



Agenda

TRANSPORTATION, WATER & INFRASTRUCTURE COMMITTEE

August 14, 2023
9:30 a.m.

Join in person:

District III Office
3361 Walnut Boulevard, Suite 140
Brentwood, CA. 94513

OR

1516 Kamole Street
Honolulu, HI. 96821

Join from PC, Mac, Linux, iOS or Android:

<https://cccounty-us.zoom.us/j/82954223101>

Join by telephone, dial:

USA 214 765 0478 US Toll
USA 888 278 0254 US Toll-free
Conference code: 841892

Supervisor Candace Andersen, Chair
Supervisor Diane Burgis, Vice Chair

**Agenda
Items:**

Public comments generally will be limited to two minutes per speaker. In the interest of facilitating the business of the Board Committee, the total amount of time that a member of the public may use in addressing the Board Committee on all agenda items is 10 minutes. Your patience is appreciated.

1. **Introductions**
2. **Public comment on any item under the jurisdiction of the Committee and not on this agenda** (Public comments generally will be limited to two minutes per speaker).
3. **REVIEW record of meeting for the May 8, 2023 Transportation, Water and Infrastructure Committee Meeting.** This record was prepared pursuant to the Better Government Ordinance 95-6, Article 25-205(d) of the Contra Costa County Ordinance Code. Any handouts or printed copies of testimony distributed at the meeting will be attached to this meeting record. (John Cunningham, Department of Conservation and Development)
4. **RECOMMEND the reappointment of Nazanin Shakerin and Kathy Chang to the Regional Measure 3 Independent Oversight Committee for a term from August 2023 through June 2027 to the Board of Supervisors** (Robert Sarmiento, Conservation and Development)
5. **RECEIVE update on East Contra Costa County Habitat Conservation Plan (ECCHCP), DIRECT staff as appropriate.** (Joanne Chiu, East Contra Costa County Habitat Conservancy)
6. **ACCEPT the Infrastructure Report for Calendar Years 2020 through 2022 dated August 2023, and DIRECT staff of the Public Works Director to submit the report to the Board of Supervisors.** (Craig Standafer, Public Works)
7. **CONSIDER report on Local, State, Regional, and Federal Transportation Related Legislative and Planning Activities and take ACTION as appropriate.** (John Cunningham, Department of Conservation and Development)
8. **The next meeting is currently scheduled for September 11, 2023 at 9:30 a.m.**

9. **Adjourn**

The Transportation, Water & Infrastructure Committee (TWIC) will provide reasonable accommodations for persons with disabilities planning to attend TWIC meetings. Contact the staff person listed below at least 72 hours before the meeting.

Any disclosable public records related to an open session item on a regular meeting agenda and distributed by the County to a majority of members of the TWIC less than 96 hours prior to that meeting are available for public inspection at the County Department of Conservation and Development, 30 Muir Road, Martinez during normal business hours.

Public comment may be submitted via electronic mail on agenda items at least one full work day prior to the published meeting time.

For Additional Information Contact:

John Cunningham, Committee Staff
Phone (925) 655-2915
john.cunningham@dcd.cccounty.us

Glossary of Acronyms, Abbreviations, and other Terms (in alphabetical order): Contra Costa County has a policy of making limited use of acronyms, abbreviations, and industry-specific language in meetings of its Board of Supervisors and Committees. Following is a list of commonly used abbreviations that may appear in presentations and written materials at meetings of the Transportation, Water and Infrastructure Committee:

AB Assembly Bill	HOT High-Occupancy/Toll
ABAG Association of Bay Area Governments	HOV High-Occupancy-Vehicle
ACA Assembly Constitutional Amendment	HSD Contra Costa County Health Services Department
ADA Americans with Disabilities Act of 1990	HUD United States Department of Housing and Urban Development
ALUC Airport Land Use Commission	IPM Integrated Pest Management
AOB Area of Benefit	ISO Industrial Safety Ordinance
BAAQMD Bay Area Air Quality Management District	JPA/JEPA Joint (Exercise of) Powers Authority or Agreement
BART Bay Area Rapid Transit District	Lamorinda Lafayette-Moraga-Orinda Area
BATA Bay Area Toll Authority	LAFCo Local Agency Formation Commission
BCDC Bay Conservation & Development Commission	LCC League of California Cities
BDCP Bay-Delta Conservation Plan	LTMS Long-Term Management Strategy
BGO Better Government Ordinance (Contra Costa County)	MAC Municipal Advisory Council
BOS Board of Supervisors	MAF Million Acre Feet (of water)
CALTRANS California Department of Transportation	MBE Minority Business Enterprise
CalWIN California Works Information Network	MOA Memorandum of Agreement
CalWORKS California Work Opportunity and Responsibility to Kids	MOE Maintenance of Effort
CAER Community Awareness Emergency Response	MOU Memorandum of Understanding
CAO County Administrative Officer or Office	MTC Metropolitan Transportation Commission
CCTA Contra Costa Transportation Authority	NACo National Association of Counties
CCWD Contra Costa Water District	NEPA National Environmental Protection Act
CDBG Community Development Block Grant	OES-EOC Office of Emergency Services-Emergency Operations Center
CEQA California Environmental Quality Act	PDA Priority Development Area
CFS Cubic Feet per Second (of water)	PWD Contra Costa County Public Works Department
CPI Consumer Price Index	RCRC Regional Council of Rural Counties
CSA County Service Area	RDAs Redevelopment Agency or Area
CSAC California State Association of Counties	RFI Request For Information
CTC California Transportation Commission	RFP Request For Proposals
DCC Delta Counties Coalition	RFQ Request For Qualifications
DCD Contra Costa County Dept. of Conservation & Development	SB Senate Bill
DPC Delta Protection Commission	SBE Small Business Enterprise
DSC Delta Stewardship Council	SR2S Safe Routes to Schools
DWR California Department of Water Resources	STIP State Transportation Improvement Program
EBMUD East Bay Municipal Utility District	SWAT Southwest Area Transportation Committee
EIR Environmental Impact Report (a state requirement)	TRANSPAC Transportation Partnership & Cooperation (Central)
EIS Environmental Impact Statement (a federal requirement)	TRANSPLAN Transportation Planning Committee (East County)
EPA Environmental Protection Agency	TWIC Transportation, Water and Infrastructure Committee
FAA Federal Aviation Administration	USACE United States Army Corps of Engineers
FEMA Federal Emergency Management Agency	WBE Women-Owned Business Enterprise
FTE Full Time Equivalent	WCCTAC West Contra Costa Transportation Advisory Committee
FY Fiscal Year	WETA Water Emergency Transportation Authority
GHAD Geologic Hazard Abatement District	WRDA Water Resources Development Act
GIS Geographic Information System	
HBRR Highway Bridge Replacement and Rehabilitation	



Contra Costa County Board of Supervisors

Subcommittee Report

TRANSPORTATION, WATER & INFRASTRUCTURE COMMITTEE

3.

Meeting Date: 08/14/2023

Subject: REVIEW record of meeting for May 8, 2023 Transportation, Water and Infrastructure Meeting.

Department: Conservation & Development

Referral No.: N/A

Referral Name: N/A

Presenter: John Cunningham, DCD

Contact: John Cunningham (925)655-2915

Referral History:

County Ordinance (Better Government Ordinance 95-6, Article 25-205, [d]) requires that each County Body keep a record of its meetings. Though the record need not be verbatim, it must accurately reflect the agenda and the decisions made in the meeting.

Referral Update:

Any handouts or printed copies of testimony distributed at the meeting will be attached to this meeting record. Links to the agenda and minutes will be available at the TWI Committee web page:

<http://www.cccounty.us/4327/Transportation-Water-Infrastructure>

Recommendation(s)/Next Step(s):

Staff recommends approval of the attached Record of Action for the May 8, 2023 Committee Meeting with any necessary corrections.

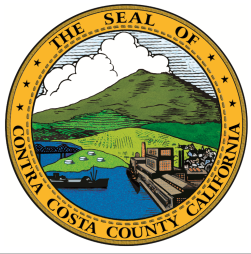
Fiscal Impact (if any):

N/A

Attachments

May2023-TWIC Meeting Record

DRAFT



TRANSPORTATION, WATER & INFRASTRUCTURE COMMITTEE

RECORD OF ACTION FOR
May 8, 2023

Supervisor Candace Andersen, Chair
Supervisor Diane Burgis, Vice Chair

Present: Candace Andersen, Chair
Diane Burgis, Vice Chair

Staff Present: John Cunningham, TWIC Staff

Attendees: Joe Smithonic, Mark Watts, Michael Kent, Nancy Wein, Maureen Toms, Roger Smith

- 1. Introductions**
- 2. Public comment on any item under the jurisdiction of the Committee and not on this agenda (speakers may be limited to three minutes).**

Call-In User 1: Comments related to the move to electric vehicles and the need to offset the gas tax loss.
- 3. Staff recommends approval of the attached Record of Action for the April 10, 2023 Committee Meeting with any necessary corrections.**

The Committee unanimously APPROVED the meeting record with a reminder that future TWIC meetings will start at 9:30 a.m.
- 4. REVIEW the recommended list of Road Maintenance and Rehabilitation Account (RMRA) Senate Bill 1 (SB1) funded road projects, RECEIVE public comment and DIRECT staff to perform any changes or revisions to the recommended project list. RECOMMEND the Board of Supervisors approve the project list, and DIRECT staff to proceed with submitting the Fiscal Year 2023/2024 list of projects to the California Transportation Commission for approval prior to the July 1, 2023, submittal deadline.**

The Committee unanimously approved the staff recommendation. In response to questions from the Committee staff clarified that storm damage funding is handled in a separate process.
- 5. CONSIDER report on Local, Regional, State, and Federal Transportation Related Legislative and Planning Issues and take ACTION as appropriate.**

The Committee RECEIVED the report.

6. RECEIVE staff report and RECOMMEND that the Board of Supervisors approve the submission of the grant application to the U.S. Department of Transportation under the Safe Streets and Roads for All (SS4A) grant program.

The Committee unanimously APPROVED the recommendation.

7. CONSIDER the Pipeline Information Center website offer from the Alamo Improvement Association, and DIRECT District 2 and CCHS staff to assist the Alamo Improvement Association in identifying a County Department that is positioned to host and maintain the website.

The Committee CONSIDERED the request from the Alamo Improvement Association and DIRECTED Contra Costa Health Services (CCHS) staff to work with District 2 staff to identify the Pipeline Information Center website, with a preference to have it housed within CCHS, and emphasizing a need for consistency in the event other communities wish to leverage the website.

The Committee expressed appreciation to the Alamo Improvement Association for their work on this issue.

8. **The next meeting is currently scheduled for June 12, 2023.**
9. **Adjourn**

For Additional Information Contact:

John Cunningham, Committee Staff
Phone (925) 674-7833, Fax (925) 674-7250
john.cunningham@dcd.cccounty.us



Contra Costa County Board of Supervisors

Subcommittee Report

TRANSPORTATION, WATER & INFRASTRUCTURE COMMITTEE

4.

<u>Meeting Date:</u>	08/14/2023		
<u>Subject:</u>	Appointment of Regional Measure 3 Independent Oversight Committee Members		
<u>Submitted For:</u>	TRANSPORTATION, WATER & INFRASTRUCTURE COMMITTEE,		
<u>Department:</u>	Conservation & Development		
<u>Referral No.:</u>	1, 18		
<u>Referral Name:</u>	1: Review legislative matters on transportation, water, and infrastructure, 18: Review transportation plans and services for specific populations and locations, including but not limited to...		
<u>Presenter:</u>	Robert Sarmiento	<u>Contact:</u>	Robert Sarmiento, (925) 655-2918

Referral History:

Senate Bill 595 (SB 595 - 2017) required the nine Bay Area counties to conduct a special election, known as Regional Measure 3 (RM3), on a proposed increase to toll rates on state-owned bridges in the region. The revenue from toll increases would fund transportation projects and programs, including roadway operations, transit, and goods movement, that would provide congestion relief on transportation corridors at or approaching bridges throughout the Bay Area. This election took place on June 5, 2018, with voters approving a three-dollar toll increase, phased in one dollar every three years through 2025, with the first one-dollar increase effective January 1, 2019.

SB 595 also required that the Bay Area Toll Authority (BATA) establish an independent oversight committee (IOC), comprised of two citizen representatives from each Bay Area county, within six months of the effective date of the toll increase. The RM3 IOC would convene to ensure that any toll revenues generated pursuant to the RM3 toll increase would be expended consistent with the applicable requirements of the RM3 expenditure plan, which contains a list of eligible transportation projects and programs.

At its July 9, 2019 meeting, the Board of Supervisors referred the IOC citizen representative recruitment to TWIC, and subsequently, on August 6, 2019, the Board authorized TWIC to select two Contra Costa representatives. On August 12, 2019, TWIC interviewed seven applicants and selected Nazanin Shakerin and Kathy Chang to be appointed as the County citizen representatives to the IOC, with their terms ending August 12, 2023. On October 9, 2019, the Metropolitan Transportation Commission's (MTC) BATA Oversight Committee approved the County's appointments.

Shortly after voter approval of RM3, a lawsuit was filed to halt the toll increases. Due to the legal dispute, toll revenue already collected could not be disbursed to the eligible transportation projects and programs in the RM3 expenditure plan and the RM3 IOC was never convened. The legal dispute concluded in January 2023, with the courts ruling in favor of BATA and RM3. BATA began allocating RM3 revenue to transportation projects and programs in June 2023. The RM3 IOC is expected to convene soon.

Referral Update:

MTC requested that the County appoint or reappoint two representatives to the RM3 IOC for a term from July 2023 through July 2027.

The County's original, 2019 appointments have been unable to participate in IOC activities due to the aforementioned lawsuit. This fact, combined with the preference of both original appointees to continue in their role, resulted in a recommendation to reappoint both members.

The original recruitment was conducted consistent with the Maddy Act and included outreach through numerous channels, the process is described here:

Recommendation(s)/Next Step(s):

RECOMMEND to the Board of Supervisors the reappointment of Nazanin Shakerin and Kathy Chang to the Regional Measure 3 Independent Oversight Committee for a term from August 2023 through June 2027.

Fiscal Impact (if any):

None to the County. RM3 IOC members are eligible for a \$50.00 per meeting stipend (maximum of 4 meetings/year) and reimbursement of actual travel expenses as defined by BATA. The stipend and travel reimbursement are both paid for by BATA.

Attachments

No file(s) attached.



Contra Costa County Board of Supervisors

Subcommittee Report

TRANSPORTATION, WATER & INFRASTRUCTURE COMMITTEE

5.

Meeting Date: 08/14/2023
Subject: RECEIVE 2022 Annual Report and Presentation on the East Contra Costa County Habitat Conservation Plan (ECCHCP)
Submitted For: TRANSPORTATION, WATER & INFRASTRUCTURE COMMITTEE,
Department: Conservation & Development
Referral No.: 11
Referral Name: Monitor and report on the East Contra Costa County Habitat Conservation Plan
Presenter: Joanne Chiu, ECCCHC **Contact:** Joanne Chiu, (925) 655-2906

Referral History:

Updates and reports on referrals to the Transportation, Water, and Infrastructure Committee are provided on an as needed/as available basis. TWIC referrals for 2023 can be found here:

<https://www.contracosta.ca.gov/DocumentCenter/View/76213/2022-TWIC-Referrals>

Referral Update:

"Monitor and report on the East Contra Costa County Habitat Conservation Plan" is a standing referral to TWIC. The 2022 Annual Report from the East Contra Costa County Habitat Conservancy (ECCCHC) is attached.

ECCCHC staff will be present at the August Committee meeting to provide a short presentation (attached) and answer questions.

Recommendation(s)/Next Step(s):

RECEIVE 2022 Annual Report from the East Contra Costa County Habitat Conservancy, DIRECT staff as appropriate.

Fiscal Impact (if any):

N/A

Attachments

[2022 ECCHCP Annual Report](#)

[2022 ECCHCP Presentation](#)

**East Contra Costa County
Habitat Conservation Plan/
Natural Community Conservation Plan**

Annual Report 2022



East Contra Costa County
Habitat Conservancy



East Contra Costa County
Habitat Conservancy

EAST CONTRA COSTA COUNTY HABITAT CONSERVANCY

30 Muir Road, Martinez, CA 94553

925-655-2909 | www.cocohcp.org

COVER PHOTO: *Briones Valley*, Stephen Joseph

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Abbreviations

CDFW	California Department of Fish and Wildlife
CESA	California Endangered Species Act
Corps	U.S. Army Corps of Engineers
EBRPD	East Bay Regional Park District
ESA	federal Endangered Species Act
Conservancy	East Contra Costa County Habitat Conservancy
Plan or HCP/NCCP	East Contra Costa County Habitat Conservation Plan / Natural Community Conservation Plan
HCP	habitat conservation plan
NCCP	natural community conservation plan
O&M	operations and maintenance
RGP	Regional General Permit
RPA	riparian planting area
USFWS	U.S. Fish and Wildlife Service

Introduction

This document summarizes implementation activities undertaken in the 2022 calendar year (January 1, 2022, through December 31, 2022) and since Plan inception and outlines progress toward achieving the Plan's biological goals and objectives.

Prepared by the East Contra Costa County Habitat Conservancy (Conservancy), this annual report summarizes implementation activities undertaken during the 2022 calendar year (January 1, 2022, through December 31, 2022) and cumulatively per the conditions of the ***East Contra Costa County Habitat Conservation Plan/Natural Community Conservation Plan*** (HCP/NCCP or Plan).

The HCP/NCCP proactively addresses the region's long-term conservation needs by strengthening local control over land use and providing greater flexibility in meeting other needs such as housing, transportation, and economic growth. It establishes a framework for regional conservation and development, providing for the protection of natural resources while streamlining the permitting process for take coverage of state and federally listed species and for mitigating impacts on sensitive habitats and resources.

Note: Hydrological restoration monitoring follows the California water year; accordingly, those activities are tracked from October 1 through September 31 the following calendar year.



Permits issued in 2007 by the U.S. Fish and Wildlife Service (USFWS) and the California Department of Fish and Wildlife (CDFW) allow the Permittees to comply with the federal Endangered Species Act (ESA) and California’s Endangered Species Act (CESA). The Plan’s Permittees are listed below:

- Contra Costa County
- Contra Costa County Flood Control and Water Conservation District
- City of Brentwood
- City of Clayton
- City of Oakley
- City of Pittsburg
- East Bay Regional Park District
- East Contra Costa County Habitat Conservancy

Over the 30-year permit term, impacts from urban development and rural infrastructure projects will be offset by the creation of a Preserve System managed for the benefit of 28 covered species, as well as the natural communities that they—and hundreds of other species—depend on for habitat. The Plan provides comprehensive species, wetlands, and ecosystem conservation and contributes to the recovery of endangered species in northern California. **Table 1** lists species covered by the Plan.

This HCP/NCCP allows for two development scenarios that are referred to as the Initial Urban Development Area and the Maximum Urban Development Area. Once the Initial Urban Development Area impact cap is exceeded, the Conservancy will be working under the second scenario, which is Maximum Urban Development Area. These scenarios also have different levels of required protection and restoration. In this report, the Maximum Urban Development Area scenario is represented in the tables and figures when applicable, though the Conservancy currently operates under the Initial Urban Development Area scenario.

Table 1. Covered Species of the Plan

Common Name ^a	Scientific Name	Status—State/CNPS ^{b,c}	Status—Federal ^d
Mammals			
Townsend's western big-eared bat	<i>Corynorhinus townsendii townsendii</i>	CSC	—
San Joaquin kit fox	<i>Vulpes macrotus mutica</i>	ST	FE
Birds			
Tricolored blackbird	<i>Agelaius tricolor</i>	CSC-1	—
Golden eagle	<i>Aquila chrysaetos</i>	FP	BGPA
Western burrowing owl	<i>Athene cunicularia hypugea</i>	CSC-1	—
Swainson's hawk	<i>Buteo swainsoni</i>	ST	—
Reptiles			
Silvery legless lizard	<i>Anniella pulchra pulchra</i>	CSC	—
Alameda whipsnake	<i>Masticophis lateralis euryxanthus</i>	ST	FT
Giant garter snake	<i>Thamnophis gigas</i>	ST	FT
Western pond turtle	<i>Clemmys marmorata</i>	CSC	—
Amphibians			
California tiger salamander	<i>Ambystoma californiense</i>	CSC	FT
California red-legged frog	<i>Rana aurora draytonii</i>	—	FT
Foothill yellow-legged frog	<i>Rana boylei</i>	CSC	—
Invertebrates			
Longhorn fairy shrimp	<i>Brachinecta longiantenna</i>	—	FE
Vernal pool fairy shrimp	<i>Brachinecta lynchi</i>	—	FT
Midvalley fairy shrimp	<i>Brachinecta mesovallensis</i>	—	—
Vernal pool tadpole shrimp	<i>Lepidurus packardii</i>	—	FE
Plants			
Mount Diablo manzanita	<i>Arctostaphylos auriculata</i>	1B	—
Brittlescale	<i>Atriplex depressa</i>	1B	—
San Joaquin spearscale	<i>Atriplex joaquiniana</i>	1B	—
Big tarplant	<i>Blepharizonia plumosa</i>	1B	—
Mount Diablo fairy lantern	<i>Calochortus pulchellus</i>	1B	—
Recurved larkspur	<i>Delphinium recurvatum</i>	1B	—
Round-leaved filaree	<i>Erodium macrophyllum</i>	1B	—
Diablo helianthella	<i>Helianthella castanea</i>	1B	—
Brewer's dwarf flax	<i>Hesperolinon breweri</i>	1B	—
Showy madia	<i>Madia radiata</i>	1B	—
Adobe navarretia	<i>Navarretia nigelliformis</i> ssp. <i>nigelliformis</i>	—	—

Notes

a The Conservancy has completed a CEQA species analysis that indicates that conservation actions completed as part of the HCP/NCCP will have a beneficial (or neutral) impact on all species of concern found in the Plan area:
<https://www.cocohcp.org/265/Other-Documents>

b **State Status:**
 ST State Listed as Threatened
 CSC California Special Concern Species
 CSC-1 Bird Species of Special Concern; First Priority
 FP Fully Protected

c **California Native Plant Society (CNPS):**
 1B Rare, Threatened, or Endangered in California and Elsewhere

d **Federal Status:**
 FE Federally Listed as Endangered
 FT Federally Listed as Threatened
 BGPA Bald and Golden Eagle Protection Act

Covered Activities

This section describes covered activities and their impacts on land cover type and covered plants.

The Plan allows incidental take coverage for the following covered activities:

- Rural infrastructure projects
- Rural infrastructure operations and maintenance (O&M) projects
- Activities within the HCP/NCCP Preserves
- Activities within the Urban Development Area

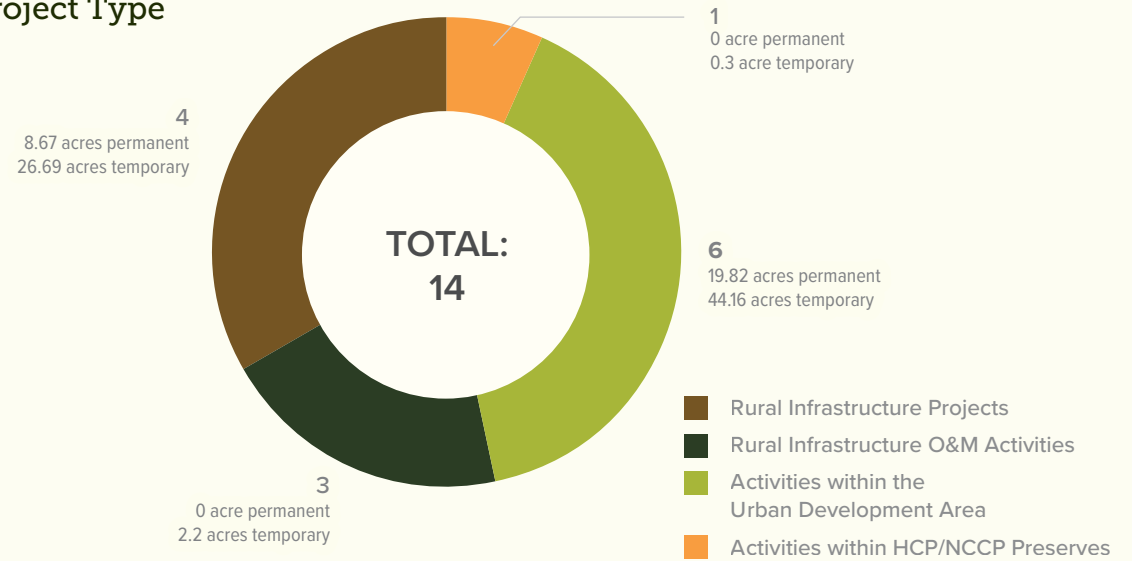
Figure 1 and **Tables 2–4** summarize covered activities undertaken during the reporting period and since Plan inception. **Figures 2 and 3** and **Tables 5–7** quantify impacts associated with these covered activities.



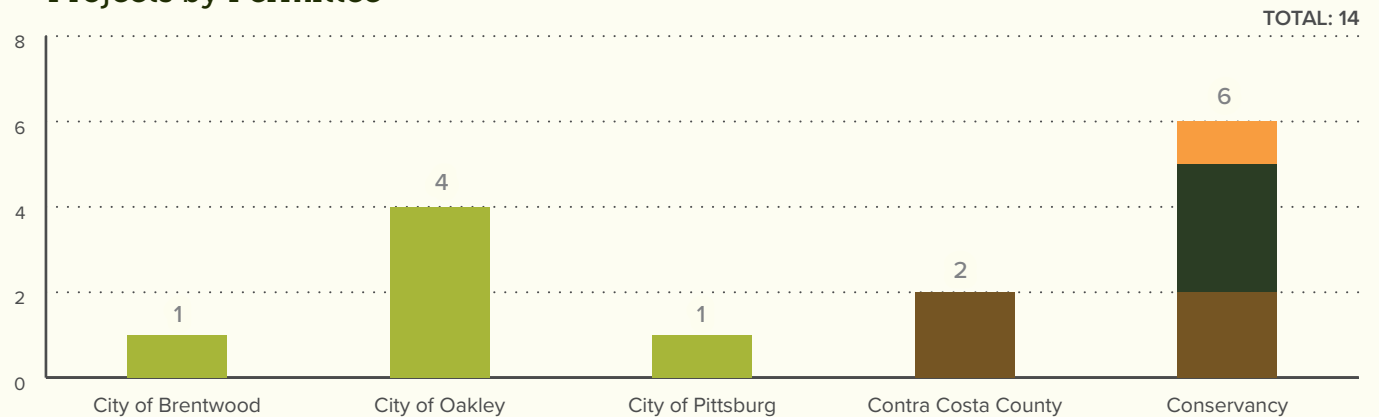
Figure 1. Covered Activities by Activity Type and Permittee—Reporting Period

A total of 14 activities were permitted during the reporting period: 6 in the Urban Development Area, 3 rural infrastructure O&M activities, 4 rural infrastructure projects, and 1 activity within the HCP/NCCP Preserves.

Projects by Project Type

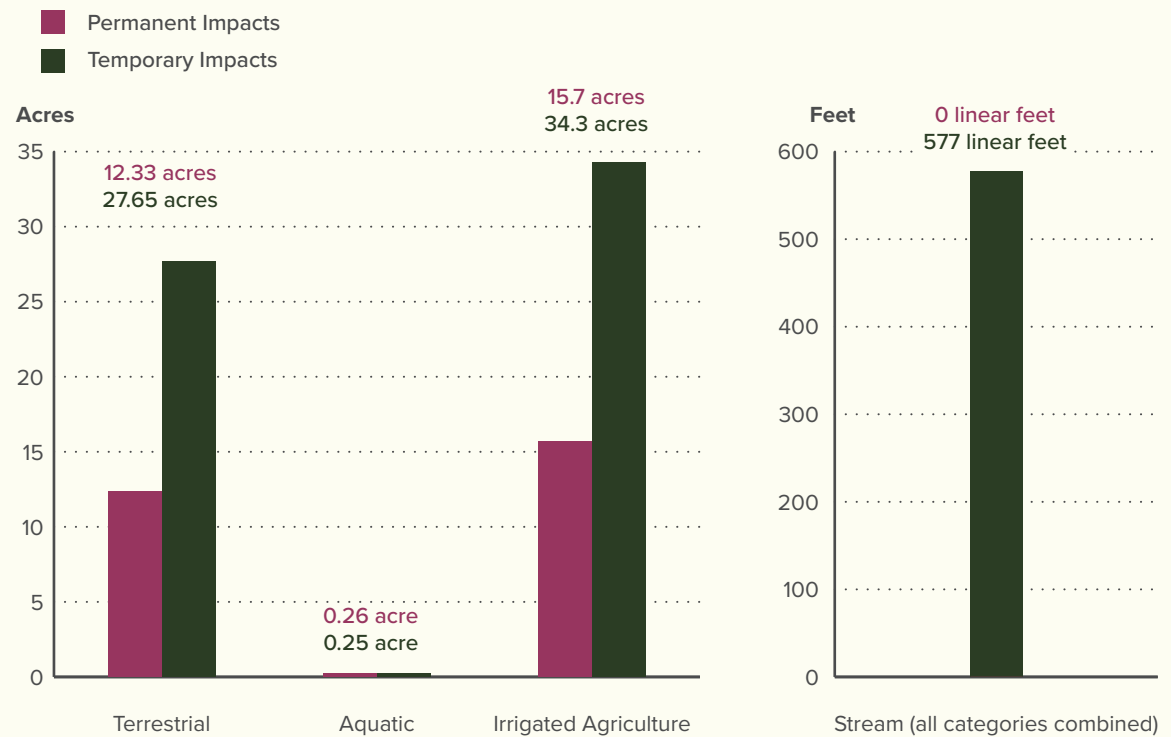


Projects by Permittee



The 14 projects undertaken during the reporting period resulted in 62.2 acres temporary impacts, 28.29 acres permanent impacts on land cover, 577 linear feet temporary stream impacts (14 linear feet of intermittent stream and 563 linear feet ephemeral streams). No perennial streams were impacted.

Figure 2. Land Cover Impacts by Land Cover Type—Reporting Period



Cumulative permanent land cover impacts total 1,297.17 acres, and temporary impacts on land cover total 756.44 acres. Since Plan inception, the majority of permanent stream impacts have been on intermittent streams, while temporary impacts have occurred in equal measure on perennial and intermittent streams.

Figure 3. Land Cover Impacts by Land Cover Type—Cumulative



Table 2. Reporting Summary for Covered Activities—Reporting Year

Project Name	Jurisdiction	Project Type	Location	Description	Permanent Impacts (acres)	Temporary Impacts (acres)
Anton Oakley (Elm Lane)	City of Oakley	Activities within the Urban Development Area	5301 Elm Lane, Oakley	Developing a new 170-unit, 3 story, wood frame constructed affordable workforce housing project.	5.13	1.3
The Ranchettes at Neroly	City of Oakley	Activities within the Urban Development Area	Southeast corner of intersection of Oakley Road and Neroly Road in Oakley	Subdivision of the parcel into 7 residential lots, each with a new home and ancillary services.	7.1	
CCWD Canal Temporary Impacts (associated with Grand Cypress Preserve)	City of Oakley	Activities within the Urban Development Area	East side of Jersey Island Road, north of Rock Slough, south of Dutch Slough and west of the Summer Lake Project	Haul routes and stockpile areas needed during construction of Segment 5 of the Contra Costa Canal undergrounding project.		34.35
Brady Lots	City of Oakley	Activities within the Urban Development Area	North and south of East Cypress Road, just west of Sand Mound Slough in Oakley	The project is a portion of the Summer Lake North project and the site will be developed into residential lots and roads.	1.22	7.69
Pittsburg Renal Center	City of Pittsburg	Activities within the Urban Development Area	1600 North Park Boulevard, Pittsburg	Construction of a 14,350 square foot shell building for future development of a dialysis clinic.	1.46	0.82
Byron Hot Springs Solar Project	Contra Costa County	Rural Infrastructure Projects	Adjacent to Byron Highway, approximately 1.5 miles southeast of Byron. Byron Airport is located approximately one mile southwest of the site, and Clifton Court Forebay is located approximately 1.3 miles east of the site.	Development of a small-scale utility solar facility that will generate a total of 1.0 megawatts energy when complete.	5.42	
Ameresco Keller Canyon Renewable Natural Gas (RNG) Facility and Pipeline Project	Contra Costa County	Rural Infrastructure Projects	901 Bailey Road, Pittsburg	Installation of new gas processing equipment and an underground pipeline from the new equipment to an interconnection point on Pacific Gas and Electric's (PG&E's) existing transmission infrastructure.	3.25	26.48
PG&E Gas Transmission Pipeline (L-114 Vintage Pipeline Replacement Project—Addendum	ECCC Habitat Conservancy	Rural Infrastructure Projects	North of Marsh Creek Reservoir and south of Vineyards at Marsh Creek Parkway in Brentwood	Approximately 2,000 feet of 22-inch pipe will be replaced with new 24-inch pipe using a horizontal directional drill to avoid the Marsh Creek waterway and sensitive habitat within Marsh Creek Historic State Park.		0.21
Phillips 66 Line 200 Anomaly Investigation and Repair—Winter 2022 Project	ECCC Habitat Conservancy	Rural Infrastructure O&M Activities	SID 193,100: Lat: 37.791526, Long: -121.664340 SID 193,120: Lat: 37.791635, Long: -121.664597 SID 193,220: Lat: 37.792105, Long: -121.665625	Anomaly investigation and repairs at three dig locations to address a total of four anomalies along the existing Line 200 Mainline trunk pipeline in eastern Contra Costa County.		0.17
P66 Line 200 Vasco Road Remediation Project—Near Vasco Road, Byron, CA	ECCC Habitat Conservancy	Rural Infrastructure O&M Activities	Near Vasco Road in Byron, CA and near Latitude 37°47'42.79"N and Longitude 121°40'21.49"W	A total of 19 soil borings will be drilled and sampled to investigate if there is any remaining subsurface petroleum contamination resulting from the August 27, 2011 crude oil pipeline leak in this area.		1.6
Marsh Creek Restoration and Instream Dam Improvement Project	ECCC Habitat Conservancy	Rural Infrastructure Projects	Marsh Creek State Historic Park 21767 Marsh Creek Road, Brentwood	This project removed portions of a small, inoperative dam in Marsh Creek to restore channel form and prevent further erosion of an important archaeological site.		
Sciortino Ranch Center—Grocery Outlet, Commercial Phase 2 & Panda Express	City of Brentwood	Activities within the Urban Development Area	Northeast corner of Brentwood Boulevard and Technology Way in Brentwood	Construction of a multiple buildings and associated parking on a nearly 5-acre vacant lot to complete the Sciortino Ranch Commercial Center.	4.91	
Hess Creek Log Jam Repair Restoration Project	ECCC Habitat Conservancy	Activities within HCP/NCCP Preserves	Hess Property	A head cut gully has been developing in the channel over the last several years which will be repaired using a staked log jam.		0.3
Phillips 66 Line 200 Anomaly Investigation and Repair—Summer 2021 Project 1st Amendment	ECCC Habitat Conservancy	Rural Infrastructure O&M Activities	Near Vasco Hills Regional Preserve and Vasco Caves Regional Preserve	This amendment covers a minor increase in impact in order to implement additional AMMs to limit disturbance of the eagles making use of the historic nesting tree.		0.43
Total					28.5	73.4

Table 3. Reporting Period Summary of Natural Community and Landscape-Level Conditions on Covered Activities by Project

