barna established a preference that the funds be distributed through the current STIP process. Kempton, Barna, and representatives from the Legislative Analyst's Office expressed the need to fund the SHOPP program and allow for the advancement of Proposition 1B projects.

STA Lobby Day

On March 18th, the STA Board will be traveling to Sacramento to partake in its annual Lobby Day. We are currently scheduled to meet with our delegation which includes Assembly Members Noreen Evans and Mariko Yamada, as well as Senators Pat Wiggins and Lois Wolk. In addition, we are scheduled to meet with CTC Commissioner Jim Earp and Caltrans Director Will Kempton. This is the best opportunity for our delegation and key stakeholders to hear from their local elected officials and the business community on the importance of transportation in Solano County. We look forward to seeing you then.

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State Budget Update

State Budget Hits Public Transit Hard

- State Transit Assistance September Budget Vs. Revision Totals (PDF)

February 23, 2009
Sacramento lawmakers finally reached agreement on how to close an estimated $42 billion shortfall (through June 2010) in the state's General Fund. The approved budget, which makes revisions to the current year's budget and provides funding through FY 2009-10, delivers a major blow to public transit by halving State Transit Assistance (STA) funding for the duration of FY 2008-09 and eliminating it entirely in FY 2009-10.

Whereas the adopted FY 2008-09 budget provided $306 million statewide for STA, the proposed revision would reduce the current year's amount to $153 million. This cut amounts to a $55 million hit to Bay Area transit operations, including $40 million in revenue-based funds and $15 million in population-based funds. When compounded with declining revenue from other sources, including voter-approved county sales taxes and Transportation Development Act (TDA) funds that are also derived from sales taxes, these STA cuts will likely result in operating shortfalls for most of the region's transit operators. The cuts will also have a significant impact on MTC's regional programs currently funded by STA, including the Lifeline program, TransLink® and 511. For complete details on the proposed cuts to STA by operator, click here.

Main Legislative Update page

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STATE TRANSIT ASSISTANCE SEPTEMBER BUDGET VS. REVISION TOTALS

FY 2008-09 STA REVENUE-BASED	Original Budget ($306M)	Revised Budget Proposal ($153M)	
Apportionment Jurisdictions	**Final Total**	**Final Total**	**Total Change**
Alameda CMA - Corresponding to ACE	154,415	77,317	(77,098)
Benicia	15,415	7,718	(7,696)
Caltrain	3,744,164	1,874,737	(1,869,427)
CCCTA	486,340	243,515	(242,825)
Dixon	4,091	2,049	(2,043)
ECCTA	215,166	107,736	(107,431)
Fairfield	81,559	40,837	(40,722)
GGBHTD	2,990,724	1,497,483	(1,493,241)
Healdsburg	960	481	(479)
LAVTA	172,902	86,573	(86,328)
NCPTA	36,265	18,158	(18,107)
SamTrans	4,321,378	2,163,754	(2,157,625)
Santa Rosa	118,212	59,190	(59,022)
Sonoma County Transit	132,843	66,516	(66,327)
Union City	37,499	18,776	(18,723)
Vallejo	554,968	277,877	(277,090)
VTA	12,176,932	6,097,101	(6,079,831)
VTA - Corresponding to ACE	216,181	108,244	(107,937)
WestCAT	234,429	117,381	(117,048)
Petaluma	-	-	-
Rio Vista	-	-	-
SUBTOTAL	**25,694,443**	**12,865,443**	**(12,829,000)**
AC Transit	7,201,729	3,605,971	(3,595,757)
BART	19,671,346	9,849,623	(9,821,723)
SFMTA	28,595,345	14,317,951	(14,277,394)
SUBTOTAL	**55,468,419**	**27,773,545**	**(27,694,874)**
REVENUE BASED GRAND TOTAL	**81,162,862**	**40,638,988**	**(40,523,875)**

STATE TRANSIT ASSISTANCE SEPTEMBER BUDGET VS. REVISION TOTALS

FY 2008-09 STA POPULATION-BASED	Original Budget ($306M)	Revised Budget Proposal ($153 M)	
Apportionment Jurisdictions	Total Revenue	Total Revenue	Change
Northern Counties/Small Operators			
Marin	927,079	486,439	(440,640)
Napa	492,433	258,380	(234,053)
Solano[7]	1,538,564	807,286	(731,278)
Sonoma	1,738,139	912,003	(826,136)
CCCTA	1,784,191	936,167	(848,024)
ECCTA	1,032,287	541,642	(490,645)
LAVTA	710,888	373,004	(337,885)
Union City	261,865	137,401	(124,464)
WestCAT	249,831	131,087	(118,745)
SUBTOTAL	**8,735,278**	**4,583,409**	**(4,151,869)**
Regional Paratransit			
Alameda	1,117,722	586,470	(531,252)
Contra Costa	577,613	303,074	(274,539)
Marin	129,044	67,710	(61,335)
Napa	84,271	44,217	(40,054)
San Francisco	882,471	463,033	(419,438)
San Mateo	488,627	256,383	(232,244)
Santa Clara	1,012,382	531,198	(481,184)
Solano	240,393	126,134	(114,259)
Sonoma	267,273	140,238	(127,034)
SUBTOTAL	**4,799,796**	**2,518,458**	**(2,281,338)**
Lifeline			
Alameda	2,463,957	1,292,841	(1,171,116)
Contra Costa	1,124,068	589,800	(534,268)
Marin	242,799	127,397	(115,402)
Napa	152,873	80,213	(72,660)
San Francisco	1,357,874	712,478	(645,396)
San Mateo	638,471	335,006	(303,464)
Santa Clara	1,951,382	1,023,892	(927,490)
Solano	494,590	259,512	(235,078)
Sonoma	566,530	297,259	(269,271)
SUBTOTAL	**8,992,542**	**4,718,396**	**(4,274,146)**
BART to Warm Springs	-	-	-
eBART	-	-	-
SamTrans	-	-	-
MTC Regional Coordination Program	**8,272,406**	**4,340,540**	**(3,931,866)**
POPULATION BASED GRAND TOTAL*	**30,800,022**	**16,160,804**	**(14,639,219)**

** Includes $1,480,000 in Resolution 3814 Augmentation Funding*

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CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

ASSEMBLY BILL No. 744

Introduced by Assembly Member Torrico

February 26, 2009

An act to add Section 30914.6 to the Streets and Highways Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

AB 744, as introduced, Torrico. Transportation: Bay Area high-occupancy vehicle network.

Existing law specifies the respective powers and duties of the Bay Area Toll Authority and the Department of Transportation relative to the operation of the state-owned Bay Area toll bridges and the allocation of toll bridge revenues. Existing law provides for the department to designate certain lanes for the exclusive use of buses and high-occupancy vehicles (HOVs).

This bill would authorize the authority to acquire, construct, administer, and operate a value pricing high-occupancy vehicle network program on state highways within the geographic jurisdiction of the Metropolitan Transportation Commission, as specified. The bill would authorize capital expenditures for this program to be funded from program revenues, revenue bonds, and revenue derived from tolls on state-owned toll bridges within the geographic jurisdiction of the commission. The bill would authorize the use of the high-occupancy vehicle lanes in the program by single-occupant vehicles for a fee, as specified.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares all of the
2 following:
3 (a) It is the intent of the Legislature to develop and implement
4 a Bay Area Express High Occupancy Toll (HOT) Lane Network
5 (network) with the following objectives:
6 (1) To more effectively manage the region's freeways in order
7 to provide higher vehicle and passenger throughput and to reduce
8 delays for those traveling within each travel corridor.
9 (2) To provide an efficient, effective, consistent, and seamless
10 system for network customers.
11 (3) To provide benefits to travelers within each corridor
12 commensurate with the revenues collected in that corridor,
13 including expanded travel options and funding to support
14 nonhighway options that enhance effectiveness and throughput.
15 (4) To implement the network using a rapid delivery approach
16 that takes advantage of the existing highway right-of-way to deliver
17 the network in an expedited timeframe.
18 (5) To use toll revenue collected from the HOT network for the
19 purposes of operating the network, maintaining HOT system
20 equipment and software, providing transit services and
21 improvements in the corridors, financing and constructing the HOT
22 network, and providing other corridor improvements.
23 (b) It is the intent of the Legislature that the network be
24 developed in a collaborative manner that includes the congestion
25 management agencies, the Department of Transportation, the
26 Department of the California Highway Patrol, and the Bay Area
27 Toll Authority. This collaborative process should establish policies
28 for implementation of the HOT network, including, but not limited
29 to, phasing of HOV conversion and HOT construction, phasing of
30 corridor investment plan elements, and occupancy and pricing
31 policies for HOT network operations.
32 (c) It is the intent of the Legislature that the network utilize a
33 corridor-based structure that recognizes commute sheds and
34 geographic communities of interest as the most effective and
35 user-responsive models for the HOT network facilities
36 implementation.
37 (d) It is the intent of the Legislature that the network reinvest
38 revenues generated in the corridor to provide benefits to all

travelers in the corridor, including additional capital improvements on the freeway and parallel arterials, transit capital operations that increase throughput capacity in the corridor, and enhanced operations and management of the corridor.

(e) It is the intent of the Legislature that corridor investment plans, developed by stakeholder agencies within the corridor, guide the use of toll revenues to capital and operating programs serving the corridor commensurate with the revenue generated by each corridor.

(f) It is the intent of the Legislature that, the network, provide customers a simple, consistent, and efficient system that is easy to use and includes the following elements:

(1) Consistent geometric design.

(2) Consistent signage.

(3) Safe and simple operations.

(4) Common technology.

(5) Common marketing, logo, and terminology.

(g) It is the intent of the Legislature that in establishing the network a collaborative process determine the best financing mechanism, which could include using the state-owned toll bridge enterprise as a financing pledge to construct the network.

SEC. 2. Section 30914.6 is added to the Streets and Highways Code, to read:

30914.6. (a) Notwithstanding Sections 149 and 30800, and Section 21655.5 of the Vehicle Code, the authority may acquire, construct, administer, and operate a value pricing high-occupancy vehicle network program on state highways within the geographic jurisdiction of the commission that the commission has determined will reduce congestion on or make improvements to travel in the toll bridge and transportation network. Capital expenditures for the program may be funded from the following:

(1) Program revenues.

(2) Revenue bonds issued pursuant to this section.

(3) To the extent the authority elects to do so, from revenue derived from tolls on bridges named in Section 30910 and revenue bonds issued pursuant to Section 30961.

(b) The program, under the circumstances described in subdivision (c), may direct and authorize the entry and use of the high-occupancy vehicle lanes in the corridors in the region identified in subdivision (a) by single-occupant vehicles for a fee.

1 The fee structure shall be established from time to time by the
2 authority.
3 (c) Single-occupant vehicles that are certified or authorized by
4 the authority for entry into, and use of, the high-occupancy vehicle
5 lanes identified in subdivision (a) are exempt from Section 21655.5
6 of the Vehicle Code, and the driver shall not be in violation of the
7 Vehicle Code because of that entry and use.

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CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

ASSEMBLY BILL No. 1219

Introduced by Assembly Member Evans

February 27, 2009

An act to amend Section 99313.6 of, and to add Section 99233.12 to, the Public Utilities Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

AB 1219, as introduced, Evans. Public transportation: Solano County Transportation Authority.

The Transportation Development Act, also known as the Mills-Alquist-Deddeh Act, provides for the allocation of local transportation funds in each county from ¼ of 1% of the sales tax to various transportation purposes, including transportation planning, transit operations, and in some cases, local streets and roads. The act is administered by the transportation planning agency having jurisdiction and specifies the sequence of allocations to be made by that agency to eligible claimants.

This bill would authorize the Solano County Transportation Authority, a joint powers agency, to file a claim with the transportation planning agency for up to 2% of local transportation funds available to the county and city members of the authority for countywide transit planning and coordination relative to Solano County.

Existing law creates the State Transit Assistance program as one of the transit programs funded by the Public Transportation Account from certain fuel sales tax revenues. Under the program, available funds are apportioned by the Controller to transportation planning agencies for allocation to transit operators and for other related purposes within the agency's jurisdiction. Apportionments are made under 2 different

formulas, one based on population and the other based on operator revenue.

This bill would specifically provide for the Solano County Transportation Authority to be an eligible claimant for State Transit Assistance funds apportioned under the population formula, to be used for public transportation purposes, including countywide transit planning and coordination relative to Solano County.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 99233.12 is added to the Public Utilities
2 Code, to read:
3 99233.12. Notwithstanding anything in Sections 99233 to
4 99233.9, inclusive, to the contrary, the Solano County
5 Transportation Authority may file a claim, and the transportation
6 planning agency may allocate, for the area representing the
7 cumulative areas of the authority's member agencies, up to 2
8 percent of annual revenues for countywide transit planning and
9 coordination purposes relative to Solano County. Funds allocated
10 to the authority pursuant to this section shall be allocated after
11 allocations are made pursuant to Sections 99233.1 and 99233.2
12 but prior to other allocations.
13 SEC. 2. Section 99313.6 of the Public Utilities Code is
14 amended to read:
15 99313.6. (a) Except as provided in subdivision (b), each
16 transportation planning agency and county transportation
17 commission, and the San Diego Metropolitan Transit Development
18 Board, shall create a state transit assistance fund and deposit therein
19 the funds allocated to it pursuant to Sections 99313 and 99314 for
20 allocations to operators, and to claimants for the purposes specified
21 in Section 99275 and in subdivisions (b), (c), (d), and (e) of Section
22 99400, within the area on which its allocation was determined.
23 (b) From funds allocated to it pursuant to Sections 99313 and
24 99314, the Los Angeles County ~~Transportation Commission~~
25 *Metropolitan Transportation Authority* may allocate funds to itself
26 for the planning, design, and construction of an exclusive public
27 mass transit guideway system.

