



April 29, 2016

TO: Ross Chittenden, Chief Deputy Executive Director

FR: William R. Gray, Principal

**RE: Review of the Draft TEP (dated April 29, 2016)  
Additional Issues and Recommendations**

This is a follow-up to our memorandum dated April 20, 2016 transmitting recommendations related to changes and/or modifications to the draft TEP oriented at developing key stakeholder buy-in necessary to maximize the opportunity for public support of a possible November 2016 ballot measure.

Consistent with your Board's April 6<sup>th</sup> request, our team has continued to work with key stakeholders. In this regard, the following are changes (not included in the current draft TEP) that the GBS team believes will facilitate key stakeholder buy-in with the TEP. The GBS team would recommend that the Board consider incorporating these changes into the TEP.

### **Corridors / Projects:**

1. The description of the East County Corridor project should be modified to more clearly define the Authority's intent. The recommended language:

#### Redline/strikeout Format

*East County Corridor (Vasco Rd and/or Byron Highway Corridors) ----- \$117m  
~~Funding from this~~This category ~~shall be used~~is intended to provide funding to complete a new 2-lane limited access roadway connection between Vasco Road and the Bryon Highway as well as safety improvements to both the Vasco Road~~and safety~~ and ~~for~~capacity improvements to the Byron Highway (Tri-Link) Corridors oriented at providing to provide better connectivity and goods movement between eastern Contra Costa and the Interstate 205/580 corridors in Alameda and San Joaquin counties. ~~For the Byron Highway (TriLink) corridor, the~~The Authority shall ~~prioritize~~provide funding ~~for the design and construction of~~to construct a new 2-lane limited access connector between Byron Highway and Vasco Road ~~connector~~ south of Camino Diablo Road ~~improving access to the Bryon Airport, as well as shoulder~~ and other improvements to the Bryon Highway ~~that increase~~(including a railroad grade separation) to improve safety and access to the Bryon Airport and facilitate an improved access for goods movement ~~network for Eastin Eastern~~ Contra Costa County. For the Vasco Road corridor, the Authority shall ~~prioritize~~provide funding for safety ~~improvements~~ and other improvements oriented at facilitating the use of high-capacity transit and/or high*

occupancy carpools and discouraging the use of single occupancy vehicles. To the greatest degree possible, local funds generated by this measure shall be used to leverage additional regional, state and/or federal funds for these projects.

Prior to the use of any local sales tax funds to implement ~~capacity~~ improvements to either or both of these corridors, the Authority must find that the project(s) includes measures to prevent growth outside of the Urban Limit Lines (ULL). Such measures might include, but are not necessarily be limited to, limits on roadway access in areas outside the ULL, purchase of abutters' rights of access, preservation of critical habitat and/or the permanent protection / acquisition of agricultural and open space. With the exception of the new connection between Vasco Road, ~~the Byron Airport~~ and the Byron Highway, funding from this category is shall not ~~intended to be used for the construction of to construct~~ new roadways on new alignments. The Authority will work with Alameda and/or San Joaquin Counties to address project impacts in those jurisdictions. Advance Mitigation Program eligible project.

#### With Redline/Strikeout Revisions Accepted

East County Corridor (Vasco Rd and/or Byron Highway Corridors) ----- \$117m  
This category is intended to provide funding to complete a new 2-lane limited access roadway connection between Vasco Road and the Bryon Highway as well as safety improvements to both the Vasco Road and Byron Highway Corridors to provide better connectivity and goods movement between eastern Contra Costa and the Interstate 205/580 corridors in Alameda and San Joaquin counties. The Authority shall provide funding to construct a new 2-lane limited access connector between Byron Highway and Vasco Road south of Camino Diablo Road as well as shoulder and other improvements to the ~~Bryon~~ Highway (including a railroad grade separation) to improve safety and access to the Bryon Airport and facilitate an improved access for goods movement in Eastern Contra Costa County. For the Vasco Road corridor, the Authority shall provide funding for safety and other improvements oriented at facilitating the use of high-capacity transit and/or high occupancy carpools and discouraging the use of single occupancy vehicles. To the greatest degree possible, local funds generated by this measure shall be used to leverage additional regional, state and/or federal funds for these projects.

Prior to the use of any local sales tax funds to implement improvements to either or both of these corridors, the Authority must find that the project(s) includes measures to prevent growth outside of the Urban Limit Lines (ULL). Such measures might include, but are not necessarily be limited to, limits on roadway access in areas outside the ULL, purchase of abutters' rights of access, preservation of critical habitat and/or the permanent protection / acquisition of agricultural and open space. With the exception of the new connection between Vasco Road and the Byron Highway, funding from this category shall not be used to construct new roadways on new alignments. The Authority will work with Alameda and/or San Joaquin Counties to address project impacts in those jurisdictions. Advance Mitigation Program eligible project.

2. To clarify and strengthen the Major Streets / Complete Streets / Traffic Signal Synchronization Grant Program, we would recommend including additional language to this section to clarify that the program will have a competitive project selection process within each subregion with the Authority approving the final program of projects. This approach will support a comprehensive countywide approach, while recognizing subregional needs, to implement the overall program policy.