Project Name	Conservation Measures										
	2.11	2.12	1.6	1.7	1.8	1.9	1.10	1.11	1.12	1.13	1.14
Anton Oakley (Elm Lane)							•	•			
The Ranchettes at Neroly							•	•			
CCWD Canal Temporary Impacts (associated with Grand Cypress Preserve)		•					•	•			
Brady Lots		•					•	•			
Pittsburg Renal Center							•	•			
Byron Hot Springs Solar Project							•	•			
Ameresco Keller Canyon Renewable Natural Gas (RNG) Facility and Pipeline Project		•						•			
PG&E Gas Transmission Pipeline (L-114 Vintage Pipeline Replacement Project—Addendum		•						•			
Phillips 66 Line 200 Anomaly Investigation and Repair—Winter 2022 Project								•			
P66 Line 200 Vasco Road Remediation Project—Near Vasco Road, Byron, CA								•			
Marsh Creek Restoration and Instream Dam Improvement Project		•						•			
Sciortino Ranch Center—Grocery Outlet, Commercial Phase 2 & Panda Express							•	•			
Hess Creek Log Jam Repair Restoration Project		•						•			
Phillips 66 Line 200 Anomaly Investigation and Repair—Summer 2021 Project 1st Amendment								•			

Conservation Measures

- 2.11 Enhance Cultivated Agricultural Lands to Benefit Covered Species
- 2.12 Wetland, Pond, and Stream Avoidance and Minimization Measures
- 1.6 Minimize Development Footprint Adjacent to Open Space
- 1.7 Establish Stream Setbacks
- 1.8 Establish Fuel Management Buffer to Protect Preserves and Property
- 1.9 Urban-Wildland Interface Design Elements
- 1.10 Maintain and Improve Hydrologic Conditions and Minimize Erosion
- 1.11 Avoid Direct Impacts on Extremely Rare Plants or Fully Protected Wildlife Species
- 1.12 Implement Best Management Practices for Rural Road Maintenance
- 1.13 Implement Best Management Practices for Flood Control Facility Operations and Maintenance
- 1.14 Design Requirements for Covered Roads outside Urban Development Area

Table 4. Reporting Period Summary of Species-Level Conditions on Covered Activities by Project

Project Name	Townsend's Big-Eared Bat				San Joaquin Kit Fox				Golden Eagle				Western Burrowing Owl				Swainson's Hawk				Giant Garter Snake				California Tiger Salamander				California Red-Legged Frog				Covered Shrimp			
	PS	PCS	AMM	CM	PS	PCS	AMM	CM	PS	PCS	AMM	CM	PS	PCS	AMM	CM	PS	PCS	AMM	CM	PS	PCS	AMM	CM	PS	PCS	AMM	CM	PS	PCS	AMM	CM	PS	PCS	AMM	CM
Anton Oakley (Elm Lane)									•	•			•	•			•	•																		
The Ranchettes at Neroly									•	•			•	•			•	•																		
CCWD Canal Temporary Impacts (associated with Grand Cypress Preserve)	•	•							•	•							•	•			•	•											•	•		
Brady Lots									•	•			•	•			•	•																		
Pittsburg Renal Center									•	•			•	•			•	•																		
Byron Hot Springs Solar Project					•	•			•	•			•	•			•	•																		
Ameresco Keller Canyon Renewable Natural Gas (RNG) Facility and Pipeline Project	•	•			•	•			•	•			•	•											•				•							
Phillips 66 Line 200 Anomaly Investigation and Repair—Winter 2022 Project					•	•			•	•			•	•											•	•			•	•						
P66 Line 200 Vasco Road Remediation Project (Near Vasco Road, Byron, CA)					•	•							•	•																						
Marsh Creek Restoration and Instream Dam Improvement Project					•	•			•	•			•	•			•	•							•	•			•	•						
Sciortino Ranch Center—Grocery Outlet, Commercial Phase 2 & Panda Express													•																							
Hess Creek Log Jam Repair Restoration Project									•	•			•	•											•	•			•	•						
Phillips 66 Line 200 Anomaly Investigation and Repair—Summer 2021 Project 1st Amendment									•	•	•	•																								

Project Name	Alkali Milkvetch		Big Tarplant		Brewers Dwarf Flax		Contra Costa Goldfields		Diamond-Petaled Poppy		Large-Flowered Fiddleneck		Mount Diablo Buckwheat		Round-Leaved Filaree		Showy Madia	
	PS	PCS	PS	PCS	PS	PCS	PS	PCS	PS	PCS	PS	PCS	PS	PCS	PS	PCS	PS	PCS
Anton Oakley (Elm Lane)																		
The Ranchettes at Neroly																		
CCWD Canal Temporary Impacts (associated with Grand Cypress Preserve)																		
Brady Lots																		
Pittsburg Renal Center																		
Byron Hot Springs Solar Project																		
Ameresco Keller Canyon Renewable Natural Gas (RNG) Facility and Pipeline Project			•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
Phillips 66 Line 200 Anomaly Investigation and Repair—Winter 2022 Project			•	•			•	•	•	•	•	•			•	•	•	•
P66 Line 200 Vasco Road Remediation Project (Near Vasco Road, Byron, CA)			•	•					•	•	•	•			•	•	•	•
Marsh Creek Restoration and Instream Dam Improvement Project	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
Sciortino Ranch Center—Grocery Outlet, Commercial Phase 2 & Panda Express																		
Hess Creek Log Jam Repair Restoration Project			•	•	•	•			•	•		•	•	•	•	•	•	•
Phillips 66 Line 200 Anomaly Investigation and Repair—Summer 2021 Project 1st Amendment																		

- Abbreviations**
- PS Planning surveys
 - PCS Pre-construction surveys
 - AMM Avoidance and minimization measures
 - CM Construction monitoring

Table continues on following page

Table 4. Reporting Period Summary of Species-Level Conditions on Covered Activities by Project (continued)

Project Name	Adobe Navarretia		Brittlescale		San Joaquin Spearscale		Diablo Helianthella		Caper Fruited Tropicocarpum		Mount Diablo Fairy-Lantern		Mount Diablo Manzanita		Recurved Larkspur	
	PS	PCS	PS	PCS	PS	PCS	PS	PCS	PS	PCS	PS	PCS	PS	PCS	PS	PCS
Anton Oakley (Elm Lane)																
The Ranchettes at Neroly																
CCWD Canal Temporary Impacts (associated with Grand Cypress Preserve)																
Brady Lots																
Pittsburg Renal Center																
Byron Hot Springs Solar Project																
Ameresco Keller Canyon Renewable Natural Gas (RNG) Facility and Pipeline Project	.	.									.					
Phillips 66 Line 200 Anomaly Investigation and Repair—Winter 2022 Project
P66 Line 200 Vasco Road Remediation Project (Near Vasco Road, Byron, CA)	.	.														
Marsh Creek Restoration and Instream Dam Improvement Project				
Sciortino Ranch Center—Grocery Outlet, Commercial Phase 2 & Panda Express																
Hess Creek Log Jam Repair Restoration Project											.	.				
Phillips 66 Line 200 Anomaly Investigation and Repair—Summer 2021 Project 1st Amendment																

Abbreviations

PS Planning surveys

PCS Pre-construction surveys

Table 5. Summary of Impacts on Land Cover Types—Reporting Period and Cumulative (acres, unless noted)

Land Cover Type	Reporting Period		Cumulative ^c	
	Permanent Impacts	Temporary Impacts	Permanent Impacts	Temporary Impacts
Terrestrial				
Annual grassland	1.6	20.4	137.0	258.6
Alkali grassland	0.0	0.0	0.8	3.2
Ruderal	10.8	7.3	869.3	341.0
Chaparral and scrub	0.0	0.0	0.6	1.7
Oak savanna	0.0	0.0	0.1	2.5
Oak woodland	0.0	0.0	0.7	2.3
Subtotal terrestrial	12.33	27.65	1,008.40	609.29
Aquatic				
Riparian woodland/scrub	0.00	0.18	1.23	2.17
Perennial wetland ^a	0.00	0.00	0.08	0.73
Seasonal wetland	0.26	0.08	1.88	4.11
Alkali wetland	0.00	0.00	0.15	1.00
Pond	0.00	0.00	0.01	0.11
Reservoir (open water) ^b	0.00	0.00	0.47	4.14
Slough/Channel	0.00	0.00	0.65	0.28
Subtotal aquatic	0.26	0.25	4.47	12.54
Stream length by width category				
< 25 feet wide	0	563	707	6,719
> 25 feet wide	0	14	397	4,738
Stream length by type and order				
Perennial	0	0	171	4,697
Intermittent	0	14	635	4,511
Ephemeral, 3rd or higher order	0	10	0	225
Ephemeral, 1st or 2nd order	0	553	298	2,024
Subtotal stream length	0	577	1,104	11,457
Irrigated agriculture				
Cropland	0.0	0.0	168.6	33.4
Pasture	5.4	34.3	40.3	93.8
Orchard	0.0	0.0	14.5	0.2
Vineyard	10.2	0.0	61.0	7.2
Subtotal irrigated agricultural	15.7	34.3	284.3	134.6
Totals (excludes subtypes)				
Acres	28.2	62.2	1,297.2	756.4
Linear feet	0.0	577	1,104	11,457

Notes

- a Perennial wetlands are equivalent to permanent wetlands.
- b Reservoir (open water) is equivalent to aquatic.
- c Cumulative impact acreages and linear feet may differ slightly from previous years due to refinements to the data tracking system.

Table 6. Impacts on Aquatic Land Cover Types and Streams by Watershed/Basin—Reporting Period and Cumulative

Watershed/Basin and Land Cover Type	Reporting Period		Cumulative ^c	
	Permanent Impacts	Temporary Impacts	Permanent Impacts	Temporary Impacts
Brushy				
Aquatic (acres)				
Riparian woodland/scrub	0	0	0	0
Perennial wetland ^a	0	0	0.01	0.12
Seasonal wetland	0	0	0	0
Alkali wetland	0	0	0.02	0.63
Pond	0	0	0.01	0.03
Reservoir (open water) ^b	0	0	0	0
Slough/Channel (includes stream)	0	0	0	0.01
Subtotal aquatic	0	0	0.04	0.79
Stream (linear feet)				
Total stream length	0	10	132	379
Stream length by width category				
< 25 feet wide	0	10	110	392
> 25 feet wide	0	0	22	118
Stream length by type and order				
Perennial	0	0	56	283
Intermittent	0	0	0	0
Ephemeral, 3rd or higher order	0	0	0	131
Ephemeral, 1st or 2nd order	0	10	76	96
Subtotal stream length	0	10	132	510
Clifton Court Forebay				
Aquatic (acres)				
Riparian woodland/scrub	0	0	0	0
Perennial wetland ^a	0	0	0	0
Seasonal wetland	0	0	0	0
Alkali wetland	0	0	0	0
Pond	0	0	0	0
Reservoir (open water) ^b	0	0	0	0
Slough/Channel (includes stream)	0	0	0	0
Subtotal aquatic	0	0	0	0
Stream (linear feet)				
Total stream length	0	0	47	112
Stream length by width category				
< 25 feet wide	0	0	0	0
> 25 feet wide	0	0	47	112
Stream length by type and order				
Perennial	0	0	0	0
Intermittent	0	0	47	112
Ephemeral, 3rd or higher order	0	0	0	0
Ephemeral, 1st or 2nd order	0	0	0	0
Subtotal stream length	0	0	47	112

Watershed/Basin and Land Cover Type	Reporting Period		Cumulative ^c	
	Permanent Impacts	Temporary Impacts	Permanent Impacts	Temporary Impacts
Deer				
Aquatic (acres)				
Riparian woodland/scrub	0	0	0	0
Perennial wetland ^a	0	0	0	0
Seasonal wetland	0	0	0	0
Alkali wetland	0	0	0	0
Pond	0	0	0	0
Reservoir (open water) ^b	0	0	0	0
Slough/Channel (includes stream)	0	0	0	0
Subtotal aquatic	0	0	0	0
Stream (linear feet)				
Total stream length	0	0	12	43
Stream length by width category				
< 25 feet wide	0	0	0	15
> 25 feet wide	0	0	12	28
Stream length by type and order				
Perennial	0	0	0	0
Intermittent	0	0	12	43
Ephemeral, 3rd or higher order	0	0	0	0
Ephemeral, 1st or 2nd order	0	0	0	0
Subtotal stream length	0	0	12	43
East Antioch				
Aquatic (acres)				
Riparian woodland/scrub	0	0	0	0
Perennial wetland ^a	0	0	0	0.0
Seasonal wetland	0	0	0	0.1
Alkali wetland	0	0	0	0
Pond	0	0	0	0
Reservoir (open water) ^b	0	0	0	0
Slough/Channel (includes stream)	0	0	0	0
Subtotal aquatic	0	0	0	0.1
Stream (linear feet)				
Total stream length	0	0	0	12
Stream length by width category				
< 25 feet wide	0	0	0	12
> 25 feet wide	0	0	0	0
Stream length by type and order				
Perennial	0	0	0	0
Intermittent	0	0	0	12
Ephemeral, 3rd or higher order	0	0	0	0
Ephemeral, 1st or 2nd order	0	0	0	0
Subtotal stream length	0	0	0	12

Watershed/Basin and Land Cover Type	Reporting Period		Cumulative ^c	
	Permanent Impacts	Temporary Impacts	Permanent Impacts	Temporary Impacts
East County Drainages				
Aquatic (acres)				
Riparian woodland/scrub	0	0	0.42	0
Perennial wetland ^a	0	0	0	0
Seasonal wetland	0.22	0.02	0.47	1.57
Alkali wetland	0	0	0	0
Pond	0	0	0	0
Reservoir (open water) ^b	0	0	0.34	3.35
Slough/Channel (includes stream)	0	0	0.58	0.07
Subtotal aquatic	0.22	0.02	1.81	5.19
Stream (linear feet)				
Total stream length	0	0	0	0
Stream length by width category				
< 25 feet wide	0	0	0	0
> 25 feet wide	0	0	0	0
Stream length by type and order				
Perennial	0	0	0	0
Intermittent	0	0	0	0
Ephemeral, 3rd or higher order	0	0	0	0
Ephemeral, 1st or 2nd order	0	0	0	0
Subtotal stream length	0	0	0	0
Kellogg				
Aquatic (acres)				
Riparian woodland/scrub	0	0	0.05	0.31
Perennial wetland ^a	0	0	0	0
Seasonal wetland	0	0	0.29	0.01
Alkali wetland	0	0	0	0.11
Pond	0	0	0	0
Reservoir (open water) ^b	0	0	0	0
Slough/Channel (includes stream)	0	0	0.07	0.14
Subtotal aquatic	0	0	0.41	0.57
Stream (linear feet)				
Total stream length	0	0	6	440
Stream length by width category				
< 25 feet wide	0	0	0	440
> 25 feet wide	0	0	6	0
Stream length by type and order				
Perennial	0	0	0	0
Intermittent	0	0	6	0
Ephemeral, 3rd or higher order	0	0	0	0
Ephemeral, 1st or 2nd order	0	0	0	440
Subtotal stream length	0	0	6	440

Table continues on following page

Table 6. Impacts on Aquatic Land Cover Types and Streams by Watershed—Reporting Period and Cumulative (continued)

Watershed/Basin and Land Cover Type	Reporting Period		Cumulative ^c	
	Permanent Impacts	Temporary Impacts	Permanent Impacts	Temporary Impacts
Kirker				
Aquatic (acres)				
Riparian woodland/scrub	0	0.18	0.05	0.27
Perennial wetland ^a	0	0	0	0
Seasonal wetland	0	0	0	0
Alkali wetland	0	0	0	0
Pond	0	0	0	0
Reservoir (open water) ^b	0	0	0	0
Slough/Channel (includes stream)	0	0	0	0
Subtotal aquatic	0	0.18	0.05	0.27
Stream (linear feet)				
Total stream length	0	10	0	45
Stream length by width category				
< 25 feet wide	0	10	0	45
> 25 feet wide	0	0	0	0
Stream length by type and order				
Perennial	0	0	0	0
Intermittent	0	0	0	35
Ephemeral, 3rd or higher order	0	10	0	10
Ephemeral, 1st or 2nd order	0	0	0	0
Subtotal stream length	0	10	0	45
Lower Marsh				
Aquatic (acres)				
Riparian woodland/scrub	0	0	0	0.04
Perennial wetland ^a	0	0	0	0
Seasonal wetland	0	0	0	0
Alkali wetland	0	0	0.13	0.24
Pond	0	0	0	0
Reservoir (open water) ^b	0	0	0.13	0.79
Slough/Channel (includes stream)	0	0	0	0.06
Subtotal aquatic	0	0	0.26	1.13
Stream (linear feet)				
Total stream length	0	0	33	4,660
Stream length by width category				
< 25 feet wide	0	0	0	622
> 25 feet wide	0	0	33	4,074
Stream length by type and order				
Perennial	0	0	0	4,211
Intermittent	0	0	33	365
Ephemeral, 3rd or higher order	0	0	0	84
Ephemeral, 1st or 2nd order	0	0	0	0
Subtotal stream length	0	0	33	4,660

Watershed/Basin and Land Cover Type	Reporting Period		Cumulative ^c	
	Permanent Impacts	Temporary Impacts	Permanent Impacts	Temporary Impacts
Lower Mt. Diablo				
Aquatic (acres)				
Riparian woodland/scrub	0	0	0	0
Perennial wetland ^a	0	0	0	0
Seasonal wetland	0	0	0	0
Alkali wetland	0	0	0	0
Pond	0	0	0	0
Reservoir (open water) ^b	0	0	0	0
Slough/Channel (includes stream)	0	0	0	0
Subtotal aquatic	0	0	0	0
Stream (linear feet)				
Total stream length	0	0	193	0
Stream length by width category				
< 25 feet wide	0	0	193	0
> 25 feet wide	0	0	0	0
Stream length by type and order				
Perennial	0	0	0	0
Intermittent	0	0	0	0
Ephemeral, 3rd or higher order	0	0	0	0
Ephemeral, 1st or 2nd order	0	0	193	0
Subtotal stream length	0	0	193	0
Oakley				
Aquatic (acres)				
Riparian woodland/scrub	0	0	0	0
Perennial wetland ^a	0	0	0	0
Seasonal wetland	0	0	0.98	0
Alkali wetland	0	0	0	0
Pond	0	0	0	0
Reservoir (open water) ^b	0	0	0	0
Slough/Channel (includes stream)	0	0	0	0
Subtotal aquatic	0	0	0.98	0
Stream (linear feet)				
Total stream length	0	0	0	0
Stream length by width category				
< 25 feet wide	0	0	0	0
> 25 feet wide	0	0	0	0
Stream length by type and order				
Perennial	0	0	0	0
Intermittent	0	0	0	0
Ephemeral, 3rd or higher order	0	0	0	0
Ephemeral, 1st or 2nd order	0	0	0	0
Subtotal stream length	0	0	0	0

Watershed/Basin and Land Cover Type	Reporting Period		Cumulative ^c	
	Permanent Impacts	Temporary Impacts	Permanent Impacts	Temporary Impacts
Sand				
Aquatic (acres)				
Riparian woodland/scrub	0	0	0.30	0.73
Perennial wetland ^a	0	0	0.04	0.57
Seasonal wetland	0	0	0.02	2.37
Alkali wetland	0	0	0	0
Pond	0	0	0	0
Reservoir (open water) ^b	0	0	0	0
Slough/Channel (includes stream)	0	0	0	0
Subtotal aquatic	0	0	0.36	3.67
Stream (linear feet)				
Total stream length	0	0	295	3,639
Stream length by width category				
< 25 feet wide	0	0	295	3,639
> 25 feet wide	0	0	0	0
Stream length by type and order				
Perennial	0	0	0	0
Intermittent	0	0	295	3,639
Ephemeral, 3rd or higher order	0	0	0	0
Ephemeral, 1st or 2nd order	0	0	0	0
Subtotal stream length	0	0	295	3,639
Upper Marsh				
Aquatic (acres)				
Riparian woodland/scrub	0	0	0.34	0.61
Perennial wetland ^a	0	0	0	0
Seasonal wetland	0	0	0.06	0.03
Alkali wetland	0	0	0	0
Pond	0	0	0.01	0.08
Reservoir (open water) ^b	0	0	0	0
Slough/Channel (includes stream)	0	0	0	0
Subtotal aquatic	0	0	0.41	0.72
Stream (linear feet)				
Total stream length	0	14	299	1,312
Stream length by width category				
< 25 feet wide	0	0	58	978
> 25 feet wide	0	14	241	374
Stream length by type and order				
Perennial	0	0	93	191
Intermittent	0	14	177	257
Ephemeral, 3rd or higher order	0	0	0	0
Ephemeral, 1st or 2nd order	0	0	29	904
Subtotal stream length	0	14	299	1,352

Table continues on following page

Table 6. Impacts on Aquatic Land Cover Types and Streams by Watershed—Reporting Period and Cumulative (continued)

Watershed/Basin and Land Cover Type	Reporting Period		Cumulative ^c	
	Permanent Impacts	Temporary Impacts	Permanent Impacts	Temporary Impacts
Upper Mt. Diablo				
Aquatic (acres)				
Riparian woodland/scrub	0	0	0	0
Perennial wetland ^a	0	0	0.02	0.02
Seasonal wetland	0	0	0.01	0
Alkali wetland	0	0	0	0
Pond	0	0	0	0
Reservoir (open water) ^b	0	0	0	0
Slough/Channel (includes stream)	0	0	0	0
Subtotal aquatic	0	0	0.02	0.02
Stream (linear feet)				
Total stream length	0	0	22	53
Stream length by width category				
< 25 feet wide	0	0	22	53
> 25 feet wide	0	0	0	0
Stream length by type and order				
Perennial	0	0	22	12
Intermittent	0	0	0	0
Ephemeral, 3rd or higher order	0	0	0	0
Ephemeral, 1st or 2nd order	0	0	0	41
Subtotal stream length	0	0	22	53
West Antioch				
Aquatic (acres)				
Riparian woodland/scrub	0	0	0	0
Perennial wetland ^a	0	0	0	0
Seasonal wetland	0	0	0	0
Alkali wetland	0	0	0	0
Pond	0	0	0	0
Reservoir (open water) ^b	0	0	0	0
Slough/Channel (includes stream)	0	0	0	0
Subtotal aquatic	0	0	0	0
Stream (linear feet)				
Total stream length	0	0	8	10
Stream length by width category				
< 25 feet wide	0	0	8	10
> 25 feet wide	0	0	0	0
Stream length by type and order				
Perennial	0	0	0	0
Intermittent	0	0	8	10
Ephemeral, 3rd or higher order	0	0	0	0
Ephemeral, 1st or 2nd order	0	0	0	0
Subtotal stream length	0	0	8	10

Watershed/Basin and Land Cover Type	Reporting Period		Cumulative ^c	
	Permanent Impacts	Temporary Impacts	Permanent Impacts	Temporary Impacts
Willow				
Aquatic (acres)				
Riparian woodland/scrub	0	0	0.08	0.02
Perennial wetland ^a	0	0	0.02	0
Seasonal wetland	0.04	0.06	0.04	0
Alkali wetland	0	0	0	0
Pond	0	0	0	0
Reservoir (open water) ^b	0	0	0	0
Slough/Channel (includes stream)	0	0	0	0
Subtotal aquatic	0.04	0.06	0.14	0.08
Stream (linear feet)				
Total stream length	0	543	57	582
Stream length by width category				
< 25 feet wide	0	543	21	549
> 25 feet wide	0	0	36	33
Stream length by type and order				
Perennial	0	0	0	0
Intermittent	0	0	57	39
Ephemeral, 3rd or higher order	0	0	0	0
Ephemeral, 1st or 2nd order	0	543	0	543
Subtotal stream length	0	543	57	582
Total				
Aquatic (acres)				
Riparian woodland/scrub	0	0	1.23	2.17
Perennial wetland ^a	0	0	0.08	0.73
Seasonal wetland	0	0	1.88	4.11
Alkali wetland	0	0	0.15	0.98
Pond	0	0	0.02	0.11
Reservoir (open water) ^b	0	0	0.47	4.14
Slough/Channel (includes stream)	0	0	0.65	0.28
Total aquatic	0	0.25	4.48	12.52
Stream (linear feet)				
Total stream length	0	577	1,104	11,286
Stream length by width category				
< 25 feet wide	0	563	707	6,755
> 25 feet wide	0	14	397	4,738
Stream length by type and order				
Perennial	0	0	171	4,697
Intermittent	0	14	635	4,511
Ephemeral, 3rd or higher order	0	10	0	225
Ephemeral, 1st or 2nd order	0	553	298	2,024
Total stream length	0	577	1,104	11,457

Notes

- a Perennial wetlands are equivalent to permanent wetlands.
- b Reservoir (open water) is equivalent to aquatic.
- c Cumulative impact acreages and linear feet may differ slightly from previous years due to refinements to the data tracking system.

Table 7. Reporting Period and Cumulative Impacts on Covered Plants

Common Name	Scientific Name	Known Occurrences that May Be Removed by Covered Activities ^a	Impacts (occurrences)	
			Reporting Period	Cumulative
Mount Diablo manzanita	<i>Arctostaphylos auriculata</i>	0	—	0
Brittlescale	<i>Atriplex depressa</i>	1	—	0
San Joaquin spearscale	<i>Atriplex joaquiniana</i>	0	—	1 ^b
Big tarplant	<i>Blepharizonia plumosa</i>	1	—	0
Mount Diablo fairy lantern	<i>Calochortus pulchellus</i>	0	—	0
Recurved larkspur	<i>Delphinium recurvatum</i>	1	—	0
Round-leaved filaree	<i>Erodium macrophyllum</i>	2	—	— ^c
Diablo helianthella	<i>Helianthella castanea</i>	0	—	0
Brewer's dwarf flax	<i>Hesperolinon breweri</i>	0	—	0
Showy madia	<i>Madia radiata</i>	0	—	0
Adobe navarretia	<i>Navarretia nigelliformis</i> ssp. <i>nigelliformis</i>	1	—	0
Total		6	0	1

Notes

- a This column provides the limit of impacts, by number of occurrences, on plant species allowable under the HCP/NCCP per HCP/NCCP Table 5-20.
- b Vasco Road Safety Phase 1 Project population was translocated to the Souza II preserve property in 2011; however, the population did not survive. See Table 10 for conservation efforts. The Conservancy is working on establishing a new population.
- c Temporary impacts occurred to round-leaved filaree as part of the PG&E Contra Costa Las Positas Project (2009). The soil was protected from disturbance, the site was returned to pre-project conditions, seeds collected on site were propagated, and monitoring reports document that round-leaved filaree persists on site and is as abundant as before the project.

Land Acquisition

This section documents properties acquired for the Preserve System during the reporting period. It also tracks impacts and land acquisition across the Preserve System.

Habitat Conserved

One property was acquired by the Conservancy during the reporting period: the Pugh property. This acquisition increased the Conservancy's Preserve System to 43 properties encompassing approximately 12,000 acres. All but one of the acquisitions were completed in partnership with the East Bay Regional Park District (EBRPD). EBRPD owns these properties and, together with the Conservancy, manages the Preserve System lands.

Figure 4 shows the current Preserve System.





Pugh Property

The newly acquired 79.8-acre Pugh property is located south of Byron in a rural unincorporated area of southeast Contra Costa County. The property borders two Preserve System properties on the north and western side: Grandma’s Quarter and Souza III. This property protects core habitat for San Joaquin kit fox and improves connectivity between known breeding habitats. The extensive grasslands make it prime habitat for raptors such as golden eagles. There is one pond on the property where California tiger salamander and California red-legged frog have been found. A total of five wind turbines of the Buena Vista Wind Farm are present on the site.

The Pugh property is located within the Altamont Pass Wind Resource Area, which is known to have the densest population of golden eagles in the lower United States.

Preservation Achieved

Figure 5 shows progress toward assembling the Preserve System. **Table 8** summarizes natural community protection, restoration, and creation by land cover type. **Table 9** shows the progress towards fulfilling preservation requirements for jurisdictional wetlands and waters, and **Table 10** shows the status of conservation of covered plants.

Figure 4. Preserve System Map

The Conservancy's Preserve System consists of 43 properties encompassing approximately 12,000 acres of new conservation.

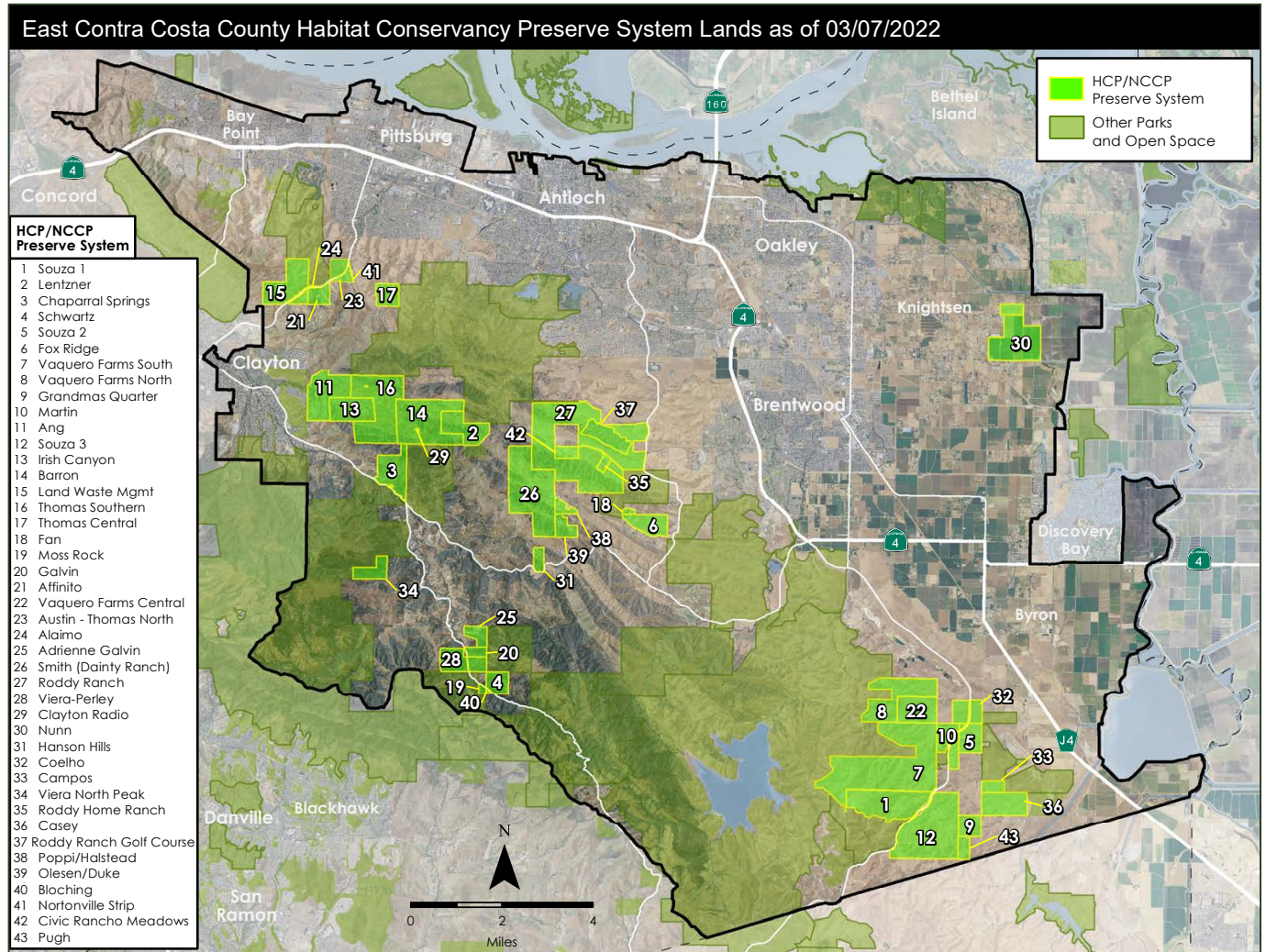


Figure 5. Progress toward Assembling the Preserve System

In most years, acquisition for the Preserve System has exceeded what is needed to achieve the 30,300-acre estimate by Year 30 of the permit term.

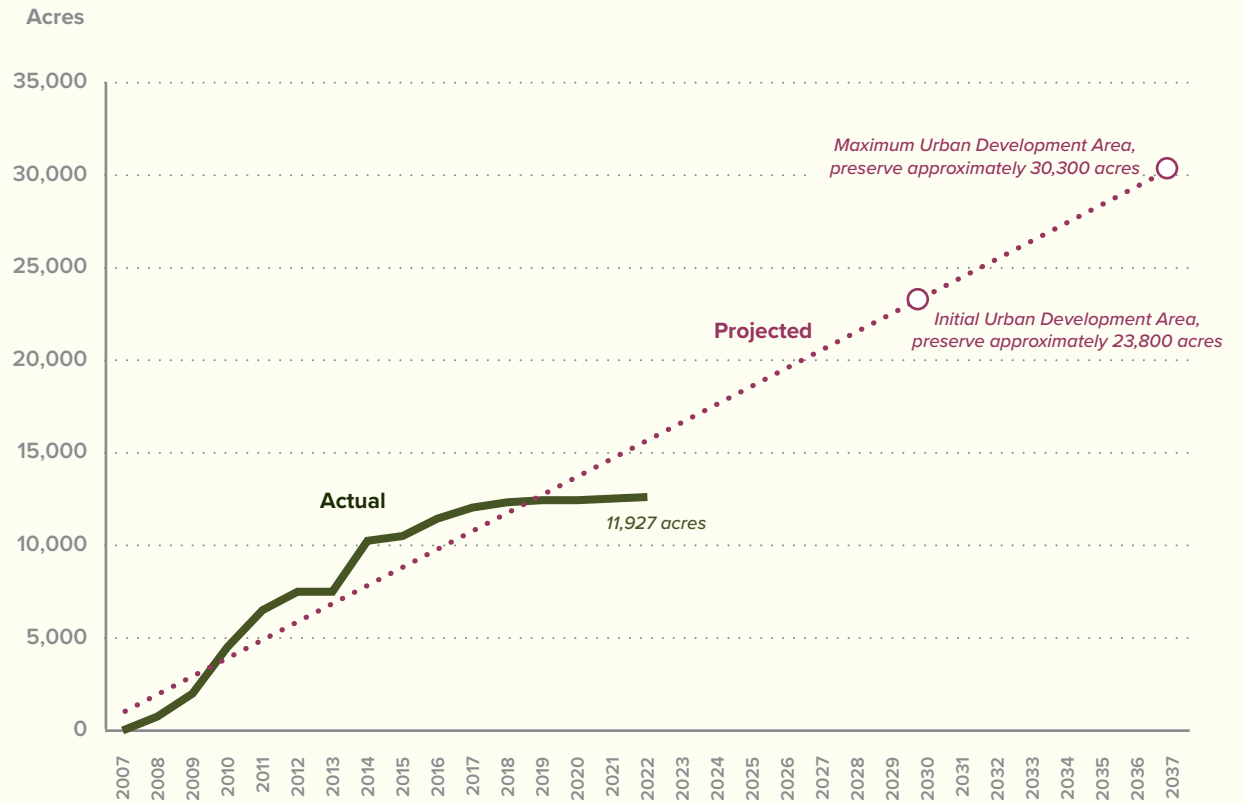


Table 8. Summary of Natural Community Protection, Restoration, and Creation by Land Cover Type

Land Cover Type	Land Cover Requirements ^a (acres)			Reporting Period (acres)				Cumulative (acres)				Percent Complete (%) ^b		
	Protection	Creation	Restoration	Protection	No Credit ^c	Creation	Restoration	Protection	No Credit ^c	Creation	Restoration	Protection	Creation	Restoration
Terrestrial														
Annual grassland	16,500	--	--	75.2	--	--	--	8,180.9	1,463.6		0.6	50%	--	--
Alkali grassland	1,250	--	--	--	--	--	--	275.79	17.5		0.0	22%	--	--
Ruderal	--	--	--	1.5	--	--	--	118.55	25.7		0.0	--	--	--
Chaparral and scrub	550	--	--	--	--	--	--	310.57	0.0		0.0	56%	--	--
Oak savanna	500	--	165	--	--	--	--	399.83	23.0		0.0	80%	--	0%
Oak woodland	400	--	--	--	--	--	--	2,564.3	131.6		0.0	641%	--	--
<i>Subtotal terrestrial</i>	<i>19,200</i>	<i>0.0</i>	<i>165</i>	<i>76.6</i>	<i>0.0</i>	<i>0.0</i>	<i>0.0</i>	<i>10,745.2</i>	<i>1,661.4</i>	<i>0.0</i>	<i>0.6</i>	<i>56%</i>	<i>--</i>	<i>0%</i>
Aquatic														
Riparian woodland/scrub	70	--	55	--	--	--	--	72.41	0.2		5.40	103%	--	10%
Perennial wetland ^d	75	--	85	--	--	--	--	5.38	5.8		0.16	7%	--	0%
Seasonal wetland	168	--	163	0.10	--	--	--	13.44	1.4		10.70	8%	--	7%
Alkali wetland	93	--	67	--	--	--	--	34.75	4.3		2.40	37%	--	4%
Pond	16	16	--	0.07	--	--	--	11.36	2.7	0.61	0.00	71%	4%	--
Reservoir (open water) ^e	12	6	--	0.07	--	--	--	0	0.0		0.00	0%	--	--
Slough/Channel	36	--	72	--	--	--	--	3.1	0.0		0.00	9%	--	0%
<i>Subtotal aquatic</i>	<i>470</i>	<i>22</i>	<i>442</i>	<i>0.24</i>	<i>0.00</i>	<i>0.00</i>	<i>0.00</i>	<i>140.4</i>	<i>14.4</i>	<i>0.61</i>	<i>18.66</i>	<i>30%</i>	<i>3%</i>	<i>4%</i>
Stream (length in linear feet)														
Perennial	4,224	--	2,112	--	--	--	--	12,919	889		0	306%	--	0%
Intermittent	2,112	--	2,112	--	--	--	--	137,957	25,242		4,328	6532%	--	205%
Ephemeral ^f	26,400	--	26,400	--	--	--	--	68,702	878		4,103	260%	--	16%
Classification pending ^f	--	--	--	--	--	--	--	89,220	16,445	0	2,951	--	--	--
<i>Subtotal stream length</i>	<i>32,736</i>	<i>0.0</i>	<i>30,624</i>	<i>0.0</i>	<i>0.0</i>	<i>0.0</i>	<i>0.0</i>	<i>308,798</i>	<i>43,454</i>	<i>0</i>	<i>11,382</i>	<i>943%</i>	<i>--</i>	<i>37%</i>
Irrigated agriculture														
Cropland	400	--	--	--	--	--	--	541.4	--		--	135%	--	--
Pasture	--	--	--	--	--	--	--	71.3	--		--	--	--	--
Orchard	--	--	--	--	--	--	--	4.7	--		--	--	--	--
Vineyard	--	--	--	--	--	--	--	--	--		--	--	--	--
<i>Subtotal irrigated agricultural</i>	<i>400</i>	<i>0.0</i>	<i>0.0</i>	<i>0.0</i>	<i>0.0</i>	<i>0.0</i>	<i>0.0</i>	<i>617.5</i>	<i>0.0</i>	<i>0.0</i>	<i>0.0</i>	<i>--</i>	<i>--</i>	<i>--</i>

Notes

- a All land cover requirements assume the Maximum Urban Development Area scenario. The requirements for restoration and creation are dependent upon amount of impact. The requirements provided are based on the conservative estimates of wetland impacts provided in the Plan.
- b The HCP/NCCP allows for out-of-kind restoration and creation for certain land cover types. Information in these column do not reflect any out-of-kind mitigation, and will be noted if such compensation has occurred. See Chapter 5 of the HCP/NCCP for additional details.
- c These acres refer to land within the Preserve System that receive no credit toward HCP/NCCP conservation goals due to prior conservation of those areas (i.e. pre-existing conservation easements).
- d Perennial wetlands are equivalent to permanent wetlands.
- e Reservoir (open water) is equivalent to aquatic.
- f Many of the streams identified as "classification pending" will ultimately be classified as ephemeral.