(c) An allocation of funds from a state transit assistance fund for a transit capital project may be used for the payment of the principal of, and interest on, equipment trust certificates, bonded or other indebtedness, or in accomplishment of a defeasance of any outstanding revenue bond indenture issued for that project.

(d) From funds allocated to it pursuant to Section 99313, the Metropolitan Transportation Commission may allocate funds to itself for projects to achieve regional transit coordination objectives.

(e) From funds allocated to the Metropolitan Transportation Commission pursuant to Section 99313, upon a request of the Solano County Transportation Authority, the commission may allocate a reasonable amount of funds to the authority for public transportation purposes, including countywide transit planning and coordination relative to Solano County.

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CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

Assembly Constitutional Amendment No. 9

Introduced by Assembly Member Huffman
(Coauthors: Assembly Members Portantino, Salas, and Torlakson)
(Coauthor: Senator Hancock)

February 6, 2009

Assembly Constitutional Amendment No. 9—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Sections 1 and 4 of Article XIII A thereof, by amending Section 2 of Article XIII C thereof, by amending Section 3 of Article XIII D thereof, and by amending Section 18 of Article XVI thereof, relating to local government finance.

LEGISLATIVE COUNSEL'S DIGEST

ACA 9, as introduced, Huffman. Local government bonds: special taxes: voter approval.

(1) The California Constitution prohibits the ad valorem tax rate on real property from exceeding 1% of the full cash value of the property, subject to certain exceptions.

This measure would create an additional exception to the 1% limit for a rate imposed by a city, county, or city and county to service bonded indebtedness, incurred to fund specified public improvements, facilities, and housing, and related costs, that is approved by 55% of the voters of the city, county, or city and county, as applicable. This additional exception would apply only if the proposition approved by the voters results in bonded indebtedness that includes specified accountability requirements.

(2) The California Constitution conditions the imposition of a special tax by a city, county, or special district upon the approval of ⅔ of the

voters of the city, county, or special district voting on that tax, except that certain school entities may levy an ad valorem property tax for specified purposes with the approval of 55% of the voters within the jurisdiction of these entities.

This measure would change the ⅔ voter-approval requirement for special taxes to, instead, authorize a city, county, or special district to impose a special tax with the approval of 55% of its voters voting on the tax. This measure would also make technical, nonsubstantive changes to these provisions.

(3) The California Constitution prohibits a county, city, town, township, board of education, or school district from incurring any indebtedness exceeding in one year the income and revenue provided in that year, without the assent of ⅔ of the voters and subject to other conditions.

This measure would lower to 55% the voter approval threshold for a city, county, or city and county to incur bonded indebtedness, exceeding in one year the income and revenue provided in that year, that is in the form of general obligation bonds to fund specified public improvements.

Vote: ⅔. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California at its 2009–10 Regular Session commencing on the first day of December 2008, two-thirds of the membership of each house concurring, hereby proposes to the people of the State of California, that the Constitution of the State be amended as follows:

First—That Section 1 of Article XIII A thereof is amended to read:

SECTION 1. (a) The maximum amount of any ad valorem tax on real property shall not exceed ~~One percent (1%)~~ *1 percent* of the full cash value of ~~such~~ *that* property. The ~~one percent (1%)~~ *1 percent* tax to be collected by the counties and apportioned according to law to the districts within the counties.

(b) The limitation provided for in subdivision (a) shall not apply to ad valorem taxes or special assessments to pay the interest and redemption charges on any of the following:

(1) Indebtedness approved by the voters prior to July 1, 1978.

(2) Bonded indebtedness for the acquisition or improvement of real property approved on or after July 1, 1978, by two-thirds of the votes cast by the voters voting on the proposition.

(3) Bonded indebtedness incurred by a school district, community college district, or county office of education ~~for~~ *to fund* the construction, reconstruction, rehabilitation, or replacement of school facilities, including the furnishing and equipping of school facilities, or the acquisition or lease of real property for school facilities, approved by 55 percent of the voters of the district or county, as appropriate, voting on the proposition on or after the effective date of the measure adding this paragraph. This paragraph shall apply only if the proposition approved by the voters and resulting in the bonded indebtedness includes all of the following accountability requirements:

(A) A requirement that the proceeds from the sale of the bonds be used only for the purposes specified in ~~Article XIII A, Section 1(b)(3)~~ *this paragraph*, and not for any other purpose, including teacher and administrator salaries and other school operating expenses.

(B) A list of the specific school facilities projects to be funded and certification that the school district board, community college board, or county office of education has evaluated safety, class size reduction, and information technology needs in developing that list.

(C) A requirement that the school district board, community college board, or county office of education conduct an annual, independent performance audit to ensure that the funds have been expended only on the specific projects listed.

(D) A requirement that the school district board, community college board, or county office of education conduct an annual, independent financial audit of the proceeds from the sale of the bonds until all of those proceeds have been expended for the school facilities projects.

(4) (A) Bonded indebtedness, approved by 55 percent of the voters of the city, county, or city and county, as applicable, voting on the proposition on or after the effective date of the measure adding this paragraph, incurred by a city, county, or city and county to fund any or all of the following:

(i) Construction, reconstruction, rehabilitation, or replacement of either:

(I) Public improvements, including, but not limited to, improvements to transportation infrastructure, streets, highways, sewer systems, waters systems, wastewater systems, and park and recreation facilities.

(II) Public safety agency facilities.

(ii) Development of housing affordable to lower and moderate income households.

(iii) Acquisition or lease of real property for the public improvements, public safety agency facilities, and housing described in clauses (i) and (ii) of this subparagraph.

(B) This paragraph shall apply only if the proposition approved by the voters and resulting in the bonded indebtedness includes all of the following accountability requirements:

(i) A requirement that the proceeds from the sale of the bonds be used only for the purposes specified in this paragraph, and not for any other purpose, including public employee salaries and other operating expenses of a public improvement, public safety agency facility, or housing development once completed.

(ii) A list of the specific projects to be funded and certification that the city council or county board of supervisors has evaluated the costs of operating the public improvements, public facilities, or affordable housing.

(iii) A requirement that the city council or county board of supervisors conduct an annual, independent performance audit to ensure that the proceeds from the sale of the bonds have been expended only on the specific projects listed.

(iv) A requirement that the city council or county board of supervisors conduct an annual, independent financial audit of the proceeds from the sale of the bonds until all of those proceeds have been expended for the specific projects to be funded from the bonds.

(v) A requirement for a public process that solicits a wide range of public comment from the community about the types of facilities that should be funded with the bond.

(c) Notwithstanding any other provisions of law or of this Constitution, *a* school ~~districts~~ *district*, community college ~~districts~~ *district*, ~~and~~ county ~~offices~~ *office* of education, *or a city, county, or city and county* may levy a 55 percent vote ad valorem tax pursuant to subdivision (b).

Second—That Section 4 of Article XIII A thereof is amended to read:

Section 4. ~~Cities, Counties and special districts,~~ *A city, county, or special district,* by a ~~two-thirds~~ *55 percent* vote of ~~the qualified electors of such district~~ *its voters voting on the proposition*, may impose ~~special taxes on such district~~ *a special tax within that city, county, or special district*, except *an* ad valorem ~~taxes~~ *tax* on real property or a ~~transaction~~ *transactions* tax or sales tax on the sale of real property within ~~such City, County~~ *that city, county,* or special district.

Third—That Section 2 of Article XIII C thereof is amended to read:

SEC. 2. ~~Local Government Tax Limitation.~~ Notwithstanding any other provision of this Constitution:

(a) ~~All taxes~~ *A tax* imposed by any local government ~~shall be deemed to be~~ *is* either *a* general ~~taxes~~ *tax* or *a* special ~~taxes~~ *tax*. ~~Special~~ *A special* purpose ~~districts~~ *district* or ~~agencies~~ *agency*, including *a* school ~~districts, shall have~~ *district, has* no ~~power~~ *authority* to levy *a* general ~~taxes~~ *tax*.

(b) ~~No~~ *A* local government ~~may~~ *shall not* impose, extend, or increase any general tax unless and until that tax is submitted to the electorate and approved by a majority vote *of its voters voting on the proposition*. A general tax ~~shall~~ *is* not ~~be~~ deemed to have been increased if it is imposed at a rate not higher than the maximum rate so approved. The election required by this subdivision shall be consolidated with a regularly scheduled general election for members of the governing body of the local government, except in cases of emergency declared by a unanimous vote of the governing body.

(c) Any general tax imposed, extended, or increased, without voter approval, by any local government on or after January 1, 1995, and prior to the effective date of this article, ~~shall~~ *may* continue to be imposed only if *that general tax is* approved by a majority vote of the voters voting in an election on the issue of the imposition, which election ~~shall be~~ *is* held ~~within two years of the effective date of this article~~ *no later than November 6, 1998,* and in compliance with subdivision (b).

(d) ~~No~~ *A* local government ~~may~~ *shall not* impose, extend, or increase any special tax unless and until that tax is submitted to the electorate and approved by a ~~two-thirds~~ *55 percent* vote *of its*

voters voting on the proposition. A special tax ~~shall~~ *is* not ~~be~~ deemed to have been increased if it is imposed at a rate not higher than the maximum rate so approved.

Fourth—That Section 3 of Article XIII D thereof is amended to read:

SEC. 3. ~~Property Taxes, Assessments, Fees and Charges Limited. (a) No~~ *(a) An agency shall not assess a* tax, assessment, fee, or charge ~~shall be assessed by any agency~~ upon any parcel of property or upon any person as an incident of property ownership except:

(1) The ad valorem property tax imposed pursuant to Article XIII and Article XIII A.

(2) Any special tax ~~receiving a two-thirds vote pursuant to Section 4 of Article XIII A~~ *approved by the voters of the city, county, or city and county, as appropriate, voting on the proposition, as required by the California Constitution.*

(3) Assessments as provided by this article.

(4) Fees or charges for ~~property related~~ *property-related* services as provided by this article.

(b) For purposes of this article, fees for the provision of electrical or gas service ~~shall~~ *are* not ~~be~~ deemed charges or fees imposed as an incident of property ownership.

Fifth—That Section 18 of Article XVI thereof is amended to read:

SEC. 18. (a) No county, city, town, township, board of education, or school district, shall incur any indebtedness or liability in any manner or for any purpose exceeding in any year the income and revenue provided for ~~such~~ *that* year, without the assent of two-thirds of the voters of the public entity voting at an election to be held for that purpose, except that with respect to any such public entity ~~which~~ *that* is authorized to incur indebtedness for public school purposes, any proposition for the incurrence of indebtedness in the form of general obligation bonds for the purpose of repairing, reconstructing, or replacing public school buildings determined, in the manner prescribed by law, to be structurally unsafe for school use, shall be adopted upon the approval of a majority of the voters of the public entity voting on the proposition at ~~such~~ *that* election; nor unless before or at the time of incurring ~~such~~ *the* indebtedness, provision shall be made for the collection of an annual tax sufficient to pay the interest on

~~such~~ *the* indebtedness as it falls due, and to provide for a sinking fund for the payment of the principal thereof, on or before maturity, which shall not exceed forty years from the time of contracting the indebtedness.

(b) Notwithstanding subdivision (a), on or after ~~the effective date of the measure adding this subdivision~~ *November 8, 2000*, in the case of any school district, community college district, or county office of education, any proposition for the incurrence of indebtedness in the form of general obligation bonds for the construction, reconstruction, rehabilitation, or replacement of school facilities, including the furnishing and equipping of school facilities, or the acquisition or lease of real property for school facilities, shall be adopted upon the approval of 55 percent of the voters of the district or county, as appropriate, voting on the proposition at an election. This subdivision shall apply only to a proposition for the incurrence of indebtedness in the form of general obligation bonds for the purposes specified in this subdivision if the proposition meets all of the accountability requirements of paragraph (3) of subdivision (b) of Section 1 of Article XIII A.

(c) Notwithstanding subdivision (a), on or after the effective date of the measure adding this subdivision, in the case of any city, county, or city and county, any proposition to incur indebtedness in the form of general obligation bonds shall be adopted by 55 percent of the voters of the city, county, or city and county, as applicable, voting on the proposition at an election, where the general obligation bonds fund any or all of the following:

(1) Construction, reconstruction, rehabilitation, or replacement of either:

(A) Public improvements, including, but not limited to, improvements to transportation infrastructures, streets, highways, sewer systems, waters systems, wastewater systems, and park and recreation facilities.

(B) Public safety agency facilities.

(2) Development of housing affordable to lower and moderate income households.

(3) Acquisition or lease of real property for the public improvements, public safety agency facilities, and housing described in paragraphs (1) and (2) of this subdivision.

~~(c)~~

1 *(d)* When two or more propositions for incurring any
2 indebtedness or liability are submitted at the same election, the
3 votes cast for and against each proposition shall be counted
4 separately, and when two-thirds or a majority or 55 percent of the
5 voters, as the case may be, voting on any one of those propositions,
6 vote in favor thereof, the proposition shall be deemed adopted.

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SENATE BILL No. 205

Introduced by Senator Hancock

February 23, 2009

An act to add Section 65089.20 to the Government Code, and to add Section 9250.4 to the Vehicle Code, relating to traffic congestion.

LEGISLATIVE COUNSEL'S DIGEST

SB 205, as introduced, Hancock. Traffic congestion: motor vehicle registration fees.

Existing law provides for the imposition by certain districts and local agencies of fees on the registration of motor vehicles in certain areas of the state that are in addition to the basic vehicle registration fee collected by the Department of Motor Vehicles for specific limited purposes.