**Policies: Urban Limit Line (ULL)**

3. The TEP should clarify and strengthen the circumstances under which non-voter approved (up to 30-acre) exemptions to the ULL could be considered. In this regard, language should be added to require jurisdictions considering a non-voter approved amendment to their ULL to adopt an additional ‘finding’ (over and above the ‘at least one of the findings listed in the County’s Measure L’) to make it clear that the proposed expansion is for a clearly defined ‘public benefit’.
4. To ensure compliance with the purpose of the ULL, we would recommend language be added to the draft TEP to more clearly define ‘minor adjustment’ to the ULL. In this regard, the draft TEP defines “minor adjustments” as adjustments of 30 acres or less that are intended to address unanticipated circumstances that have, will or could have a significant impact on the public.

**Policies: Growth Management Program**

5. To insure the protection of agricultural lands, the following should be added to the Authority’s Growth Management Checklist - any jurisdiction with agricultural lands (farming and ranching) within its designated Planning Area must have adopted an Agricultural Impact Policy. The Policy would require local agencies to identify and disclose the impacts of converting agricultural land to other uses and will provide information about the impact of future land use decisions on the County’s important agricultural lands.
6. With respect to our April 20, 2016 recommendation that your Authority include additional disclosure requirements on its Growth Management checklist, we would recommend that your Board consider requiring jurisdictions (where applicable) to have or adopt (within a specified time period) a Hillside Development Policy, a Ridgeline Protection Policy, a policy to protect wildlife corridors and a policy prohibiting development in designated ‘non-urban’ Priority Conservation Areas.
7. A new section is proposed to be included in the Implementing Guidelines that provides background and clarification regarding the requirements and process CCTA follows for regional transportation planning, including the relation between the Countywide Transportation Plan and the Regional Transportation Plan / Sustainable Community Strategy (RTP/SCS). The recommended language is included in the Draft TEP (April 29, 2016).

## Draft TEP (April 29, 2016)

### Change Log and Additional GBS Comments

Section	Description of Changes in April 29 Draft TEP	Additional Comments in April 29 Gray-Bowen-Scott Memorandum
Table of Expenditure Plan Allocations	<ul style="list-style-type: none"> <li>Revise to reflect 30 years of sales tax revenue</li> <li>Add footnote regarding Community Development Transportation Program (CDTP)</li> </ul>	
Category 2: Major Streets/ Complete Streets/ Traffic Signal Sync Grant Program		<ul style="list-style-type: none"> <li>Consider development as a competitive subregional program</li> </ul>
Category 3: BART Capacity, Access and Parking Imp.	<ul style="list-style-type: none"> <li>Clarify the primary intended use of funds for BART cars</li> <li>Clarify timing when alternative uses can occur</li> <li>Other minor edits</li> </ul>	
Category 10: East County Corridors (Vasco Rd. /Byron Highway)		<ul style="list-style-type: none"> <li>Consider revised language to clarify intent is to provide safety and goods-movement benefits while ensuring that the project includes measures to prevent growth outside the ULL</li> </ul>
Category 12: Transportation for Seniors & People With Disabilities	<ul style="list-style-type: none"> <li>Revisions to participants in creating strategic plan. Clarified ability of existing services to continue to operate during ATS development.</li> </ul>	
Category 16: Community Development Transportation Program	<ul style="list-style-type: none"> <li>Revisions reference program to be complementary to Measure J TLC program and matching opportunities</li> </ul>	
Category 17: Innovative Transportation Technology / Connected Communities Program	<ul style="list-style-type: none"> <li>Addition of language requiring a study regarding impact of technology on future transportation sector jobs</li> </ul>	

The Growth Management Program (GMP)	<ul style="list-style-type: none"> <li>Added compliance checklist disclosure categories for planning standards</li> </ul>	<ul style="list-style-type: none"> <li>Consider requiring applicable jurisdictions to adopt Agricultural Impact Policy</li> <li>Considering requiring jurisdictions to adopt applicable planning standards / ordinances</li> </ul>
Urban Limit Line (ULL)	<ul style="list-style-type: none"> <li>Removed 5 year caps</li> <li>Edits including requirement for Agricultural land protection (associated with minor adjustments to ULL)</li> </ul>	<ul style="list-style-type: none"> <li>Consider additional edits to clarify the intent, definition of and possible additional required conditions for approval of a less than 30-acre minor adjustment to the ULL</li> </ul>
Advanced Mitigation Program	<ul style="list-style-type: none"> <li>Addition of agricultural lands and wetlands / watersheds</li> <li>Other technical corrections and edits</li> </ul>	
Governing Structure / Public Oversight Committee	<ul style="list-style-type: none"> <li>Revise for generic membership categories for labor and environmental / open space</li> <li>Clarify eligibility of appointees</li> <li>Other edits</li> </ul>	
Implementing Guidelines	<ul style="list-style-type: none"> <li>Edits to MOE adjustment conditions</li> <li>Edits to performance measure analysis</li> <li>Edits to Local Contracting and Good Jobs Section</li> </ul>	<ul style="list-style-type: none"> <li>Addition of proposed Section 16, Countywide Transportation Plan Section</li> </ul>
Other	<ul style="list-style-type: none"> <li>Edits suggested by CCTA legal counsel to clarify intent and consistency with CEQA</li> </ul>	