Table 9. Cumulative Summary of Progress toward Preservation Requirements of Wetlands and Waters

Jurisdictional Wetlands and Waters Requirement	Total Requirement^a	Reporting Period Area Acquired^b	Cumulative Area Acquired	Percentage of Requirement Met by Acquisition
Preserve-wide Riparian woodland/scrub (acres)	70	0.00	72.41	103%
Preserve-wide Perennial wetland (acres)	75	0.00	5.38	7%
Preserve-wide Seasonal wetland (acres)	168	0.10	13.44	8%
Preserve-wide Alkali wetland (acres)	93	0.00	34.75	37%
Preserve-wide Pond (acres)	16	0.07	11.36	71%
Preserve-wide Reservoir (open water) (acres)	12	0.00	0	0%
Preserve-wide Slough/Channel (acres)	36	0.00	3.1	9%
Preserve-wide stream length (feet)	32,736	0.00	308,798	943%
<i>Stream length by type</i>				
Perennial (feet)	4,224	0.00	12,919	306%
Intermittent (feet)	2,112	0.00	137,957	6,532%
Ephemeral ^c (feet)	26,400	0.00	68,702	260%
Classification Pending ^b (feet)	—	0.00	89,220	—

Notes

- a Requirements are dependent on the amount of impacts. The requirements provided are based on the conservative estimates of wetland impacts provided in the Plan.
- b Reporting period may not reflect preserve acquisitions for that year, since field-verification of wetlands/waters on properties are conducted after acquiring properties, sometimes the following year.
- c Many of the streams identified as “classification pending” will ultimately be classified as ephemeral.

Table 10. Summary of Covered Plant Preservation to Date

Common Name	Scientific Name	Number of Occurrences Protected			
		Required	Reporting Period	Cumulative	% Complete
Mount Diablo manzanita	<i>Arctostaphylos auriculata</i>	2	0	0	0%
Brittlescale	<i>Atriplex depressa</i>	2 (4) ^a	0	3	150%
San Joaquin spearscale	<i>Atriplex joaquiniana</i>	0	0	10	—
Big tarplant	<i>Blepharizonia plumosa</i>	3	0 ^b	13	433%
Mount Diablo fairy lantern	<i>Calochortus pulchellus</i>	1	0	6	600%
Recurved larkspur	<i>Delphinium recurvatum</i>	2	0	0	0%
Round-leaved filaree	<i>Erodium macrophyllum</i>	2	0	5	250%
Diablo helianthella	<i>Helianthella castanea</i>	2	0	13	650%
Brewer's dwarf flax	<i>Hesperolinon breweri</i>	3	0	6	200%
Showy madia	<i>Madia radiata</i>	0	0	0	—
Adobe navarretia ^c	<i>Navarretia nigelliformis</i> subsp. <i>nigelliformis</i>	1	0	0	0%
Shining navarretia ^c	<i>Navarretia nigelliformis</i> subsp. <i>radians</i>	0	0	(7)	—
Total		18 (20)	0	49	

Notes

- a With the initial urban development area, at least two occurrences of brittlescale will be preserved. As soon as permitted urban development exceeds this, four occurrences of brittlescale must be preserved.
- b One population of approximately 3,605 individuals was recorded at the Civic Rancho Meadows property in 2022, representing an extension of a previously known population from the Roddy Ranch property.
- c The species *Navarretia nigelliformis* subsp. *nigelliformis* is no longer believed to occur within Contra Costa County based on specimen annotations at the University and Jepson Herbaria at the University of California Berkeley, as well as the opinions of experts in the genus. This taxon is now recognized as *Navarretia nigelliformis* subsp. *radians*. Pending further policy clarification, the Conservancy is continuing to track occurrences of shining navarretia (*Navarretia nigelliformis* subsp. *radians*).

This section summarizes habitat restoration and creation projects and activities undertaken during the reporting period and documents cumulative restoration and creation by watershed.

Habitat Restoration and Creation

Habitat restoration and creation is a critical component of the Plan’s conservation strategy. Restoration and creation of specific habitats and land cover types are required in addition to protection of land within the Preserve System. **Figure 6** shows a map of restoration projects.

Table 11 shows restoration and creation of aquatic land cover types in the Plan by watershed. Restoration has occurred in three of the five watersheds in the Permit Area; **Table 12** summarizes restoration acreages.



Upper Hess Creek Watershed Restoration Project

The reporting period was Monitoring Year 11 for the Upper Hess Creek Watershed Restoration Project. While hydrologic monitoring was scheduled to be completed each month from November through June, monitoring only took place in December due to the lack of rain for the remainder of the season. On this visit, a small area of the Main Stock Pond and portions of four of the Alluvial Valley Basins were inundated, but all other features were dry. Vegetation monitoring in May showed vegetation mirroring the dry conditions, with only one volunteer willow (*Salix* spp.) and a few patches of spike rush (*Eleocharis macrostachya*) representing wetland plants and the remainder of the plant community being either facultative or facultative upland species.

In April, Upper Hess was visited to check on the status of the willow poles that were planted the prior fall. At the visit, 18 willow poles were found alive and leafed out. Additionally, the presence of three nesting pairs of tricolored blackbird (*Agelaius tricolor*) was confirmed in the cattails in the Main Stock Pond as well as many more of the birds foraging in the adjacent grassland vegetation.



In June 2022, a fire started along Kirker Pass Road and tore through the Alluvial Valley and the Lower Channel as well as the surrounding hillsides. This fire burned the wetland vegetation in the Alluvial Valley as well as the planted willow trees along the Lower Channel. The ground was charred until January of the following year (2023) when the winter rains washed the ash away.

In mid-2022, a fire occurred in the Upper Hess area within the Alluvial Valley, leaving charred ground through early 2023. After 2 consecutive years of fire impacts, the Conservancy replanted willows in the downstream area of the project site. (Image: © Google Earth Pro 2023)

Vaquero Farms Seasonal Wetlands (Pool 3)

The 2021–2022 season was year 7 of hydrologic monitoring for the Vaquero Farms Seasonal Wetland 3. Rainfall data from a nearby station showed 9.03 inches of precipitation, which was more than double compared to the previous year (3.92 inches) and approximately 120% compared to normal rainfall for the area. Despite this, Seasonal Wetland 3 was not inundated with water. With only trace amounts of rain falling after December, no further site visits were conducted for hydrological monitoring.

During vegetation monitoring in April, Seasonal Wetland 3 was found to support upland vegetation. This was expected given the lack of standing water earlier in the season. In May, invasive perennial pepperweed (*Lepidium latifolium*) plants in Seasonal Wetland 3 were treated by digging up and spraying the cut tubers.

Ang Riparian Restoration Project

In late September 2017, Save Mount Diablo initiated a new riparian planting project downstream of the 2010 Irish Canyon restoration project. The objective of this project, taking place on the 462 acre Ang property, is similar to that of the Irish Canyon Riparian Restoration Project: improve approximately 1.56 acres of riparian woodland habitat for wildlife by filling in gaps in existing vegetation along the banks of Irish Canyon Creek.

The restoration plan called for a mix of valley oak (*Quercus lobata*), buckeye (*Aesculus californica*), and red willow (*Salix laevigata*) planted across five riparian planting areas (RPAs). The plantings of valley oak and buckeye were completed by the end of 2018, and plantings of red willow were completed by the end of the first quarter of 2019. Red willow survival has been the least successful over the 3 monitoring years (2020–

This restoration project will help meet the HCP/NCCP goal for improving riparian woodland habitat to support covered wildlife species such as California red-legged frog and California tiger salamander.



2022) with zero survival recorded in 2022, while valley oak and buckeye have been more successful with at least 50% survival averaged over the five RPAs.

Horse Valley Creek and Wetland Restoration Project

The Horse Valley Wetland Creation and Creek Restoration Project is a coordinated effort between the Conservancy and EBRPD and was constructed in the summer and fall of 2018. The project is located on the Roddy Ranch property south of the city of Antioch and was selected to restore the site's historic function by removing artificial alterations that have impacted site hydrology and habitat quality. This involves creek restoration with net channel gain and creation of new wetland habitats.

Monitoring began in 2018 following the completion of construction activities and will extend for a 5-year period or until performance standards have been met. The performance standards include criteria for wetland creation, wetland covered species habitats, and restored ephemeral creek criteria.



Year 4 monitoring showed that 19 of the 37 created seasonal wetlands met all the applicable performance standards, and none of the 20 Channel Assessment Reaches met all applicable performance standards. This low level of performance was due primarily to below-average rainfall during Year 4.

This restoration project will provide breeding habitat for California red-legged frog and California tiger salamander as well as suitable habitat for vernal pool invertebrates. It also contributes to stay-ahead and the following conservation measures: *2.1 Enhance, Restore, and Create Land Cover Types and Species Habitat* and *2.3 Restore Wetlands and Create Ponds*.



In September 2022, a stand of tree of heaven was removed.

Inoculation of the constructed seasonal wetlands with vernal pool branchiopod cysts had not yet taken place as of the end of Year 4, so no monitoring related to these species occurred.

Vegetation sampling was performed on April 14 and 28, 2022, during peak spring bloom. All 37 of the created seasonal wetlands met the invasive weed performance standard, and 22 met the wetland species dominance performance standard. The vegetation data corresponded very closely to the hydrology data, with the wetlands that dried up by February 2022 not being dominated by wetland vegetation, while the wetlands that remained ponded into February were dominated by wetland vegetation.

Roddy Ranch Golf Course, Invasive Weed Control

The Roddy Ranch golf course was in operation through August 2016 and has been closed to the public since it was acquired by the Conservancy in 2018. It is surrounded by the 1,861-acre Roddy Ranch Preserve and is located immediately north of Deer Valley, which has very few invasive weed threats and is southeast of the Conservancy's Horse Valley Creek and Wetland Restoration project, which was constructed on the Roddy Ranch Preserve in 2018.

When the golf course ceased to be managed, weeds rapidly moved in and dominated the area. Invasive weed mapping conducted in spring 2018 showed 160 acres of the 230-acre property being infested with 14 different non-native noxious weeds. The Conservancy has been managing the weeds onsite for the immediate habitat benefits, but also to prevent the weeds from moving in all directions into the rest of the Preserve System. Italian thistle (*Carduus pycnocephalus* subsp. *pycnocephalus*) now occurs in scattered patches of low density—typical of grassland in the region. Jubata grass (*Cortaderia jubata*) and fennel (*Foeniculum vulgare*) have been eradicated from the site. Stinkwort (*Dittrichia graveolens*) and artichoke thistle (*Cynara cardunculus* subsp. *flavescens*) are still present but in much smaller numbers. In 2022, invasive weeds were spot-sprayed with herbicide in March and May, the stand of tree of heaven (*Ailanthus altissima*) that was spreading via seedlings was removed in September, and stinkwort was hand-pulled throughout the site in September and October.

In the area on the west side of the property previously seeded with native seed mix, dense non-native grass was present in January 2022, which suggests that non-native grass will move in and colonize gaps left by invasive weed control. In 2021, Great Valley gumweed (*Grindelia camporum*) was seeded in the same area on a slope with dense non-native annual grass cover but did not establish onsite. It did, however, establish successfully immediately to the north, in a level valley bottom in areas with moister soils. This suggests that Great Valley gumweed, collected from nearby Horse Valley, prefers gentle slopes and moister soils and will do well in level areas at the bottom of the slopes.

Hess Creek Channel Restoration Project

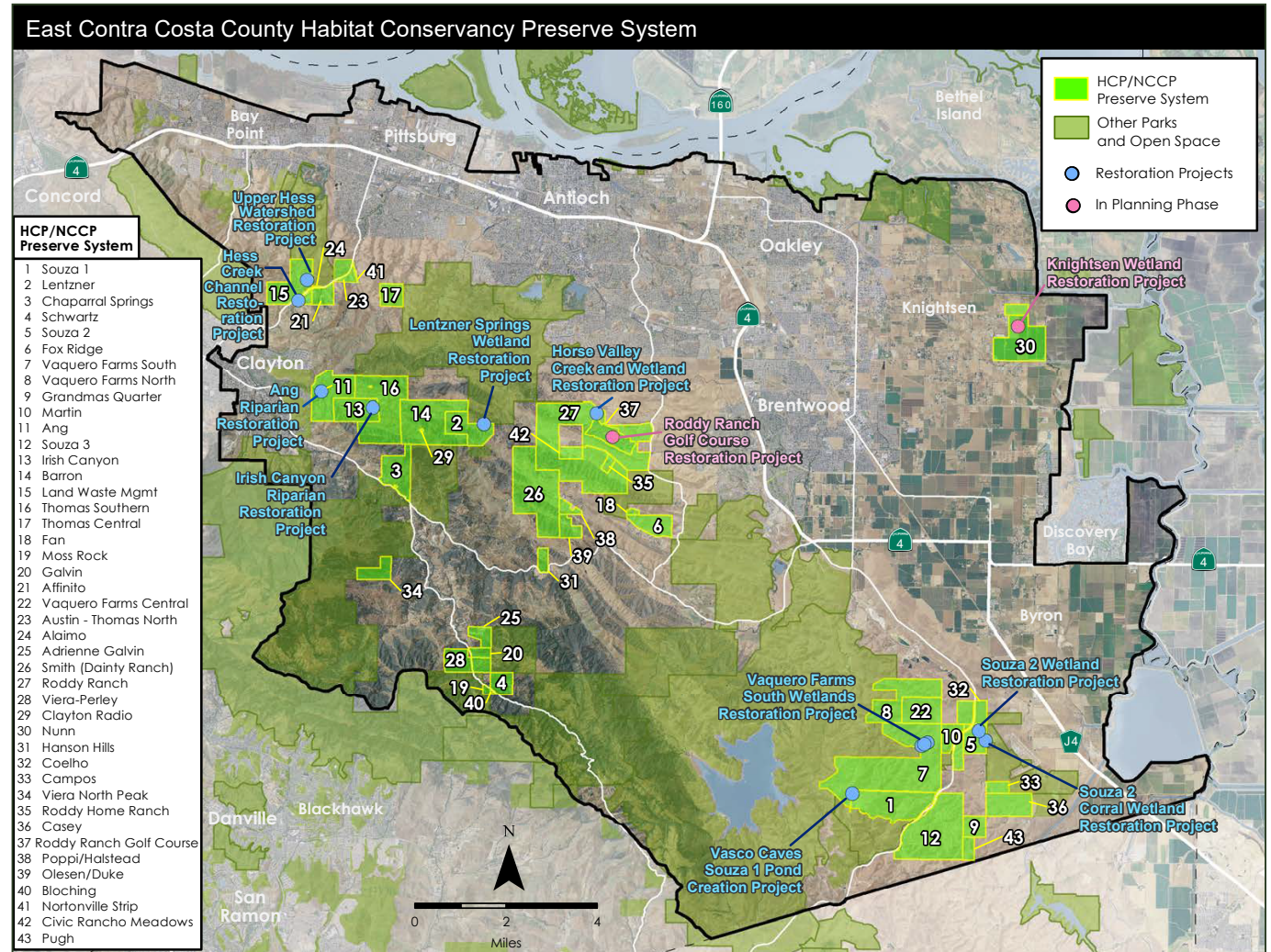
The 5.22-acre Hess Creek Channel Restoration Project is located on the north edge of the Diablo Range in the northwest region of the HCP/NCCP Plan Area. This restoration project includes a series of components along the main stem of Hess Creek where a 930-foot portion of the creek was re-routed, stabilized, and enhanced. In addition, 0.30 acre of seasonal wetlands, 0.08 acre of other waters, and 2.57 acres of riparian woodland were restored. Detailed monitoring was not required for the reporting year, however in the previous year (year 7 of monitoring) the project was meeting performance criteria, with the exception of re-established wetland acreage.

Upcoming Restoration Projects

The Conservancy currently has one restoration project in planning, the Knightsen Wetland Restoration Project, with the objective to create and restore wetlands as well as other habitat and improve Delta water quality.

The Roddy Ranch Golf Course Habitat Restoration and Public Access Plan is the most recent project to be approved by the Conservancy, EBRPD, USFWS, and CDFW. This property will support grassland habitat objectives and is a part of a larger planned 3,700-acre Deer Valley Regional Preserve.

Figure 6. Location of Restoration and Creation Projects



A total of 11 restoration projects
have been undertaken in the
Preserve System.

Table 11. Aquatic Land Cover and Stream Restoration and Creation by Watershed

Basin/Watershed	Aquatic Land Cover (acres)							Stream (linear feet)					
	Riparian woodland/ scrub	Perennial wetlands ^a	Seasonal wetlands	Alkali wetlands	Ponds	Reservoir (open water) ^b	Slough/ channel	Aquatic Land Cover Total	Perennial	Intermittent	Ephemeral	Classification Pending	Stream Total
Brushy Creek N Stem Sub Basin													
Restoration	—	0.16	8.10	—	—	—	—	8.26	—	2,075	508	—	2,582
Creation	—	—	—	—	0.30	—	—	0.30	—	—	—	—	0.00
<i>Subtotal</i>	—	0.16	8.10	—	0.30	—	—	8.56	—	2,075	508	0.00	2,582
Frisk Creek Sub Basin													
Restoration	—	—	0.33	—	—	—	—	0.33	—	—	—	—	0
Creation	—	—	—	—	—	—	—	—	—	—	—	—	0
<i>Subtotal</i>	—	—	0.33	—	—	—	—	0.33	—	0	0	0	0
Kirker Creek													
Restoration	3.08	—	0.23	2.40	—	—	—	5.71	—	—	1,7560	—	1,760
Creation	—	—	—	—	0.12	—	—	0.12	—	—	—	—	0.00
<i>Subtotal</i>	3.08	—	0.23	2.40	0.12	—	—	5.83	—	0	1,760	0.00	1,760
Sand Creek Sub Basin													
Restoration	—	—	2.00	0.05	—	—	—	2.05	—	—	684	4,103	4,787
Creation	—	—	—	—	0.19	—	—	0.19	—	—	—	—	0
<i>Subtotal</i>	—	—	2.00	0.05	0.19	—	—	2.24	—	0	684	4,103	4,787
Upper Mt. Diablo Creek													
Restoration	2.31	—	—	—	—	—	—	2.31	—	2,254	—	—	2,254
Creation	—	—	—	—	—	—	—	—	—	—	—	—	0
<i>Subtotal</i>	2.31	—	—	—	—	—	—	2.31	—	2,254	0	0	2,254
Total for Inventory Area	5.39	0.16	10.66	2.45	0.61	—	—	19.27	—	4,328	2,951	4,103	11,382

Notes

a Perennial wetlands include wetlands of indeterminate hydrology. In Appendix J, perennial wetlands are classified as wetlands.

b The term aquatic used in Appendix J refers to reservoirs and open water. Reservoir (open water) is used to in place of aquatic in this table to remain consistent with the other tables in this report.

Table 12. Restoration Acreage Summary

Restoration, Creation, and Enhancement Design Target (acres unless otherwise noted)													
Restoration Project Name	Year Constructed	Met Success Criteria	Permanent Wetland Created	Permanent Wetland Restored	Seasonal Wetland Created	Seasonal Wetland Restored	Seasonal Alkali Wetland Created	Seasonal Alkali Wetland Restored	Pond Restored	Riparian Restored	Stream Channel Restored (feet)	Stream Channel Created (feet)	Enhanced
Lentzner Spring Restoration Project	2008	2015	0.00	0.00	0.00	0.00	0.08	0.23	0.00	0.00	0.00	0.00	N/A
Vasco Caves Souza I Pond Creation Project	2008	2015	0.00	0.00	1.09	0.00	0.00	0.00	0.00	0.00	0.00	0.00	N/A
Souza II Wetland Restoration Project	2009	2015	0.00	0.54	0.17	0.00	1.17	0.64	0.00	0.00	2,782	0.00	N/A
Irish Canyon Riparian Restoration Project	2009–2010	2016	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.91	688.50	0.00	N/A
Upper Hess Watershed Restoration Project	2011	N/A	0.00	0.00	0.00	2.47	0.00	0.00	0.06	0.00	226	0.00	N/A
Souza II Corral Seasonal Wetland Restoration Project	2012	2017	0.00	0.00	0.4	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.12
Vaquero Farms Seasonal Wetlands Creation (Pools 1 and 2)	2012	2018	0.00	0.00	0.22	0.00	0.00	0.00	0.00	0.00	0.00	0.00	N/A
Hess Creek Channel Restoration Project	2015	N/A	0.00	0.00	0.30	0.00	0.00	0.00	0.00	3.13	1,364.00	730	N/A
Vaquero Farms Seasonal Wetland Creation (Pool 3)	2015	N/A	0.00	0.00	0.15	0.00	0.00	0.00	0.00	0.00	0.00	0.00	N/A
Ang Riparian Restoration Project	2016	N/A	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.56	0.00	0.00	N/A
Horse Valley Creek and Wetland Restoration Project	2018	N/A	0.00	0.00	2.25	0.00	0.00	0.00	0.17	0.00	4,150.00	0.00	N/A
Total			0.00	0.54	4.58	2.47	1.25	0.87	0.23	5.60	9,210.50	730.00	1.12

Preserve System Management

This section summarizes management actions that took place during the reporting period and highlights notable accomplishments.

During the reporting period, the Preserve System grew to encompass approximately 12,000 acres of conservation land. The Preserve System requires a wide array of land management actions that are geographically, topographically, and ecologically unique to each unit of land. A variety of management actions took place on all preserve properties throughout the year including the following:

- Natural resource maintenance projects
- Invasive plant and wildlife management
- Grazing management
- Fence installation and maintenance
- Gate installation and maintenance



- Trash removal
- Vegetation management
- Safety and security patrol
- Native seed collection
- Outdoor fieldwork to support the above-listed tasks
- Contractor management to support the above-listed tasks
- Ranch road maintenance
- Grazing infrastructure maintenance (tanks, troughs, wells, paddocks)
- Response to fire and flood conditions to protect community and habitat
- Hazard abatement (fallen trees, landslides)

Highlights from the aforementioned tasks include the following:

- The Conservancy implemented a channel repair at the Hess Creek Restoration Project in October 2022. A head cut gully had been observed developing in the channel over the last several years of monitoring. This was repaired using a staked log jam.
- Smooth distaff thistle (*Carthamus criticus*) was removed in May 2022 at the Civic Rancho Meadows in Deer Valley, a property acquired in 2021. The property was surveyed and patches identified, and the thistle was then hand pulled, bagged, and disposed of. This is the first time that this invasive non-native plant has been identified on the Preserve System.



The Preserve System requires land management actions that are geographically, topographically, and ecologically unique to each unit of land.

Monitoring, Research, and Adaptive Management

This section summarizes monitoring, research, and adaptive management projects undertaken during the reporting period.

The purpose of the monitoring, research, and adaptive management program is to inform and improve conservation actions in the Preserve System and to ensure that the Plan achieves its biological goals and objectives. The scope of the monitoring and adaptive management program is limited to habitat restoration and creation and the assembly, management, and monitoring of the Preserve System. The purpose of directed research is to inform management in cases where species and natural community response to management is uncertain. Each year the Conservancy seeks project proposals across all scientific disciplines that advance the Plan’s conservation strategy, monitoring and adaptive management program, and/or inform successful compliance with the biological goals and objectives of the HCP/NCCP.

In 2022, three studies were completed: a covered plant species survey on the Preserve System, a camera station survey for San Joaquin kit fox, and an investigation of an extensive pine and manzanita die-off in the inventory area, which are detailed in the following sections.



Science and Research Grant Program

The conservation strategy under the HCP/NCCP is designed to achieve the biological goals and objectives established for the natural communities and the covered species that each community supports. Under the Conservancy's Science and Research Grant Program, the Conservancy funds research that endeavors to illuminate, and where possible to resolve, uncertainties associated with adaptive management of natural communities and covered species. Research selected for funding aids in achieving the biological goals and objectives of the Plan and inform management actions and/or contribute to the general understanding of a covered species.

San Joaquin Kit Fox Camera Station Survey Report

This study was intended to address the Plan goal to preserve “the most important movement routes and core habitat for San Joaquin kit fox.” The study was conducted in two areas within the Preserve System that have the most suitable habitat for the target species, the Vasco Hills/Byron Vernal Pools management area and the Deer Valley management area.

A total of eight camera stations were set up, producing more than 70,000 photos of animals during the spring, summer, and fall survey dates. San Joaquin kit fox was not caught on camera; however, coyotes were detected frequently which are a known predator of kit foxes. There are no verified sightings of San Joaquin kit fox within the Plan area in the last 20 years. In total, 31 species were detected of which one is a covered target species (burrowing owl [*Athene cunicularia*]) and two are special status species (American badger [*Taxidea taxus*] and loggerhead shrike [*Lanius ludovicianus*]).



American kestrel
caught on camera.



One population of big tarplant was recorded at the Civic Rancho Meadows property.

Target Plant Surveys

In 2022, surveys were conducted on the Civic Rancho Meadows and Pugh properties during the months of March, April, May, and September, and a total of one population of covered plant species, big tarplant, was recorded at the Civic Rancho Meadows property. This population is a part of a previously recorded population and will therefore not increase the population size of a known covered plant species population within the preserves. To date, 79% of the species-specific biological goals for covered plant populations have been met.

Mt. Diablo Manzanita and Knobcone Pine Dieback Study

Extensive dieback and mortality of manzanitas (*Arctostaphylos auriculata* and *A. manzanita*) and knobcone pine (*Pinus attenuata*) were noted in the southwest portion of Mt. Diablo State Park starting in fall 2020. Although dieback was related to severe plant water stress associated with historic drought conditions, this study suggests that the cause of dieback differed for the pines and manzanitas. Mortality of pines appears to be driven primarily by an outbreak of the California fivespined ips (*Ips paraconfusus*), a bark beetle that infests stressed pines and recently cut pine slash. The bark beetle outbreak likely could have been minimized by better management of slash under the severe drought conditions that existed. For manzanitas, it appears that extreme August–September 2020 heat events in combination with high plant water stress induced scorching of the foliage. However, regrowth occurred in many plants and only a small percentage of the scorched manzanitas appeared to be dead or nearly dead in 2022.

Stay-Ahead Provision

This section evaluates compliance with the Plan's Stay-Ahead Provision for land cover types, covered plants, vernal pool shrimp, and giant garter snake.

The Stay-Ahead Provision of the HCP/NCCP requires that the amount of each land cover type conserved, restored, or created by the Conservancy as a proportion of the total requirement for each land cover type must be roughly proportional to the impact on that land cover type as a proportion of the total impact expected by all covered activities. For example, if 25% of the expected impacts on grasslands have occurred, then at least 25% of the required land acquisition for grasslands must also have occurred. To provide flexibility during implementation, the Conservancy may fall behind by a maximum of 5% of its conservation strategy requirements and still be in compliance with the Stay-Ahead Provision. This deviation accounts for the likely pattern of infrequent acquisition of large parcels that will allow the Conservancy to jump far ahead of impacts with just one transaction.

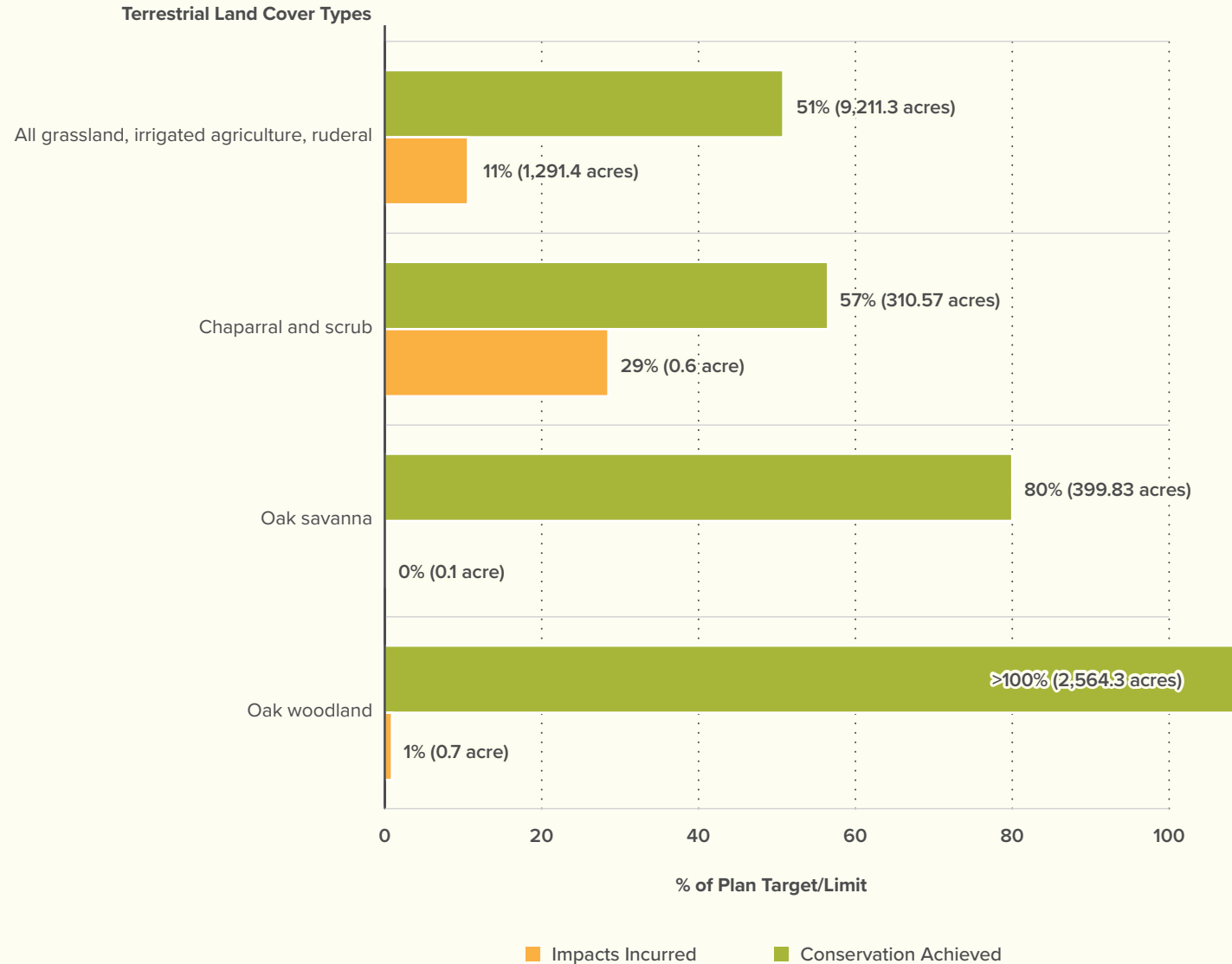


The Conservancy is in compliance with Stay-Ahead requirements. The Plan's Stay-Ahead Provision requires that conservation is ahead of or proportional to impacts for land cover types, plants, vernal pool shrimp, and giant garter snake. This is achieved by acquiring land for the Preserve System in advance of impacts. For vernal pool shrimp, restoration and creation of habitat in addition to preservation is an alternative, and purchase of an equivalent amount of preservation or restoration credit is an option for mitigation.

Figure 7 displays the conservation achieved and impacts incurred for terrestrial land cover types; **Figure 8** summarizes the same for aquatic land cover types and streams. The reporting period (Year 15) represents 50% of the permit term. If a constant rate of impacts is assumed, allowable impacts should be at about 50% of the impact cap.

The following pages show Stay-Ahead compliance for land cover types (**Table 13** and **Figure 9**), plants (**Table 14**), vernal pool shrimp (**Table 15**), and giant garter snake (**Table 16**).