The bill would authorize a countywide transportation planning agency, by a majority vote of the agency's board, to impose an annual fee of up to $10 on motor vehicles registered within the county for programs and projects for certain purposes. The bill would require voter approval of the measure. The bill would require the department, if requested, to collect the additional fee and distribute the net revenues to the agency, after deduction of specified costs, and would limit the agency's administrative costs to not more than 5% of the distributed fees. The bill would require that the fees collected may only be used to pay for programs and projects bearing a relationship or benefit to the owners of motor vehicles paying the fee, and would require the agency's board to make a specified finding of fact in that regard. The bill would require the governing board of the countywide transportation planning agency to adopt a specified expenditure plan.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. (a) The Legislature finds and declares all of the
2 following:
3 (1) Motor vehicle congestion negatively impacts businesses and
4 commuters, inhibits the efficient movement of goods, and elevates
5 pollutants that impact the quality of the state's air.
6 (2) There are transportation improvements that will reduce
7 congestion, including those that improve signal coordination,
8 traveler information systems, intelligent transportation systems,
9 highway operational improvements, and public transit service
10 expansions.
11 (3) There are measures available to lessen the impact of motor
12 vehicle-related pollution, including congestion management
13 programs, stormwater runoff best management practices, and
14 transportation control measures aimed at reducing air pollution.
15 (b) It is the intent of the Legislature to establish a program that
16 allows countywide transportation planning agencies or their
17 counterparts to address congestion through transportation services
18 and improvements and to mitigate the impacts of motor vehicles
19 on air and water quality, and improve the business climate and
20 natural environment.
21 SEC. 2. Section 65089.20 is added to the Government Code,
22 to read:
23 65089.20. (a) A countywide transportation planning agency
24 may place a majority vote ballot measure before the voters of the
25 county to authorize an increase in the fees of motor vehicle
26 registration in the county for transportation-related projects and
27 programs described in this chapter. The agency may impose an
28 additional fee of up to ten dollars ($10) on each motor vehicle
29 registered within the county. The ballot measure resolution shall
30 be adopted by a majority vote of the governing board of the
31 countywide transportation planning agency at a noticed public
32 hearing. The resolution shall also contain a finding of fact that the
33 projects and programs to be funded by the fee increase have a
34 relationship or benefit to the persons who will be paying the fee.
35 The finding of fact shall require a majority vote of the governing
36 board at a noticed public hearing.
37 (b) The ballot measure described in subdivision (a) shall be
38 submitted to the voters of the county and if approved by the voters

in the county, the increased fee shall apply to the original vehicle registration occurring on or after six months following the adoption of the measure by the voters and to a renewal of registration with an expiration date on or after that six-month period.

(c) (1) The governing board of the countywide transportation planning agency shall adopt an expenditure plan allocating the revenue to transportation-related programs and projects that have a relationship or benefit to the persons that pay the fee. The transportation-related programs and projects include, but are not limited to, programs and projects that have the following purposes:

(A) Providing matching funds for funding made available for transportation programs and projects from state general obligation bonds.

(B) Creating or sustaining congestion mitigation programs and projects.

(C) Creating or sustaining pollution mitigation programs and projects.

(2) For the purposes of paragraph (1), the following terms have the following meanings:

(A) "Congestion mitigation programs and projects" include, but are not limited to, programs and projects identified in an adopted congestion management program or county transportation plan; projects and programs to manage congestion, including, for example, high-occupancy vehicle or high-occupancy toll lanes; improved transit services through the use of technology and bicycle and pedestrian improvements; improved signal coordination, traveler information systems, highway operational improvements, and local street and road rehabilitation; and transit service expansion.

(B) "Pollution mitigation programs and projects" include, but are not limited to, programs and projects carried out by a congestion management agency, a regional water quality control board, an air pollution control district, an air quality management district, or another public agency that is carrying out the adopted plan of a congestion management agency, a regional water quality control board, an air pollution control district, or an air quality management district.

(d) Not more than 5 percent of the fees distributed to a countywide transportation planning agency shall be used for administrative costs associated with the programs and projects.

SEC. 3. Section 9250.4 is added to the Vehicle Code, to read:

9250.4. (a) The department shall, if requested by a countywide transportation planning agency, collect the fee imposed pursuant to Section 65089.20 of the Government Code upon the registration or renewal of registration of a motor vehicle registered in the county, except those vehicles that are expressly exempted under this code from the payment of registration fees.

(b) The countywide transportation planning agency shall pay for the initial setup and programming costs identified by the department through a direct contract with the department. Any direct contract payment by the board shall be repaid, with no restriction on the funds, to the countywide transportation planning agency as part of the initial revenues available for distribution.

(c) (1) After deducting all costs incurred pursuant to this section, the department shall distribute the net revenues pursuant to subdivision (a) of Section 65089.20 of the Government Code.

(2) The costs deducted under paragraph (1) shall not be counted against the 5-percent administrative cost limit specified in subdivision (d) of Section 65089.20 of the Government Code.

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DATE: March 18, 2009
TO: STA Board
FROM: Elizabeth Richards, Director of Transit and Rideshare Services
RE: New State Budget Impact on Solano Transit

Background:
The Transportation Development Act (TDA) of 1971 established two sources of funds that provide support for public transportation services statewide – the Local Transportation Fund (LTF) and the Public Transportation Account (PTA). Solano County receives TDA funds through the LTF and State Transit Assistance Funds (STAF) through the PTA. State law specifies that STAF funds be used to provide financial assistance for public transportation, including funding for transit planning, operations and capital acquisition projects.

TDA funds are the primary source of funding for Solano transit operators, particularly for transit operating. STAF has been used for a wide range of activities, including providing funds for STA transit programs administration, transit studies, transit marketing activities, matching funds for the purchase of new paratransit and intercity buses and covering new bus purchase shortfalls on start-up new intercity services when the need arises. Recently STAF has also been used to fund Lifeline projects and help fund SolanoExpress and Paratransit Services. With the new State Budget approved in February, funding to STAF has been suspended entirely beginning in FY 2009-10 until 2013. Only 25% of the STAF allocation for FY 2008-09 is being released. With the limited funding options for Solano County transit operators (no transportation sales tax, parcel tax, developer fees or other local funding mechanisms) this is a substantial loss.

Statewide there are two primary distribution streams of STAF: 1) revenue-based and 2) population-based. The revenue-based STAF is distributed directly to transit operators roughly based on their passenger fare revenue share as a percentage of the total State transit passenger fare.

Over $2 million of STAF funds for Solano were cut in FY 2008-09 as compared to the original State Budget approved in September 2008. When STAF is suspended completely in FY 2009-10, nearly $3 million in capital transit funds will be eliminated in Solano County (see Attachments A and B).

Revenue-Based STAF: In FY 2008-09, the Fall 2008 projection for revenue-based STAF directed to Solano transit operators was expected to be a total of over $650,000. With the 75% reduction in FY 2008-09, this resulted in a loss of nearly $500,000 this year and the full amount in FY 2009-10 and going forward for several years. Attachments A and B show the impact by operator. The transit operator impacted most significantly is Vallejo Transit which loses over $1 million in FY 2008-09 and over $1.1 million in FY 2009-10 and beyond.

Population-Based STAF: Population-Based STAF is distributed through three categories in the Bay Area. The STA has been programming these three types of Pop-Based STAF for Solano County. The three types are: 1) Regional Paratransit; 2) Northern County/Solano; and 3) Lifeline.

Pop-Based STAF/Regional Paratransit: As the name implies, these funds can only be used for paratransit purposes. In Solano County, these funds have typically been used to complete studies concerning seniors and the disabled, paratransit capital grant matches, vehicle enhancements, operating assistance, and management of the Paratransit Coordinating Council (PCC). In FY 2008-09, these funds were reduced by $171,930 in Solano County. Solano has typically received about $250,000 annually which will be suspended in FY 2009-10 for several years.

Pop-Based STAF/Northern County-Solano: STAF/Northern County funds have been used for a wide range of activities, including providing funds for STA transit programs administration, transit studies, transit marketing activities, matching funds for the purchase of new intercity buses, covering new bus purchase shortfalls on start-up new intercity services when the need arises and providing limited operating support for SolanoExpress. Over $1 million is being lost in FY 2008-09 in this STAF funding category. Starting in FY 2009-10, over $1.5 million will be lost annually from this funding source.

Pop-Based STAF/Lifeline: STAF was the major funding source for the Lifeline Program which targets transportation projects for the low-income population. STAF was the only Lifeline funding source available for transit operating. For FY 2008-09, over $350,000 will be lost in the county. In FY 2009-10 and going forward annually, nearly $500,000 will be eliminated.

Fiscal Impact:
The significant reduction of STAF for FY 2008-09 has been a $651,000 reduction to STA's budget. In FY 2008-09, funds have been shifted from studies to allow for the continued support of STA's transit programs. For FY 2009-10, this complete loss of STAF will require the use of the State Transportation Improvement Program (STIP) swap funds to help provide for these STA Plans and Programs. In addition, the loss in STAF will eliminate $395,000 for SolanoExpress operating beginning in FY 2009-10, $287,000 for countywide paratransit services, and $500,000 for Intercity Transit vehicle capital purchases.

Recommendation:
Informational.

Attachments:

A. State Budget Impact on Solano Transit Operators FY 2008-09
B. State Budget Impact on Solano Transit Operators FY 2009-10

State Budget Impact on Solano Transit Operators

February Revise FY2008-09

	State Transit Assistance funds (STAF)				
	FY2008-09 Loss				
	Revenue-Based	Population-Based	Regional Paratransit	Lifeline Program	TOTAL
Benicia	$ 11,581				
Dixon	$ 3,074				
Fairfield/Suisun City	$ 61,276				
Rio Vista	$ -				
Vacaville					
Vallejo	$ 416,951				
STA		$ 1,100,389	$ 171,930	$ 353,733	
	$ 492,882	$ 1,100,389	$ 171,930	$ 353,733	**$ 2,118,934**

Revenue-based	Allocated directly to transit operators. Can be used for operating or capital.
Population-based	Allocated through the Solano Transportation Authority and has been used to fund intercity transit operations, Solano Paratransit operations, intercity vehicle capital match, marketing, transit coordination and planning.
Regional Paratransit	Allocated through the Solano Transportation Authority and has been used for Vallejo RunAbout operations, Solano Paratransit capital match and operations, Paratransit Coordinating Council (PCC) coordination, and studies.
Lifeline Program	Allocated through the Solano Transportation Authority and funds transportation programs that are a priority to meet the needs of the low-income population. This was the largest funding source of the Lifeline Program and the only one that could be used for operations.

State Budget Impact on Solano Transit Operators

February Revise FY2008-09

All State Transit Assistance funding suspended in FY2009-10. Amounts lost based on new revenue estimated for FY2008-09.

	State Transit Assistance funds (STAF)				
	FY2009-10 Loss				
	Revenue-Based	Population-Based	Regional Paratransit	Lifeline Program	TOTAL
Benicia	$ 15,415				
Dixon	$ 4,091				
Fairfield/Suisun City	$ 81,559				
Rio Vista	$ -				
Vacaville					
Vallejo	$ 554,968				
STA		$ 1,538,564	$ 240,393	$ 494,590	
	$ 656,033	$ 1,538,564	$ 240,393	$ 494,590	**$ 2,929,580**

Revenue-based	Allocated directly to transit operators. Can be used for operating or capital.
Population-based	Allocated through the Solano Transportation Authority and has been used to fund intercity transit operations, Solano Paratransit operations, intercity vehicle capital match, marketing, transit coordination and planning.
Regional Paratransit	Allocated through the Solano Transportation Authority and has been used for Vallejo RunAbout operations, Solano Paratransit capital match and operations, Paratransit Coordinating Council (PCC) coordination, and studies.
Lifeline Program	Allocated through the Solano Transportation Authority and funds transportation programs that are a priority to meet the needs of the low-income population. This was the largest funding source of the Lifeline Program and the only one that could be used for operations.

STA
Solano Transportation Authority

DATE: March 6, 2009
TO: STA Board
FROM: Robert Macaulay, Director of Planning
RE: Solano Napa Travel Demand Model Update

Background:
The first phase of the Solano Napa Travel Demand Model was adopted by the STA Board on February 9, 2005 and was calibrated with travel demand assumptions from the Association of Bay Area Governments (ABAG) Projections 2003 and transportation funded projects from the Metropolitan Transportation Commission's (MTC) 2002 Regional Transportation Plan (RTP). The 2005 Solano Napa Model forecasts traffic conditions in Solano County with reasonable certainty through 2030.

The Model was developed with input from the STA Modeling Technical Advisory Committee (TAC) which consists of modelers from STA member agencies. The STA and the modeling consultant (DKS Associates) relied upon the Model TAC to assist in providing data and peer review for quality control. Initial tasks for the Model TAC included deciding what modeling software to use and providing land use data for the Model's base conditions.

An update (Phase 2) of the Solano Napa Model began immediately after the 2005 Model was completed to reflect MTC's 2005 RTP and the Association of Bay Area Government's (ABAG) Projections 2005 data. The updated model continued to forecast traffic conditions through 2030. The STA Board adopted the Phase 2 Model on June 11, 2008.

On January 14, 2009, the Solano Transportation Authority (STA) Board authorized a technical update of the Solano Napa Travel Demand Model through the services of DKS. The technical update is focused on including adjustments related to recent land use data and changes to the roadway network. The updated model will be used for the STA's Regional Traffic Impact Fee (RTIF) nexus study effort and other upcoming planning, projects, and land use analysis.