Figure 7. Comparison of Conservation Achieved to Impacts Incurred for Terrestrial Land Cover Types—Cumulative

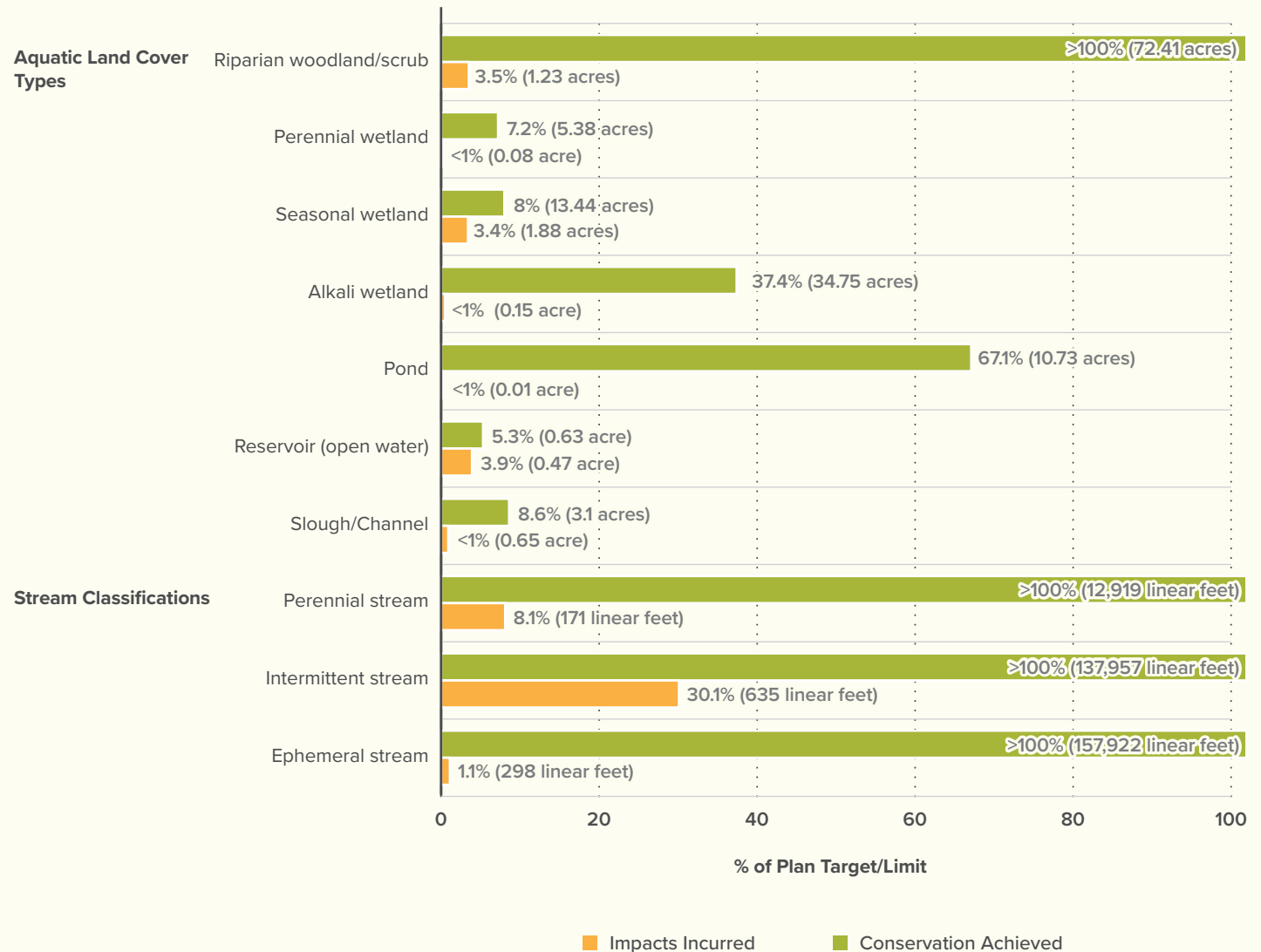


All terrestrial land cover types have achieved more than 50% of protection requirements. Impacts have been small in comparison to the impacts permitted.

Figure 8. Comparison of Conservation Achieved to Impacts Incurred for Aquatic Land Cover Types and Streams—Cumulative

For every aquatic land cover type, conservation is far ahead of impacts incurred. Preservation of riparian woodland/scrub is over 100% of the Plan’s goal, and preservation of pond is about 75%. All impacts on aquatic land cover types are 4% or less than the allowable impacts.

For all stream classifications conservation exceeds 100%.



Note: Reservoir (open water) is equivalent to “aquatic” and requires conservation ratio of 1:1 wetted acres (pond) and creation of ponds at a ratio of 0.5:1. The stay-ahead calculation is based on a combination of reservoir and pond conservation and creation combined.

Figure 9. Stay-Ahead Compliance for Land Cover Types

Conservation of all land cover types and stream classifications is ahead of impacts incurred with several land cover types exceeding the required protection for the permit term. Though the Stay-Ahead Provision only reflects land cover acreage requirements and does not reflect geographical requirements intended to ensure Preserve System connectivity, the Conservancy is aware of both the qualitative and quantitative goals of the Plan.

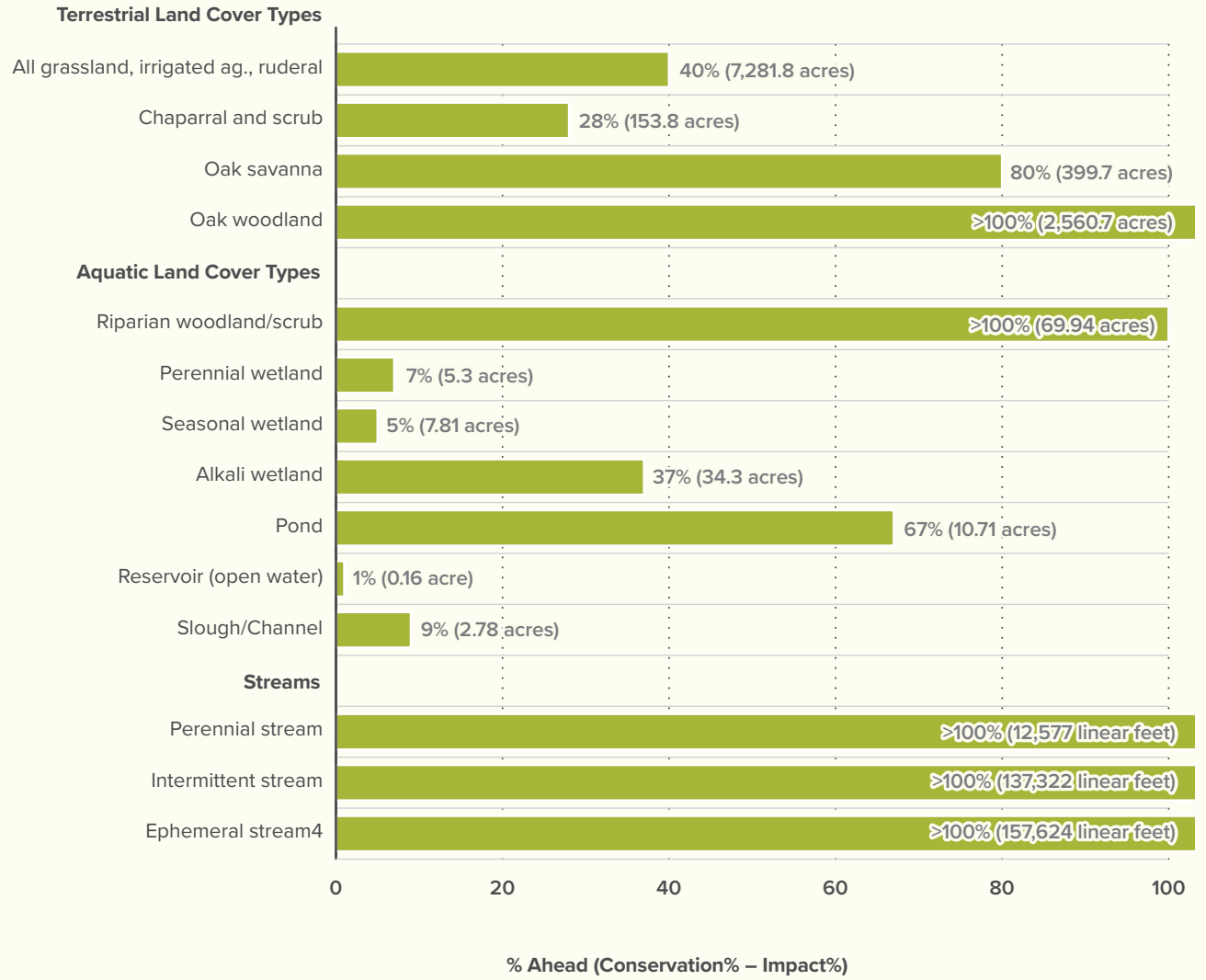


Table 13. Stay-Ahead Assessment—Land Cover and Streams

Land Cover Type	Conservation			Impact			Acres/Feet Required to be Ahead	Acres Ahead	% Ahead ^c (Conservation % - Impacts %)
	Protection Required (acres)	Protection to date (acres)	% of Required	Estimated Impacts (acres)	Impacts to date (acres)	% of Impacts			
Terrestrial									
All grassland, irrigated ag., ruderal	18,150	9,211.3	50.8%	12,148.0	1,291.4	10.6%	1,929.5	7,281.8	40%
Chaparral and scrub	550	310.57	56.5%	2.0	0.6	28.5%	156.8	153.8	28%
Oak savanna	500	399.83	80.0%	165.0	0.1	0.0%	0.2	399.7	80%
Oak woodland	400	2,564.3	641.1%	73.0	0.7	0.9%	3.6	2,560.7	640%
<i>Subtotal terrestrial</i>	<i>19,600</i>	<i>11,775.6</i>	<i>60.1%</i>	<i>12,388</i>	<i>1,292.7</i>	<i>10%</i>	<i>2,090.0</i>	<i>10,396.0</i>	<i>50%</i>
Aquatic									
Riparian woodland/scrub	70	72.41	103.4%	35.0	1.23	3.5%	2.47	69.94	100%
Perennial wetland ^a	75	5.38	7.2%	75.0	0.08	0.1%	0.08	5.30	7%
Seasonal wetland	168	13.44	8.0%	56.0	1.88	3.4%	5.63	7.81	5%
Alkali wetland	93	34.75	37.4%	31.0	0.15	0.5%	0.45	34.30	37%
Pond	16	10.73	67.1%	8.0	0.01	0.2%	0.02	10.71	67%
Reservoir (open water) ^b	12	0.63	5.3%	12.0	0.47	3.9%	0.47	0.16	1%
Slough/Channel	36	3.1	8.6%	72.0	0.65	0.9%	0.32	2.78	9%
<i>Subtotal aquatic</i>	<i>470</i>	<i>140</i>	<i>29.8%</i>	<i>289</i>	<i>4.47</i>	<i>2%</i>	<i>9.44</i>	<i>131.00</i>	<i>28%</i>
Stream (length in linear feet)									
Perennial stream	4,224	12,919	305.9%	2,112	171	8.1%	342	12,577	298%
Intermittent stream	2,112	137,957	6532.1%	2,112	635	30.1%	635	137,322	6502%
Ephemeral stream ^d	26,400	157,922	598.2%	26,400	298	1.1%	298	157,624	597%
<i>Subtotal stream length</i>	<i>32,736</i>	<i>308,798</i>	<i>943.3%</i>	<i>30,624</i>	<i>1,104</i>	<i>4%</i>	<i>1,275</i>	<i>307,523</i>	<i>940%</i>
Totals									
Acres	30,300	11,927.4	39%	12,677	1,297.2	10.2%	2,099.6	10,538.2	29%
Linear feet	32,736	308,798	943%	30,624	1,104	3.6%	1,275	307,523	940%

Notes

a Perennial wetlands are equivalent to permanent wetlands.

b Reservoir (open water) is equivalent to “aquatic” and requires conservation ratio of 1:1 wetted acres (pond) and creation of ponds at a ratio of 0.5:1. The stay-ahead calculation is based on a combination of reservoir and pond conservation and creation combined.

c The Plan allows a 5% deviation from Stay-Ahead requirements. For terrestrial land cover, the Plan provides that Stay-Ahead be measured against the following categories: chaparral, oak savanna, oak woodland and the sum of all grassland and irrigated agricultural land cover types.

d Many of the streams identified as “classification pending” will ultimately be classified as ephemeral. As such, they are tracked as ephemeral streams for the purposes of the Stay-Ahead Provision.

Table 14. Stay-Ahead Assessment—Plants

Common Name	Scientific Name	Conservation	Impacts	Difference	% Ahead
Mount Diablo manzanita	<i>Arctostaphylos auriculata</i>	0	0	0	—
Brittlescale	<i>Atriplex depressa</i>	3	0	3	100%
San Joaquin spearscale	<i>Atriplex joaquiniana</i>	10	1 ^a	9	90%
Big tarplant	<i>Blepharizonia plumosa</i>	13	0	13	100%
Mount Diablo fairy lantern	<i>Calochortus pulchellus</i>	6	0	6	100%
Recurved larkspur	<i>Delphinium recurvatum</i>	0	0	0	—
Round-leaved filaree	<i>Erodium macrophyllum</i>	5	— ^b	5	100%
Diablo helianthella	<i>Helianthella castanea</i>	13	0	13	100%
Brewer's dwarf flax	<i>Hesperolinon breweri</i>	6	0	6	100%
Showy madia	<i>Madia radiata</i>	0	0	0	—
Adobe navarretia ^c	<i>Navarretia nigelliformis</i> subsp. <i>nigelliformis</i>	0	0	0	—
Shining navarretia ^c	<i>Navarretia nigelliformis</i> subsp. <i>radians</i>	(7)	1	(7)	—
Total		49	1	48	

Notes

- a Vasco Road Safety Phase 1 Project population was translocated to Souza II property in 2011, however the population did not survive. This table has been updated to account for the single impact to San Joaquin spearscale (*Atriplex joaquiniana*).
- b Temporary impacts occurred to round-leaved filaree as part of the PG&E Contra Costa Las Positas Project. The soil was protected from disturbance, the site was returned to pre-project connections, seeds collected on site were propagated, and monitoring reports document that round-leaved filaree persists on site and is as abundant as before the project.
- c The species *Navarretia nigelliformis* subsp. *nigelliformis* is no longer considered to occur within Contra Costa County based on specimen annotations at the UC and Jepson Herbaria at the University of California Berkeley as well as the opinions of experts in the genus. This taxon is now recognized as *Navarretia nigelliformis* subsp. *radians*. Pending further policy clarification, the Conservancy is continuing to track occurrences of shining navarretia (*Navarretia nigelliformis* subsp. *radians*).

Table 15. Stay-Ahead Summary—Vernal Pool Shrimp

Project Name/ Preserve Property Name	Species	Impacts to Date (acres) ^a	Preserved Occupied to Date (acres)	Restored/ Created Occupied to Date (acres)
Impacts				
Deer Valley Road Safety Improvements Project, 2012	VPFS	0.060		
Chevron KLM Site 1357 Maintenance Project, 2013	Covered shrimp	0.007		
Restoration, Creation, and Preservation				
Campos	VPFS		0.550	
Casey	VPFS and mid-valley fairy shrimp		0.313	
Coelho	VPFS		0.980	
Souza I	VPFS		0.001	
Souza II	VPFS		0.180	
Souza II-Corral ^b	VPFS			0.4002
Vaquero Farms South	VPFS		0.052	
Vaquero Farms South (Pool 1)	VPFS			0.070
Vaquero Farms South (Pool 3)	VPFS			0.150
Total		0.067	2.076	0.620

Abbreviation

VPFS = vernal pool fairy shrimp

Notes

- a The HCP/NCCP requires preservation and creation of vernal pool fairy shrimp habitat be ahead of impacts at a preservation ratio of 2:1 acres occupied habitat and a restoration ratio of 1:1 acre of occupied habitat. The Conservancy is in compliance with the Stay-Ahead requirement.
- b The Souza II Corral wetland was inoculated in 2012 with soil from the Deer Valley Road Widening Project. VPFS have not been found during annual surveys. The Conservancy continued to survey for 10 years (through 2022) to determine if VPFS are present; VPFS have not be found in this pool.

Table 16. Stay-Ahead Summary—Giant Garter Snake

Project Name/Preserve Property Name	Aquatic Habitat Impacts to Date (acres)	Upland Habitat Impacts to Date (acres)	Aquatic Habitat Preserved to Date (acres)	Upland Habitat Preserved to Date (acres)
Caltrans/Hwy 4 Median Buffer and Shoulder Widening Project, 2012	0.01	4.77		
Emerson Ranch, 2013		5.47		
Gilbert, 2016	0.577	18.34		
Cypress Preserve, 2021 ^a	0.43	12.46		
Nunn Property (Preserve System Acquisition) ^b			3.10	612.71
Total	0.59	28.58	3.10	612.71

Notes

The HCP/NCCP requires preservation of giant garter snake habitat be ahead of impacts at a preservation ratio of 1:1 for aquatic habitat and 3:1 for upland habitat. The Conservancy is in compliance with the stay-ahead requirement.

- a The Cypress Preserve project's impacts to GGS habitat is mitigated through an applicant-led restoration project and therefore the impact acreages are not included in the "total" in this table. The Cypress Preserve project is being constructed in phases. Impacts in this table represent all impacts to GGS from the entire project.
- b The Conservancy is currently in the planning and design phase of a proposed restoration project on the Nunn property and the acres of preservation will change and will be adjusted in forthcoming annual reports.

Changed and Unforeseen Circumstances

This chapter notes any changed or unforeseen circumstances that occurred during the reporting period.

USFWS’s “No Surprises” Regulation defines *changed circumstances* as those circumstances affecting a species or geographic area covered by an HCP that can be reasonably anticipated and to which the parties preparing the HCP can plan a response. Unforeseen circumstances cannot be reasonably anticipated and do not require a response to remain in compliance with permit conditions. The NCCP Act has a similar provision for NCCPs.

No changed or unforeseen circumstances occurred during the reporting period.



Finances

Budget, Expenditures, and Funding

This section includes the economic assumptions on which the Plan was based, summarizes all revenues received, and assesses the post-permit term funding strategy.

To develop the 2022 budget, the Conservancy analyzed cost projections from the HCP/NCCP, previous years' actual costs, and the anticipated work plan. The expenditures for the reporting period to implement the HCP/NCCP totaled \$3,096,040 (**Figure 10**). The Conservancy's expenditures include program administration, land acquisition, planning and design, environmental compliance, preserve management, monitoring, and habitat restoration. Overall, the Plan anticipated 57.5% of funding from fees and 42.5% from non-fee sources. To date, fee funding makes up 25% and non-fee funding 75% of revenue (**Figure 11**).



Fee-based funding includes fees for development, wetland mitigation, temporary impacts, rural road fees, and contribution to recovery. Contributions to recovery include charges on certain covered activities, levied on Participating Special Entities to contribute funds over and above fee requirements to contribute to the recovery of species in the inventory area. These fees collectively pay for the full cost of mitigating covered activities' effects on the covered species and natural communities addressed by the Plan.

The HCP/NCCP allows for additional revenue to be received from non-covered activities. There may be a number of benefits to addressing the mitigation needs of non-covered projects through the structure of the HCP/NCCP, and USFWS and CDFW may wish to use the conservation strategy and implementing structure of the Plan to maximize the conservation benefits to covered species and natural communities. Project proponents may wish to utilize the mitigation approach of the Plan to facilitate their mitigation obligations under a variety of state and federal regulations. Mitigation funds collected from non-covered activities must augment the mitigation and conservation obligations of the Plan (i.e., they may not offset these requirements). Mitigation funding arrangements vary by project and are reviewed and approved by USFWS and CDFW before acceptance of these funds. No revenue from non-covered activities were collected in 2022. Only one such project—the Kirker Pass Road Northbound Truck Climbing Lane (Area Outside HCP/NCCP) (2018)—was not covered by the HCP/NCCP but fees were received by the Conservancy to facilitate their mitigation obligations.

Non-fee-based funding includes funding from local, state, and federal sources. Grant funding from these sources assist with Plan implementation activities, including land acquisition, restoration and creation, and preserve management and monitoring. In addition, foundation grants (e.g., Gordon and Betty Moore Foundation) also fund these Plan implementation activities.

A requirement of the HCP/NCCP is to develop a long-term funding strategy to provide for the stewardship of the Preserve System in perpetuity. Post-permit term costs would be funded by a portion of mitigation fees and other revenue transferred to an endowment over time. The endowment would grow with reinvested earnings through the end of the permit term. No withdrawals would be made from the endowment to fund the HCP/NCCP during the permit term. At the end of the permit term, the endowment generates ongoing earnings sufficient to fully fund post-permit management and monitoring costs in perpetuity and adjusted for inflation. After the HCP/NCCP permit term ends, distributions from an endowment will be used for long-term management and monitoring of the Preserve System.

The Conservancy established an endowment account (Endowment) with the Regional Parks Foundation in 2020. Since its establishment, deposits have been made to the Endowment, and its standing at the end of 2022 is at \$6,706,268.

Figure 10. Summary of Expenditures

Actuals (Reporting Period)

The expenditures for the reporting period to implement the HCP/NCCP totaled \$3,096,040. Less budget was spent this year due to fewer land acquisitions than forecast.

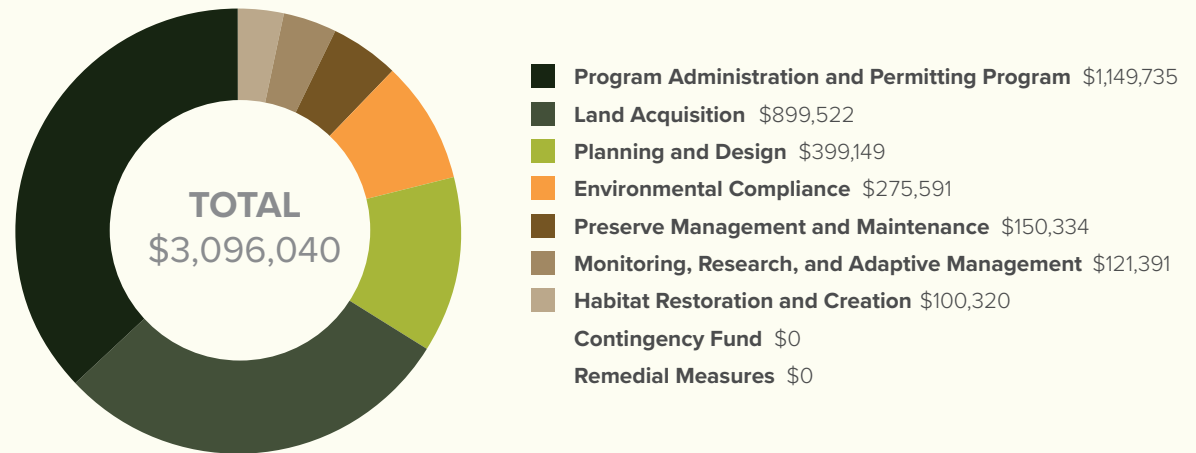
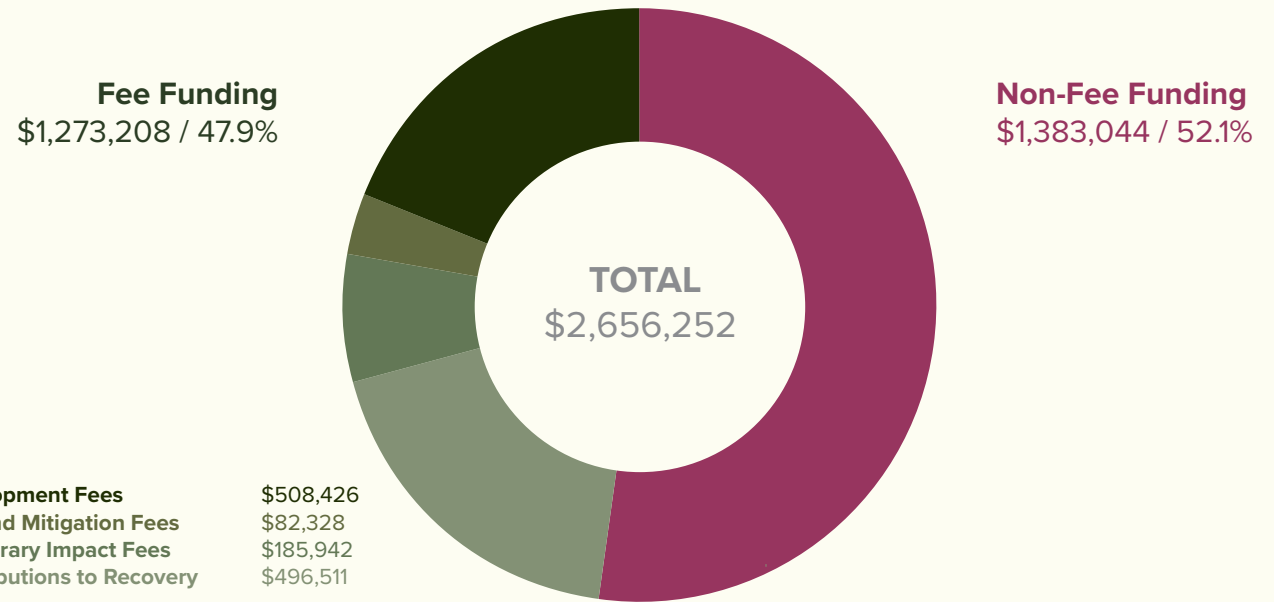


Figure 11. Summary of Revenue

Revenue (Reporting Period)



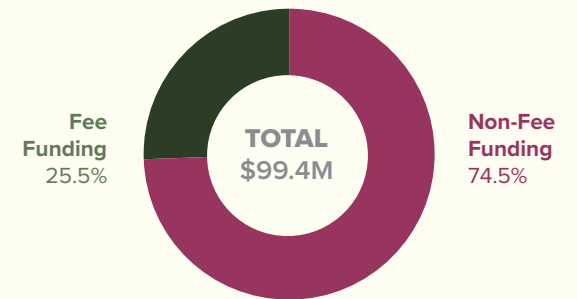
For the reporting period, the majority of fee funding came from development fees and contributions to recovery, while non-fee funding mainly came from grants.

Plan Assumptions



Maximum Urban Development Area assumptions were used.

Actual Revenue (Cumulative)



Mitigation Fee Act Annual Reporting

The Annual Report also functions as the Conservancy's annual reporting on mitigation fees collected pursuant to California Government Code Section 66000 et seq. ("Mitigation Fee Act"), which requires local agencies to provide an accounting of fees charged for development projects. The requirement set forth under Government Code Section 66006(b)(1) provides that each local agency is required on an annual basis, within 180 days after fiscal year end (June 30), for each separate account, to make available to the public the following information.

- 1. A brief description of the type of fee in the account or fund, and the amount of the fee (Table 17):**
 - a) **Development Fee.** The purpose of the Development Fee is to mitigate for impacts to open space, habitat and species covered by the HCP/NCCP. The Development Fee revenues will be used to fund the acquisition of land that does or could provide habitat for covered species, the management and enhancement of that land and habitat, and the administrative actions necessary to accomplish these tasks, as more particularly set forth in the HCP/NCCP. The Development Fee imposed on a development project is determined based on the Development Fee Zone in which the project is located.
 - b) **Wetland Mitigation Fee.** The purpose of the Wetland Mitigation Fee is to mitigate for impacts to Jurisdictional Wetlands and Waters, riparian woodland/scrub, or stream buffers. The Wetland Mitigation Fee revenues will be used to fund the restoration, creation and management of Jurisdictional Wetlands and Waters and riparian woodland/scrub, and the administrative actions necessary to perform these tasks, as more particularly set forth in the HCP/NCCP.

- 2. The amount of fees collected and interest earned, and the beginning and ending balance of the account or fund (Table 18).**

- 3. An identification of each public improvement on which fees were expended and the amount of the expenditure on each improvement, including the total percentage of the cost of the public improvement that was funded with the fees.**

Development Fees were expended on a variety of land acquisition, preserve management and monitoring, and habitat conservation plan implementation activities in 2022.

Wetland Mitigation Fees collected in 2022 were expended fully on the planning and design activities for the Knightsen Wetland Restoration and Flood Protection Project. The total cost of the planning phase for this project totals \$1,658,000, with 6.02% funded by Wetland Mitigation Fees and interest in 2022.

- 4. An identification of an approximate date by which the construction of the public improvement will commence if the Board determines that sufficient funds have been collected to complete financing on an incomplete public improvement, and the public improvement remains incomplete.**

Construction of the Knightsen Wetland Restoration and Flood Protection Project is scheduled for construction in 2024/2025.

- 5. A description of each interfund transfer or loan from the account or fund, including the public improvement on which the transferred or loaned fees will be expended, and, in the case of an interfund loan, the date on which the loan will be repaid, and the rate of interest that the account or fund will receive on the loan.**

No interfund transfers or loans have been made.

- 6. The amount of refunds made pursuant to Government Code section 66001(e) and any allocations pursuant to Government Code section 66001(f).**

No refunds were made.

Table 17. 2022 Fee Schedule

Fee Type	With Fee Audit	Without Fee Audit
Development Fees (per acre, unless otherwise stated)		
Zone I	\$18,937.95	\$19,679.42
Zone II	\$37,875.90	\$39,358.84
Zone III	\$9,468.98	\$9,840.54
Wetland Mitigation Fees		
Riparian woodland/scrub	\$105,515.99	\$89,571.31
Perennial Wetland	\$159,911.71	\$122,571.26
Seasonal Wetland	\$374,220.31	\$265,571.06
Alkali wetland	\$378,310.21	\$251,428.23
Pond	\$205,923.71	\$133,571.25
Aquatic (open water)	\$102,962.44	\$67,571.34
Slough/ Channel	\$147,029.10	\$152,428.36
Streams 25 feet wide or less—fee per linear foot	\$542.59	\$730.25
Streams greater than 25 feet wide—fee per linear foot	\$814.47	\$1,100.00

Note

The Permittees were on two different fee schedules. The Conservancy, County, Clayton, and Oakley adopted the 2017 Fee Audit and Nexus Study (Fee Audit) in 2021, and Pittsburg and Brentwood in March and April, 2022, respectively. Temporary impact fees are based on the amounts shown adjusted for duration of impact as set forth in Chapter 9 of the ECCC HCP/NCCP.

Table 18. 2022 Mitigation Fees

Beginning Balance	Revenue	Interest Earned	Expended	Ending Balance
Development Fee				
\$4,070,054	\$555,600	\$52,562	\$1,638,691	\$3,039,525
Wetland Mitigation Fee				
\$0	\$82,328	\$17,455	\$99,783	\$0

Program Administration

This section summarizes any administrative changes, minor modifications, and amendments proposed or approved during the reporting year.

There were no modifications or amendments made to the Plan during the reporting period. Implementation tasks that occurred during the reporting period are described below.

Coordinated Wetland Permitting

The Conservancy has continued to work with the U.S. Army Corps of Engineers (Corps) to align permitting for impacts on federally regulated waters with the HCP/NCCP permitting. The Corps issued a Regional General Permit (RGP) 1 in 2012, with the most recent renewal on December 1, 2022. The permit will expire 3 years after the reissuance date.

The Conservancy submitted a proposal to the Corps to implement an In-Lieu Fee (ILF) Program. This will comply with the federal Compensatory Mitigation for Losses of Aquatic Resources (Mitigation Rule; 33 [Code



Program Administration



Vaquero Farms Seasonal
Wetland Restoration



Save Mount Diablo Volunteer
Water Crew



Roddy Ranch

of Federal Regulations] CFR Part 332). The proposed ILF Program will be implemented in conjunction with the RGP and HCP/NCCP and will sanction payment of HCP/NCCP fees as eligible mitigation under the RGP. The most recent draft of the ILF documents was submitted to the Corps in May 2022, and the Conservancy entered into a Water Resources Development Act Memorandum of Agreement with the Corps to expedite review and development of the ILF Program and processing of permits under RGP 1.

Mitigation Fee Audit and Update

The HCP/NCCP requires automatic annual adjustments to mitigation fees based on economic indices as well as periodic audits in years 3, 6, 10, 15, 20, and 25 of Plan implementation. These periodic audits assess whether changes in HCP/NCCP implementation costs over time require additional fee adjustment.

The reporting period was year 15 of the permit term and in accordance with the Plan requirements, work on the mitigation fee audit and update was initiated.

Public Outreach/Engagement

In 2022, Save Mount Diablo continued to work with volunteers to maintain the Ang property riparian plantings. A volunteer Watering Crew performed tri-weekly summer watering and in July volunteers removed tubes from dead trees and relocated them to other seedlings. In 2022, seven volunteers contributed a total of 85 hours to work on this property.