Discussion:
STA has received the Traffic Analysis Zone (TAZ) and current land use files from DKS, and provided them to each of the STA member's Planning and Public Works staff. The TAZ map includes Sphere of Influence information for current and projected year 2030 status, in order to ensure that TAZs and associated land uses are assigned to the proper jurisdiction. In the past, Sphere of Influence assumptions made by the Association of Bay Area Governments have caused confusion over whether land uses were assigned to the proper jurisdiction.

Land use information for the year 2000 was provided to allow the cities and county to confirm that the existing land use information is correct. Future year 2030 land use files will

then be checked to ensure that existing land use data is carried into the future year projection, and that currently vacant land is shown for development consistent with the jurisdiction's existing general plan. Once these two files are reviewed and approved, STA and DKS will work with the cities and county to finalize the year 2010 scenario (based primarily on development that occurred in the 2000 – 2008 timeframe, with minor growth projections for 2009 and 2010). A copy of the schedule sent to Model TAC members and Planning Directors is attached.

The Modeling TAC recently met on March 4, 2008. Every City and the County was present at the meeting, as well as Caltrans District 4. The primary discussion was the review process and results for the Year 2000 and Year 2030 files, as well as the interim Year 2010 files. Based upon the need to have the update presented to the STA Board in April in order to provide the land use and model to the consultant for the RTIF Nexus Study, the final deadline for submittal of all land use updates was set as Wednesday, March 11, 2009. After an extended discussion, all of the attendees agreed to the process used to update the land use files and to the timeline set by STA. The Model TAC discussed a modeling work plan, including establishing formal standards and timelines for updates of the model network, assumptions and land use data.

The Model TAC also discussed a draft Memorandum of Understanding (MOU) to formalize the Model TAC membership and responsibilities. Participants will provide additional feedback, and review the draft MOU with agency management and legal counsel, prior to a final version being brought to the STA TAC and Board.

Fiscal Impact:
None.

Recommendation:
Informational.

Attachment:
A. Model Update Schedule

Draft Technical Update Schedule:

	Task	Deadline		Task Notes
1.	Prepare 2000 and 2030 files for review	Week Feb 9th		2000 & 2030 Land Use files review
3.	DKS Meeting	Feb. 12th		STA Review 2000-2030 files for input by the Planning Directors. • Finalize completion schedule • Finalize tasks
5.	Provide technical assistance on file review to Planning and Public Works staffs	Feb 9th – Mar 9th		Planning staffs will need to comment on 2000/30 data and indicate which projects will be developed by 2010. Planning Directors will also need to appoint planning staff to participate in Model TAC and development of Model TAC MOU.
6.	Revise 2000 and 2030 files	Feb 19th- Mar 9th		DKS will revise land use files accordingly based on input from cities and county.
9.	Prepare new 2010 land use files for review	Feb 26th - Mar 11th		Finalize draft 2010 land use files, based upon 2000 base year and either data provided by cities and county or Projections 2005 growth estimates
10.	Model TAC Meeting	Mar 4th		Meeting purpose is to review process for updating base year and projected year data, and timelines for final data submittal. Review draft Model TAC MOU.
11.	Create new 2010 draft land uses and assignments	Mar 4th – Mar 11th		Based on input from Model TAC and Planners
12.	Finalize 2010 model assignments	Mar 19th		Need to have a summary report made as to the steps taken and why this effort was completed. (STA staff task)
13.	**STA TAC**	**Mar 25th**		**Review and recommend approval**
14.	**STA Board**	**Apr 8th**		**STA Board Adoption**

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STA
Solano Transportation Authority

DATE: March 12, 2009
TO: STA Board
FROM: Robert Macaulay, Director of Planning
RE: 2009 Congestion Management Program (CMP) Update Schedule

Background:
California law requires urban areas to develop a Congestion Management Program (CMP). The CMP plans strategies for addressing congestion problems by holding jurisdictions to a variety of mobility standards in order to obtain state gas tax subventions. These mobility standards include Level of Service (LOS) standards on the CMP network and transit standards. To help jurisdictions maintain these mobility standards, the CMP lists improvement projects in a seven-year Capital Improvement Program (CIP). Jurisdictions that are projected to exceed the CMP standards, based on the STA's Traffic Forecasting Model, are required to create a deficiency plan to meet the CMP standards within the seven-year time frame of the CIP.

In order for projects in the CMP's CIP to be placed in the Regional Transportation Improvement Program (RTIP), state law requires that the CMP be consistent with the Regional Transportation Plan (RTP). The Metropolitan Transportation Commission (MTC) reviews the Bay Area's CMPs for consistency every two years.

The STA Board approved Solano County's current Congestion Management Plan (CMP) on September 12, 2007. MTC is preparing to finalize the 2009 RTP in March of 2009.

Discussion:
The STA is preparing to update the 2009 CMP with assistance from the STA TAC and the SolanoExpress Consortium. The following is a list of proposed dates for the development of the 2009 CMP. MTC has not published a formal schedule, but it is expected to be similar to the 2007 schedule.

February 25, 2009 — Issue Request for 2009 LOS calculations and other necessary documentation

Begin reviewing CMP elements:
- Capital Improvement Plan
- Performance Measures (LOS & Transit standards)
- Land Use element
- Trip Reduction and Travel Demand element

June 5, 2009	Due to STA: 2009 LOS calculations and other necessary documentation. Comments on CMP elements
June 2009	TAC recommends approval of Draft 2007 CMP
July 2009	STA Board approves Draft of 2007 CMP
August - September	MTC reviews Draft CMP for consistency with 2009 RTP and makes recommendations for final CMP approval
September 2009	TAC recommends approval of Final 2009 CMP
October 2009	STA Board approves 2009 CMP for transmittal to MTC

STA will provide a more detailed list of required documentation and information needed from the STA TAC and SolanoExpress Consortium once MTC has completed the adoption of the RTP and released CMP guidelines. The draft guidelines primarily note the pending adoption of the new RTP, and require updated CMPs to show consistency with the RTP goals and capital projects list.

Recommendation:
Informational.

Agenda Item X.D
March 18, 2009

STA
Solano Transportation Authority

DATE: March 6, 2009
TO: STA Board
FROM: Robert Macaulay, Director of Planning
RE: Comprehensive Transportation Plan (CTP) Update

Background:
The current adopted Comprehensive Transportation Plan (CTP) for Solano County was adopted by the STA Board in 2005. The 2005 CTP identifies, plans, and prioritizes the transportation needs of Solano County through the year 2030. The Solano Transportation Authority, as the Transportation Planning and Congestion Management Agency for Solano County, developed the CTP 2030 in collaboration with its many transportation partners and the public.

In September 2007, the STA Board initiated an update of the Solano Comprehensive Transportation Plan (CTP). The CTP is the STA's primary long-range planning document. The CTP consists of three main elements: Alternative Modes; Arterials, Highways and Freeways; and Transit. The STA Board adopted goals and objectives for each of the three elements based on recommendations provided by separate policy committees during the summer and fall of 2008.

Discussion:
STA staff is working to complete the State of the System – Arterials, Highways and Freeways Report. Detailed information has been provided on the physical characteristics of each of the Routes of Regional Significance by all of the STA member agencies except Dixon and Fairfield, and STA staff is working with those cities to complete the information. Once the report is completed, it will be presented to the TAC, and then to the Arterials, Highways and Freeways Committee.

STA staff is also working to complete the Operations section of the report. STA staff is completing the State of the System Reports for the Bicycle and Pedestrian elements of the Alternative Modes element, including the development of detailed maps of existing, under construction and planned improvements. This will allow STA to easily compare future project proposals with other plans, such as improvements to Routes or Transit Facilities of Regional Significance, Priority Development Areas, and MTC's Regional Bicycle Plan.

The STA Board appointed new members to the three CTP committees at its February 11th meeting.

Recommendation:
Informational.

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DATE: March 2, 2009
TO: STA Board
FROM: Elizabeth Richards, Director of Transit and Rideshare Services
RE: Transportation Development Act (TDA) and State Transit Assistance Funds (STAF) Fiscal Year (FY) 2009-10 Fund Estimates

Background:
The Transportation Development Act (TDA) of 1971 established two sources of funds that provide support for public transportation services statewide – the Local Transportation Fund (LTF) and the Public Transportation Account (PTA). Solano County receives TDA funds through the LTF and State Transit Assistance Funds (STAF) through the PTA. State law specifies that STAF funds be used to provide financial assistance for public transportation, including funding for transit planning, operations and capital acquisition projects.

For several years, TDA funds had been modestly increasing. The past couple of years, Solano County's share of STAF funds have been about $0.5 million per year. Solano County received over $15 million in TDA funds and $3 million of STAF funds in FY 2006-07. Due to a variety of factors, the STAF funds in FY 2006-07 were extraordinarily high. In FY 2007-08, STAF funds were reduced, but higher than the levels normally seen in the years before FY 2006-07.

STAF funds have been used for a wide range of activities, including providing funds for STA transit programs administration, transit studies, transit marketing activities, matching funds for the purchase of new intercity buses and covering new bus purchase shortfalls on start-up new intercity services when the need arises. STAF funds must be spent in the fiscal year they are allocated.

Discussion:
The new TDA and STAF FY 2009-10 revenue estimates were approved by Metropolitan Transportation Commission (MTC) at the end of February.

TDA:
After several years of growth, Solano TDA revenue has reached a plateau. The original TDA revenue estimate for FY 2008-09 was adjusted downward approximately 2% for a new countywide total of $15,687,940 for local jurisdictions. The draft projection for FY 2009-10 Solano TDA ($14,585,193) is 7% lower than the January 2009 revised FY 2008-09 TDA estimate of $15,687,940. See Attachment A for draft Solano FY 2009-10 TDA fund estimate. Attachment B shows the latest approved Solano TDA estimate for FY 2008-09.

MTC is required to use County Auditor estimates for TDA revenues. TDA is generated from a percentage of countywide sales tax and distributed to local jurisdictions based on population share. Given the economic downturn, sales tax and TDA have decreased and will remain suppressed until the economy improves. Staff reemphasizes that these TDA figures

are revenue *estimates*. Especially with all the existing uncertainty, the amounts are not guaranteed and should not be 100% claimed by transit operators to avoid fiscal difficulties if the actual revenues are lower than the projections.

State Transit Assistance Funds (STAF):
The revised FY 2008-09 State Budget approved at the end of February included a provision to completely suspend all STAF funding in FY 2009-10 and for several years forward. Thus, there are no estimates for STAF which affects four categories:

- Revenue-based (directly received by specific operators)
- Population-based: Northern County/Solano
- Regional Paratransit (Solano)
- Lifeline STAF funded projects

Further details of the impact of the decision on Solano transit operators is provided under a separate staff report.

Recommendation:
Informational.

Attachments:

A. Draft FY 2009-10 TDA Solano fund estimate
B. FY 2008-09 TDA Solano fund estimate (Jan 2009)

FY 2009-10 FUND ESTIMATE
TRANSPORTATION DEVELOPMENT ACT FUNDS
SOLANO COUNTY

Y 2008-09 TDA Revenue Estimate Adjustment		
FY 2008-09 Generation Estimates Adjustment		
1. Original County Auditor Estimate (Feb, 08)	16,675,106	
2. Revised County Auditor Estimate (Feb, 09)	15,502,969	
3. Revenue Adjustment (Line 2-1)		(1,172,137)
FY 2008-09 Planning and Administration Charges Adjustment		
4. MTC Administration (0.5% of line 3)	(5,861)	
5. County Administration (0.5% of line 3)	(5,861)	
6. MTC Planning (3.0% of line 3)	(35,164)	
7. Total Charges (Lines 4+5+6)		(46,885)
8. Adjusted Generations Less Charges (Line 3-7)		(1,125,252)
FY 2008-09 TDA Adjustment By Article		
9. Article 3 Adjustment (2.0% of line 8)	(22,505)	
10. Funds Remaining (Line 8-9)		(1,102,746)
11. Article 4.5 Adjustment (5.0% of line 10)	-	
12. Article 4 Adjustment (Line 10-11)		(1,102,746)

FY 2009-10 TDA Estimate		
FY 2009-10 County Auditor's Generations Estimate		
13. County Auditor's Estimate		15,502,969
FY 2009-10 Planning and Administration Charges		
14. MTC Administration (0.5% of line 13)	77,515	
15. County Administration (0.5% of line 13)	77,515	
16. MTC Planning (3.0% of line 13)	465,089	
17. Total Charges (Lines 14+15+16)		620,119
18. TDA Generations Less Charges (Line 13-17)		14,882,850
FY 2009-10 TDA Apportionment By Article		
19. Article 3.0 (2.0% of line 18)	297,657	
20. Funds Remaining (Line 18-19)		14,585,193
21. Article 4.5 (5.0% of line 20)	-	
22. TDA Article 4 (Line 20-21)		14,585,193

TDA APPORTIONMENT BY JURISDICTIONS

Column	*A*	*B*	*C*	*D*	*E*	*F*	*G*	*H=Sum(C:G)*	*I*	*J=H+I*
	6/30/08	FY 2008-09	FY 2008-09	FY 2007-09	FY 2008 - 09	FY 2008 - 09	FY 2008 - 09	6/30/09	FY 2009 - 10	Total
Apportionment Jurisdictions	Balance (w/o interest)	Interest & Refunds	Balance (w/interest)[1]	Outstanding Commitments[2]	Transfers/ Refunds	Original Estimate	Revenue Adjustment	Projected Carryover	Revenue Estimate	Available For Allocation
Article 3	656,450	8,381	664,831	(943,460)		320,162	(22,505)	19,028	297,657	316,685
Article 4.5										
SUBTOTAL	656,450	8,381	664,831	(943,460)	-	320,162	(22,505)	19,028	297,657	316,685
Article 4/8										
Benicia	3,504	3,208	6,712	(187,279)		1,030,887	(71,245)	779,075	956,199	1,735,274
Dixon	2,638	514	3,152	(581,966)		651,561	(45,831)	26,916	600,726	627,641
Fairfield	2,456,342	44,689	2,501,031	(5,621,210)	2,300,000	3,893,006	(275,397)	2,797,429	3,648,477	6,445,906
Rio Vista	286,969	3,666	290,635	(508,995)		288,889	(19,236)	51,293	275,841	327,134
Suisun City	183,290	3,441	186,731	(1,204,766)		1,033,250	(72,364)	(57,149)	963,547	906,398
Vacaville	3,095,412	41,264	3,136,676	(5,285,726)	327,795	3,563,163	(251,389)	1,490,519	3,311,904	4,802,423
Vallejo	357	203	560	(4,166,708)		4,484,004	(315,814)	2,042	4,138,709	4,140,751
Solano County	2	1,850	1,852	(558,919)		743,180	(51,470)	134,643	689,791	824,434
SUBTOTAL[3]	6,028,514	98,835	6,127,349	(18,115,569)	2,627,795	15,687,940	(1,102,746)	5,224,769	14,585,193	19,809,962
GRAND TOTAL	6,684,964	107,217	6,792,181	(19,059,029)	2,627,795	16,008,102	(1,125,252)	5,243,797	14,901,878	20,126,647

1. Balance as of 6/30/08 is from MTC FY 2007-08 Audit, and it contains both funds available for allocation and funds that have been allocated but not disbursed.

2. The outstanding commitments figure includes all unpaid allocations as of June 30, 2008, and FY 2008-09 allocations as of January 31, 2009.

3. Where applicable by local agreement, contributions from each jurisdiction will be made to support the following: Solano county Paratransit, CityLinkBARTLink, Countywide Transit/Paratransit Planning, and Countywide Street and Roads Planning.

ATTACHMENT A

FY 2008-09 FUND ESTIMATE
TRANSPORTATION DEVELOPMENT ACT FUNDS
SOLANO COUNTY

Attachment A
Res No. 3845
Page 9 of 16
January 28, 2009

FY 2007-08 TDA Revenue Estimate Adjustment			FY 2008-09 TDA Estimate		
FY 2007-08 Generation Estimates Adjustment			***FY 2008-09 County Auditor's Generations Estimate***		
1. Original County Auditor Estimate (Feb, 07)	16,956,193		13. County Auditor's Estimate		16,675,106
2. Actual Revenue From State (June, 08)	15,400,390		***FY 2008-09 Planning and Administration Charges***		
3. Revenue Adjustment (Line 2-1)		(1,555,803)	14. MTC Administration (0.5% of line 13)	83,376	
FY 2007-08 Planning and Administration Charges Adjustment			15. County Administration (0.5% of line 13)	83,376	
4. MTC Administration (0.5% of line 3)	(7,779)		16. MTC Planning (3.0% of line 13)	500,253	
5. County Administration (0.5% of line 3)	(7,779)		17. Total Charges (Lines 14+15+16)		667,004
6. MTC Planning (3.0% of line 3)	(46,674)		18. TDA Generations Less Charges (Line 13-17)		16,008,102
7. Total Charges (Lines 4+5+6)		(62,232)	***FY 2008-09 TDA Apportionment By Article***		
8. Adjusted Generations Less Charges (Line 3-7)		(1,493,571)	19. Article 3.0 (2.0% of line 18)	320,162	
FY 2007-08 TDA Adjustment By Article			20. Funds Remaining (Line 18-19)		15,687,940
9. Article 3 Adjustment (2.0% of line 8)	(29,871)		21. Article 4.5 (5.0% of line 20)	-	
10. Funds Remaining (Line 8-9)		(1,463,700)	22. TDA Article 4 (Line 20-21)		15,687,940
11. Article 4.5 Adjustment (5.0% of line 10)	-				
12. Article 4 Adjustment (Line 10-11)		(1,463,700)			

TDA APPORTIONMENT BY JURISDICTIONS

Column	*A*	*B*	*C*	*D*	*E*	*F*	*G=Sum(A:F)*	*H*	*I=G+H*
	6/30/07	FY 2007-08	FY 2006-08	FY 2007 - 08	FY 2007 - 08	FY 2007 - 08	6/30/08	FY 2008 - 09	Total
Apportionment Jurisdictions	Balance (w/interest)[1]	Interest & Refunds	Outstanding Commitments[2]	Transfers/ Refunds / Expirations[3]	Original Estimate	Revenue Adjustment	Projected Carryover	Revenue Estimate	Available For Allocation
Article 3	453,268	35,689	(640,458)		325,559	(29,871)	144,186	320,162	464,349
Article 4.5									
SUBTOTAL	453,268	35,689	(640,458)	-	325,559	(29,871)	144,186	320,162	464,349
Article 4/8									
Benicia	93,083	2,084	(1,031,169)		1,030,638	(94,565)	71	1,030,887	1,030,958
Dixon	23,024	5,417	(632,008)		662,998	(60,833)	(1,402)	651,561	650,159
Fairfield	4,971,018	199,496	(7,491,902)	3,008,562	3,983,909	(365,541)	4,305,542	3,893,006	8,198,548
Rio Vista	450,868	25,080	(631,601)		278,267	(25,532)	97,082	288,889	385,971
Suisun City	364,016	20,025	(1,330,214)		1,046,823	(96,050)	4,599	1,033,250	1,037,850
Vacaville	2,681,853	177,486	(5,351,895)	422,550	3,636,603	(333,674)	1,232,923	3,563,163	4,796,086
Vallejo	1,323	13,113	(4,163,478)		4,568,587	(419,187)	358	4,484,004	4,484,362
Solano County	0	1,990	(678,234)		744,561	(68,317)	1	743,180	743,180
SUBTOTAL[4]	8,585,185	444,691	(21,310,501)	3,431,112	15,952,386	(1,463,700)	5,639,174	15,687,940	21,327,113
GRAND TOTAL	9,038,453	480,380	(21,950,959)	3,431,112	16,277,945	(1,493,571)	5,783,360	16,152,288	21,791,462

1. Balance as of 6/30/07 is from MTC FY 2006-07 Audit, and it contains both funds available for allocation and funds that have been allocated but not disbursed.
2. The outstanding commitments figure includes all unpaid allocations as of June 30, 2007, and FY 2007-08 allocations, transfers and refunds as of June 30, 2008.
3. Transfers, refunds and expired capital allocations has been updated for the Fairfield/Suisun Transit through December 29, 2008.

DATE: February 18, 2009
TO: STA Board
FROM: Susan Furtado, Financial Analyst/Accountant
RE: Local Transportation Development Act (TDA) and Members Contributions for Fiscal Year (FY) 2009-10

Background

In January 2004, the Solano Transportation Authority (STA) Board unanimously adopted a policy to index the annual local Transportation Development Act (TDA) to provide 2.7% of the total TDA available to the county and 2.1% for Members Contribution based on the prior calendar year gas tax revenues received by all the agencies in Solano County.

The TDA contribution is based on the Metropolitan Transportation Commission (MTC) annual TDA fund estimate for each local jurisdiction. STA annually claims these funds on behalf of the Member Agencies for transit operation and planning expenses.

The Members Contribution received from all the agencies in Solano County is based on the gas tax revenues. Although based on gas tax revenues, each member agency provides a contribution to STA through any eligible fund source, including gas tax. The Member Agencies are invoiced for these contributions at the beginning of the fiscal year.

Both contributions are estimates; revisions are made as actual data is made available and adjustments are made in the subsequent fiscal year. These two revenue sources provide the core funding for STA's operations. These operations include administrative staff services and office space cost, and a percentage of strategic planning and project development not covered by other planning grants and project revenues.

Discussion:

Attachment A is the FY 2009-10 Local TDA Funds and Contributions from Member Agencies. These amounts reflect a reduction of the TDA contribution to STA of 6.5% ($29,200) from the prior year using the MTC's annual TDA funding estimates. STA's TDA claim for FY 2009-10 (Attachment B) is calculated based on the adopted indexing policy and on MTC's FY 2009-10 Fund Estimate (Attachment C).

The Members Contribution has a reduction of 9.3% ($26,075). This calculation reflects an adjustment from the prior year estimates (Attachment B) for the actual Gas Tax received by the county agencies for the calendar year 2008. The Members Contributions estimates for FY 2009-10 are based on calendar year 2008 actual Gas Tax Revenues to Solano County (Attachment D).

Estimates for both local TDA Funds and Contribution from Member Agencies vary depending on the actual amounts on MTC's TDA Apportionment and Gas Tax received by the agencies. Adjustments to these estimates are reflected in the subsequent year.

Fiscal Impact

FY 2009-10 local TDA Funds is $422,225 and the Members Contributions is $255,071. In the aggregate, the total TDA and members contribution from the member agencies for the FY 2009-10 has been reduced by 7.5% ($55,275).

Recommendation

Informational.

Attachments

A. FY 2009-10 Local TDA Funds and Contributions from Member Agencies
B. Computations for TDA and Members Contributions for FY 2009-10
C. MTC FY 2009-10 Fund Estimate TDA Funds Solano County (February 25, 2009)
D. Calendar Year 2008 Gas Tax Revenues for Solano County Agencies

Solano Transportation Authority

FY 2009-10 Local Transportation Development Act (TDA) Funds and Member Agencies Contributions

TDA Contributions

AGENCY	FY 2009-10 TDA	FY 2008-09 Adjustment	FY 2009-10 Total TDA to STA	FY 2008-09 TDA to STA	% Change
Benicia	27,602	(323)	27,279	29,078	-6.2%
Dixon	17,756	(208)	17,548	19,137	-8.3%
Fairfield	106,694	(1,248)	105,446	113,039	-6.7%
Rio Vista	7,452	(88)	7,364	8,438	-12.7%
Suisun City	28,035	(328)	27,707	29,573	-6.3%
Vacaville	97,393	(1,139)	96,254	102,245	-5.9%
Vallejo	122,352	(1,431)	120,921	128,780	-6.1%
Solano County	19,940	(234)	19,706	21,135	-6.8%
TOTAL	427,225	(4,999)	422,225	451,425	-6.5%

Members Contributions

AGENCY	FY 2009-10 Members Contribution	FY 2008-09 Adjustment	FY 2009-10 Total Members Contribution Claim	FY 2008-09 Members Contribution	% Change
Benicia	17,433	(954)	16,479	18,164	-9.3%
Dixon	11,215	(614)	10,601	11,684	-9.3%
Fairfield	67,387	(3,686)	63,701	70,213	-9.3%
Rio Vista	4,707	(258)	4,449	4,903	-9.3%
Suisun City	17,707	(969)	16,738	18,449	-9.3%
Vacaville	61,513	(3,365)	58,148	64,092	-9.3%
Vallejo	77,277	(4,227)	73,050	80,517	-9.3%
Solano County	12,594	(689)	11,905	13,124	-9.3%
TOTAL	269,832	(14,762)	255,071	281,146	-9.3%

Total Contributions from Member Agencies

AGENCY	TDA	Member Contribution	FY 2009-10 TOTAL	FY 2008-09 TOTAL	% Change
Benicia	27,279	16,479	43,758	47,242	-7.4%
Dixon	17,548	10,601	28,148	30,821	-8.7%
Fairfield	105,446	63,701	169,147	183,252	-7.7%
Rio Vista	7,364	4,449	11,813	13,341	-11.5%
Suisun City	27,707	16,738	44,445	48,023	-7.5%
Vacaville	96,254	58,148	154,401	166,337	-7.2%
Vallejo	120,921	73,050	193,971	209,297	-7.3%
Solano County	19,706	11,905	31,611	34,258	-7.7%
TOTAL	422,225	255,071	677,296	732,571	-7.5%

STA
Solano Transportation Authority

FY 2009-10 TDA and Members Contributions Indexing Policy

Local Transportation Development Act (TDA) Funds

TDA	Total TDA to County	$15,687,940	TDA	Total TDA to County	$15,502,970
FY 2008-09	STA Operations (2.7%)	$423,574	FY 2009-10	STA Operations (2.7%)	$418,580

February 2007 Estimate

	Agency TDA	Percent	FY 09-10 Claim	TDA Adjustment	Total TDA	Percent	Revised FY 2008-09	FY 2008-09 Adjustment
Benicia	$1,013,553	0.065	$27,366	(71,245)	$942,308	0.065	$27,043	(323)
Dixon	652,007	0.042	17,604	(45,831)	606,176	0.042	17,397	(208)
Fairfield	3,917,867	0.250	105,782	(275,397)	3,642,470	0.250	104,535	(1,248)
Rio Vista	273,654	0.017	7,389	(19,236)	254,418	0.017	7,302	(88)
Suisun City	1,029,470	0.066	27,796	(72,364)	957,106	0.066	27,468	(328)
Vacaville	3,576,318	0.228	96,561	(251,389)	3,324,929	0.228	95,422	(1,139)
Vallejo	4,492,853	0.286	121,307	(315,814)	4,177,039	0.286	119,877	(1,431)
Solano County	732,218	0.047	19,770	(51,470)	680,748	0.047	19,537	(234)
	$15,687,940	1.000	$423,574	($1,102,746)	$14,585,194	1.000	$418,580	(4,999)

TDA	Total TDA to County		$15,823,132		
FY 2009-10	STA Operations (2.7%)		$427,225		