East Contra Costa County
Habitat Conservancy

**East Contra Costa County
Habitat Conservation Plan/
Natural Community Conservation Plan**

Annual Report 2022



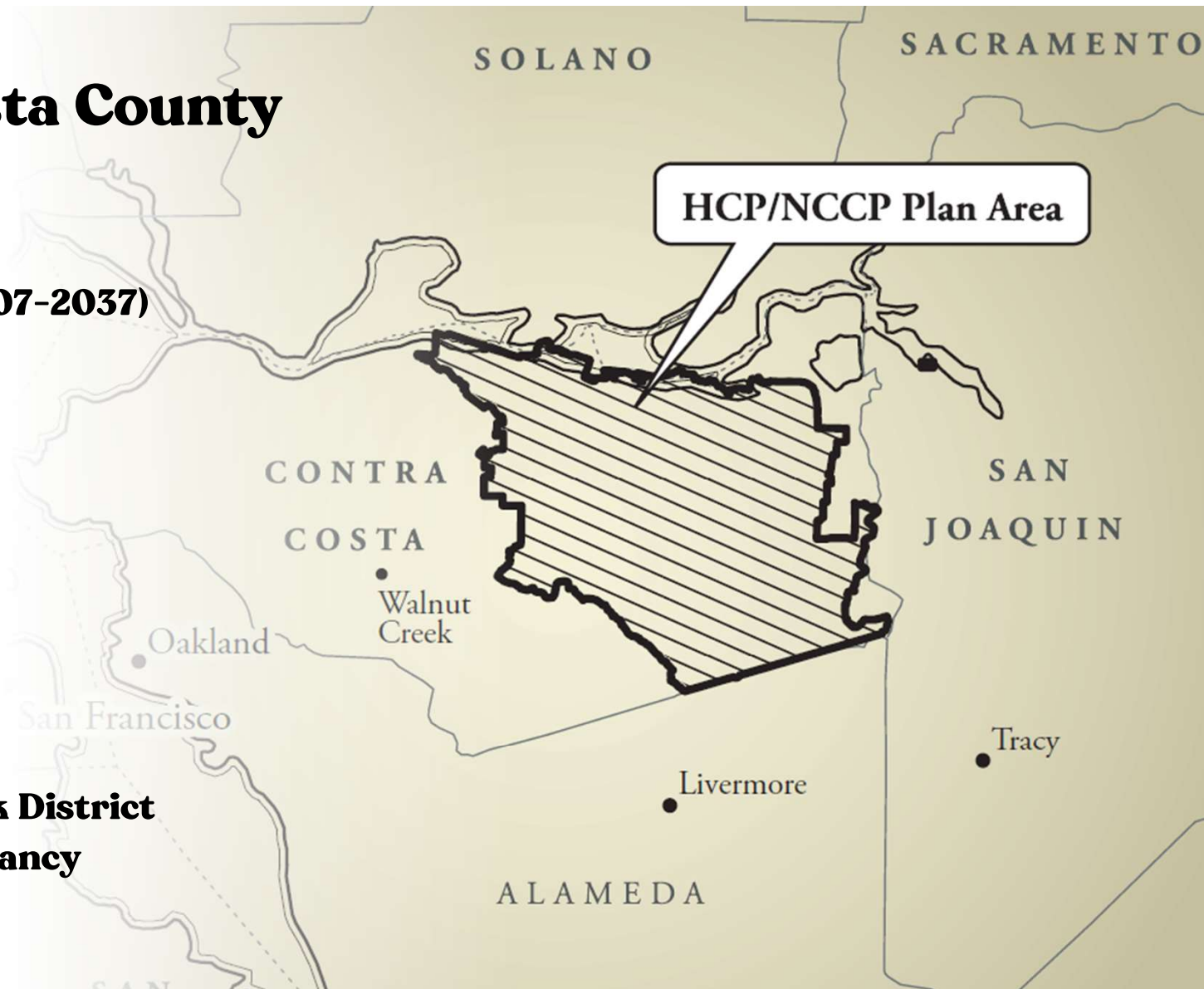
East Contra Costa County
Habitat Conservancy

East Contra Costa County HCP/NCCP

30-year permit term (2007-2037)

Permittees

- **Brentwood**
- **Clayton**
- **Pittsburg**
- **Oakley**
- **CCC DCD**
- **CCC Public Works**
- **CCC Flood Control**
- **East Bay Regional Park District**
- **ECCC Habitat Conservancy**



Permitting



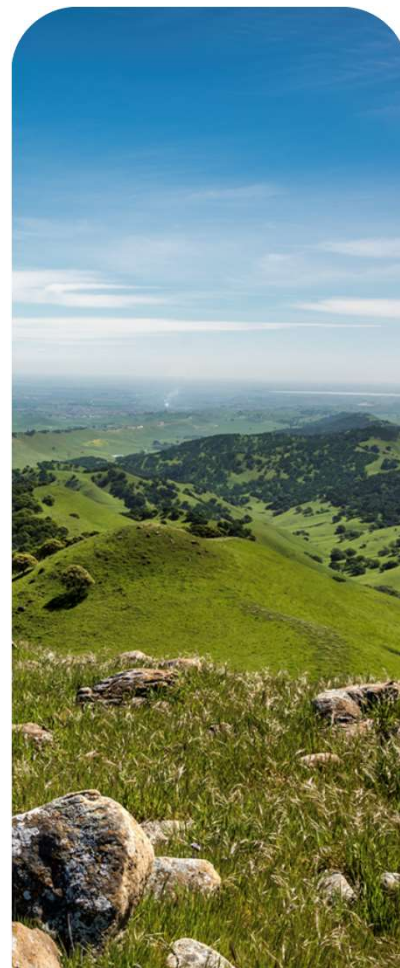
Land Acquisition



Restoration



Preserve Management

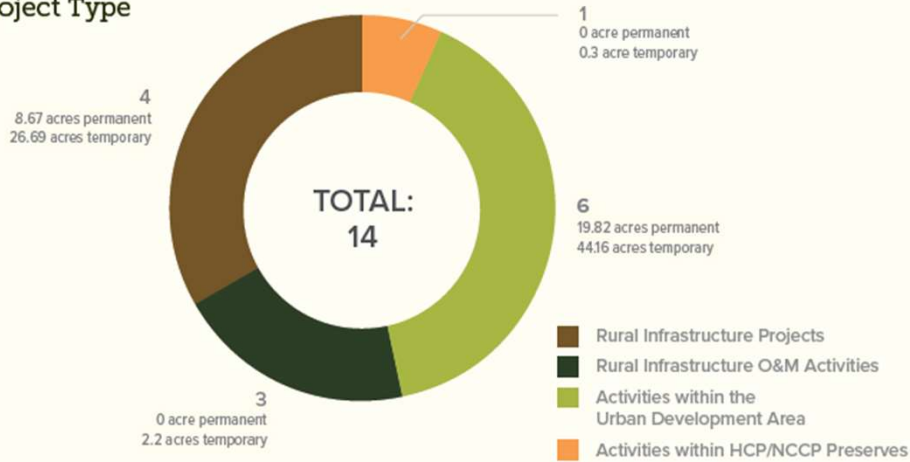


Monitoring & Research

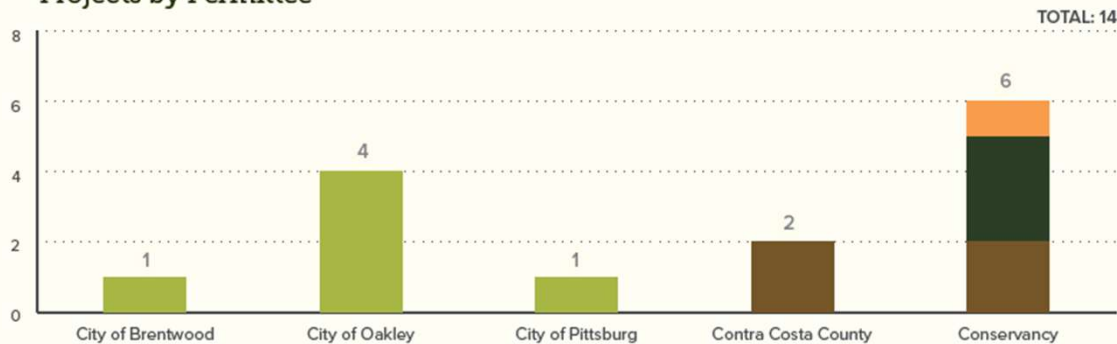


Permitting

Projects by Project Type

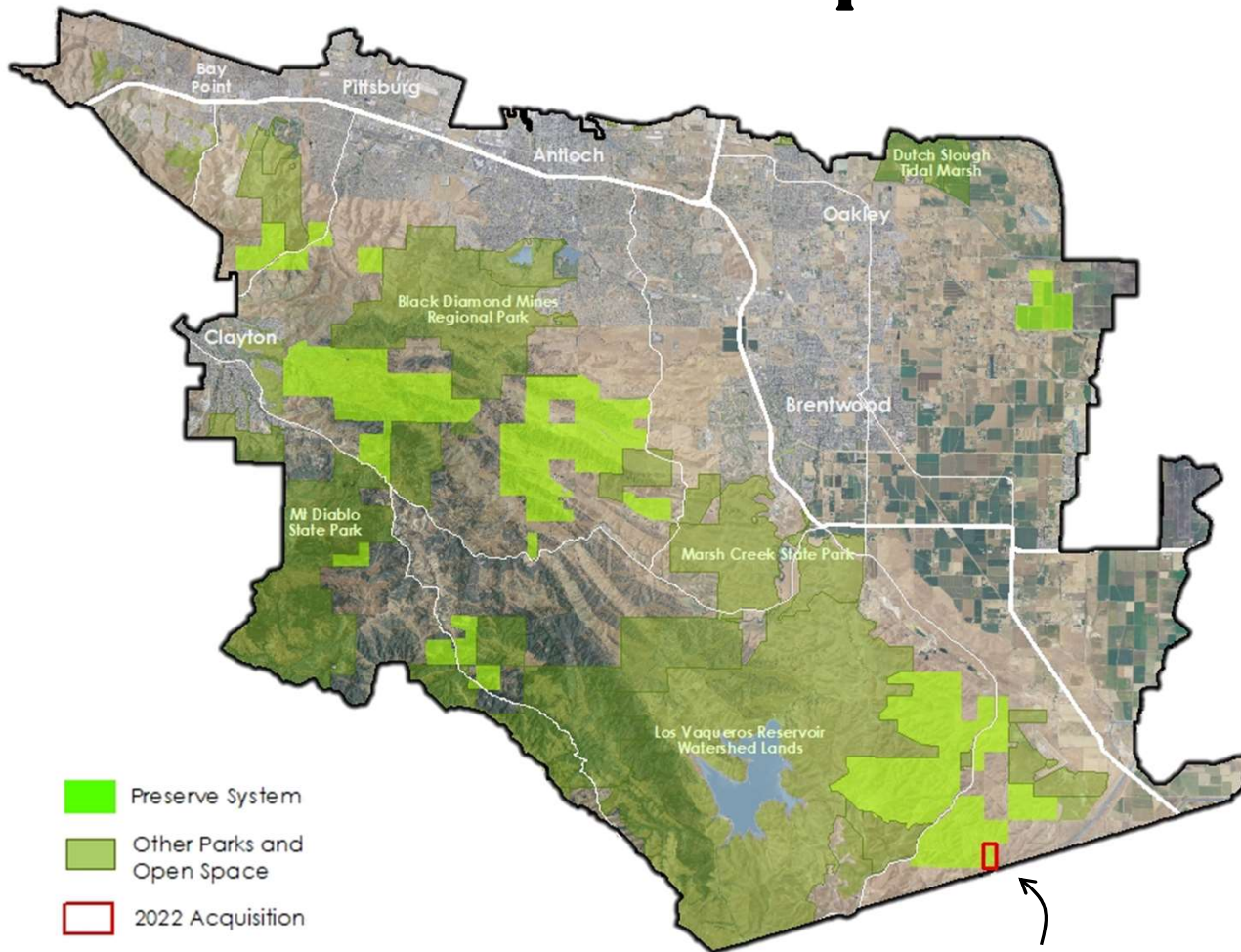


Projects by Permittee

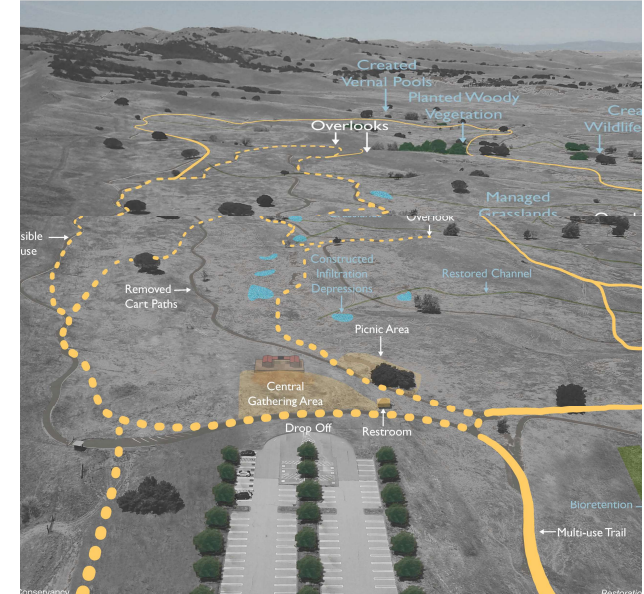
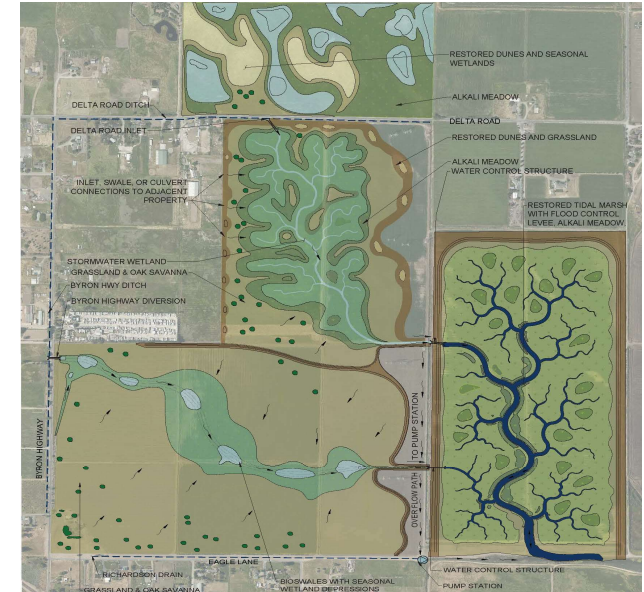
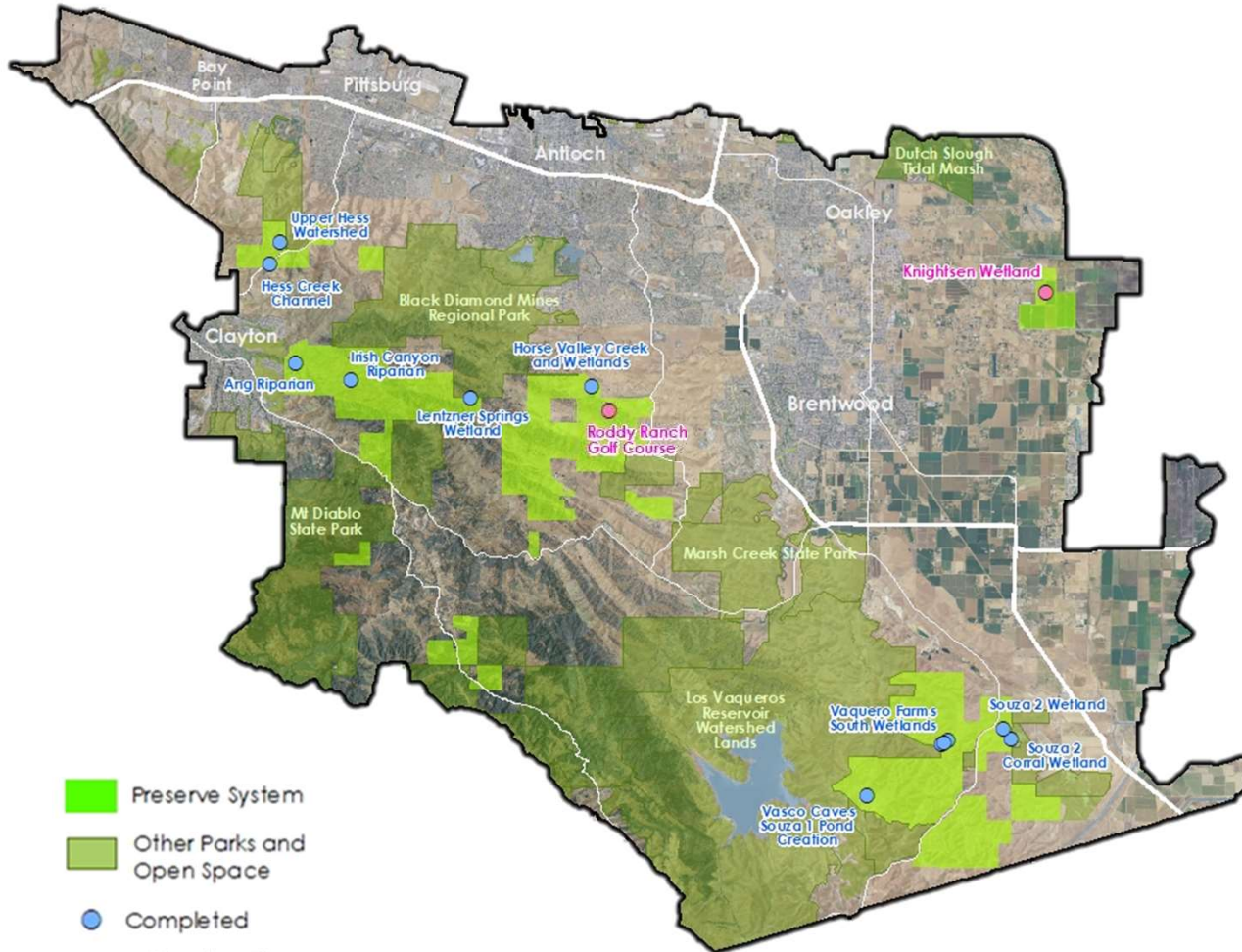


Project Name	Jurisdiction
Anton Oakley (Elm Lane)	City of Oakley
The Ranchettes at Neroly	City of Oakley
CCWD Canal Temporary Impacts (associated with Grand Cypress Preserve)	City of Oakley
Brady Lots	City of Oakley
Pittsburg Renal Center	City of Pittsburg
Byron Hot Springs Solar Project	Contra Costa County
Ameresco Keller Canyon Renewable Natural Gas (RNG) Facility and Pipeline Project	Contra Costa County
PG&E Gas Transmission Pipeline (L-114) Vintage Pipeline Replacement Project—Addendum	ECCC Habitat Conservancy
Phillips 66 Line 200 Anomaly Investigation and Repair—Winter 2022 Project	ECCC Habitat Conservancy
P66 Line 200 Vasco Road Remediation Project—Near Vasco Road, Byron, CA	ECCC Habitat Conservancy
Marsh Creek Restoration and Instream Dam Improvement Project	ECCC Habitat Conservancy
Sciortino Ranch Center—Grocery Outlet, Commercial Phase 2 & Panda Express	City of Brentwood
Hess Creek Log Jam Repair Restoration Project	ECCC Habitat Conservancy
Phillips 66 Line 200 Anomaly Investigation and Repair—Summer 2021 Project 1st Amendment	ECCC Habitat Conservancy

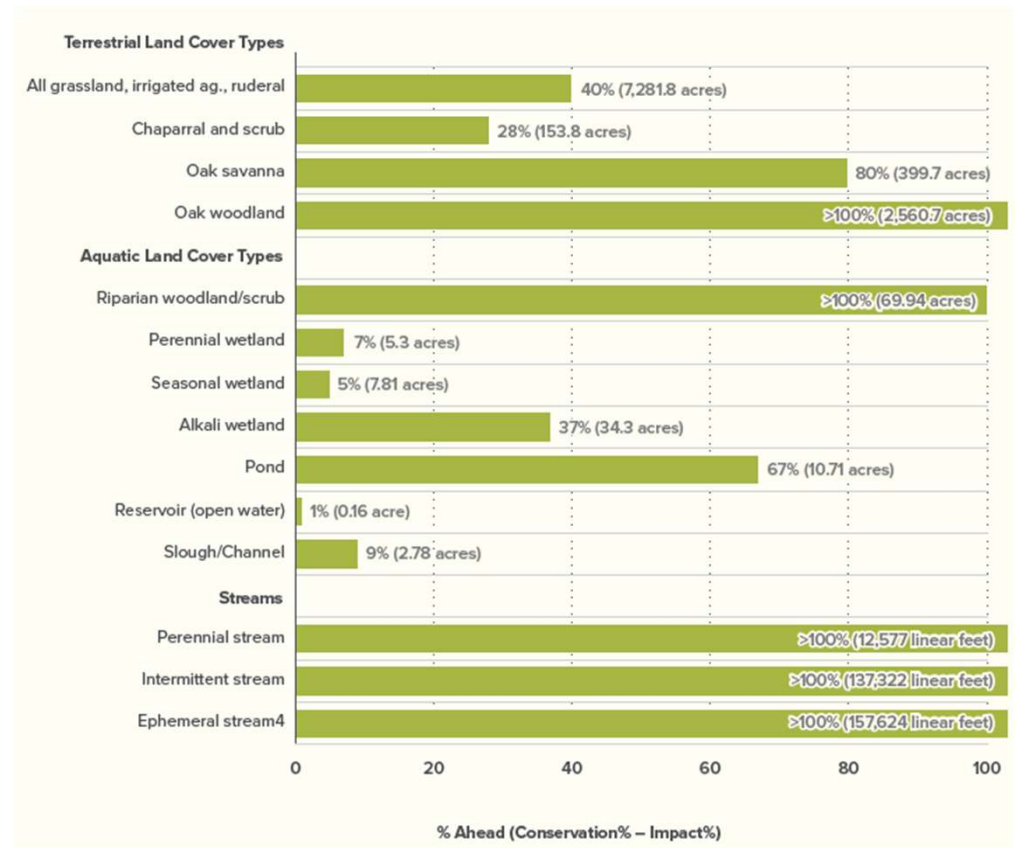
Land Acquisition



Restoration



Stay-Ahead Compliance



Preserve Management



Monitoring & Research

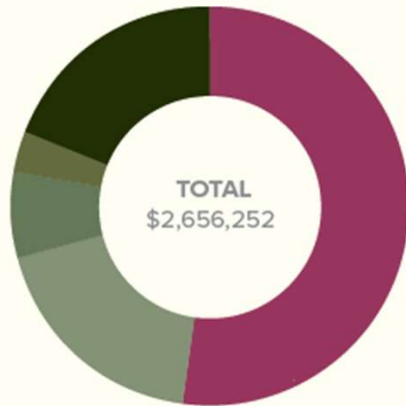


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2022 Finances

Revenue

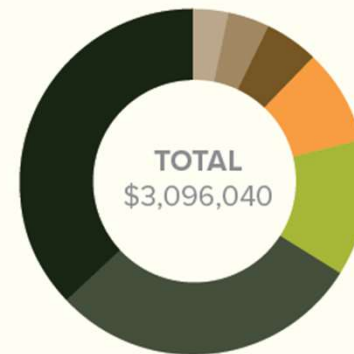


Non-Fee Funding
\$1,383,044 / 52.1%

Fee Funding
\$1,273,208 / 47.9%

Development Fees	\$508,426
Wetland Mitigation Fees	\$82,328
Temporary Impact Fees	\$185,942
Contributions to Recovery	\$496,511

Expenditure



■ Program Administration and Permitting Program	\$1,149,735
■ Land Acquisition	\$899,522
■ Planning and Design	\$399,149
■ Environmental Compliance	\$275,591
■ Preserve Management and Maintenance	\$150,334
■ Monitoring, Research, and Adaptive Management	\$121,391
■ Habitat Restoration and Creation	\$100,320

Plan Administration

Mitigation Fee Audit and Update

USACE In Lieu Fee Program

State and Federal Coalitions

Legislative Platform

Grants

Endowment

Permit Status



A photograph of a rolling green hillside covered in numerous purple flowers, likely a species of aster or similar wildflower. The flowers are in various stages of bloom, with some showing white centers. The background shows a clear, slightly overcast sky and distant hills. The overall scene is a natural, outdoor landscape.

**The 2022 Annual Report can be found on the
Habitat Conservancy's website under "Documents"**

www.cocohep.org/220/documents



Contra Costa County Board of Supervisors

Subcommittee Report

TRANSPORTATION, WATER & INFRASTRUCTURE COMMITTEE

6.

<u>Meeting Date:</u>	08/14/2023		
<u>Subject:</u>	ACCEPT the Infrastructure Report and DIRECT staff of the Public Works Director to submit the report to the Board of Supervisors.		
<u>Submitted For:</u>	Brian M. Balbas, Public Works Director/Chief Engineer		
<u>Department:</u>	Public Works		
<u>Referral No.:</u>	1		
<u>Referral Name:</u>	Review legislative matters on transportation, water, and infrastructure.		
<u>Presenter:</u>	Craig Standafer	<u>Contact:</u>	Craig Standafer, (925) 313-2018

Referral History:

This is a new item that did not come directly from a County Supervisor. County staff have suggested reporting quantities of infrastructure items that have been constructed by capital, maintenance, and developer projects throughout the course of the year. The report lists those quantities that were constructed in calendar years 2020 through 2022, and a report is planned to be submitted to the Board of Supervisors for each calendar year in the future. The report only considers new items of infrastructure and is not a complete inventory in the unincorporated County. A complete inventory of infrastructure items may be undertaken in the future.

Referral Update:

This is the first time this item has been presented to the TWIC.

Recommendation(s)/Next Step(s):

ACCEPT the Infrastructure Report for Calendar Years 2020 through 2022 dated August 2023, and DIRECT staff of the Public Works Director to submit the report to the Board of Supervisors.

Fiscal Impact (if any):

No fiscal impact.

Attachments

Infrastructure Report



Contra Costa County
Public Works
Department

Brian M. Balbas, Director
Deputy Directors
Stephen Kowalewski, Chief
Allison Knapp
Warren Lai
Carrie Ricci
Joe Yee

2020 TO 2022 INFRASTRUCTURE REPORT

August 2023

2020 TO 2022 INFRASTRUCTURE REPORT

I. INTRODUCTION/PURPOSE OF REPORT

This asset inventory report provides the data to view the progress in the construction of transportation infrastructure in the County road right-of-way. In the process of constructing the infrastructure, the County met many of its goals for improving safety, reliability, efficiency, multi-modal access, equity, and sustainability. County-maintained bicycle and pedestrian improvements, pavement preservation, traffic signals, and green stormwater infrastructure are among the items inventoried within this report. Within this report various items of infrastructure were inventoried. The various items were constructed and added to the inventory as a result of capital transportation projects administered by the Public Works Department (PWD), developer improvements, and miscellaneous projects within the County right-of-way from calendar years 2020 through 2022. Future reports are expected to be produced in March of each year for infrastructure that was constructed the previous calendar year.

II. PROJECTS

Transportation infrastructure improvements are constructed by the PWD's contractors and labor forces and by land developer projects. **Table 1** at the end of this report lists all of the capital transportation, maintenance, developer, and miscellaneous projects that were done during the 2020 through 2022 time period. Each project listed shows its purpose and need, description, and goals achieved in the columns.

The capital transportation projects are typically listed in the biennially adopted Capital Road Improvement and Preservation Program (CRIPP) Report. Types of projects include but are not limited to pavement widenings, sidewalk improvements, bicycle improvements, traffic signal installations, and pavement preservation projects. These projects were funded by various sources, such as local, state, and federal funds.

Maintenance projects include surface treatments that are performed using County labor and equipment. They also include base failure repairs and pothole filling. Note that some pavement preservation projects are performed by a contractor to the PWD, and these fall under capital transportation projects.

Developer projects are typically constructed as a result of Conditions of Approval (COAs) that were written to support projects such as subdivisions, land use permits, or development permits, and are constructed by the developers' contractors. These projects are either on-site or off-site improvements depending on the COA, and these projects are only considered for this list if they constructed facilities in the road right-of-way, as opposed to private facilities. Projects are usually directly funded by developers, but a portion of the projects may be funded by local funds collected from developer fees, such as Areas of Benefit (AOB).

2020 TO 2022 INFRASTRUCTURE REPORT

Finally, some miscellaneous projects were constructed during the course of the year as a direct result of community input or other programs. These are usually for the purpose of traffic calming, which may include speed humps or crosswalk enhancements. Miscellaneous projects are usually funded by local funds such as gas tax and Measure J sales tax.

The projects are funded in a variety of ways including local, state, and federal funds. The funding plan usually includes gas tax, developer mitigation fees, and grants. The PWD determines what infrastructure is needed and scopes projects based on public input and data that gets collected. The PWD will then put together a funding plan and apply for the grants throughout the course of each year. There are many types of projects like bridge replacements and retrofits, storm damage repair projects, pavement preservation projects, complete streets projects, road widenings, etc. For more information on project funding, see the CRIPP report located on PWD's website at www.contracosta.ca.gov/cripp.

III. GOALS

Every project or activity that is performed within the County's road right-of-way are chosen to meet one or a combination of six goals that came from the mission, vision, values statements for the Transportation Engineering Division and the PWD:

- **Safety:** The project improves a road or an intersection such that it either tends to cause people to drive more slowly, provides a separation between motorists and bicyclists and pedestrians, or warns motorists if they may be departing their lane. These projects that promote safety are chosen because they support the County's Vision Zero plan as adopted by the Board of Supervisors on March 1, 2022. (General Plan Goal 5-A)
- **Reliability:** The project or activity restores a road or other piece of infrastructure to a better condition. One of the most common reasons for a reliability project is to return a road's pavement condition index (PCI) to a higher condition. The PCI is a measure of how much work must be done to return the road to an as-new condition. As a road degrades, surface treatment activities like slurry or chip seals will increase the PCI. If a road degrades too far before such treatment is performed, the road will further degrade and may require a much more expensive treatment, which could include removing the old pavement and replacing it with new pavement. The PCI is a metric that the PWD uses to gauge how much funding should be allocated to reliability projects. As roads age, they get exponentially more expensive to repair. The PWD has typically performed less expensive but more frequent surface treatments that extend the life of the pavement. However, there have been budgetary issues that cause PWD to defer the maintenance to later years. The trouble with that is that the pavement begins to quickly deteriorate to the point where more base failure and pothole repairs are needed. Ultimately, the entire pavement section may need to be replaced in a capital project, which would take funds from other projects that serve other goals. (General Plan Goal 5-38)

2020 TO 2022 INFRASTRUCTURE REPORT

- Efficiency: The project typically adds capacity of efficiency for motor vehicles travelling County roads. These include adding additional travel lanes or turning lanes. They also include signal timing adjustments that require analysis of how each intersection operates. The idea is that more motor vehicles can use the road more efficiently. As local, state, and federal policies toward complete streets have been implemented, the County has performed fewer efficiency projects, with more focus on achieving other goals. Efficiency projects are designed to improve the level of service (LOS) of roadway corridors and intersections. With the State of California’s new emphasis on Vehicle Miles Traveled (VMT) with the passage of SB 743 (Steinberg, 2013), which is a metric of how many new cars are put on the roads as a result of new development, LOS analysis for the automobile is no longer evaluated under the California Environmental Quality Act. Efficiency projects are often in opposition to the other goals mentioned below. (General Plan Goal 5-E)
- Multi-Modal Road Access: The project includes improving bicycle, pedestrian, and transit uses within the right-of-way. Pedestrian and bicycle infrastructure is built where feasible in accordance with the County’s complete streets policy adopted by the Board of Supervisors on July 12, 2016. Also, infrastructure that promotes connectivity of all roadway users, especially pedestrian, bicycle, and transit have been scoped based on the Active Transportation Plan adopted by the Board of Supervisors on April 26, 2022. (General Plan Goal 5-A)
- Equity: Every area is unique and provides different levels of challenge. Some communities are considered “impacted” if their median income falls below a certain level, and there has been a push in recent years to apply more resources to these areas. Another form of equity is the Americans with Disabilities Act and the requirements to make the road right-of-way accessible to all users, regardless of disability. Today, most grant opportunities that exist rate equity as a high criteria for project selection. This means that given all things equal as far as improving safety and multi-modal access, projects within impacted communities are usually selected to boost this demographic. (General Plan Goal 5-C and 5-K)
- Sustainability: Today there is more focus on the longevity of projects than previously considered. This is especially true in the face of climate change and the problems it has caused. Sustainability projects may consider sea level rise or greenhouse gas emissions as criteria that they are attempting to correct for. (Will be a goal in the new General Plan.)

IV. INFRASTRUCTURE REPORT

The projects listed in **Table 1** constructed various types of public infrastructure. The facilities that were constructed are listed in **Table 2**. The quantity of each type of public infrastructure facility constructed (e.g. linear feet (LF) of Class II Bike lane and number (“Each” or “EA”) of Americans with Disabilities Act (ADA)-compliant ramps) within a given year is summarized in each column. The right-most column cross-references the projects listed in **Table 1** to the Public Infrastructure Items listed in **Table 2**.

2020 TO 2022 INFRASTRUCTURE REPORT

The Public Infrastructure items are sorted into several headings, such as bicycle improvements and pedestrian enhancements. The list includes the following:

- Bicycle improvements and pedestrian enhancements, which support the County's complete streets and County's Active Transportation Plan programs.
- Pavement preservation, such as surface treatments that are planned annually to cycle through all roads within the County over time, and repairs such as base failure repairs and pothole fillings.
- Bridges and guardrails.
- Traffic signal improvements.
- Other traffic safety improvements and miscellaneous items.
- Green stormwater infrastructure, as is required to be built by section C.3 of the Regional Water Quality Control Board Municipal Regional Permit (MRP), that was constructed both by capital projects and by development projects.

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Table 1 Projects

<u>No.</u>	<u>Year Built</u>	<u>Project Name</u>	<u>Purpose and Need</u>	<u>Description</u>	<u>Goals Achieved</u>
Bridge Projects					
B22-1	2022	Marsh Drive Bridge Replacement	To replace a structurally, geometrically, and hydraulically deficient bridge and improve multi-modal connectivity.	Replaced bridge to be higher and wider than the old one and to have a pedestrian path and bicycle lanes.	Reliability, Sustainability, Multi-Modal
Capital Projects					
C20-1	2020	2019 Full Trash Capture	To meet State Water Board requirements to reduce trash flowing to streams and creeks.	Installed trash capture devices at various inlets throughout the County.	Sustainability
C20-2	2020	2020 Surface Treatment	To preserve the existing pavement for another period of time in lieu of a full depth replacement or overlay.	Performed various surface treatments at various locations throughout the County.	Reliability, Sustainability
C20-3	2020	Countywide Guardrail	To replace deficient guardrails throughout the County and to upgrade them to the latest standards.	Replaced or upgraded sections of guardrails throughout the County.	Safety
C20-4	2020	Rodeo Downtown Infrastructure	To improve pedestrian and bicycle circulation in downtown Rodeo.	Constructed sidewalk improvements and improved multi-modal infrastructure.	Safety, Multi-modal
C20-5	2020	San Pablo Dam Road Traffic Safety	To improve safety by installing a mitigation to reduce incidents where motorists cross into the opposing traffic lane.	Constructed rumble strips on the centerline and some plastic delineators.	Safety
C20-6	2020	Walnut Creek Crosswalk Improvements	To improve pedestrian and bicycle circulation in the unincorporated Walnut Creek area.	Constructed two crosswalk improvements at Olympic Blvd and at Iron Horse Trail including addition of rapidly repeating flashing beacons (RRFBs).	Safety, Multi-modal

B = Bridge Project, C = Capital Project, D = Developer, M = Maintenance Project, T = Traffic Improvement

Table 1 Projects

<u>No.</u>	<u>Year Built</u>	<u>Project Name</u>	<u>Purpose and Need</u>	<u>Description</u>	<u>Goals Achieved</u>
C21-1	2021	2021 Countywide Curb Ramps	To install ADA-compliant curb ramps at various intersections throughout the County, often in advance of a road preservation project.	Constructed new ADA-compliant curb ramps at various locations in the County.	Multi-modal, Equity
C21-2	2021	2021 Countywide Surface Treatment	To preserve the existing pavement for another period of time in lieu of a full depth replacement or overlay.	Performed various surface treatments such as double chip seals and cape seals at locations throughout the County.	Reliability, Sustainability
C21-3	2021	Alhambra Valley Road Realignment	To realign a curve on Alhambra Valley Road to reopen two through lanes of traffic in the location of a bank failure of Alhambra Creek	Realigned the road and repair the embankment from a storm damage bank failure.	Safety, Reliability
C21-4	2021	Bailey Road / SR4 Pedestrian and Bike Improvements	To improve pedestrian and bicycle circulation at the interchange zone under the State Route 4 overpass of Bailey Road in Bay Point.	Constructed pedestrian and bike safety enhancements at the SR4 freeway ramps including traffic signal modifications and removal of the underutilized pedestrian tunnel.	Safety, Multi-modal
C21-5	2021	Bel Air Trail Crossing	To improve pedestrian circulation and to improve safety for pedestrians on various streets along the Bel Air Trail in Bay Point.	Constructed crossing improvement of Delta de Anza Trail including a rapidly repeating flashing beacon (RRFB).	Safety, Multi-modal
C21-6	2021	Fred Jackson First Mile Last Mile Connection	To improve pedestrian and bicycle circulation on Fred Jackson Street in North Richmond.	Constructed new pedestrian and bicycle facilities including wider sidewalk, ADA-compliant curb ramps and a new wearing surface for the road.	Safety, Multi-modal, Equity
C21-7	2021	Happy Valley Embankment Repair	To repair the embankment adjacent to Happy Valley Road.	Repaired the embankment with a new retaining wall and install new guardrail.	Reliability

Table 1 Projects

<u>No.</u>	<u>Year Built</u>	<u>Project Name</u>	<u>Purpose and Need</u>	<u>Description</u>	<u>Goals Achieved</u>
C21-8	2021	Kirker Pass Road Safety Improvements	To improve safety along Kirker Pass Road between Concord and Pittsburg.	Constructed roadway safety improvements including new guardrail and roadside delineators.	Safety
C21-9	2021	Pinehurst Road Sinkhole Culvert Repair	To repair a deficient culvert that became a sinkhole on Pinehurst Road.	Repaired deficient culvert and road surface.	Reliability, Sustainability
C21-10	2021	Rodeo Pedestrian Enhancements	To improve pedestrian circulation and to improve safety at two pedestrian crossings in Rodeo.	Constructed new ADA-compliant curb ramps, improved pedestrian crossings, enhanced bicycle facilities, and landscaping.	Safety, Multi-modal
C21-11	2021	Oak Road Bikeway	To improve bicycle circulation and safety on Oak Road.	Constructed Class II and Class III bike lanes.	Multi-modal, Safety
C22-1	2022	2022 Countywide Curb Ramp	To install ADA-compliant curb ramps at various intersections throughout the County, often in advance of a road preservation project.	Constructed new ADA-compliant curb ramps at various locations in the County.	Multi-modal, Equity
C22-2	2022	2022 Surface Treatment	To preserve the existing pavement for another period of time in lieu of a full depth replacement or overlay.	Performed various surface treatments such as double chip seals and cape seals at locations throughout the County.	Reliability, Sustainability
C22-3	2022	Alves Lane Trail Crossing	To improve pedestrian circulation and safety on the Delta de Anza Trail in Bay Point.	Constructed bicycle and pedestrian safety enhancements at a trail crossing.	Safety, Multi-modal
C22-4	2022	Byron Highway at Byer Road Safety Improvements	To improve safety on Byron Highway at the intersection with Byer Road.	Widened pavement and constructed roadway safety improvements.	Safety
C22-5	2022	Crockett Area Guardrail Upgrades	To replace deficient guardrails throughout the Crockett area and to upgrade them to the latest standards.	Replaced and upgraded guardrails in the Crockett area.	Safety