February 2008 Estimate

			FY 2009-10 Estimate	FY 2008-09 Adjustment	Total TDA Funds FY 2009-10
Benicia	$956,199	0.065	$27,602	($323)	27,279
Dixon	600,726	0.042	17,756	-208	17,548
Fairfield	3,648,477	0.250	106,694	-1,248	105,446
Rio Vista	275,841	0.017	7,452	-88	7,364
Suisun City	963,547	0.066	28,035	-328	27,707
Vacaville	3,311,904	0.228	97,393	-1,139	96,254
Vallejo	4,138,709	0.286	122,352	-1,431	120,921
Solano County	689,791	0.047	19,940	-234	19,706
	$14,585,194	1.000	$427,225	($4,999)	422,225

Members Contribution

Contribution:	Total Gas Tax to County	$13,551,930	**Contribution:**	Total Gas Tax to County	$12,849,156
FY 2008-09	STA Operations (2.1%)	$284,591	FY 2009-10	STA Operations (2.1%)	$269,832

Estimate based on Calendar Year 2007

		FY 08-09 Claim
Benicia	0.065	$18,387
Dixon	0.042	11,828
Fairfield	0.250	71,073
Rio Vista	0.017	4,964
Suisun City	0.066	18,675
Vacaville	0.228	64,877
Vallejo	0.286	81,504
Solano County	0.047	13,283
	1.000	$284,591

Estimate based on Calendar Year 2008

			FY 08-09 Adjustment
Benicia	0.065	$17,433	($954)
Dixon	0.042	11,215	(614)
Fairfield	0.250	67,387	(3,686)
Rio Vista	0.017	4,707	(258)
Suisun City	0.066	17,707	(969)
Vacaville	0.228	61,513	(3,365)
Vallejo	0.286	77,277	(4,227)
Solano County	0.047	12,594	(689)
	1.000	$269,832	($14,762)

Contribution:	Total Gas Tax to County		$12,849,156	
FY 2008-09	STA Operations (2.1%)		$269,832	

Estimate based on Calendar Year 2008

			FY 08-09 Adjustment	Total Members Contribution FY 2009-10
Benicia	0.065	$17,433	($954)	$16,479
Dixon	0.042	11,215	(614)	10,601
Fairfield	0.250	67,387	(3,686)	63,701
Rio Vista	0.017	4,707	(258)	4,449
Suisun City	0.066	17,707	(969)	16,738
Vacaville	0.228	61,513	(3,365)	58,148
Vallejo	0.286	77,277	(4,227)	73,050
Solano County	0.047	12,594	(689)	11,905
	1.000	$269,832	($14,762)	$255,071

FY 2008-09 FUND ESTIMATE
TRANSPORTATION DEVELOPMENT ACT FUNDS
SOLANO COUNTY

FY 2008-09 TDA Revenue Estimate Adjustment		
FY 2008-09 Generation Estimates Adjustment		
1. Original County Auditor Estimate (Feb, 08)	16,675,106	
2. Revised County Auditor Estimate (Feb, 09)	15,502,969	
3. Revenue Adjustment (Line 2-1)		(1,172,137)
FY 2008-09 Planning and Administration Charges Adjustment		
4. MTC Administration (0.5% of line 3)	(5,861)	
5. County Administration (0.5% of line 3)	(5,861)	
6. MTC Planning (3.0% of line 3)	(35,164)	
7. Total Charges (Lines 4+5+6)		(46,885)
8. Adjusted Generations Less Charges (Line 3-7)		(1,125,252)
FY 2008-09 TDA Adjustment By Article		
9. Article 3 Adjustment (2.0% of line 8)	(22,505)	
10. Funds Remaining (Line 8-9)		(1,102,746)
11. Article 4.5 Adjustment (5.0% of line 10)	-	
12. Article 4 Adjustment (Line 10-11)		(1,102,746)

FY 2009-10 TDA Estimate		
FY 2009-10 County Auditor's Generations Estimate		
13. County Auditor's Estimate		15,502,969
FY 2009-10 Planning and Administration Charges		
14. MTC Administration (0.5% of line 13)	77,515	
15. County Administration (0.5% of line 13)	77,515	
16. MTC Planning (3.0% of line 13)	465,089	
17. Total Charges (Lines 14+15+16)		620,119
18. TDA Generations Less Charges (Line 13-17)		14,882,850
FY 2009-10 TDA Apportionment By Article		
19. Article 3.0 (2.0% of line 18)	297,657	
20. Funds Remaining (Line 18-19)		14,585,193
21. Article 4.5 (5.0% of line 20)	-	
22. TDA Article 4 (Line 20-21)		14,585,193

TDA APPORTIONMENT BY JURISDICTIONS

Column	*A*	*B*	*C*	*D*	*E*	*F*	*G*	*H=Sum(C:G)*	*I*	*J=H+I*
	6/30/08	FY 2008-09	FY 2008-09	FY 2007-09	FY 2008 - 09	FY 2008 - 09	FY 2008 - 09	6/30/'09	FY 2009 - 10	Total
Apportionment Jurisdictions	Balance (w/o Interest)	Interest & Refunds	Balance (w/interest)[1]	Outstanding Commitments[2]	Transfers/ Refunds	Original Estimate	Revenue Adjustment	Projected Carryover	Revenue Estimate	Available For Allocation
Article 3	656,450	8,381	664,831	(943,460)		320,162	(22,505)	19,028	297,657	316,685
Article 4.5										
SUBTOTAL	656,450	8,381	664,831	(943,460)	-	320,162	(22,505)	19,028	297,657	316,685
Article 4/8										
Benicia	3,504	3,208	6,712	(187,279)		1,030,887	(71,245)	779,075	956,199	1,735,274
Dixon	2,638	514	3,152	(581,966)		651,561	(45,831)	26,916	600,726	627,641
Fairfield	2,456,342	44,689	2,501,031	(5,621,210)	2,300,000	3,893,006	(275,397)	2,797,429	3,648,477	6,445,906
Rio Vista	286,969	3,666	290,635	(508,995)		288,889	(19,236)	51,293	275,841	327,134
Suisun City	183,290	3,441	186,731	(1,204,766)		1,033,250	(72,364)	(57,149)	963,547	906,398
Vacaville	3,095,412	41,264	3,136,676	(5,285,726)	327,795	3,563,163	(251,389)	1,490,519	3,311,904	4,802,423
Vallejo	357	203	560	(4,166,708)		4,484,004	(315,814)	2,042	4,138,709	4,140,751
Solano County	2	1,850	1,852	(558,919)		743,180	(51,470)	134,643	689,791	824,434
SUBTOTAL[3]	6,028,514	98,835	6,127,349	(18,115,569)	2,627,795	15,687,940	(1,102,746)	5,224,769	14,585,193	19,809,962
GRAND TOTAL	6,684,964	107,217	6,792,181	(19,059,029)	2,627,795	16,008,102	(1,125,252)	5,243,797	14,901,878	20,126,647

1. Balance as of 6/30/08 is from MTC FY 2007-08 Audit, and it contains both funds available for allocation and funds that have been allocated but not disbursed.

2. The outstanding commitments figure includes all unpaid allocations as of June 30, 2008, and FY 2008-09 allocations as of January 31, 2009.

3. Where applicable by local agreement, contributions from each jurisdiction will be made to support the following: Solano county Paratransit, CityLinkBARTLink, Countywide Transit/Paratransit Planning, and Countywide Street and Roads Planning.

Solano Transportation Authority

Gas Tax to Solano County

January to December 2008

Allocation:	Jan-08	Feb-08	Mar-08	Apr-08	May-08	Jun-08	Jul-08	Aug-08	Sep-08	Oct-08	Nov-08	Dec-08	Total
Solano County	571,647.15	504,466.76	466,286.60	493,953.65	512,405.73	490,989.20	503,416.81	470,171.75	499,299.84	451,938.80	403,170.50	502,058.10	5,869,804.89
City:													
Benicia	43,382.74	41,106.02	37,994.31	40,317.67	41,858.40	40,180.71	46,931.90	38,258.24	40,562.93	36,794.13	37,686.49	40,662.85	485,736.39
Dixon	27,566.76	26,127.80	24,161.09	25,629.51	26,603.32	25,542.95	29,960.97	24,274.85	25,728.28	23,351.53	23,914.29	25,791.29	308,652.64
Fairfield	162,995.64	154,383.27	142,612.35	151,401.05	157,229.31	150,882.94	165,053.73	144,852.09	153,645.87	139,265.62	142,670.53	154,027.12	1,819,019.52
Rio Vista	12,445.21	11,807.19	10,935.19	11,586.26	12,018.03	11,547.89	14,092.51	11,321.22	11,986.07	10,898.86	11,156.28	12,014.90	141,809.61
Suisun City	43,481.28	41,199.34	38,080.53	40,409.18	41,953.43	40,271.90	47,243.37	38,549.17	40,871.56	37,073.80	37,973.03	40,972.25	488,078.84
Vacaville	149,344.51	141,455.21	130,672.56	138,723.37	144,062.31	138,248.76	148,286.87	131,526.33	139,508.88	126,455.22	129,546.02	139,854.96	1,657,685.00
Vallejo	187,360.13	177,457.21	163,922.47	174,028.09	180,729.73	173,432.37	186,309.14	164,705.41	174,707.79	158,351.14	162,224.01	175,141.44	2,078,368.93
City SubTotal	626,576.27	593,536.04	548,378.50	582,095.13	604,454.53	580,107.52	637,878.49	553,487.31	587,011.38	532,190.30	545,170.65	588,464.81	6,979,350.93
Total County & City	1,198,223.42	1,098,002.80	1,014,665.10	1,076,048.78	1,116,860.26	1,071,096.72	1,141,295.30	1,023,659.06	1,086,311.22	984,129.10	948,341.15	1,090,522.91	12,849,155.82
FY 2007	1,134,066.12	1,098,329.02	1,108,253.31	1,094,020.92	1,166,773.88	1,080,244.51	1,250,776.11	1,087,186.41	1,179,950.54	1,156,280.28	1,098,057.93	1,097,990.59	13,551,929.62
Variance	64,157.30	(326.22)	(93,588.21)	(17,972.14)	(49,913.62)	(9,147.79)	(109,480.81)	(63,527.35)	(93,639.32)	(172,151.18)	(149,716.78)	(7,467.68)	(702,773.80)

ATTACHMENT D

STA
Solano Transportation Authority

DATE: March 9, 2009
TO: STA Board
FROM: Sara Woo, Planning Assistant
RE: Metropolitan Transportation Commission (MTC) Bicyclist and Pedestrian Data Collection – Count Locations Update

Background:
The Metropolitan Transportation Commission (MTC) published the Bicyclist and Pedestrian Data Collection and Analysis Project final report on April 9, 2003 (for full report, please visit http://www.mtc.ca.gov/library/Bike-Ped-Data-Collection.pdf). This report was developed in response to the lack of data on current bicycle and pedestrian activity in the 2001 Regional Bicycle Plan.

While vehicle counts are usually conducted as part of standard traffic studies, and bus and rail ridership figures are collected to study trends in transit ridership, a comparable effort to collect data on bicycle and pedestrian volumes and facilities is still in progress.

Discussion:
During the development of Bicyclist and Pedestrian Collection and Analysis Project final report, MTC identified 11 locations in Solano County for bicycles and pedestrian counts (Attachment A). These locations were selected with input from STA and its member agencies based on the following five (5) criteria: 1) high collision rates; 2) location on local or regional bicycle network (existing or proposed); 3) proximity to major transit facilities; 4) proximity to schools and universities; and 5) proximity to local or regional attractions/destinations.

On February 13, 2009, MTC requested that each Congestion Management Agency (CMA) confirm each location currently identified or provide input regarding a more appropriate location. STA staff circulated the proposed count locations to the Bicycle Advisory Committee (BAC), Pedestrian Advisory Committee (PAC), and Technical Advisory Committee (TAC). Attached is a summary of comments (Attachment B). To facilitate the development of an approach to address the long term data collection needs regarding bicyclist and pedestrian activity, STA staff will continue to work with the BAC and PAC at their March 2009 meetings to further discuss these comments and provide a final list of locations. Thereafter, STA staff will coordinate with MTC staff to consolidate both data collection efforts.

Fiscal Impact:
None.

Recommendation:
Informational.

Attachments:
A. MTC Count Location List – Solano County
B. Comments to MTC Staff for Bike and Ped Count Locations Update

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MTC Bike/Ped Data Collection Project
Count Location List
Solano County

Int. #	Jurisdiction	Location	Counts Bike	Counts Ped	# of Collisions	Bikeways Local	Bikeways Regional	Transit Center	School	Activity Center
SL01	Benicia	Military West @ 2nd St	x		3	exist/proposed	2/5	Civic Center	HS	
SL02	County	Dixon-Davis Bike Route @ Vaughn	x		0	existing	2/0			
SL03	Dixon	First Street @ C St		x	1		2/0		school	
SL04	Fairfield	Hwy 12 Jameson Canyon @ Red Top Rd	x		1	exist/proposed	0/5		HS	
SL05	Fairfield	Travis @ Texas	x	x	12		0/0		Elem	Lee Bell Park
SL06	Rio Vista	Downtown Waterfront Path	x	x		existing	0/0			
SL07	Suisun City	Main @ Lotz	x	x	0		5/0	Amtrak, Bus Depot		City Hall
SL08	Vacaville	Alamo @ Nut Tree	x		10	existing	2/0		Elem	Shopping
SL09	Vacaville	Downtown Creekwalk		x		existing	0/0			
SL10	Vallejo	Solano Bikeway @ Columbus Prkwy	x		0	Solano Bikeway	1/0			
SL11	Vallejo	Waterfront Path	x	x		existing	0/0	Ferry Terminal		

KEY:
Jurisdiction - City in which intersection is located
Location - Intersection where count is to be taken
Bike - Bike count
Ped - Pedestrian count
Collisions - Reported # of bicycle collisions from MTC 2001 Regional Bike Plan map
Local BW - Local bikeways (trail, path, lane, route) present on one or more of streets of intersection
Reg BW - 1 - Existing Class 1 Bicycle Facility 4 - Proposed Class 1 Bicycle Facility
2 - Existing Class 2 Bicycle Facility 5 - Proposed Class 2 Bicycle Facility
3 - Existing Class 3 Bicycle Facility 6 - Proposed Class 3 Bicycle Facility
Transit Center - Transit Center located adjacent to intersection
School - School located adjacent to intersection
Activity Center - Activity Center or attractor located adjacent to intersection

Note: This page prepared by MTC staff; can be found in MTC Bicyclist and Pedestrian Data Collection and Analysis Project final report, http://www.mtc.ca.gov/library/Bike-Ped-Data-Collection.pdf

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Comments for MTC Bicyclist and Pedestrian Count Locations Update

These comments will be discussed at the upcoming BAC and PAC meetings in March.

	Comment	Submitted By	STA Response
1	What is the MTC data collection project measuring? Is MTC measuring commuter use of the facilities, recreational use, or total use?	Edd Alberto, City of Vallejo Public Works	The goal of the project is to get overall use of bicycles and pedestrians and to track the changes in activity from year to year.
2	Has MTC considered the time of year for collecting data?	Edd Alberto, City of Vallejo Public Works	MTC specifies that counts should be conducted during fall, spring, and summer (2003 Handbook for Bicyclist and Pedestrian Counts, http://www.mtc.ca.gov/services/arterial_operations/downloads/ped-bike/Handbook_Summary.pdf, page 2).
3	How are the counts interpreted and used to make investment decisions pertaining to bike/ped projects? Does bike/ped activity justify additional facilities, or does zero activity?	Randy Carlson, STA BAC	The approach to interpreting and use of counts to make decisions related to bicycle and pedestrian projects depends on various factors (i.e. land use, accident data, others). STA staff will continue to work with the BAC, PAC, and TAC to make these decisions.
4	Benicia – Cyclists generally avoid the intersection of Military West at 2nd.	Glen Grant, STA BAC	Comment noted. Military West at 2nd Street is a good location for both bicyclist and pedestrian counts due to its closer proximity to a school, parks, and Safeway.
5	Benicia – Military West at 2nd Street in may be referring to Military East.	Mick Weninger, STA BAC	This location has been identified for both bicyclist and pedestrian counts (see line item 4). STA staff can consider Military East @ East 2nd Street for counts through guidance from the BAC and PAC.
6	Benicia – Consider 1st Street at I Street for bicyclist counts.	Glen Grant, STA BAC	STA staff will consider addition of 1st Street at I Street for bicyclist counts through guidance from the BAC and PAC.
7	County – Dixon to Davis Bike Route at Vaughn: consider location closer to Runge Road.	Glen Grant, STA BAC	STA staff will bring comment to BAC and PAC for further discussion on a suitable location to conduct counts on the Dixon to Davis Bike Route.

Prepared on 03-02-2009 by STA staff Sara Woo, (707) 399-3214, swoo@sta-snci.com

ATTACHMENT B

STA

8	Dixon – Porter Road at A Street in Dixon is more important to bike travel than 1st at C.	Glen Grant, STA BAC	STA staff will consider addition of Porter Road at A Street with guidance of the BAC and PAC. Currently, 1st Street at C Street has been identified for pedestrian counts and remains a suitable location for tracking pedestrian activity.
9	Dixon – Bicyclist and Pedestrian Counts were conducted in 2007 at 3 railroad crossings (includes SR113 at C Street; one block north of 1st Street at C Street). Lighted crosswalk will be installed at 1st at C Street this year.	Janet Koster, City of Dixon	Comments noted for discussion by the BAC and PAC.
10	Fairfield – East Tabor at North Texas is more useful for bike travel than Travis at North Texas.	Glen Grant, STA BAC	STA staff will consider addition of East Tabor at North Texas through guidance of the BAC and PAC. Currently, Travis at North Texas remains a suitable location for tracking both bicycle and pedestrian activity.
11	Rio Vista – consider Main Street at 2nd Street (rather than Downtown Waterfront Path).	Glen Grant, STA BAC	STA staff will bring comment to the BAC and PAC for further discussion on count location(s).
12	Vacaville – consider Peabody at Alamo (rather than Alamo at Nut Tree).	Glen Grant, STA BAC	STA staff will bring comment to the BAC and PAC for further discussion on count location(s).
13	Vallejo – Solano Bikeway/Callaghan Pkwy @ Columbus Pkwy: Counts from this location may not be representative of the corridor's proposed use because McGary Road, its connector to Fairfield, is currently closed.	Mick Weninger, STA BAC	STA staff will retain this location to help track the future use of the path; McGary Road is anticipated to begin construction summer of 2009.

Prepared on 03-02-2009 by STA staff Sara Woo, (707) 399-3214, swoo@sta-snci.com

STA
Solano Transportation Authority

DATE: March 9, 2009
TO: STA Board
FROM: Sam Shelton, Project Manager
RE: Project Delivery Update

Background:
As the Congestion Management Agency for Solano County, the Solano Transportation Authority (STA) coordinates obligations and allocations of state and federal funds between local project sponsors, Caltrans, and the Metropolitan Transportation Commission (MTC). To aid in the delivery of locally sponsored projects, the STA continually updates the STA's Technical Advisory Committee (TAC) on changes to State and Federal project delivery policies and reminds the TAC about upcoming project delivery deadlines.

Discussion:
There were 2 project delivery reminders this month:

1. FY STP/CMAQ 2008-09 Federal Obligation Plan:
   MTC has adopted new federal funding obligation request deadlines, changing them from March 1, 2009 to February 1, 2009 and the receive deadline from May 31, 2009 to April 30, 2009. This is in response to Caltrans moving up their Obligation Authority (OA) release date from June 1st to May 1st. With leftover OA becoming available sooner, MTC wants Bay Area projects ready to obligate.

Projects included in FY STP/CMAQ 2008-09 Federal Obligation Plan - $8.7 M in Federal funding - Submit E76 Request by February 1, 2009 - Receive E76 by April 30, 2009			
Agency	**TIP ID**	**Project**	**Status/Deadlines**
Benicia	**SOL070045**	State Park Road Bridge	$1.67 M for CON (CMAQ & TE). Requested E76 for CON and CTC Allocation Request for TE.
Dixon	**SOL070046**	SR-113 Pedestrian Improvements	$90,000 for CON. Requested E76 for CON.
Fairfield	**SOL070027**	W. Texas St. Gateway Project Phase I & II	$85,000 for CON Field review to be scheduled. Design underway.
Fairfield/ Solano County	**SOL070012**	"Cordelia Hill Sky Valley Enhancement Project" (McGary Road)	$640,000 in STIP-TE between FY 2008/09 & 2009/10. Complete funding identified. Awaiting funding agreement before TIP amendment.
Solano County	**SOL050024**	Vacaville - Dixon Bike Route Phase II and III	$337,000 for CON. E76 for CON received.

Agency	TIP ID	Project	Status/Deadlines
Solano County	**SOL050046**	Old Town Cordelia	$500,000 for CON. Requested E76 for CON.
Vacaville	**SOL050013**	Vacaville Intermodal Station	$3,028,000 for CON. Requested E76 for CON.
Vacaville	**SOL070028**	Downtown Creekwalk	$53,000 for PS&E $694,000 for CON Requested E76 for CON.
Vacaville	**SOL070029**	Ulatis Creek – Allison to I-80	$169,000 for ENV. Submitted Field Review forms in December. Requested E76 for ENV.
Vacaville	**SOL070047**	Peabody & Marshall Road Pedestrian Improvements	$150,000 for CON. Requested E76 for CON.
Vallejo	**SOL010027**	Vallejo – Lemon St. Rehabilitation	$672,000 for CON. Requested E76 for CON.
Vallejo	**SOL050048**	Downtown Vallejo Pedestrian Enh. - Phase I	$580,000 for CON. Currently in PS&E. Field Review part of economic stimulus process.

2. Inactive Obligations
   To adhere to FHWA project delivery guidelines and MTC's Resolution 3606, project sponsors must invoice for obligated projects every 6 months or risk loss of funding.

   More information can be found on Caltrans Local Assistance website: http://www.dot.ca.gov/hq/LocalPrograms/Inactiveprojects.htm

Currently listed Inactive Projects Review Period: 10/01/08 – 12/31/08 Invoice Submission Due to LPA: March 2, 2009 Justification Due to DLAE: February 23, 2009			
Agency	**Project**	**Unexpended Funds**	**Status**
Fairfield	Travis Blvd. From Oliver Rd. To N. Texas St. , Signal Upgrade, Traffic Sign Install	$170,537	Authorized 06/26/05. Last Billed, 10/06/06.
Projects that will become inactive by June 2009			
Fairfield	Travis Blvd. From Oliver Rd. To N. Texas St. , Signal Upgrade, Traffic Sign Install	$170,537	Authorized 06/26/05. Last Billed, 10/06/06.
Dixon	N. 4th St.And East A Street	$130,000	Authorized 04/18/07. Final invoice (Sept 2008) resent to Caltrans.
Vacaville	Various Locations In Vacaville And Dixon	$10,000	Authorized 09/08/02
Fairfield	Linear Park Between N. Texas St. & Dover Ave.	$330,000	Authorized 04/18/07
Fairfield	Texas St. And Union Street/Downtown Fairfield	$309,855	Authorized 04/26/07

Projects that will become inactive by September 2009			
Suisun City	Various Locations Throughout City, striping for Bike Lanes	$15,268	Authorized 8/1/2001. Last Billed 08/25/06.
Rio Vista	SR 12-Rio Vista Bridge, Project Study Report	$95,813	Authorized 7/24/2007. Last Invoiced 01-19-09.
Rio Vista	SR 12-Rio Vista Bridge, Project Study Report	$199,696	Authorized 7/24/2007. Last Invoiced 01-19-09.
Fairfield	Woolner Ave. From Enterprise Dr. to Sheldon Elementary School, sidewalk improvement.	$53,100	Authorized 9/12/2007

Fiscal Impact:
None.

Recommendation:
Informational.

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STA
Solano Transportation Authority

DATE: February 27, 2009
TO: STA Board
FROM: Sara Woo, Planning Assistant
RE: Funding Opportunities Summary

The following funding opportunities will be available to STA member agencies during the next few months. Also attached are summary fact sheets for each program. Please distribute this information to appropriate departments within your jurisdiction.

Fund Source	Application Available From	Application Due
Federal Transit Administration 5310 Grant Program: Elderly and Disabled Specialized Transit Program*	Cindy Chiaverini, California Department of Transportation (Caltrans) (916) 654-6990	**Application Anticipated to be Available Mid-March 2009**
Clean Air Fund (CAF) Program*	Jim Antone, Yolo Solano Air Quality Management District (YSAQMD) (530) 757-3653	**March 27, 2009**
Caltrans Planning Grant – Environmental Justice: Context Sensitive Planning*	Emmanuel Mekwunye Metropolitan Transportation Commission, (MTC) (510) 286-6326	**April 1, 2009**
Caltrans Planning Grant – Environmental Justice: Community-Based Transportation Planning Grant*	Beth Thomas, California Department of Transportation (Caltrans) (510) 286-7227	**April 1, 2009**
Caltrans Planning Grant – Partnership Planning*	Blesilda Gebreyesus, MTC (510) 286-5575	**April 1, 2009**

Caltrans Planning Grant – Federal Transportation Account (FTA) 5304 Statewide Transit Planning Studies*	Blesilda Gebreyesus, MTC (510) 286-5575	**April 1, 2009**
Caltrans Planning Grant – FTA 5304 Transit Technical Planning Assistance*	Blesilda Gebreyesus, MTC (510) 286-5575	**April 1, 2009**
Caltrans Planning Grant – FTA 5304 Transit Professionals Development*	Blesilda Gebreyesus, MTC (510) 286-5575	**April 1, 2009**
Cycle 8 State-legislated Safe Routes to School (SR2S) Program*	Joyce Parks, Caltrans (916) 653-6920	**April 15, 2009**

* New funding opportunity

Solano Transportation Authority

FUNDING OPPORTUNITY

Federal Transit Administration (FTA) 5310 Grant Program

Application Anticipated to be Available Mid-March 2009

TO: STA Board
FROM: Sara Woo, Planning Assistant

This summary of the FTA 5310 program is intended to assist jurisdictions plan projects that are eligible for the program. STA staff is available to answer questions regarding this funding program and provide feedback on potential project applications.

Eligible Project Sponsors:	Private nonprofit corporations or public agencies where no private nonprofits are readily available to provide the proposed service or that have been approved by the State of California to coordinate services for elderly persons and persons with disabilities.
Program Description:	The FTA 5310 Program is designed for meeting the transportation needs of elderly persons and persons with disabilities in areas where public mass transportation services are otherwise unavailable, insufficient, or inappropriate.
Funding Available:	Approximately $12 million was available in the federal fiscal year 2008.
Eligible Projects:	The program allows for the procurement of accessible vans and busses; communication equipment; mobility management activities; and computer hardware and software for eligible applicants.
Further Details:	http://www.dot.ca.gov/hq/MassTrans/5310.html
Program Contact Person:	Cindy Chiaverini, Branch Chief (Caltrans), (916) 654-6990 Cindy_Chiaverini@dot.ca.gov
STA Contact Person:	Liz Niedziela, STA Transit Manager/Analyst, (707) 424-6175 eniedziela@sta-snci.com

Solano Transportation Authority

FUNDING OPPORTUNITY

Clean Air Fund (CAF) Program

Due March 27, 2009

TO: STA Board
FROM: Sara Woo, Planning Assistant

This summary of the CAF program is intended to assist jurisdictions plan projects that are eligible for the program. STA staff is available to answer questions regarding this funding program and provide feedback on potential project applications.