Table 1 Projects

<u>No.</u>	<u>Year Built</u>	<u>Project Name</u>	<u>Purpose and Need</u>	<u>Description</u>	<u>Goals Achieved</u>
C22-6	2022	Mayhew Way and Cherry Lane Trail Crossing	To improve pedestrian and bicycle safety on the Contra Costa Canal Trail and the Iron Horse Trail.	Constructed bike/pedestrian safety enhancements.	Safety, Multi-modal
C22-7	2022	Tara Hills Trash Capture Installation	To meet State Water Board requirements to reduce trash flowing to streams and creeks.	Installed large-scale underground trash capture devices.	Sustainability
Development Projects					
D20-1	2020	SD15-09314, Alamo Creek Phase 4	To meet condition of approval for the project.	Constructed sidewalk along Drysdale Street, Kerry Hill Street, Damara Ct, Corriedale Ct, Gritstone St.	Safety, Multi-modal, Equity
D21-1	2021	SD14-09389, Laurel Place II	To meet condition of approval for the project.	Constructed sidewalk improvements along Bailey Road.	Safety, Multi-modal, Equity
D21-2	2021	SD15-09423, 2200 Central Street	To meet condition of approval for the project.	Constructed sidewalk improvements along Pittsburg Avenue and Central Street.	Safety, Multi-modal, Equity
D22-1	2022	DP14-3041, 500 Pittsburg Ave	To meet condition of approval for the project.	Constructed sidewalk improvements along Pittsburg Avenue.	Safety, Multi-modal, Equity
Maintenance Projects					
M20-1	2020	2020 Chip Seal Project	Fulfills periodic maintenance in order to prevent and slow pavement deterioration.	Performed a chip seal on various roads throughout the County.	Reliability, Sustainability
M20-2	2020	2020 Base Failure Repairs	Repairs road failures that have occurred that do not require repaving the full road.	Performed base failure repairs by cutting out existing pavement, repairing the base and repaving throughout the County.	Reliability

Table 1 Projects

<u>No.</u>	<u>Year Built</u>	<u>Project Name</u>	<u>Purpose and Need</u>	<u>Description</u>	<u>Goals Achieved</u>
M20-3	2020	2020 Pothole Repair	Repairs and fills potholes that develop, especially during the rainy season.	Repaired and filled potholes throughout the County.	Reliability
M21-1	2021	2021 Chip Seal Project	Fulfills periodic maintenance in order to prevent and slow pavement deterioration.	Performed a chip seal on various roads throughout the County.	Reliability
M21-2	2021	2021 Base Failure Repairs	Repairs road failures that have occurred that do not require repaving the full road.	Performed base failure repairs by cutting out existing pavement, repairing the base and repaving throughout the County.	Reliability
M21-3	2021	2021 Pothole Repair	Repairs and fills potholes that develop, especially during the rainy season.	Repaired and filled potholes throughout the County.	Reliability
M22-1	2022	2022 Chip Seal Project	Fulfills periodic maintenance in order to prevent and slow pavement deterioration.	Performed a chip seal on various roads throughout the County.	Reliability, Sustainability
M22-2	2022	2022 Base Failure Repairs	Repairs road failures that have occurred that do not require repaving the full road.	Performed base failure repairs by cutting out existing pavement, repairing the base and repaving throughout the County.	Reliability
M22-3	2022	2022 Pothole Repair	Repairs and fills potholes that develop, especially during the rainy season.	Repaired and filled potholes throughout the County.	Reliability

Table 1 Projects

<u>No.</u>	<u>Year Built</u>	<u>Project Name</u>	<u>Purpose and Need</u>	<u>Description</u>	<u>Goals Achieved</u>
Traffic Improvements					
T21-1	2021	TR4503, Grove Avenue at 5th Street	Improves intersection safety after study by the Traffic Engineer.	Added stop signs to the intersection.	Safety
T22-1	2022	TR4518, Silver Avenue at Giarmita Street	Improves intersection safety after study by the Traffic Engineer.	Added stop signs to the intersection.	Safety
T22-2	2022	TR4517, Grove Avenue at Giarmita Street	Improves intersection safety after study by the Traffic Engineer.	Added stop signs to the intersection.	Safety

Table 2 Asset Inventory

ID	Public Infrastructure Items	UNITS	Construction Year			Project Source (See Table 1)	Goals Achieved
			2020	2021	2022		
1 Bicycle Improvements							
1A	Class I bicycle paths	LF	-	-	-		Multi-Modal
1B	Class II bicycle lanes (LF of individual lanes since some roads may be dual Class II/Class III)	LF	-	7588	-	C21-4, C21-6, C21-11	Multi-Modal
1C	Class III bicycle routes (LF of individual lanes)	LF	-	1350	-	C21-11	Multi-Modal
1D	Class IV bikeways	LF	-	-	-		Multi-Modal, Safety
1E	Bicycle Parking	EA	-	-	-		Multi-Modal
1F	Painted Conflict Zones (e.g. at right turn lanes or other conflict points)	EA	6	-	-	C20-4, C20-5	Multi-Modal, Safety
2 Pedestrian Enhancements							
2A	ADA-compliant ramps (New/Reconstructed curb ramps)	EA	25	222	270	C20-4, C20-6, C21-1, C21-4, C21-5, C21-6, C21-10, C22-1, C22-3, C22-4, C22-6, D20-1, D21-2, D21-1	Multi-Modal, Equity
2B	Midblock Crosswalks	EA	-	-	-		Multi-Modal, Safety
2C	Crosswalks at Uncontrolled Intersections (e.i. no traffic signal, no stop signs)	EA	-	-	1	C22-6	Multi-Modal

Table 2 Asset Inventory

ID	Public Infrastructure Items	UNITS	Construction Year			Project Source (See Table 1)	Goals Achieved
			2020	2021	2022		
2D	Crosswalks at Signalized Intersection	EA	-	-	-		Multi-Modal
2E	Crossings with Refuge islands	EA	-	1	1	C21-4, C22-4	Multi-Modal, Safety
2F	Speed Tables w/ crosswalks	EA	-	1	1	C21-10, C22-3	Multi-Modal, Safety
2G	Sidewalk Gaps (# of gaps filled)	EA	-	1	-	C21-5	Multi-Modal
2H	Sidewalk ONLY	LF	5,541	4,739	900	C20-4, C21-4, C21-5, C21-6, D20-1, D21-1, D21-2, D22-1	Multi-Modal
2I	Miscellaneous Pathways (asphalt, concrete, porous concrete)	LF	-	-	-		Multi-Modal
2J	Pedestrian-level lighting	EA Area (not total number)	-	-	-		Multi-Modal, Safety, Equity
2k	Street Furniture	EA Area (not total number)	-	1	-	C21-6	Multi-Modal, Equity
2K	Bulb-outs at crosswalks	EA	1	12	4	C20-4, C21-4, C21-5, C21-6, C21-10, C22-3, C22-6	Multi-Modal, Safety
2L	Street trees	EA	-	39	-	C21-6	Equity, Sustainability
2M	Wayfinding or directional signage	EA Area (not total number)	5	-	-	C20-4	Multi-Modal, Equity
2N	Street Lights	EA	17	1	32	D20-1, D21-1, D22-1	Safety

Table 2 Asset Inventory

ID	Public Infrastructure Items	UNITS	Construction Year			Project Source (See Table 1)	Goals Achieved
			2020	2021	2022		
3 Pavement Preservation							
3A	Surface Treatment (Slurry seal, cape seal, chip seal, double chip seal, fog seal, etc.)	centerline miles	57.66	109.13	47.598	C20-2, C21-2, C22-2, C22-4, M20-1, M21-1, M22-1	Reliability, Sustainability
3B	HMA Replacement/Overlay	LF	-	6,072	2,112	C21-2, C21-3, C21-7, C22-2	Reliability, Sustainability
3C	Base Failures	LF	7,346	90,674	72,260	M20-2, M21-2, M22-2	Reliability, Sustainability
3D	Potholes Filled	EA	1,134	1,245	2,150	M20-3, M21-3, M22-3	Reliability, Sustainability
4 Bridges							
4A	Wearing Surface Pavement Rehabilitation	EA	-	-	-		Reliability, Sustainability
4B	Retrofit/Major Repair	EA	-	-	-		Reliability, Sustainability
4C	Bridge Replacements	EA	-	1	-	B22-1	Reliability, Multi-Modal, Equity, Sustainability
4D	New Bridge	EA	-	-	-		Reliability, Multi-Modal, Equity, Sustainability
5 Guardrail							
5A	New Guardrails	LF	-	86	-	C21-7	Safety
5B	Upgraded Guardrails	LF	6,975	5,047	10,715	C20-3, C21-8, C22-5	Safety

Table 2 Asset Inventory

ID	Public Infrastructure Items	UNITS	Construction Year			Project Source (See Table 1)	Goals Achieved
			2020	2021	2022		
6 Traffic signals							
6A	Traffic Signal/Lighting System	EA Intersection	-	2	-	C21-4, C21-8	Efficiency, Safety
6B	Bicycle-actuated traffic signals	EA Intersection	-	-	-		Multi-modal, efficiency, safety
6C	Pedestrian countdown signals	EA Intersection	-	-	-		Multi-modal, safety
6D	Improve Signal Timing	EA Intersection	-	-	1	D22-1	Efficiency
6E	Roundabout Intersection	EA Intersection	-	-	-		Multi-modal, efficiency, safety
6F	Rectangular Rapid Flash Beacon (RRFB) - Pedestrian Actuated	EA Crossing	2	3	4	C20-6, C21-5, C21-10, C22-3, C22-4, C22-6	Multi-modal, safety
6G	Pedestrian Hybrid Beacon (PHB) Crossing	EA Crossing	-	-	-		Multi-modal, safety
7 Other Traffic Safety Improvements							
7A	Road diet (typically four lanes to two lanes with a center turn lane.)	LF	-	-	-		Safety, Multi-modal, Equity
7B	Two Way Stop Controlled Intersection	EA	-	-	-		N/A
7C	All Way Stop Controlled Intersection	EA	-	1	2	T21-1, T22-1, T22-2	Safety, Efficiency
7D	Speed Feedback Sign	EA	1	-	1	C20-5, C22-4	Safety
7E	Flashers (school zone, curve ahead, etc.)	EA	2	-	-	C20-5	Safety

Table 2 Asset Inventory

<u>ID</u>	<u>Public Infrastructure Items</u>	<u>UNITS</u>	<u>Construction Year</u>			<u>Project Source (See Table 1)</u>	<u>Goals Achieved</u>
			<u>2020</u>	<u>2021</u>	<u>2022</u>		
7F	Railroad Crossing Improvements	EA	-	-	-		Safety
7G	Trail Crossings	EA	1	2	3	C20-6, C21-5, C21-6, C22-3, C22-6	Multi-Modal, Safety
7H	Protected Intersections	EA	-	-	-		Multi-Modal, Safety
7I	Rumble Strips	LF	24,300	-	-	C20-5	Safety
8 Green Stormwater Infrastructure							
8A	Bio-Retention Basin	EA	1	1	2	C20-4, C21-6, D22-1	Sustainability
8B	Grass Swale	LF	-	-	-		Sustainability
8C	Other (Infiltration column, dry well, etc.)	EA	-	-	-		Sustainability
9 Miscellaneous Improvements							
9A	Regional Trash Capture	EA	4	-	1	C20-1, C22-7	Sustainability
9B	Slide Repair	EA	-	-	-		Reliability



Contra Costa County Board of Supervisors

Subcommittee Report

TRANSPORTATION, WATER & INFRASTRUCTURE COMMITTEE

7.

Meeting Date: 08/14/2023
Subject: REVIEW legislative and planning matters on transportation, water, and infrastructure.
Submitted For: TRANSPORTATION, WATER & INFRASTRUCTURE COMMITTEE,
Department: Conservation & Development
Referral No.: 1
Referral Name: REVIEW legislative matters on transportation, water, and infrastructure.
Presenter: John Cunningham **Contact:** John Cunningham, (925) 655-2915

Referral History:

The transportation, water, and infrastructure legislation and planning report is a standing Committee item.

Referral Update:

In developing transportation related issues and proposals to bring forward for consideration by TWIC, staff receives input from the Board of Supervisors (BOS), references the County's adopted Legislative Platforms, coordinates with our legislative advocates, partner agencies and organizations, and consults with the Committee.

This report includes four sections, 1: **Local**, 2: **Regional**, 3: **State**, and 4: **Federal**.

1. LOCAL

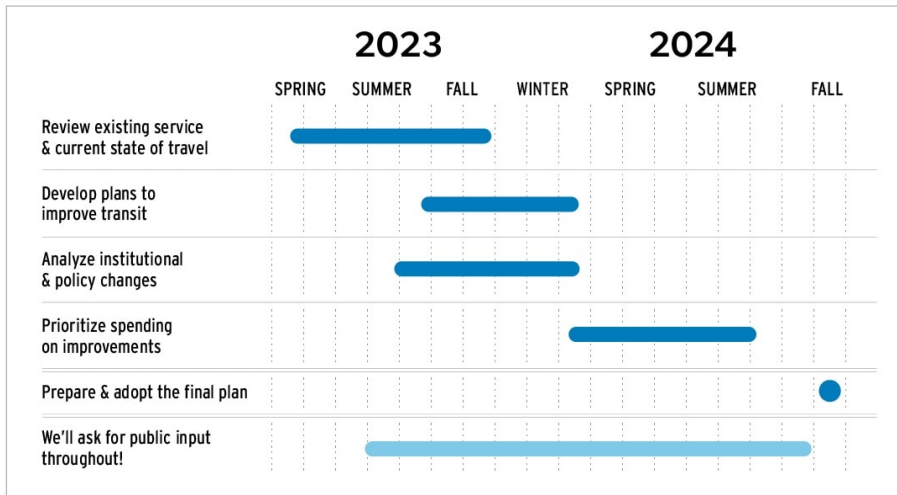
Contra Costa Transportation Authority's (CCTA) Integrated Transit Plan (ITP): CCTA is conducting the ITP in order to, "...improve transit services and coordination in Contra Costa County. CCTA is reviewing all existing services and will recommend new ways to improve transit for everyone, with special consideration for the different needs of riders across the county."

The ITP is being conducted at a critical time, initiatives intended to improve public transit and ensure fiscal solvency are underway at the State legislature and the Metropolitan Transportation Commission. Seamless Bay Area, a nonprofit advocating for improved public transit has had success influencing legislation and regional policy. Locally, the CCTA is developing a new Countywide Transportation Plan (CTP) anticipated to be finalized in 2025. The CTP (see update below) is likely to expand on the theme from the 2017 CTP which indicated a need to pivot towards active transportation and public transit. Further on the horizon is the 2034 expiration of the current Measure J (2004) transportation sales tax.

CCTA ITP Update:

CCTA is still in the ITP initiation phase. The timeline and link to the project website is below. Updates will be brought to TWIC as the need arises.

<https://ccta.net/planning/integrated-transit-plan/>



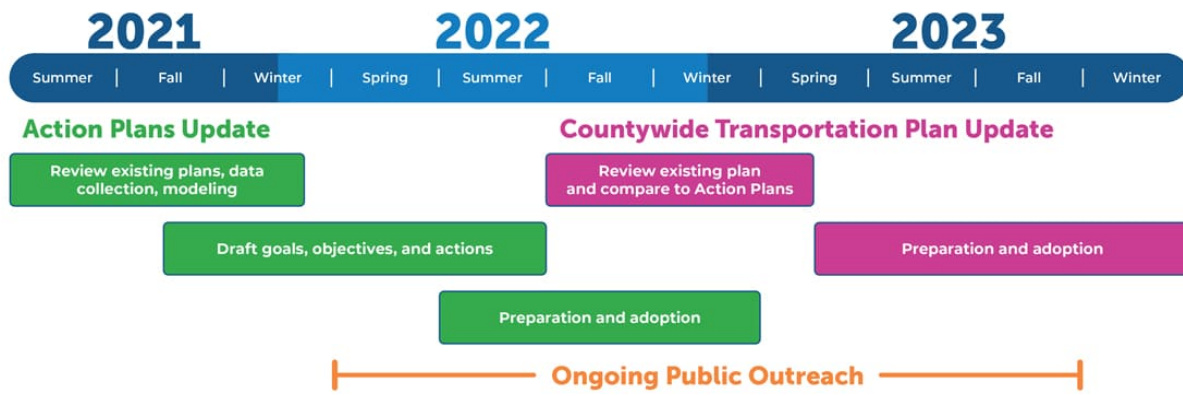
Update: CCTA Accessible Transportation Strategic (ATS) Plan

CCTA continues to make progress in implementing the ATS Plan with the support of Measure X funding. An extension of the original Measure X funding Memorandum of Understanding (MOU) is going to the Board of Supervisors at their August 15 meeting. A second MOU is in development for the second year of Measure X funding.

CCTA has recently hired new staff for the Accessibility and Equity Programs Manager position approved by the CCTA Board in the spring. It is anticipated that this new position will speed the implementation of the ATS Plan and expedite the use of Measure X funds for programs benefiting older Contra Costa residents and those with disabilities.

Update: CCTA Countywide Transportation Plan (CTP)

CCTA is in the process of finalizing the CTP. The timeline is below and an Outreach Summary is attached to this report which breaks down feedback received by age, zip code, income, race/ethnicity and the Regional Transportation Planning Committee (RTPC) subregions.



2. REGIONAL

Update: Metropolitan Transportation Commission (MTC): Plan Bay Area 2050+ Blueprint

MTC is conducting a "limited and focused" update to "Plan Bay Area 2050". There is a survey out (link below) which has been promoted on the County's social media and the Contra Costa 2050+ "Pop-Up Workshop" will also be promoted.

MTC Survey

<https://www.surveymonkey.com/r/MTC-ABAG>

Diablo Valley College — Pleasant Hill Campus
Wednesday, September 6, 12 to 3 p.m.
321 Golf Club Road
Pleasant Hill, CA

3. STATE

The County's legislative advocate will be present at the August TWIC meeting to provide an update. Two items have been flagged for potential discussion at TWIC and are described below:

Senate Bill 532 (Wiener): San Francisco Bay area toll bridges: tolls: transit operating expenses.

A report from Mark Watts on this bill is attached to this staff report. Below is a summary from the Assembly Transportation Committee Analysis:

Requires the Bay Area Toll Authority (BATA) to increase by \$1.50 the toll for each of the seven state-owned toll bridges in the San Francisco Bay Area and continuously appropriates toll revenues to the Metropolitan Transportation Commission (MTC), including revenues from the toll increase for allocation to transit operators in the region that are experiencing a financial shortfall. Specifically, this bill:

- 1) Beginning January 1, 2024, and until December 31, 2028 requires MTC to increase the base toll rate by \$1.50 for the seven state-owned toll bridges within its jurisdiction and requires the toll to be adjusted annually based on the California Consumer Price Index.*
- 2) Continuously appropriates moneys from the toll increase and other specified tolls to MTC to expend for specified purposes.*
- 3) Requires MTC to provide revenues from the toll increase to toll operators within MTC's jurisdiction that are experiencing a financial shortfall and operate fixed-route public transit services, including bus, rail, or ferry and do not*

directly receive most of their revenues from the Golden Gate Bridge, Highway, and Transportation District.

- 4) Requires MTC to annually distribute at least 90% of the revenues from the toll increase to these operators in order to avoid service cuts and maintain operations, including safety, security, reliability, or cleanliness services and improvements.
- 5) Provides that MTC may only allocate these funds to a transit operator after it determines that the funds are necessary to avoid service cuts relative to service levels provided by that transit operator during the 2022-23 fiscal year.
- 6) Requires MTC to prioritize averting service cuts for transit operators that serve the highest number of transit riders.
- 7) Requires MTC to annually distribute no more than 10% of the revenues from the toll increase to assist eligible transit riders with restoring or reconfiguring service above levels provided during the 2022-23 fiscal year, or for the purpose of funding initiatives to transform transit service pursuant to the MTC's adopted Transit Transformation Action Plan, or to make specific safety, reliability, or cleanliness improvements.
- 8) Requires each transit operator eligible to receive an allocation to annually submit a five-year projection of its operating needs based on standardized assumptions and guidance developed by MTC.
- 9) Allows MTC to audit, request revision, or directly amend operating needs projections if necessary to ensure consistency and fairness across transit operators.
- 10) Prohibits the \$1.50 toll increase from being reduced without statutory authorization by the Legislature.
- 11) Authorizes BATA to issue revenue bonds to finance transit operations and capital funded by the \$1.50 toll increase.
- 12) Decreases the maximum amount of penalties that can be included in a schedule of toll evasion penalties for a toll evasion violation on a San Francisco Bay area state-owned toll bridge to instead be \$5 for the notice of toll evasion violation and \$10 for the notice of delinquent toll evasion violation beginning July 1, 2024.
- 13) States legislative intent to enact future legislation to require MTC to study, design, and implement an equity-based program to mitigate the impacts of the \$1.50 toll increase within two years of the effective date of this act.
- 14) Creates a state-local mandate and requires a 2/3 vote.

AB 1464 (Connolly): Toll Bridges: Richmond-San Rafael Bridge

Summary from the 5/10/2023 Assembly Transportation Analysis:

This bill requires the Bay Area Toll Authority (BATA) and the California Department of Transportation (Caltrans) to consider the following, if they decide to develop a project to open a third lane on the westbound level of the Richmond-San Rafael Bridge to motor traffic:

- 1) Restore the third westbound lane on the Richmond-San Rafael Bridge to motor vehicle traffic during the weekday morning commute.
- 2) Add a moveable "zipper" barrier to the eastbound level of the Richmond-San Rafael Bridge similar to the barrier on the westbound level so that a continuously operated bicycle and pedestrian lane and the San Francisco Bay Trail can be maintained.
- 3) Operate the moveable zipper barriers on both levels of the Richmond-San Rafael Bridge in such a manner so as to allow the most efficient flow of traffic in either direction while preserving an open bicycle and pedestrian lane and the San Francisco Bay Trail.

4. FEDERAL

No report in August.

Recommendation(s)/Next Step(s):

CONSIDER report on Local, Regional, State, and Federal Transportation Related Legislative and Planning Issues and take ACTION as appropriate.

Fiscal Impact (if any):

N/A

Attachments

MWatts-TWIC-SB532summary(Aug2023)

TWIC Legislation Tracking Report

Bill Text-AB 1464 (Connolly) Toll Bridges Richmond-San Rafael Bridge

Bill Text-SB-532 San Francisco Bay area toll bridges tolls transit operating expenses

CALCOG Budget TIRCP ZETCP Summary

July 31, 2023

MEMORANDUM

TO: Transportation, Water, and Infrastructure Committee
c/o John Cunningham

FROM: MARK WATTS

SUBJECT: SB 532 (WIENER) – BATA TOLL INCREASE for TRANSIT OPERATIONS

SB 532 was introduced as an amendment on June 22, 2023, to an existing measure in the wake of the legislative response to the Bay Region's and state's fiscal condition of the transit agencies as reflected in the adopted 2023-24 state budget.

Status: The bill is in Assembly Appropriations committee, pending a hearing date to be set in August.

Background. The hallmark of the approved current year budget for transit agencies was the restoration of \$2 billion (\$1 billion each year) for 2023-24 and 2024-25 that had originally been included within the budget agreement reached in the summer of 2020. However, the Governor later proposed that \$2 billion of the \$4 billion be withdrawn in his January 2023 budget proposal.

In addition, along with the restoration of the \$2 billion (GF), the current year budget includes an additional \$1.1 billion for short term, immediate transit agency assistance.

Although a grand total of \$5.1 billion was made available for transit agencies in the state budget process, Bay Region Transit entities in collaboration with MTC, proclaimed that ridership recovery was experienced unevenly across the state due to a variety of factors. Bay Area Rapid Transit (BART) attested that their system had been hit particularly hard by the shift to remote work, and ridership is only about 35% of what it was before the pandemic, according to APTA. Similarly, Caltrain, had returned to only 25% of its former ridership, also according APTA reports. The bay area advocacy entities pointed out that in contrast, Los Angeles's buses and trains, and the AC Transit bus service based in Oakland have been doing much better in 2023, carrying closer to 75% of their pre-pandemic ridership.

SB 532 – Summary

Toll Increase. Requires the Bay Area Toll Authority (BATA) to increase by \$1.50 the toll for each of the seven state-owned toll bridges in the San Francisco Bay Area and continuously appropriates toll revenues to the Metropolitan Transportation Commission (MTC), including revenues from the toll increase for allocation to transit operators in the region that are experiencing a financial shortfall.

Revenue distribution. Requires MTC to provide revenues from the toll increase to toll operators within MTC's jurisdiction that are experiencing a financial shortfall and operate fixed-route public transit services, including bus, rail, or ferry and do not directly receive most of their revenues from the Golden Gate Bridge, Highway, and Transportation District.

Allocations. Provides that MTC may only allocate these funds to a transit operator after it determines that the funds are necessary to avoid service cuts relative to service levels provided by that transit operator during the 2022-23 fiscal year.

Avoidance of service cuts. Requires MTC to prioritize averting service cuts for transit operators that serve the highest number of transit riders

Operating needs. Requires each transit operator eligible to receive an allocation to annually submit a five-year projection of its operating needs based on standardized assumptions and guidance developed by MTC.

Toll increase “Locked In”. Prohibits the \$1.50 toll increase from being reduced without statutory authorization by the Legislature.

Revenue Bonds. Authorizes BATA to issue revenue bonds to finance transit operations and capital funded by the \$1.50 toll increase.

Discussion

The short term funding the state approved is considered by some as unlikely to cover the operating shortfalls of all transit operators based on budget forecasts provided by some of the larger operators in the state. As a result, transit agencies facing a shortfall not covered by the state relief will need to consider other ways to cover their shortfall.

Revenues. According to the author’s office, the toll increase proposed in this bill is expected to yield roughly \$180 million annually over the 5-year period.

Principal Support:

Bart states that their system faces a deficit of almost \$1.1 billion through Fiscal Year 2027-28, and additional funding will be necessary to avoid drastic service cuts, station closures, and layoffs. SB 532 offers Bay Area transit agencies experiencing the worst shortfalls a lifeline until a Bay Area regional transportation funding measure can be placed on the ballot in 2026 or 2028. With increased toll revenues planned through Fiscal Year 2028-29, regional stakeholders are afforded time to assemble a funding measure that will help operators achieve financial sustainability long- term and transform the regional transit network.

Principal Opposition:

The Bay Area council has stated that Bay Area residents’ ability to pay for improvements is not limitless, and they deserve a more cost-effective, efficient, seamless, and in some cases safer transit system. They add,

Before we can support new taxes, tolls or fees to support transit, we need to see the agencies do the hard work to make their systems safer, most cost effective and more seamless”. This is work that needs to be done now, at a very fast pace. While we acknowledge this work by the agencies will be painful and complex, we have been exceptionally frustrated with the stubbornness to change and adapt.

Latest Related Activity:

The author’s office is conducting a series of stakeholder work groups sessions. The first one last week centered around the revenue distribution aspects of the bill as proposed.

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California

1. **CA AB 6**



SESSION ADJOURNMENT
September 8, 2023
30 Days Remaining

Slow Moving Bill



1st Committee

1st Fiscal Committee

1st Chamber

2nd Committee

2nd Chamber

Executive

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Author: Laura Friedman (D-044)

Title: Transportation Planning: Regional Transportation Plans

Fiscal Committee: yes

Urgency Clause: no

Introduced: 12/05/2022

Last Amend: 03/16/2023

Disposition: Pending

Location: Senate Transportation Committee

Summary: Requires a metropolitan planning organization to submit an adopted sustainable communities strategy or an alternative planning strategy, if applicable, to the State Air Resources Board for

review.

Status: 06/14/2023 To SENATE Committees on TRANSPORTATION and ENVIRONMENTAL QUALITY.
Full Status

2. **CA AB 7**

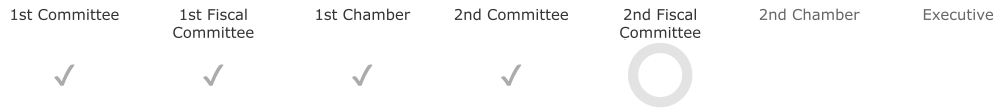


SESSION ADJOURNMENT
September 8, 2023
30 Days Remaining

Slow Moving Bill



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Author: Laura Friedman (D-044)

Title: Transportation: Planning: Project Selection Processes

Fiscal Committee: yes

Urgency Clause: no

Introduced: 12/05/2022

Last Amend: 06/28/2023

Disposition: Pending

Location: Senate Appropriations Committee

Summary: Provides that the Secretary of Transportation, among other duties, is charged with developing and reporting to the Governor on legislative, budgetary, and administrative programs to accomplish coordinated planning and policy formulation in matters of public interest, including transportation projects. Requires the agency, the Department of Transportation, and the California Transportation Commission to incorporate specified principles into their existing program funding guidelines and processes.

Status: 07/11/2023 From SENATE Committee on TRANSPORTATION: Do pass to Committee on APPROPRIATIONS. (10-4)
Full Status

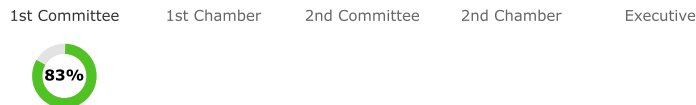
3. **CA AB 16**



SESSION ADJOURNMENT
September 8, 2023
30 Days Remaining



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Author: Diane Dixon (R-072)

Title: Motor Vehicle Fuel Tax Law: Adjustment Suspension

Fiscal Committee: yes

Urgency Clause: no

Introduced: 12/05/2022

Disposition: Pending

Location: Assembly Transportation Committee

Summary: Authorizes the Governor to suspend an adjustment to the motor vehicle fuel tax, scheduled on or after July 1, 2024, upon making a determination that increasing the rate would impose an undue burden on low-income and middle-class families. The bill would require the Governor to notify the Legislature of an intent to suspend the rate adjustment on or before January 10 of that year.

Status: 03/30/2023 To ASSEMBLY Committee on TRANSPORTATION.
Full Status

4. CA AB 31



SESSION ADJOURNMENT
September 8, 2023
30 Days Remaining



1st Committee 1st Chamber 2nd Committee 2nd Chamber Executive

Our Forecast ⓘ
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Author: Juan Carrillo (D-039)

Title: Public Transit: Funding

Fiscal Committee: no

Urgency Clause: no

Introduced: 12/05/2022

Disposition: Pending

Location: ASSEMBLY

Summary: States the intent of the Legislature to enact subsequent legislation that would appropriate funds for the development and operation of a privately run public transit system connecting the Victor Valley and the Antelope Valley in southern California.

Status: 12/05/2022 INTRODUCED.
Full Status

5. CA AB 38



SESSION ADJOURNMENT
September 8, 2023
30 Days Remaining

➤ Slow Moving Bill




1st Committee 1st Fiscal Committee 1st Chamber 2nd Committee 2nd Chamber Executive

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✓ ✓ ✓ ✓

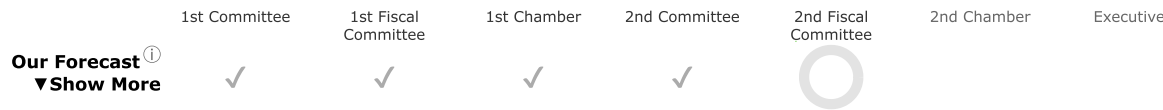
Author: Alex Lee (D-024)
Title: Light Pollution Control
Fiscal Committee: yes
Urgency Clause: no
Introduced: 12/05/2022
Last Amend: 06/28/2023
Disposition: Pending
Committee: Senate Appropriations Committee
Hearing: 08/14/2023 10:00 am, 1021 O Street, Room 2200  
Summary: Relates to the Warren-Alquist State Energy Resources Conservation and Development Act, which requires the State Energy Resources Conservation and Development Commission to adopt lighting and other building design and construction standards that increase efficiency in the use of energy. Requires, with certain exceptions, an agency to ensure that an outdoor lighting fixture that is newly installed on a structure or land that is owned, leased, or managed by the agency meets certain criteria.
Status: 06/28/2023 In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
 Full Status

6. CA AB 52



SESSION ADJOURNMENT
 September 8, 2023
 30 Days Remaining

Slow Moving Bill



Author: Timothy S. Grayson (D-015)
Title: Income Tax Credit: Sales and Use Taxes Paid
Fiscal Committee: yes
Urgency Clause: no
Introduced: 12/05/2022
Last Amend: 06/15/2023
Disposition: Pending
Location: Senate Appropriations Committee
Summary: Relates to the Sales and Use Tax Law. Allows a credit against those taxes to a taxpayer in an amount equal to the amount of tax reimbursement paid during the taxable year for sales tax on gross receipts that would be exempt from taxation pursuant to the sales and use tax exemption. Allows a similar tax credit against those taxes to a taxpayer in an amount equal to the amount of use tax paid during the taxable year for storage, use, or other consumption that would be exempt from taxation under that law.
Status: 06/26/2023 In SENATE Committee on APPROPRIATIONS: To Suspense File.
 Full Status

CA AB 53



SESSION ADJOURNMENT
September 8, 2023
30 Days Remaining



1st Committee 1st Chamber 2nd Committee 2nd Chamber Executive

Our Forecast ⓘ
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Author: Vince Fong (R-032)
Title: Motor Vehicle Fuel Tax Law: Suspension of Tax
Fiscal Committee: yes
Urgency Clause: yes
Introduced: 12/05/2022
Disposition: Pending
Location: Assembly Transportation Committee
Summary: Suspends the imposition of the tax on motor vehicle fuels for one year. The bill would require that all savings realized based on the suspension of the motor vehicle fuels tax by a person other than an end consumer, as defined, be passed on to the end consumer, and would make the violation of this requirement an unfair business practice, in violation of unfair competition laws.
Status: 03/30/2023 To ASSEMBLY Committee on TRANSPORTATION.
 Full Status

8. CA AB 73



SESSION ADJOURNMENT
September 8, 2023
30 Days Remaining

▶ Slow Moving Bill



1st Committee 1st Fiscal Committee 1st Chamber 2nd Committee 2nd Chamber Executive

Our Forecast ⓘ
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Author: Tasha Boerner (D-077)
Title: Vehicles: Required Stops: Bicycles
Fiscal Committee: yes
Urgency Clause: no
Introduced: 12/13/2022
Last Amend: 03/09/2023
Disposition: Pending
Location: Senate Transportation Committee
Summary: Requires a person who is 18 years of age or older riding a bicycle upon a two-lane highway when approaching a stop sign at the entrance of an intersection with another roadway with two or fewer lanes, where stop signs are erected upon all approaches, to yield the right-of-way to any vehicles that have either stopped at or entered the intersection, or that are approaching on the

intersecting highway close enough to constitute an immediate hazard, and to pedestrians, as specified.

Status: 07/11/2023 In SENATE Committee on TRANSPORTATION: Not heard.
Full Status

9. **CA AB 96**



SESSION ADJOURNMENT
September 8, 2023
30 Days Remaining

Slow Moving Bill



1st Committee 1st Chamber 2nd Committee 2nd Chamber Executive

Our Forecast ⓘ
▼ Show More



Author: Ash Kalra (D-025)

Title: Public Employment: Local Public Transit Agencies

Fiscal Committee: no

Urgency Clause: no

Introduced: 01/09/2023

Last Amend: 06/15/2023

Disposition: Pending

Location: Senate Third Reading File

Summary: Requires a public transit employer, at least a specified number of months before beginning a procurement process to acquire or deploy any autonomous transit vehicle technology for public transit services that would eliminate job functions or jobs of a workforce, to provide written notice to the exclusive employee representative of the workforce affected by the autonomous transit vehicle technology of its determination to begin that procurement process.

Status: 06/15/2023 In SENATE. Read second time and amended. To third reading.
Full Status

10. **CA AB 251**



SESSION ADJOURNMENT
September 8, 2023
30 Days Remaining

Slow Moving Bill



1st Committee 1st Fiscal Committee 1st Chamber 2nd Committee 2nd Fiscal Committee 2nd Chamber Executive

Our Forecast ⓘ
▼ Show More



Author: Christopher Ward (D-078)

Title: California Transportation Commission: Vehicle Weight

Fiscal Committee: yes

Urgency Clause: no

Introduced: 01/18/2023

Last Amend: 06/07/2023

Disposition: Pending

Location: Senate Appropriations Committee

Summary: Requires the California Transportation Commission to convene a task force to study the relationship between vehicle weight and injuries to vulnerable road users, such as pedestrians and cyclists and degradation to roads, and to study the costs and benefits of imposing a passenger vehicle weight fee or restructuring an existing fee to include consideration of vehicle weight.