Eligible Project Sponsors:	Public or private agencies, groups of individuals in the Yolo Solano Air Basin
Program Description:	The Clean Air Funds (CAF) Program is designed to reduce emissions from motor vehicles by supporting cleaner vehicle technologies, alternative modes of transportation, and educating the public about air pollution.
Funding Available:	Approximately $370,000 to $420,000 is available for Solano County projects.
Eligible Projects:	Eligible projects include those pertaining to the following categories: 1. Clean Technologies/Low Emission Vehicles 2. Alternative Transportation Programs 3. Transit Services 4. Public Education/Information
Further Details:	http://www.ysaqmd.org/incentive-caf.php
Program Contact Person:	Jim Antone, Environmental Planner (YSAQMD), (530) 757-3653 jantone@ysaqmd.org
STA Contact Person:	Sara Woo, STA Planning Assistant, (707) 399-3214 swoo@sta-snci.com

Solano Transportation Authority

FUNDING OPPORTUNITY

Caltrans Transportation Planning Grant

Environmental Justice: Context-Sensitive Planning

Due April 1, 2009

TO: STA Board
FROM: Sara Woo, Planning Assistant

This summary of the Caltrans Planning Grant for Environmental Justice: Context-Sensitive Planning is intended to assist jurisdictions plan projects that are eligible for the program. STA staff is available to answer questions regarding this funding program and provide feedback on potential project applications.

Eligible Project Sponsors: Applicants: Cities, counties, transit districts and Native American Tribal Governments.
Sub-applicants: Non-profits, Community Based Organizations, Local Transportation Commissions, etc.

Program Description: Funds projects that promote public participation in planning to improve mobility, access, equity, affordable housing, and economic opportunities for low-income, minority and Native American communities

Funding Available: $3 million from the State Highway Account for FY 07/08. Maximum grant amount is $250,000. A local match equal to 10% of the grant request is required, of which half may be in-kind.

Eligible Projects:

- Identification and involvement of under-represented groups in planning and project development.
- Planning and Safety improvements for pedestrians and bicycles
- Developing Guidelines and supporting information for EJ element of a General Plan
- Transportation Projects in underdeveloped rural agricultural areas
- Transportation Planning that enhances the business climate, affordable housing, and economic development in under-served communities development

Examples:

- Monument Corridor Marketing and Outreach Project, Central Contra Costa Transit Authority - $87,200, FY 05/06
- Fruitvale Alive!/City of Oakland - $170,000, FY 03/04
- Le Grand, Circulation Plan – 68,400, FY 03/04

Further Details: http://www.dot.ca.gov/hq/tpp/grants.htm

Program Contact Person: Emmanuel Mekwunye, Caltrans District 4, (510) 286-6326

STA Contact Person: Sara Woo, Planning Assistant, (707) 399-3214
swoo@sta-snci.com

Solano Transportation Authority

FUNDING OPPORTUNITY

Caltrans Transportation Planning Grant

Community-Based Planning

Due April 1, 2009

TO: STA Board
FROM: Sara Woo, Planning Assistant

This summary of the Caltrans Transportation Planning Grant for Community-Based Planning is intended to assist jurisdictions plan projects that are eligible for the program. STA staff is available to answer questions regarding this funding program and provide feedback on potential project applications.

Eligible Project Sponsors:	Cities, counties, transit districts and Public Entities. Sub recipients: Non-profits, Private Sector entities, Universities, etc.
Program Description:	Funds transportation and land use planning that promote public participation and support livable community concepts.
Funding Available:	$3 million from the State Highway Account for FY 06/07. Maximum grant amount is $250,000. A local match equal to 20% of the grant request is required, of which half may be in-kind.
Eligible Projects:	• Long-term sustainable community/economic development growth studies or plans • Safe, innovative, and complete pedestrian/bicycle/transit linkage studies or plans • Community to school linkage studies or plans • Jobs and affordable housing proximity studies or plans • Transit Oriented/Adjacent Development or "transit village" studies or plans • Community transit facility/infrastructure studies or plans • Mixed-land use development studies or plans • Form-based or smart code development • Context sensitive streetscapes or town center studies or plans • Grid street system studies or plans • Community revitalization studies or plans • Context sensitive community development planning • Studies for community-friendly goods movement transportation corridors, ports, and airports
Further Details:	http://www.dot.ca.gov/hq/tpp/grants.htm
Program Contact Person:	Beth Thomas, Caltrans District 4, (510) 286-7227
STA Contact Person:	Sara Woo, Planning Assistant, (707) 399-3214 swoo@sta-snci.com

Solano Transportation Authority

FUNDING OPPORTUNITY

Caltrans Transportation Planning Grant

FTA 5304 Partnership Planning

Due April 1, 2009

TO: STA Board
FROM: Sara Woo, Planning Assistant

This summary of the Caltrans Transportation Planning Grant for Partnership Planning is intended to assist jurisdictions plan projects that are eligible for the program. STA staff is available to answer questions regarding this funding program and provide feedback on potential project applications.

Eligible Project Sponsors:	MPOs/RTPs as applicants. Others may apply as sub-recipients. Contact MTC for their sub-recipient process details.
Program Description:	The Partnership Planning Grant promotes planning studies that have a statewide benefit or multi-regional significance or both.
Funding Available:	Approximately $1 million will be available in FY 2007-08. The maximum amount per grant is $300,000 with a 20% non-federal local match.
Eligible Projects:	• Regional, inter-county, and/or statewide mobility and access needs • Land use and smart growth studies • Corridor studies and corridor preservation studies • Projects that evaluate transportation issues involving ground access to international borders, seaports, airports, intermodal facilities, freight hubs, and recreational sites
Further Details:	http://www.dot.ca.gov/hq/tpp/grants.htm
Program Contact Person:	Blesilda Gebreyesus, Caltrans District 4, (510) 286-5575
STA Contact Person:	Sara Woo, Planning Assistant, (707) 399-3214 swoo@sta-snci.com

STA
Solano Transportation Authority

FUNDING OPPORTUNITY

Caltrans Transportation Planning Grant

FTA 5304 Statewide Transit Planning Studies

Due April 1, 2009

TO: STA Board
FROM: Sara Woo, Planning Assistant

This summary of the Caltrans Transportation Planning Grant for Statewide Transit Planning Studies is intended to assist jurisdictions plan projects that are eligible for the program. STA staff is available to answer questions regarding this funding program and provide feedback on potential project applications.

Eligible Project Sponsors:	Only MPOs/RTPs may apply for this grant program . Others may apply as sub-recipients. Contact MTC for their sub-recipient process details.
Program Description:	Funds studies that reduce urban transportation needs and improve transit on a statewide or multi-regional level.
Funding Available:	$1,400,000 available with a grant cap of $300,000. 11.47% non-Federal funds or in-kind local match required.
Eligible Projects:	• GIS development • Transit-oriented development (TOD) studies • Transit planning • Development tools • Development models Example: • Transit-Related Child Care Study, Child Care Coordinating Council of San Mateo County - $84,100
Further Details:	http://www.dot.ca.gov/hq/tpp/grants.htm
Program Contact Person:	Blesilda Gebreyesus, Caltrans District 4, (510) 286-5575
STA Contact Person:	Sara Woo, Planning Assistant, (707) 399-3214 swoo@sta-snci.com

STA
Solano Transportation Authority

FUNDING OPPORTUNITY

Caltrans Transportation Planning Grant

FTA 5304 Transit Technical Planning Assistance

Due April 1, 2009

TO: STA Board
FROM: Sara Woo, Planning Assistant

This summary of the Caltrans Transportation Planning Grant for Transit Technical Planning Assistance is intended to assist jurisdictions plan projects that are eligible for the program. STA staff is available to answer questions regarding this funding program and provide feedback on potential project applications.

Eligible Project Sponsors:	Only MPOs/RTPs may apply for this grant program . Others may apply as sub-recipients. Contact MTC for their sub-recipient process details.
Program Description:	Funds public intermodal transportation planning studies for rural transit service (Population of 50K or less).
Funding Available:	$700,000 available with a grant cap of $100,000. 11.47% non-Federal funds or in-kind local match required.
Eligible Projects:	• Short-range transit development plans • Ridership surveys • Transit coordination studies Example: • Western Placer County Options for Transit Service Consolidation, Placer County Transportation Planning Agency - $13,280
Further Details:	http://www.dot.ca.gov/hq/tpp/grants.htm
Program Contact Person:	Blesilda Gebreyesus, Caltrans District 4, (510) 286-5575
STA Contact Person:	Sara Woo, Planning Assistant, (707) 399-3214 swoo@sta-snci.com

STA
Solano Transportation Authority

FUNDING OPPORTUNITY

Caltrans Transportation Planning Grant

FTA 5304 Transit Professional Development

Due April 1, 2009

TO: STA Board
FROM: Sara Woo, Planning Assistant

This summary of the Caltrans Transportation Planning Grant for Transit Professionals Development is intended to assist jurisdictions plan projects that are eligible for the program. STA staff is available to answer questions regarding this funding program and provide feedback on potential project applications.

Eligible Project Sponsors:	Only MPOs/RTPs may apply for this grant program. Others may apply as sub-recipients. Contact MTC for their sub-recipient process details.
Program Description:	*Transit Professional Development*: Funds training and development of transit planning professionals and students.
Funding Available:	$150,000 available with a grant cap of $50,000. 11.47% non-Federal funds or in-kind local match required.
Eligible Projects:	• Single or multi-agency internships for university and community college students Example: • Professional Development and Transit Internships, Yolo County Transportation District - $46,478
Further Details:	http://www.dot.ca.gov/hq/tpp/grants.html
Program Contact Person:	Blesilda Gebreyesus, Caltrans District 4, (510) 286-5575
STA Contact Person:	Sara Woo, Planning Assistant, (707) 399-3214 swoo@sta-snci.com

STA
Solano Transportation Authority

FUNDING OPPORTUNITY

California State-legislated Safe Routes to School (SR2S) Program

April 15, 2009

TO: STA Board
FROM: Sara Woo, Planning Assistant

This summary of the SR2S Program is intended to assist jurisdictions plan projects that are eligible for the program. STA staff is available to answer questions regarding this funding program and provide feedback on potential project applications.

Eligible Project Sponsors: Cities and counties.

Program Description: The goals of the program are to reduce injuries and fatalities to school children and to encourage increased walking and bicycling among students.

The program achieves these goals by constructing facilities that enhance the safety for pedestrians and bicyclists. By enhancing the safety of the pathways, trails, sidewalks, and crossings, the likelihood of attracting and encouraging other students to walk and bike increases.

Funding Available: Approximately $6-7 million will be available for FY 2008/2009 and FY 2009/2010 in the San Francisco Bay Area; local match is 10 percent.

Eligible Projects: Projects:

- Pedestrian facilities – new sidewalks, widening, etc.
- Traffic Calming – roundabouts, bulb-outs, speed humps, raised crosswalks/intersections, etc.
- Traffic Control Devices – traffic signals/signs, pavement markings
- Bicycle Facilities – new bike paths, lanes, parking/racks/lockers
- Public Outreach & Education – education, encouragement, and enforcement (limited to 10% of total engineering project cost)

Examples:

- City of Fairfield – E. Ruth Sheldon Elementary School and T.C. McDaniels School; FY 2004/2005 – $53,100
- City of Vacaville – 15 Elementary Schools, 3 Jr. High Schools, 3 High Schools, 1 Charter School; FY 2002/2003 – $178,200
- County of Solano – Benjamin Franklin Middle School; FY 2002/2003 – $81,000

Further Details: http://www.dot.ca.gov/hq/LocalPrograms/saferoutes/saferoutes.htm

Program Contact Person: Sylvia Fung, Local Assistance Engineer (Caltrans, District 4), (510) 286-5226, Sylvia.fung@dot.ca.gov

STA Contact Person: Sara Woo, Planning Assistant, (707) 399-3214
swoo@sta-snci.com

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STA
Solano Transportation Authority

DATE: March 9, 2009
TO: STA Board
FROM: Johanna Masiclat, Clerk of the Board
RE: Updated STA Board Meeting Schedule for Calendar Year 2009

Discussion:
Attached is the updated STA Board meeting schedule for the remainder of Calendar Year 2009.

Fiscal Impact:
None.

Recommendation:
Informational.

Attachment:
A. STA Board Meeting Schedule for the Calendar Year 2009

Solano Transportation Authority

STA BOARD MEETING SCHEDULE
Remainder of Calendar Year 2009
(Meets on the 2nd Wednesday of Every Month)

DATE	TIME	DESCRIPTION	LOCATION	STATUS
March 18	6:00 p.m.	STA Board Meeting	Suisun City Hall	Confirmed
April 8	6:00 p.m.	STA Board Meeting	Suisun City Hall	Confirmed
May 13	6:00 p.m.	STA Board Meeting	Suisun City Hall	Confirmed
June 10	6:00 p.m.	STA Board Meeting	Suisun City Hall	Confirmed
July 8	6:00 p.m.	STA Board Meeting	Suisun City Hall	Confirmed
August	NO MEETING – SUMMER RECESS			
September 9	6:00 p.m.	STA Board Meeting	Suisun City Hall	Confirmed
October 8	6:00 p.m.	STA Board Meeting	Suisun City Hall	Confirmed
November 11	6:00 p.m.	STA 12th Annual Awards	TBD	Pending
December 9	6:00 p.m.	STA Board Meeting	Suisun City Hall	Confirmed