Status: 06/26/2023 In SENATE Committee on APPROPRIATIONS: To Suspense File.
Full Status

11. CA AB 287



SESSION ADJOURNMENT
September 8, 2023
30 Days Remaining

Fast Moving Bill



Author: Eduardo Garcia (D-036)

Title: California Global Warming Solutions Act of 2006

Fiscal Committee: yes

Urgency Clause: no

Introduced: 01/24/2023

Disposition: Pending

Location: Assembly Appropriations Committee

Summary: Requires state agencies administering competitive grant programs that allocate moneys from the Greenhouse Gas Reduction Fund to give specified communities preferential points during grant application scoring for programs intended to improve air quality, to provide for a specified application timeline, and to allow applicants from the Counties of Imperial and San Diego to include daytime population numbers in grant applications.

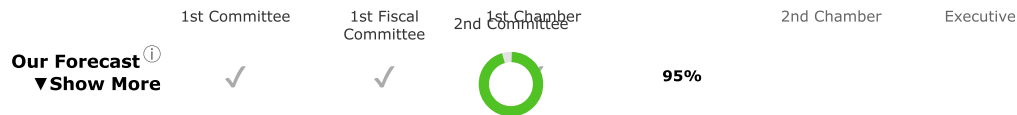
Status: 05/18/2023 In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
Full Status

12. CA AB 364



SESSION ADJOURNMENT
September 8, 2023
30 Days Remaining

Slow Moving Bill



Author: Isaac G. Bryan (D-055)
Title: Street Furniture Data: Statewide Data Platform
Fiscal Committee: yes
Urgency Clause: no
Introduced: 02/01/2023
Last Amend: 04/11/2023
Disposition: Pending
Location: Senate Transportation Committee
Summary: Requires the Department of Transportation to develop guidelines for data sharing, documentation, public access, quality control, and promotion of open-source and accessible platforms and decision support tools related to street furniture data. Requires the Department to designate the Integrated Climate Adaptation and Resiliency Program Technical Advisory Council to advise on the development of the initial and subsequent guidelines, and review the reports related to those guidelines.
Status: 06/14/2023 To SENATE Committees on TRANSPORTATION and JUDICIARY.
 Full Status

13. **CA AB 645**



SESSION ADJOURNMENT
 September 8, 2023
 30 Days Remaining



	1st Committee	1st Fiscal Committee	1st Chamber	2nd Committee	2nd Fiscal Committee	2nd Chamber	Executive
Our Forecast ⓘ ▼ Show More	✓	✓	✓	✓			

Author: Laura Friedman (D-044)
Title: Vehicles: Speed Safety System Pilot Program
Fiscal Committee: yes
Urgency Clause: no
Introduced: 02/09/2023
Last Amend: 07/14/2023
Disposition: Pending
Location: Senate Appropriations Committee
Summary: Authorizes the Cities of Los Angeles, San Jose, Oakland, Glendale, and Long Beach, and the City and County of San Francisco to establish a Speed Safety System Pilot Program if the system meets specified requirements. Requires a participating city or city and county to adopt a Speed Safety System Use Policy and a Speed Safety System Impact Report before implementing the program. Requires the participating city or city and county to engage in a public information campaign.
Status: 07/14/2023 In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
 Full Status

14. CA AB 981



SESSION ADJOURNMENT
September 8, 2023
30 Days Remaining

Very Fast
Moving Bill



1st Committee 1st Fiscal Committee 1st Chamber 2nd Committee 2nd Chamber Executive

Our Forecast ⓘ
▼ Show More



Author: Laura Friedman (D-044)

Title: State Highways: Pilot Highway Maintenance Projects

Fiscal Committee: yes

Urgency Clause: no

Introduced: 02/15/2023

Last Amend: 03/20/2023

Disposition: Pending

Location: Assembly Appropriations Committee

Summary: Requires the Department of Transportation, beginning in 2025 and ending in 2032, to use cold in-place recycling or partial depth recycling on at least twelve projects each year. Requires the department, beginning in 2027 and ending in 2032, to use full depth recycling on at least five projects each year. Requires the department to submit an annual report to the Legislature regarding these projects.

Status: 05/18/2023 In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
Full Status

15. CA AB 1567



SESSION ADJOURNMENT
September 8, 2023
30 Days Remaining

Fast
Moving Bill



1st Committee 1st Fiscal Committee 1st Chamber 2nd Committee 2nd Chamber Executive

Our Forecast ⓘ
▼ Show More



Author: Eduardo Garcia (D-036)

Title: Safe Drinking Water, Wildfire Prevention, Drought Prep

Fiscal Committee: yes

Urgency Clause: no

Introduced: 02/17/2023

Last Amend: 05/26/2023

Disposition: Pending

Location: Senate Natural Resources and Water Committee

Summary: Enacts the Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, Clean Energy, and Workforce Development Bond Act of 2024, which, if approved by the voters, would authorize the issuance of bonds in a specified amount to finance projects for safe drinking water, wildfire prevention, drought preparation, flood protection, extreme heat mitigation, clean energy, and workforce development programs.

Status: 06/14/2023 To SENATE Committees on NATURAL RESOURCES AND WATER and GOVERNANCE AND FINANCE.
Full Status

16. **CA ACA 2**



SESSION ADJOURNMENT
September 8, 2023
30 Days Remaining



1st Committee 1st Chamber 2nd Committee 2nd Chamber Executive

Our Forecast ⓘ
▼ Show More



Author: Juan Alanis (R-022)

Title: Public Resources: Water and Wildfire Resiliency Act

Fiscal Committee: yes

Urgency Clause: no

Introduced: 12/05/2022

Disposition: Pending

Location: Assembly Water, Parks and Wildlife Committee

Summary: Establishes the Water and Wildfire Resiliency Fund within the State Treasury, and would require the Treasurer to annually transfer an amount equal to 3% of all state revenues that may be appropriated as described from the General Fund to the Water and Wildfire Resiliency Fund. Requires the moneys in the fund to be appropriated by the Legislature and requires that 50% of the moneys in the fund be used for water projects, and that the other 50% of the moneys in the fund be used for forest maintenance.

Status: 04/20/2023 To ASSEMBLY Committees on WATER, PARKS AND WILDLIFE and NATURAL RESOURCES.
Full Status

17. **CA SB 5**



SESSION ADJOURNMENT
September 8, 2023
30 Days Remaining



1st Committee 1st Chamber 2nd Committee 2nd Chamber Executive

Our Forecast ⓘ
▼ Show More



Author: Janet Nguyen (R-036)

Title: Motor Vehicle Fuel Tax Law: Limitation on Adjustment

Fiscal Committee: yes

Urgency Clause: no

Introduced: 12/05/2022

Disposition: Pending

Location: Senate Governance and Finance Committee

Summary: Limits the annual adjustment of the tax upon motor vehicle fuel removed from a refinery or terminal rack to a maximum of 2% for rate adjustments made on or after July 1, 2023.

Status: 05/03/2023 In SENATE Committee on GOVERNANCE AND FINANCE: Failed passage.
05/03/2023 In SENATE Committee on GOVERNANCE AND FINANCE: Reconsideration granted.
Full Status

18. CA SB 20



SESSION ADJOURNMENT
September 8, 2023
30 Days Remaining

Slow Moving Bill



1st Committee 1st Chamber 2nd Committee 2nd Chamber Executive

Our Forecast ⓘ
▼ Show More



Author: Susan Rubio (D-022)

Title: Joint Powers Agreements: Regional Housing Trusts

Fiscal Committee: no

Urgency Clause: no

Introduced: 12/05/2022

Last Amend: 05/16/2023

Disposition: Pending

Location: Assembly Consent Calendar - First Legislative Day

Summary: Authorizes a specified number or more local agencies to create a regional housing trust for the purpose of funding housing to assist the homeless population and persons and families of extremely low, very low, and low income within their jurisdictions by entering into a joint powers agreement pursuant to the Joint Exercise of Powers Act. Authorizes a federally recognized tribal government to enter into the joint powers agreement.

Status: 07/13/2023 In ASSEMBLY. Read second time. To Consent Calendar.
Full Status

19. CA SB 30



SESSION ADJOURNMENT
September 8, 2023
30 Days Remaining

Slow Moving Bill



1st Committee 1st Fiscal Committee 1st Chamber 2nd Committee 2nd Fiscal Committee 2nd Chamber Executive

Our Forecast [ⓘ]
▼ Show More



Author: Thomas J. Umberg (D-034)

Title: Transportation: Zero-Emission Vehicle Signage

Fiscal Committee: yes

Urgency Clause: no

Introduced: 12/05/2022

Last Amend: 06/19/2023

Disposition: Pending

Location: Assembly Appropriations Committee

Summary: Requires the Department of Transportation, in coordination with the Governor's Office of Business and Economic Development (GO-Biz) and the State Energy Resources Conservation and Development Commission, to develop and design light-duty zero-emission vehicle charging and fueling station signage to be placed along State highways based on charger or fueling type and vehicle compatibility, in order to increase consumer confidence in locating electric vehicle chargers and hydrogen fueling stations.

Status: 06/26/2023 From ASSEMBLY Committee on TRANSPORTATION: Do pass to Committee on APPROPRIATIONS. (15-0)
Full Status

20. CA SB 32



HIGH

SESSION ADJOURNMENT
September 8, 2023
30 Days Remaining



1st Committee 1st Chamber 2nd Committee 2nd Chamber Executive

Our Forecast [ⓘ]
▼ Show More



Author: Brian W. Jones (R-040)

Title: Motor Vehicle Fuel Tax: Greenhouse Gas Reduction

Fiscal Committee: yes

Urgency Clause: yes

Introduced: 12/05/2022

Disposition: Pending

Location: Senate Environmental Quality Committee

Summary: Suspends the Low Carbon Fuel Standard regulations for one year. The bill would also exempt suppliers of transportation fuels from regulations for the use of market-based compliance mechanisms for one year. Suspends the imposition of the tax on motor vehicle fuels for one year. Requires a seller of motor vehicle fuels to provide a receipt to a purchaser that indicates the amount of tax that would have otherwise applied to the transaction.

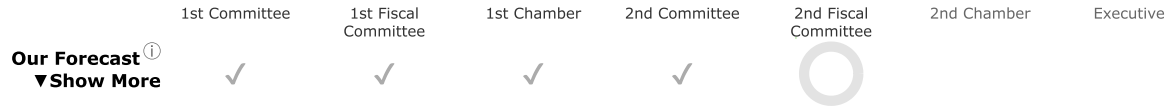
Status: 04/19/2023 In SENATE Committee on ENVIRONMENTAL QUALITY: Failed passage.
04/19/2023 In SENATE Committee on ENVIRONMENTAL QUALITY: Reconsideration granted.
Full Status

21. **CA SB 69**



SESSION ADJOURNMENT
September 8, 2023
30 Days Remaining

➤ **Slow Moving Bill**



Author: Dave Cortese (D-015)

Title: Environmental Quality Act: Proceedings: Limitations

Fiscal Committee: yes

Urgency Clause: no

Introduced: 01/05/2023

Last Amend: 07/12/2023

Disposition: Pending

Location: Assembly Appropriations Committee

Summary: Provides that the California Environmental Quality Act requires an action or proceeding challenging an act or decision of a public agency, including a local agency, on the grounds of noncompliance with CEQA to be commenced within certain time periods. Requires a local agency to file a notice of determination with the State Clearinghouse in the Office of Planning and Research in addition to the county clerk of each county in which the project will be located.

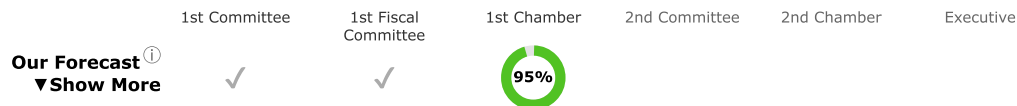
Status: 07/12/2023 In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
Full Status

22. **CA SB 84**



SESSION ADJOURNMENT
September 8, 2023
30 Days Remaining

➤ **Slow Moving Bill**



Author: Lena A. Gonzalez (D-033)

Title: Air Quality Programs: Funding

Fiscal Committee: yes

Urgency Clause: yes

Introduced: 01/13/2023

Last Amend: 05/18/2023

Disposition: Pending

File: A-10

Location: Senate Inactive File

Summary: Provides that existing law requires the Bureau of Automotive Repair to administer the Enhanced Fleet Modernization Program and the State Air Resources Board to adopt the guidelines for the program. Requires the guidelines to ensure each replacement vehicle in the program be either a plug-in hybrid or zero-emission vehicle unless the State Board makes a specified determination in consultation with the State Energy Resources Conservation and Development Commission.

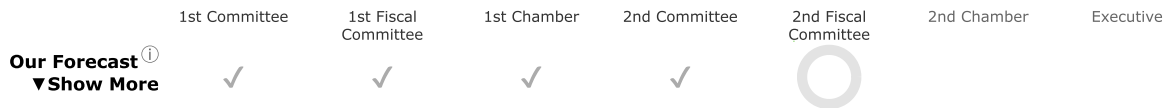
Status: 05/31/2023 In SENATE. From third reading. To Inactive File.
Full Status

23. **CA SB 229**



SESSION ADJOURNMENT
September 8, 2023
30 Days Remaining

Slow Moving Bill



Author: Thomas J. Umberg (D-034)

Title: Surplus Land: Disposal of Property: Violations

Fiscal Committee: yes

Urgency Clause: no

Introduced: 01/23/2023

Last Amend: 02/23/2023

Disposition: Pending

Location: Assembly Appropriations Committee

Summary: Requires a local agency that has received a notification of violation from the Department of Housing and Community Development to hold an open and public session to review and consider the substance of the notice of violation. Requires the local agency's governing body to provide prescribed notice no later than a certain number of days before the public session. Prohibits the local agency's governing body from taking final action to ratify the proposed disposal until a public session is held as required.

Status: 07/12/2023 From ASSEMBLY Committee on LOCAL GOVERNMENT: Do pass to Committee on HOUSING AND COMMUNITY DEVELOPMENT. (6-2)
07/12/2023 From ASSEMBLY Committee on HOUSING AND COMMUNITY DEVELOPMENT: Do pass to Committee on APPROPRIATIONS. (6-1)
Full Status

24. **CA AB 2 a**



ADJOURNED



1st Committee 1st Chamber 2nd Committee 2nd Chamber Executive

Our Forecast ⓘ
▼ Show More

	X	X	X	X
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Author: Vince Fong (R-032)
Title: Motor Vehicle Fuel Tax Law: Suspension of Tax
Fiscal Committee: yes
Urgency Clause: yes
Introduced: 12/05/2022
Disposition: Failed
Location: ASSEMBLY
Summary: Suspends the imposition of the tax on motor vehicle fuels for one year. Requires that all savings realized based on the suspension of the motor vehicle fuels tax by a person other than an end consumer be passed on to the end consumer, and would make the violation of this requirement an unfair business practice, in violation of unfair competition laws.
Status: 03/29/2023 In ASSEMBLY. Died pursuant to Art. IV, Sec. 10(c) of the Constitution.
 Full Status

25. **CA SB 1 a**



ADJOURNED



1st Committee 1st Chamber 2nd Committee 2nd Chamber Executive

Our Forecast ⓘ
▼ Show More

	X	X	X	X
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Author: Brian W. Jones (R-040)
Title: Transportation Fuels
Fiscal Committee: yes
Urgency Clause: yes
Introduced: 12/05/2022
Disposition: Failed
Location: SENATE
Summary: Suspends the Low Carbon Fuel Standard regulations for one year under the Global Warming Solutions Act, suppliers of transportation fuels from regulations for the use of market-based compliance mechanisms.
Status: 03/28/2023 From SENATE Committee on RULES without further action.
 Full Status

AMENDED IN ASSEMBLY MARCH 23, 2023

CALIFORNIA LEGISLATURE—2023–24 REGULAR SESSION

ASSEMBLY BILL

No. 1464

Introduced by Assembly Member Connolly

February 17, 2023

An act to add Section 30910.8 to the Streets and Highways Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

AB 1464, as amended, Connolly. ~~Toll Bridges: Richmond-San Rafael Bridge.~~

Existing law establishes state-owned toll bridges within the geographic jurisdiction of the Metropolitan Transportation Commission, in the San Francisco Bay area, including the Richmond-San Rafael Bridge. Under existing law, the Bay Area Toll Authority is responsible for the administration of the toll revenues from the state-owned toll bridges in the San Francisco Bay area. Existing law requires the Department of Transportation to collect tolls, operate, maintain, and provide rehabilitation of the state-owned toll bridges in the San Francisco Bay area and to be responsible for the design and construction of improvements on those bridges in accordance with programming and scheduling requirements adopted by the Bay Area Toll Authority.

This bill would ~~state the intent of the Legislature to enact subsequent legislation to improve traffic flow on the Richmond-San Rafael Bridge.~~ require the department and the authority, if they develop a project to open the 3rd lane on the westbound level of the Richmond-San Rafael Bridge to motor vehicle traffic, to consider operating the Richmond-San Rafael Bridge in a specified manner.

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.
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) *The Richmond-San Rafael Bridge opened on September 1,*
4 *1956. At the time of construction, the bridge was one of the longest*
5 *bridges in the world and was constructed at a cost of \$62,000,000.*
6 (b) *The initial construction, with the help of additional funding*
7 *provided by the state (Chapter 159 of the Statutes of 1955),*
8 *provided for the construction of six 12-foot-wide lanes. The six*
9 *lanes were initially composed of three lanes in both the eastbound*
10 *and westbound directions.*
11 (c) *In 1977, the then little-used third lane on the Richmond-San*
12 *Rafael Bridge was closed to allow for a pipeline to transport*
13 *8,000,000 gallons of water a day from the East Bay Municipal*
14 *Utility District to drought-stricken Marin County. In 1978, the*
15 *pipeline was removed and the third lane was restriped as an*
16 *emergency shoulder.*
17 (d) *In 1989, following the Loma Prieta earthquake and the*
18 *closure of the San Francisco-Oakland Bay Bridge from October*
19 *17 to November 18, inclusive, the third lane on the Richmond-San*
20 *Rafael Bridge was opened in both the eastbound and westbound*
21 *directions to help ease traffic flow across the bay, and was closed*
22 *after the San Francisco-Oakland Bay Bridge reopened.*
23 (e) *In 2016, the Bay Area Toll Authority and the Metropolitan*
24 *Transportation Commission (MTC) declared that the Marin County*
25 *side of the bridge had “unacceptable levels of service,” not only*
26 *on the freeway, but also on the local Marin streets in the Cities of*
27 *Larkspur and San Rafael. As a result, they authorized a*
28 *\$74,000,000 project to reopen the third lane of the lower deck.*
29 *Completed two years later, the Department of Transportation and*
30 *MTC reported that the new lane “has eliminated afternoon*
31 *congestion on eastbound I-580 onto the bridge saving drivers*
32 *approximately 15 minutes daily on their seven mile trip from Marin*
33 *to Contra Costa County. This equates to annual savings of 700,000*
34 *vehicle-hours of delay on weekdays and another 91,000 vehicle*

1 hours on weekends.” The project was put up for awards, and won
2 “Project of the Year” in California.

3 (f) Unaddressed traffic on the East Bay approach of the
4 Richmond-San Rafael Bridge has steadily worsened, even during
5 the pandemic. Each workday, during the morning commute,
6 approximately 18,000 Bay Area residents cross the Richmond-San
7 Rafael Bridge. The vast majority of those commuters, 63 percent,
8 are people of color. Sixty-nine percent of them do not have a
9 college degree, and the majority of commuters, 60 percent, make
10 less than the median income in the San Francisco Bay area.
11 Virtually all of these drivers have no other reasonable means to
12 get to work.

13 (g) As these 18,000 drivers approach the Richmond-San Rafael
14 Bridge in the County of Contra Costa, they hit a very significant
15 and growing traffic issue. During the peak hour, on average, they
16 face an added 16 minutes of gridlocked, stop-and-go traffic. This
17 traffic jam on the freeway also backs up local streets and roads
18 in the City of Richmond, impacting many local families residing
19 in traditionally disadvantaged communities.

20 (h) According to air monitors in the City of Richmond, this
21 morning freeway backup is now the largest source of nonwildfire
22 air pollution in the City of Richmond. This pollution is largely
23 concentrated in disadvantaged communities.

24 (i) In the interest of social justice, environmental justice,
25 improving traffic flow, maximizing existing resources, reducing
26 greenhouse gases, and reducing the environmental impacts
27 resulting from traffic backup on the westbound Richmond-San
28 Rafael Bridge approach, the Department of Transportation and
29 the Bay Area Toll Authority should consider reopening the third
30 westbound lane on the Richmond-San Rafael Bridge to motor
31 vehicle traffic in a manner that considers expanding multimodal
32 transportation, preserving pathways for bicyclists, and reducing
33 localized greenhouse gas emissions.

34 SEC. 2. Section 30910.8 is added to the Streets and Highways
35 Code, to read:

36 30910.8. If the authority and the department develop a project
37 to open the third lane on the westbound level of the Richmond-San
38 Rafael Bridge to motor vehicle traffic, the authority and the
39 department shall consider doing all of the following as part of the
40 project:

1 (a) Restoring the third westbound lane on the Richmond-San
2 Rafael Bridge to motor vehicle traffic during the weekday morning
3 commute.

4 (b) Adding a movable “zipper” barrier to the eastbound level
5 of the Richmond-San Rafael Bridge similar to the barrier on the
6 westbound level so that a continuously operating bicycle and
7 pedestrian lane and the San Francisco Bay Trail can be
8 maintained.

9 (c) Operating the moveable “zipper” barriers on both levels of
10 the Richmond-San Rafael bridge in such a manner so as to allow
11 the most efficient flow of traffic in either direction while preserving
12 an open bicycle and pedestrian lane and the San Francisco Bay
13 Trail.

14 ~~SECTION 1. It is the intent of the Legislature to enact~~
15 ~~subsequent legislation to improve traffic flow on the Richmond-San~~
16 ~~Rafael Bridge.~~

AMENDED IN ASSEMBLY JUNE 29, 2023

AMENDED IN ASSEMBLY JUNE 22, 2023

AMENDED IN SENATE MAY 18, 2023

AMENDED IN SENATE APRIL 25, 2023

AMENDED IN SENATE APRIL 13, 2023

AMENDED IN SENATE MARCH 30, 2023

SENATE BILL

No. 532

Introduced by Senator Wiener

(Principal coauthors: Senators Becker and Cortese)

(Principal coauthors: Assembly Members Bonta, Haney, Lee, Ting, and Wicks)

February 14, 2023

An act to amend Sections 30911, 30916, and 30920 of, and to add Section 30914.8 to, the Streets and Highways Code, *and to amend Section 40258 of Vehicle Code*, relating to transportation, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

SB 532, as amended, Wiener. San Francisco Bay area toll bridges: ~~toll increase:~~ *tolls*: transit operating expenses.

Existing law creates the Metropolitan Transportation Commission (MTC) as a regional agency in the 9-county San Francisco Bay area with comprehensive regional transportation planning and other related responsibilities. Existing law creates the Bay Area Toll Authority (BATA) as a separate entity governed by the same governing board as MTC and makes BATA responsible for the administration of toll

revenues from the state-owned toll bridges in the San Francisco Bay area. Existing law requires the Department of Transportation to collect tolls on these state-owned toll bridges. Existing law requires those toll revenues to be deposited in the Bay Area Toll Account and requires BATA to control and maintain that account, as specified.

This bill would, until December 31, 2028, require BATA to increase the toll rate for vehicles for crossing the state-owned toll bridges in the San Francisco Bay area by \$1.50, as adjusted for inflation. The bill would require the revenues collected from this toll to be deposited in the Bay Area Toll Account, would continuously appropriate moneys from this toll increase and other specified tolls, and would require moneys from this toll to be transferred to MTC for allocation to transit operators that provide service within the San Francisco Bay area and that are experiencing a financial shortfall, as specified. The bill would direct MTC to require each transit operator eligible to receive an allocation from the account to, on an annual basis, submit a 5-year projection of its operating needs, as specified.

To the extent this bill would mandate that MTC or a transit operator provide a new program or higher level of service, the bill would impose a state-mandated local program.

Existing law, beginning July 1, 2024, prohibits a schedule of toll evasion penalties for a toll evasion violation on a toll bridge from exceeding \$25 for the notice of toll evasion violation and \$50 for the notice of delinquent toll evasion violation, as specified.

This bill, beginning July 1, 2024, would decrease the maximum amount of penalties that can be included in a schedule of toll evasion penalties for a toll evasion violation on a San Francisco Bay area state-owned toll bridge to instead be \$5 for the notice of toll evasion violation and \$10 for the notice of delinquent toll evasion violation, as specified.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: $\frac{2}{3}$. Appropriation: yes. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. This act shall be known, and may be cited, as the
2 Safe, Clean, and Reliable Bay Area Public Transportation
3 Emergency Act.

4 *SEC. 2. It is the intent of the Legislature to enact future*
5 *legislation to require the Metropolitan Transportation Commission*
6 *to study, design, and implement an equity-based program to*
7 *mitigate the impacts of the \$1.50 toll increase required by this act*
8 *within two years of the effective date of this act. It is the intent of*
9 *the Legislature that the commission would establish the*
10 *equity-based program in a manner that is operationally feasible,*
11 *financially practicable, and effective, and that the commission*
12 *would consider including discounts, toll caps, and toll exemptions*
13 *as part of the program.*

14 ~~SEC. 2.~~

15 SEC. 3. Section 30911 of the Streets and Highways Code is
16 amended to read:

17 30911. (a) The authority shall control and maintain the Bay
18 Area Toll Account and other subaccounts it deems necessary and
19 appropriate to document toll revenue and operating expenditures
20 in accordance with generally accepted accounting principles.

21 (b) (1) After providing for expenditures pursuant to subdivision
22 (a) of Section 30912 and for operating assistance pursuant to
23 subdivision (d) of Section 30914 and subdivision (c) of Section
24 30914.7 and after the requirements of any bond resolution or
25 indenture of the authority for any outstanding revenue bonds have
26 been met, the authority shall transfer on a regularly scheduled basis
27 as set forth in the authority's annual budget resolution, the revenues
28 defined in subdivision (b) of Section 30913 and Sections 30914,
29 30914.7, and 30914.8 to the commission. The funds transferred
30 are continuously appropriated to the commission to expend for the
31 purposes specified in subdivision (b) of Section 30913 and Sections
32 30914, 30914.7, and 30914.8. After the commission makes a
33 determination that the projects and programs funded by the
34 commission have been completed, the revenues transferred to the
35 commission shall be expended by the commission for supplemental
36 funding for the projects and programs identified in subdivision (a)
37 of Section 30914.7 if the voters approve a toll increase authorized
38 pursuant to Section 30923.

1 (2) For purposes of paragraph (1), the revenues defined in
2 subdivision (b) of Section 30913 and subdivision (a) of Section
3 30914 include all revenues accruing since January 1, 1989.

4 ~~SEC. 3.~~

5 *SEC. 4.* Section 30914.8 is added to the Streets and Highways
6 Code, to read:

7 30914.8. (a) The Metropolitan Transportation Commission
8 shall, from proceeds of the toll imposed pursuant to subdivision
9 (f) of Section 30916 and transferred pursuant to Section 30911,
10 provide funding to transit operators that provide service within the
11 commission's geographic jurisdiction and that are experiencing a
12 financial shortfall. A transit operator shall only be eligible to
13 receive an allocation pursuant to this section if it operates
14 fixed-route public transit ~~services~~ *services, including by bus, rail,*
15 *or ferry,* within the commission's geographic jurisdiction and does
16 not directly receive the majority of its revenues from the Golden
17 Gate Bridge, Highway, and Transportation District.

18 (b) The commission shall annually distribute at least 90 percent
19 of the revenues described in subdivision (a) to eligible transit
20 operators in order to avoid service cuts and maintain operations,
21 including safety, security, reliability, or cleanliness services and
22 improvements. The commission may only allocate funds pursuant
23 to this subdivision to a transit operator after it makes a
24 determination that the funds are necessary to avoid service cuts
25 relative to service levels provided by that transit operator during
26 2022–23 fiscal year. In providing allocations pursuant to this
27 subdivision, the commission shall prioritize averting service cuts
28 for transit operators that serve the highest number of transit riders.
29 The commission shall also take into consideration the extent of
30 local funding to support transit service and may also consider
31 operator fares and other sources of revenue.

32 (c) The commission shall annually distribute no more than 10
33 percent of the revenues described in subdivision (a) to assist
34 eligible transit operators with restoring or reconfiguring service
35 above levels provided during the 2022–23 fiscal year or for the
36 purpose of funding initiatives to transform transit service pursuant
37 to the commission's adopted Transit Transformation Action Plan,
38 or to make specific safety, security, reliability, or cleanliness
39 improvements.

1 (d) The commission shall require each transit operator eligible
 2 to receive an allocation pursuant to this section to, on an annual
 3 basis, submit a five-year projection of its operating needs. This
 4 projection of operating needs shall be based on standardized
 5 assumptions and guidance developed by the commission in
 6 collaboration with transit operators. The commission may
 7 reasonably audit, request revision to, or directly amend operating
 8 needs projections if appropriate or necessary to ensure consistency
 9 of assumptions and fairness across transit operators.

10 ~~SEC. 4.~~

11 *SEC. 5.* Section 30916 of the Streets and Highways Code is
 12 amended to read:

13 30916. (a) The base toll rate for vehicles crossing the
 14 state-owned toll bridges within the geographic jurisdiction of the
 15 commission as of January 1, 2003, is as follows:

Number of Axles	Toll
Two axles	\$ 1.00
Three axles	3.00
Four axles	5.25
Five axles	8.25
Six axles	9.00
Seven axles & more	10.50

24
 25 (b) If the voters approve a toll increase, pursuant to Section
 26 30921, commencing July 1, 2004, the base toll rate for vehicles
 27 crossing the bridges described in subdivision (a) is as follows:

Number of axles	Toll
Two axles	\$ 2.00
Three axles	4.00
Four axles	6.25
Five axles	9.25
Six axles	10.00
Seven axles & more	11.50

36
 37 (c) (1) If the voters approve a toll increase, pursuant to Section
 38 30923, the authority shall increase the base toll rate for vehicles
 39 crossing the bridges described in subdivision (a) from the toll rates
 40 then in effect by the amount approved by the voters pursuant to

1 Section 30923. The authority may, beginning six months after the
2 election approving the toll increase, phase in the toll increase over
3 a period of time and may adjust the toll increase for inflation based
4 on the California Consumer Price Index after the toll increase has
5 been phased in completely.

6 (2) Revenue generated from the adjustment of the toll to account
7 for inflation pursuant to paragraph (1) may be expended for the
8 following purposes:

9 (A) Bridge maintenance and rehabilitation necessary to preserve,
10 protect, and replace the bridge structures consistent with
11 subdivision (b) of Section 30950.3.

12 (B) Supplemental funding for the projects and programs
13 authorized pursuant to subdivision (a) of Section 30914.7.

14 (d) The authority shall increase the amount of the toll only if
15 required to meet its obligations on any bonds or to satisfy its
16 covenants under any bond resolution or indenture. The authority
17 shall hold a public hearing before adopting a toll schedule reflecting
18 the increased toll charge.

19 (e) Nothing in this section shall be construed to prohibit the
20 adoption of either a discounted commute rate for two-axle vehicles
21 or of special provisions for high-occupancy vehicles under terms
22 and conditions prescribed by the authority in consultation with the
23 department.

24 (f) (1) Beginning January 1, 2024, and until December 31,
25 2028, the authority shall increase the base toll rate for vehicles
26 crossing the bridges described in subdivision (a) from the toll rates
27 then in effect by one dollar and fifty cents (\$1.50).

28 (2) The authority shall adjust the toll increase imposed pursuant
29 to paragraph (1) on an annual basis for inflation based on the
30 California Consumer Price Index.

31 (3) Notwithstanding Section 30918, the toll increase imposed
32 pursuant to paragraph (1) shall not be reduced without statutory
33 authorization by the Legislature.

34 (4) This subdivision shall become inoperative on January 1,
35 2029.

36 ~~SEC. 5.~~

37 *SEC. 6.* Section 30920 of the Streets and Highways Code is
38 amended to read:

39 30920. The authority may issue toll bridge revenue bonds to
40 finance any or all of the projects and purposes, including those

1 specified in Sections 30913, 30914, 30914.7, and 30914.8, if the
2 issuance of the bonds does not adversely affect the minimum
3 amount of toll revenue proceeds designated in Section 30913 and
4 in paragraph (4) of subdivision (a) of, and subdivision (b) of,
5 Section 30914 for rail extension and improvement projects and
6 transit projects to reduce vehicular traffic. A determination of the
7 authority that a specific project or projects or purposes shall have
8 no adverse effect will be binding and conclusive in all respects.

9 *SEC. 7. Section 40258 of the Vehicle Code, as added by Section*
10 *13 of Chapter 969 of the Statutes of 2022, is amended to read:*

11 40258. (a) (1) The schedule of toll evasion penalties for a toll
12 evasion violation on a toll bridge shall not exceed twenty-five
13 dollars (\$25) for the notice of toll evasion violation, and shall not
14 exceed fifty dollars (\$50) for the notice of delinquent toll evasion
15 violation for a cumulative total of fifty dollars (\$50) for each
16 individual toll evasion violation.

17 (2) *Notwithstanding paragraph (1), the schedule of toll evasion*
18 *penalties for a toll evasion violation on a San Francisco Bay area*
19 *state-owned toll bridge shall not exceed five dollars (\$5) for the*
20 *notice of toll evasion violation, and shall not exceed ten dollars*
21 *(\$10) for the notice of delinquent toll evasion violation for a*
22 *cumulative total of fifteen dollars (\$15) for each individual toll*
23 *evasion violation. For purposes of this paragraph, "San Francisco*
24 *Bay area state-owned toll bridge" means any of the toll bridges*
25 *described in Section 30910 of the Streets and Highways Code.*

26 (2)

27 (3) ~~Notwithstanding paragraph (1),~~ *paragraphs (1) and (2),* the
28 schedule of toll evasion penalties may include any administrative
29 fee, fine, or assessment imposed by the state after enactment of
30 this chapter in addition to the cumulative fifty-dollar (\$50) limit
31 per each individual toll evasion violation.

32 (b) If the registered owner, by appearance or by mail, makes
33 payment to the processing agency within 15 days of the mailing
34 of the notice of toll evasion violation issued pursuant to subdivision
35 (a) of Section 40254 for a bridge toll evasion, the amount owed
36 shall consist of the amount of the toll without any additional
37 penalties, administrative fees, or charges.

38 (c) The maximum penalty for each toll evasion violation
39 included in a notice of toll evasion for either a toll highway, toll
40 road, or express lane shall be sixty dollars (\$60). The maximum

1 cumulative toll evasion penalty shall not exceed one hundred
2 dollars (\$100) for each individual toll evasion violation.

3 (d) Toll evasion penalties under this article shall be collected
4 as civil penalties.

5 (e) The amounts specified in this section may be adjusted
6 periodically by an issuing agency at a rate not to exceed any
7 increase in the California Consumer Price Index as compiled and
8 reported by the Department of Industrial Relations.

9 (f) An issuing agency shall waive the toll evasion penalty for a
10 first violation with the issuing agency if the person contacts, as
11 applicable, the issuing or processing agency customer service
12 center within 21 days from the mailing of the notice of toll evasion
13 violation, and the person is not currently an accountholder with
14 the issuing agency, signs up for an account, and pays the
15 outstanding toll.

16 (g) This section shall become operative on July 1, 2024.

17 ~~SEC. 6.~~

18 *SEC. 8.* If the Commission on State Mandates determines that
19 this act contains costs mandated by the state, reimbursement to
20 local agencies and school districts for those costs shall be made
21 pursuant to Part 7 (commencing with Section 17500) of Division
22 4 of Title 2 of the Government Code.



July 21, 2023

The RTPA Role in Distributing New Transit Capital (and Operations) Funding in FY 23-24 State Budget

The State's Fiscal Year 23-24 Budget includes significant new funding for transit capital that may also be applied to cover transit operational needs on a region-by-region basis. Over \$5 Billion in funds will be allocated directly to Regional Transportation Planning Agencies for these purposes through a formula Transit and Intercity Rail Capital Program (TIRCP) and a new Zero Emission Transit Capital Program (ZETCP). Accompanying this funding, however, are obligations to conduct financial and transit service quality analysis that will be new to most RTPAs. This Policy Brief is meant to provide a quick overview of what is in the budget, how much will be allocated to each RTPA, and what issues still need to be addressed. We welcome your input.

A. CAPITAL FUNDING PROGRAM OVERVIEW

- **TIRCP + ZETCP = \$5.1 Billion!** Together, the two capital programs provide \$5.1 billion over four years (but most allocated in the next two years). There is \$4 billion for a regional Transit & Intercity Rail Capital Program (TIRCP) and \$1.1 billion for a new Zero Emission Transit Capital Program (ZETCP).
- **With Option to Use Funds for Transit Operating Costs.** An RTPA may opt to use all or any portion of the funds from either program for transit operating expenses consistent with an approved regional short-term financial plan or a long-term financial plan (see below). The Legislature's goal is to provide those regions that need it with a one-time multiyear bridge funding to address operational costs until long-term transit sustainability solutions are identified. Funds can be used to prevent service cuts and increase ridership; prioritize the availability of transit for riders who are transit dependent; and to prioritize transit agencies representing a significant percentage of the region's ridership.
- **Formula Allocations Coming to an RTPA Near You!** The TIRCP funding will be allocated to the 49 eligible RTPAs each year under the following formula: each agency to receive \$300,000 "off the top" with the remainder allocated by population as provided by Public Utilities Code § 99313. The ZETCP funding will be allocated half by population and half by revenue as provided by PUC § 99312.1(a). Our estimated **funding allocations for each RTPA are on the next page**. (Note that these are not official allocations, just our best guess based on the formulas and past practice).

CALCOG's Estimate of Funding Allocations for TIRCP and ZETCP Programs

RTPA		TIRCP FY 23-24 \$ 2,000,000,000	TIRCP FY 24-25 \$ 2,000,000,000	ZETCP FY 23-24 \$ 410,000,000	ZETCP FY 24-25 \$ 230,000,000	ZETCP FY 25-26 \$ 230,000,000	ZETCP FY 26-27 \$ 230,000,000	TIRCP + ZETCP Total RTPA
1	MTC Bay Area	\$384,225,402	\$384,225,402	\$ 149,492,128	\$ 83,861,438	\$ 83,861,438	\$ 83,861,438	\$ 1,169,527,245
2	Alpine	\$360,217	\$360,217	\$ 6,680	\$ 3,747	\$ 3,747	\$ 3,747	\$ 738,356
3	Amador	\$2,326,077	\$2,326,077	\$ 216,555	\$ 121,482	\$ 121,482	\$ 121,482	\$ 5,233,155
4	Butte	\$10,756,241	\$10,756,241	\$ 1,138,142	\$ 638,470	\$ 638,470	\$ 638,470	\$ 24,566,035
5	Calaveras	\$2,583,069	\$2,583,069	\$ 238,606	\$ 133,852	\$ 133,852	\$ 133,852	\$ 5,806,299
6	Colusa	\$1,407,255	\$1,407,255	\$ 119,404	\$ 66,983	\$ 66,983	\$ 66,983	\$ 3,134,863
7	Del Norte	\$1,652,803	\$1,652,803	\$ 147,050	\$ 82,491	\$ 82,491	\$ 82,491	\$ 3,700,131
8	El Dorado	\$9,912,691	\$9,912,691	\$ 1,054,868	\$ 591,755	\$ 591,755	\$ 591,755	\$ 22,655,516
9	Fresno	\$51,744,014	\$51,744,014	\$ 6,270,636	\$ 3,517,674	\$ 3,517,674	\$ 3,517,674	\$ 120,311,685
10	Glenn	\$1,756,404	\$1,756,404	\$ 154,671	\$ 86,767	\$ 86,767	\$ 86,767	\$ 3,927,779
11	Humboldt	\$7,117,521	\$7,117,521	\$ 821,884	\$ 461,057	\$ 461,057	\$ 461,057	\$ 16,440,097
12	Imperial	\$9,428,003	\$9,428,003	\$ 1,031,909	\$ 578,876	\$ 578,876	\$ 578,876	\$ 21,624,543
13	Inyo	\$1,261,035	\$1,261,035	\$ 99,235	\$ 55,669	\$ 55,669	\$ 55,669	\$ 2,788,312
14	Kern	\$46,453,489	\$46,453,489	\$ 5,057,036	\$ 2,836,874	\$ 2,836,874	\$ 2,836,874	\$ 106,474,636
15	Kings	\$7,980,652	\$7,980,652	\$ 824,961	\$ 462,783	\$ 462,783	\$ 462,783	\$ 18,174,615
16	Lake	\$3,697,393	\$3,697,393	\$ 368,764	\$ 206,867	\$ 206,867	\$ 206,867	\$ 8,384,153
17	Lassen	\$1,738,043	\$1,738,043	\$ 155,216	\$ 87,072	\$ 87,072	\$ 87,072	\$ 3,892,520
18	Los Angeles	\$496,747,176	\$496,747,176	\$ 119,168,466	\$ 66,850,603	\$ 66,850,603	\$ 66,850,603	\$ 1,313,214,629
19	Madera	\$8,343,278	\$8,343,278	\$ 857,946	\$ 481,287	\$ 481,287	\$ 481,287	\$ 18,988,364
20	Mariposa	\$1,161,300	\$1,161,300	\$ 91,564	\$ 51,365	\$ 51,365	\$ 51,365	\$ 2,568,261
21	Mendocino	\$4,834,808	\$4,834,808	\$ 502,724	\$ 282,016	\$ 282,016	\$ 282,016	\$ 11,018,389
22	Merced	\$14,812,007	\$14,812,007	\$ 1,569,895	\$ 880,673	\$ 880,673	\$ 880,673	\$ 33,835,927
23	Modoc	\$733,676	\$733,676	\$ 48,655	\$ 27,294	\$ 27,294	\$ 27,294	\$ 1,597,891
24	Mono	\$969,103	\$969,103	\$ 170,727	\$ 95,774	\$ 95,774	\$ 95,774	\$ 2,396,256
25	Monterey	\$22,188,165	\$22,188,165	\$ 2,966,850	\$ 1,664,331	\$ 1,664,331	\$ 1,664,331	\$ 52,336,173
26	Nevada	\$5,422,537	\$5,422,537	\$ 553,857	\$ 310,700	\$ 310,700	\$ 310,700	\$ 12,331,033
27	Orange	\$159,853,601	\$159,853,601	\$ 22,405,800	\$ 12,569,107	\$ 12,569,107	\$ 12,569,107	\$ 379,820,325
28	Placer	\$21,167,778	\$21,167,778	\$ 2,392,582	\$ 1,342,180	\$ 1,342,180	\$ 1,342,180	\$ 48,754,678
29	Plumas	\$1,266,121	\$1,266,121	\$ 115,128	\$ 64,584	\$ 64,584	\$ 64,584	\$ 2,841,122
30	Riverside	\$124,357,451	\$124,357,451	\$ 14,896,853	\$ 8,356,771	\$ 8,356,771	\$ 8,356,771	\$ 288,682,068
31	Sacramento	\$100,744,956	\$100,744,956	\$ 13,924,633	\$ 7,811,379	\$ 7,811,379	\$ 7,811,379	\$ 238,848,683
32	San Benito	\$3,639,719	\$3,639,719	\$ 350,304	\$ 196,512	\$ 196,512	\$ 196,512	\$ 8,219,278
33	San Bernardino	\$111,277,588	\$111,277,588	\$ 13,879,567	\$ 7,786,099	\$ 7,786,099	\$ 7,786,099	\$ 259,793,038
34	San Diego (Not MTS)	\$48,261,380	\$48,261,380	\$ 6,173,566	\$ 3,463,220	\$ 3,463,220	\$ 3,463,220	\$ 113,085,987
35	San Diego (MTS)	\$118,635,691	\$118,635,691	\$ 17,246,818	\$ 9,675,044	\$ 9,675,044	\$ 9,675,044	\$ 283,543,332
36	San Joaquin	\$40,282,693	\$40,282,693	\$ 5,057,317	\$ 2,837,031	\$ 2,837,031	\$ 2,837,031	\$ 94,133,798
37	San Luis Obispo	\$14,456,552	\$14,456,552	\$ 1,562,741	\$ 876,660	\$ 876,660	\$ 876,660	\$ 33,105,824
38	Santa Barbara	\$22,706,370	\$22,706,370	\$ 2,901,177	\$ 1,627,490	\$ 1,627,490	\$ 1,627,490	\$ 53,196,386
39	Santa Cruz	\$13,627,700	\$13,627,700	\$ 2,631,639	\$ 1,476,285	\$ 1,476,285	\$ 1,476,285	\$ 34,315,896
40	Shasta	\$9,425,969	\$9,425,969	\$ 991,204	\$ 556,041	\$ 556,041	\$ 556,041	\$ 21,511,265
41	Sierra	\$462,393	\$462,393	\$ 17,408	\$ 9,766	\$ 9,766	\$ 9,766	\$ 971,492
42	Siskiyou	\$2,514,816	\$2,514,816	\$ 238,464	\$ 133,772	\$ 133,772	\$ 133,772	\$ 5,669,413
43	Stanislaus	\$28,066,012	\$28,066,012	\$ 3,030,401	\$ 1,699,981	\$ 1,699,981	\$ 1,699,981	\$ 64,262,367
44	Tahoe RPA	\$5,131,622	\$5,131,622	\$ 531,302	\$ 298,047	\$ 298,047	\$ 298,047	\$ 11,688,689
45	Tehama	\$3,568,771	\$3,568,771	\$ 344,533	\$ 193,274	\$ 193,274	\$ 193,274	\$ 8,061,897
46	Trinity	\$1,110,645	\$1,110,645	\$ 86,449	\$ 48,496	\$ 48,496	\$ 48,496	\$ 2,453,226
47	Tulare	\$24,461,367	\$24,461,367	\$ 2,757,890	\$ 1,547,109	\$ 1,547,109	\$ 1,547,109	\$ 56,321,953
48	Tuolumne	\$3,076,403	\$3,076,403	\$ 294,003	\$ 164,928	\$ 164,928	\$ 164,928	\$ 6,941,593
49	Ventura	\$42,292,038	\$42,292,038	\$ 5,041,790	\$ 2,828,321	\$ 2,828,321	\$ 2,828,321	\$ 98,110,830
TOTALS		\$2,000,000,000	\$2,000,000,000	\$410,000,000	\$230,000,000	\$230,000,000	\$230,000,000	\$5,100,000,000

Methodologies. (1) **For TIRCP:** For each year, \$300,000 was taken off the top to each agency; the remainder (\$1.863 Billion) is allocated by population using DOF 2023 county populations. But figures for the two entities in San Diego County and the Tahoe Regional Planning Agency are estimates based on previous distributions under this formula made by the State Controller. We are least certain about the Tahoe number. (2) **For ZETCP:** In each year, half of the funds are distributed by population formula using the same method as TIRCP, the second half are distributed by transit revenues (e.g. farebox). These figures are proportional to the previous year's allocation by the State Controller.

- **TIRCP Eligibility.** Eligibility for TIRCP tracks with the existing competitive program: rail capital projects (including acquisition of rail cars and locomotives, that expand, enhance, and improve existing systems and connectivity); intercity, commuter, and urban rail that increase service levels, improve reliability or decrease travel times; rail, bus, and ferry integration; and bus rapid transit and other bus and ferry investments that increase ridership and reduce GHG emissions.
- **ZETCP Eligibility.** Funds may be allocated for funding zero-emission transit equipment, including, but not limited to, zero-emission vehicles and refueling infrastructure; and funding transit operations expenditures that prevent service reduction or elimination in order to maintain or increase transit ridership (if consistent with an approved regional short-term or long-term financial plan).
- **Guidelines (Coming Quick!).** CalSTA to establish Guidelines by **September 30, 2024** in consultation with transportation planning agencies, county transportation commissions, transit development boards, and transit operators.
- **Three Steps for RTPAs to Access Funds in FY 23-24.** Prior to December 31, 2023, the RTPA must: (1) Submit compiled transit operator data (see below); then (2) Determine whether funds will be applied to transit operations either in FY 23-24 or prior to the end of FY 26-27. (If no funds will be applied to operations, then no further steps are necessary); If funds will be applied, then (3) the RTPA must submit a regional short-term financial plan (see below). Agencies that do not submit complete information will have until April 30 to remedy their filings.
- **Two Steps for RTPAs to Accessing Funds in FY 24-25.** Each RTPA must submit compiled operator data and a regional short-term financial plan (regardless of whether any funds will be used to support transit operations prior to the end of FY 26-27).
- **Submitting Compiled Transit Operator Data.** The submission of data must be consistent with adopted guidelines, but at minimum must include: operator fleet and asset management plans; revenue collection methods and annual collection costs by operator; the existing service plan and planned changes; expenditures on security and safety measures; opportunities for restructuring, eliminating redundancies, and improving coordination amongst transit operators (including consolidation of agencies or reevaluation of network management and governance structure); and schedule data in General Transit Feed Specification (GTFS) format.
- **Contents of a Regional Short-Term Financial Plan.** The plan shall: demonstrate how the region will address any operational deficit using all available funds through FY 2025–26; justify how the region’s funding is proposed to be allocated to capital and operational expenses; justify and breakdown how the funding distributed between transit operators and among projects is consistent with program guidelines; demonstrate how the plan mitigates service cuts, fare increases, or layoffs to achieve short-term financial sustainability; summarize how the plan supports ridership improvement strategies.

- **Timing and Contents of a Regional Long-Term Financial Plan.** By June 30, 2026, RTPAs shall submit a plan to sustain transit operations absent additional discretionary or nonformula state funding. The plan should demonstrate the implementation of ridership retention and recovery strategies, including, policies that prioritize safety and cleanliness and streamlined coordination between transit operators, such as schedule coordination, operational management, and site sharing, to improve rider experience. The plan must also include a five-year forecast of operating funding requirements with detail on all sources of funding proposed for operations, including any new local and regional funding sources being pursued and the progress and improvements implemented since the last submitted regional short-term financial plan.
- **Transit Data Posted.** RTPAs must post on its website a summary of monthly ridership data, consistent with the data submitted to the National Transit Database, from all its transit operators during the period of time for which it receives those moneys.
- **ZETCP Use of Funds Report.** By October 31 of each year, RTPAs shall submit a report to CalSTA that describes how much funding was used for operating costs; the number, type, date, and location of zero-emission buses, trains, or other vehicles purchased; the number, type, data, and location of electric charging stations or hydrogen fueling stations installed; the nameplate capacity of installed equipment in kilowatts for electric charging stations and kilograms per day for hydrogen fueling stations; and the total costs and the source of funding for vehicles and equipment purchased using these funds.
- **CalSTA Responsibilities.** Provide technical assistance to transit operators to transition to GTFS Real Time; work with Caltrans and regions to identify improvements that could grow ridership (including transit priority); work with Caltrans and regions to identify costs of revenue collections (including Cal-ITP);

B. New Transit Transformation Task Force (Gov't Code § 13979.3)

- **To Be Convened By The End of the Year.** Membership includes Caltrans, local governments, MPOs, RTPAs, public transit advocacy organizations, labor, academia, Legislative Committee representatives, and others at the discretion of CalSTA. Operators shall represent bus, rail, ferry, and multi-modal services.
- **Goal:** grow transit ridership and improve the transit experience for all users
- **Timeline.** CalSTA shall publish a report of recommendations by October, 2025.
- **Data to Collect.** The report must include: details of current services provided, demographics, funding source breakdowns (and limitation) for capital and operations, use of TDA funds for other modes, 10 year costs estimates that include costs of local, state, and federal mandates (e.g, ADA and Clean Transit regulations, workforce challenges, state and local policies that effect service and ridership, such as transit prioritization on roads, land use, housing, and pricing policies, state agency responsibilities and COVID service responses.

- **Recommendations to Be Made.** The report must also include recommendations to improve mobility and increase ridership (e.g., service and fare integration between agencies, providing safe and clean experiences, increasing service frequency and reliability, first and last mile access, fleet management, land use, housing and pricing policy changes, workforce development challenges, TDA reform (fare box recovery), new options for revenue, and options to value capture *of property near transit*.

C. SOME INITIAL OBSERVATIONS (And Please Share Yours With Us!)

- **Clean Up Legislation?** We have heard differing opinions about the need for clean up Legislation. There is at least one instance where a specific date in the statute does not make sense, which suggests the need for some clean up. There are also some undefined terms, like “transit operator,” where further clarification could provide better certainty. If there is any clean up Legislation, it will likely be part of a “baby budget” bill that includes clean up across several budget items.
- **Guidelines ASAP!** CalSTA must develop program Guidelines by September 30 that will be immediately applicable to \$2.4 billion allocated this budget in consultation with RTPAs and transit operators (among others).
- **Scope of CalSTA Authority.** The statute could be read many ways. But CalSTA is clearly required to “approve” the short- and long-term plans upon which funding is dependent. And the plan requires, among other things, that the RTPA provide “justification for how the region’s funding is proposed to be allocated to capital and operational expenses.” Some have expressed concern that the language invites general scrutiny beyond TIRCP and ZETCP funds to the general budget decisions of the RTPAs and transit operators in the region. We also find it interesting that the RTPA may be in the role of “justifying” specific decisions of transit operators.
- **Basic Definitions.** There is some question of whether basic terms like transit operator need more definition. The quick development of the Guidelines provides some opportunity for clarity, but significant policy decisions (like determining which operators are eligible for funding) are less likely to be accomplished in Guidelines.
- **Other Remaining Uncertainties.** There are no doubt a large number of questions that either the Guidelines or clean up legislation could/should address. Here is our start:
 - What level of review or deference will CalSTA apply in reviewing plans submitted by or projects selected by the RTPA?
 - What happens when CalSTA disagrees with an RTPA demonstration or justification; what level of deference will be applied?
 - What unexpected issues may arise by requiring this new level of coordination between RTPAs and transit providers within such a short time period?
 - How will RTPA’s cover the costs of managing funds, developing short- and long-term plans, compiling data, and undertaking other obligations?

D. STATUTORY LANGUAGE

Government Code § 13979.3.

- (a) On or before January 1, 2024, the agency shall establish and convene the **Transit Transformation Task Force**.
- (b) The task force shall include, but is not limited to, representatives from transit operators, both small and large operating in urban and rural jurisdictions, the Department of Transportation, local governments, metropolitan planning organizations, regional transportation planning organizations, transportation advocacy organizations with expertise in public transit, labor organizations, academic institutions, the Senate Committee on Transportation, the Assembly Committee on Transportation, and other stakeholders, as appropriate, at the discretion of the agency. Transit operators included on the task force shall include a mix of agencies that provide bus-only service, rail-only service, ferry-only service, and multimodal service.
- (c) The task force shall develop a structured, coordinated process for engagement of all parties to solicit and develop policy recommendations to grow transit ridership and improve the transit experience for all users of those services.
- (d) The agency shall, in consultation with the task force, prepare and submit a report of findings and policy recommendations, including identifying where statutory changes would be needed to implement recommendations, based on the task force's efforts to the appropriate policy and fiscal committees of the Legislature on or before October 31, 2025. The report shall identify the financial and technical feasibility of those recommendations.
- (e) The report shall include, but is not limited to, and to the extent feasible, a detailed analysis of the following issues:
- (1) The services provided by transit agencies and the demographics of transit ridership, with detail on services provided, including persons with disabilities, or specific populations like low-income individuals and students.
 - (2) Existing funding sources for transit with a breakdown of funding available for capital and operations, including any constitutional and statutory limitations on these existing funding sources.
 - (3) The use of moneys from local transportation funds established pursuant to Section 29530 for other modes, such as streets and roads.
 - (4) The cost to operate, maintain, and provide for the future growth of transit systems for the next 10 years.
 - (5) The costs and operational impacts associated with federal, state, and local mandates, including, but not limited to, the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132) and the State Air Resources Board's Innovative Clean Transit regulations (Article 4.3 (commencing with Section 2023) of Chapter 1 of Division 3 of Title 13 of the California Code of Regulations), to the extent feasible.
 - (6) Workforce recruitment, retention, and development challenges, impacting transit service.
 - (7) Existing policies on state and local metrics to measure transit performance.
 - (8) State and local policies that impact service efficiency and transit ridership, including, but not limited to, transit prioritization on roads, land use, housing, and pricing policies.
 - (9) Identification of state departments and agencies that have responsibility for transit system oversight, grant administration, and reporting.
 - (10) Information on how transit agencies modified their services in response to the COVID-19 pandemic and resulting drop in ridership and revenue.
 - (11) The division of transit funding between capital and operations.
- (f) The report shall also include, but is not limited to, recommendations on the following:
- (1) How to improve mobility and increase ridership on transit, including, but not limited to: (A) Service and fare coordination or integration between transit agencies. (B) Coordinated scheduling, mapping, and wayfinding between transit agencies. (C) Providing a safe and clean ride for passengers and operators. (D) Increasing the frequency and reliability, through strategies that include, but are not limited to, the sharing of real-time transit information such as arrival and departure times and predictions, service alert data, and transit prioritization on roads. (E) Strategies to provide first- and last-mile access to transit. (F) Strategies to achieve fleet and asset management goals and needs, including funding approaches.
 - (2) Changes to land use, housing, and pricing policies that could improve public transit use.
 - (3) Strategies to address workforce recruitment, retention, and development challenges.
 - (4) Reforming the Transportation Development Act (Chapter 4 (commencing with Section 99200) of Part 11 of Division 10 of the Public Utilities Code), including, but not limited to, replacing the fare box recovery ratios and efficiency criteria with performance metrics that better measure transit operations.
 - (5) Identification of the appropriate state department or agency to be responsible for transit system oversight and reporting.
 - (6) New options for revenue sources to fund transit operations and capital projects to meet necessary future growth of transit systems for the next 10 years.
 - (7) The potential of transit-oriented development and value capture of property around transit stations as a source of sustainable revenue for transit operations.

(g) The task force may consult with the California Transportation Commission to use its work on the needs assessment prepared pursuant to Section 14518 regarding the identification of future transit capital and operational needs. The task force may use data provided pursuant to Section 13987 to inform the analysis.

(h) This section shall remain in effect only until January 1, 2028, and as of that date is repealed.

Government Code § 13987.

(a) Subject to the appropriation of funds for the purposes described in paragraphs (1) and (2) in the Budget Act of 2023, 2024, 2025, or 2026, the agency shall develop and administer an accountability program related to the distribution of funds from the following sources: (1) Funds appropriated to the agency in the annual Budget Act from the General Fund for purposes of the Transit and Intercity Rail Capital Program (Part 2 (commencing with Section 75220) of Division 44 of the Public Resources Code) for allocation pursuant to Section 99313 of Public Utilities Code. (2) Funds appropriated to the agency in the annual Budget Act from the Greenhouse Gas Reduction Fund and the Public Transportation Account for purposes of the Zero-Emission Transit Capital Program (Part 6 (commencing with Section 75260) of Division 44 of the Public Resources Code) for allocation pursuant to paragraphs (1) and (2) of subdivision (a) of Section 99312.1 of the Public Utilities Code.

(b) (1) The agency shall, in consultation with transportation planning agencies, county transportation commissions, transit development boards, and transit operators, develop guidelines aligned with the legislative intent described in subdivision (d) of Section 75226 of, and subdivision (f) of Section 75260 of, the Public Resources Code for the administration of the funding described in subdivision (a).

(2) The guidelines described in this section shall be exempt from the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1).

(3) Before adopting or modifying the guidelines pursuant to paragraph (4), the agency shall adopt draft guidelines, post those draft guidelines on its internet website, and conduct at least one public workshop or hearing on the draft guidelines. Nothing in this section precludes the agency from conducting additional public workshops or posting informal draft guidelines to inform guideline development before the adoption of final guidelines.

(4) (A) The agency shall adopt the final guidelines governing the distribution of funds for the 2023–24 fiscal year on or before September 30, 2023.

(B) The agency may modify the guidelines adopted pursuant to subparagraph (A) for the distribution of funds for the 2024–25 fiscal year no later than September 30, 2024.

(c) (1) (A) A regional transportation planning agency may only receive an allocation of funds in the 2023–24 fiscal year from the funding sources described in subdivision (a) if both of the following conditions are met by December 31, 2023:

(i) Except as provided in subparagraph (B), the regional transportation planning agency submits, and the agency approves, a regional short-term financial plan for immediate service retention consistent with the adopted guidelines and the requirements set forth in subdivision (e). If a regional transportation planning agency elects to use the funds described in subdivision (a) for operations for any of its transit operators in the 2023–24 fiscal year or forecasts operational need between the 2023–24 and 2026–27 fiscal years, inclusive, for any of its transit operators, then it shall submit a regional short-term financial plan pursuant to this clause.

(ii) The regional transportation planning agency submits to the agency regionally compiled transit operator data that is consistent with requirements included in the adopted guidelines and the requirements set forth in subdivision (f), and is compiled in coordination with transit operators providing service within the jurisdiction of the regional transportation planning agency.

(B) A regional transportation planning agency shall not be required to submit a regional short-term financial plan pursuant to subparagraph (A) if it declares that it does not have an operational need between the 2023–24 and 2026–27 fiscal years, inclusive, for any of its transit operators and will not use funding sources described in subdivision (a) for operations for any of its transit operators.

(2) A regional transportation planning agency may only receive an allocation of funds in the 2024–25 fiscal year from the funding sources described in subdivision (a) if it submits, and the agency approves, an updated regional short-term financial plan, and updated transit operator data, as described in paragraph (1), by December 31, 2025. The requirement to submit a regional short-term financial plan to receive 2024–25 fiscal year funding shall apply to all regional transportation planning agencies receiving funding described in subdivision (a) regardless of whether the agency was exempt pursuant to subparagraph (B) of paragraph (1).

(3) Notwithstanding paragraphs (1) and (2), the agency shall provide a regional transportation planning agency that does not meet requirements specified in paragraph (1) or (2) with an opportunity to remedy its plan and data and shall provide the allocation of funding after the requirements are met by no later than April 30, 2024, for the 2023–24 fiscal year and by no later than April 30, 2025, for the 2024–25 fiscal year.

(4) Upon agency approval of a regional short-term financial plan pursuant to paragraph (1) or (2), a regional transportation planning agency shall post the plan on its internet website.

(d) A regional transportation planning agency shall submit a long-term financial plan consistent with the requirements of subdivision (g) to the agency by June 30, 2026, that addresses the approach to sustain its region's transit operations absent additional discretionary or nonformula state funding.

(e) For purposes of subdivision (c), a regional short-term financial plan shall include, but is not limited to, all of the following:

(1) A demonstration of how the region will address any operational deficit, using all available funds including the fund sources described in subdivision (a), through the 2025–26 fiscal year, based on a 2022 service baseline.

(2) Justification for how the region's funding is proposed to be allocated to capital and operational expenses.

(3) A detailed breakdown and justification for how the funding is proposed to be distributed between transit operators and among projects, consistent with the legislative intent described in subdivision (d) of Section 75226 of, and subdivision (f) of Section 75260 of, the Public Resources Code

(4) A demonstration of how the plan will mitigate service cuts, fare increases, or layoffs relative to a 2022 service baseline to achieve short-term financial sustainability.

(5) A summary of how the plan will support ridership improvement strategies that focus on riders, such as coordinating schedules and ease of payment and improving cleanliness and safety, to improve the ridership experience.

(f) For purposes of subdivision (c), a regional transportation planning agency shall compile and submit regionally representative transit operator data to the agency including, but not limited to, all of the following data:

(1) Existing fleet and asset management plans by transit operator.

(2) Revenue collection methods and annual costs involved in collecting revenue for each transit operator and regional transportation planning agency involved.

(3) A statement of existing service plan and planned service changes.

(4) Expenditures on security and safety measures.

(5) Opportunities for service restructuring, eliminating service redundancies, and improving coordination amongst transit operators, including, but not limited to, consolidation of agencies or reevaluation of network management and governance structure.

(6) Schedule data in General Transit Feed Specification (GTFS) format to enable full visibility of service and service changes where feasible.

(g) For purposes of subdivision (d), a regional long-term financial plan shall include, but is not limited to, both of the following:

(1) Demonstration of the implementation of ridership retention and recovery strategies, including, but not limited to, policies that prioritize safety and cleanliness and streamlined coordination between transit operators, such as schedule coordination, operational management, and site sharing, to improve rider experience.

(2) A five-year forecast of operating funding requirements with detail on all sources of funding proposed for operations, including any new local and regional funding sources being pursued and the progress and improvements implemented since the last submitted regional short-term financial plan.

(h) As a condition of receiving moneys from the funding sources described in subdivision (a), a regional transportation planning agency shall post on its internet website a summary of monthly ridership data, consistent with the data submitted to the National Transit Database, from all its transit operators during the period of time for which it receives those moneys.

(i) (1) The agency shall support the transit goals set forth in this section by doing all of the following:

(A) Providing technical assistance to transit operators to transition to GTFS Real Time.

(B) Working with the Department of Transportation and each region to identify service improvements that could further grow ridership at both regional and interregional levels, including, but not limited to, transit priority.

(C) Working with the Department of Transportation and each region to identify opportunities to reduce the costs of revenue collection across operators, including through their California Integrated Transit Project.

(2) The agency may withhold up to five million dollars (\$5,000,000) of the funding described in subdivision (a) to administer the accountability program established pursuant to this section. This funding shall be available for encumbrance and liquidation until June 30, 2028.

(j) For purposes of this section, "regional transportation planning agency" means a recipient of funding described in paragraphs (1) and (2) of subdivision (a) of Section 99312.1 of the Public Utilities Code.

Government Code § 14509.5.

(a) Notwithstanding any other law, each member of an advisory committee to the commission who is not a commission member shall receive a per diem of one hundred dollars (\$100) for each day actually spent in the discharge of authorized advisory committee duties, and shall also be reimbursed for traveling and other expenses necessarily incurred in the performance of those duties.

(b) For purposes of this section, "advisory committee" includes, but is not limited to, those committees described in Sections 14506 and 14506.5 of this code and Section 3090 of the Vehicle Code.



CONTRA COSTA
transportation
authority

Contra Costa County Transit Landscape

July 2023

Ying Smith, Director, Mobility Programs



Service Provider Overview

BUS TRANSIT

County Connection (Joint Powers Agency)

Serving Concord, Pleasant Hill, Martinez, Walnut Creek, Clayton, Lafayette, Orinda, Moraga, Danville, San Ramon, and unincorporated communities in Central County. Board of Directors appointed by each member jurisdiction.

Tri Delta Transit (Joint Powers Agency)

East County including Antioch, Pittsburg, Bay Point, and Brentwood. Board of Directors appointed by each member jurisdiction.

WestCAT (Joint Powers Authority)

West County including Hercules, Pinole, and unincorporated areas of the County. Board of Directors appointed by each member jurisdiction.

AC Transit (Alameda/Contra Costa Transit District)

Serving Richmond, San Pablo, and El Cerrito in Contra Costa County and western Alameda County. Board of Directors elected directly to AC Transit Board representing wards plus two elected at large.



Service Provider Overview

RAIL

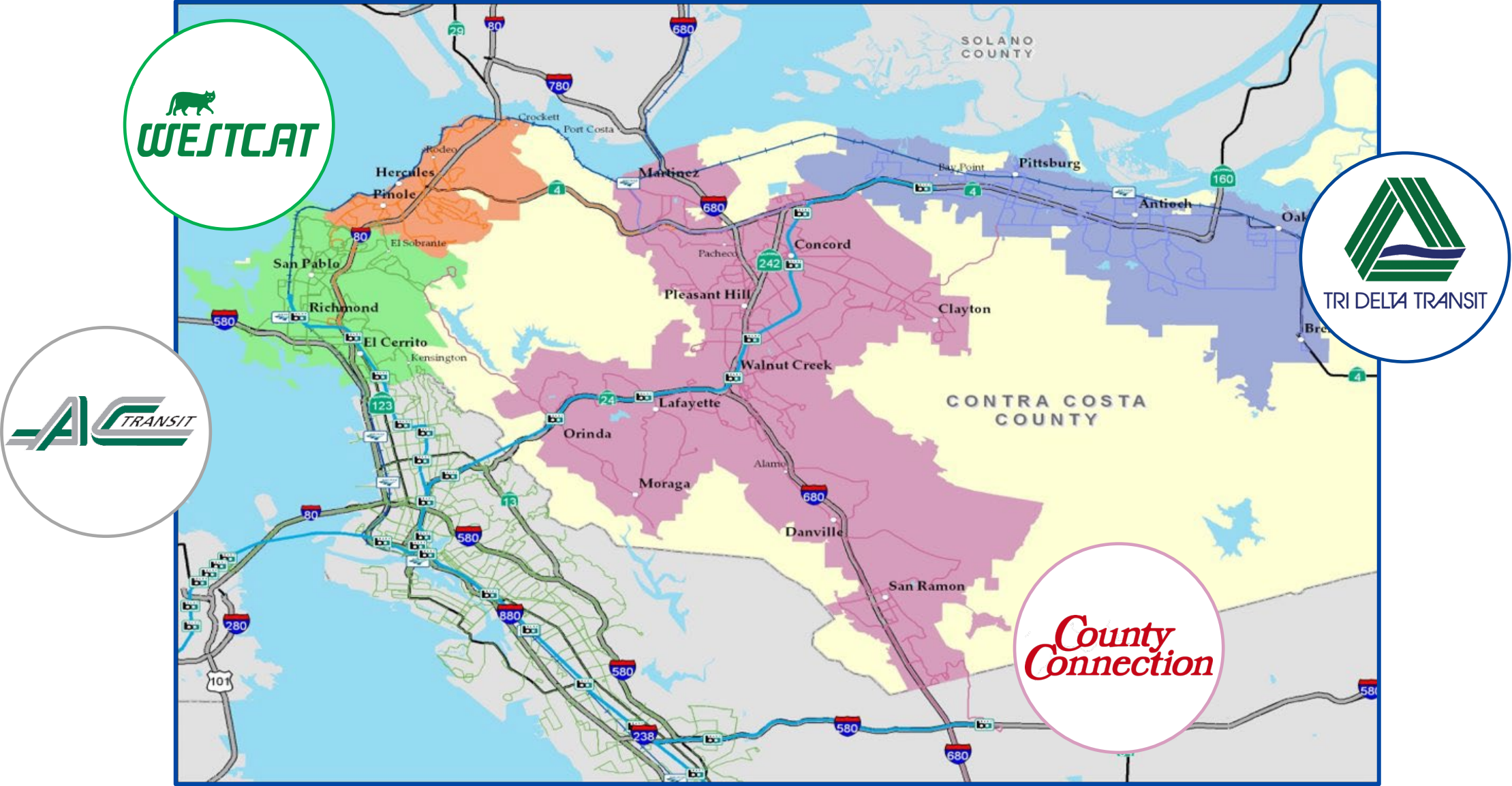
- **BART** Contra Costa County Lines
 - Yellow Line: Antioch – SFO and Millbrae
 - Red Line: Richmond – SFO and Millbrae
 - Orange Line: Berryessa/North San Jose-Richmond
- **Capitol Corridor** Contra Costa Stations
 - Martinez, Richmond
- **Amtrak San Joaquins** Contra Costa Stations
 - Antioch, Martinez, Richmond

FERRY

- **San Francisco Bay Ferry** Contra Costa Service
 - San Francisco/Richmond



Bus Transit Service Area Map



County Connection

Bill Churchill, General Manager



Service Area: 200 square miles

Service Population: 482,400

Ridership & Revenue Hours:

	Ridership – Fixed Route	Ridership – Demand Response/Paratransit	Revenue Hours
FY18/19	3,252,149	152,716	308,206
FY21/22	1,908,475	65,862	239,250

Fleet Size: 125 fixed-route buses and 63 Paratransit vans

Annual Operating Budget FY 23/24: \$49,667,889

Services: Local and Express buses, Go San Ramon on demand, School services, Paratransit

Zero-Emission Bus Plans: 100% ZEB by 2040: Mix of hydrogen fuel cell and battery electric buses

Tri Delta Transit

Rashidi Barnes, CEO



Service Area: 225 square miles

Service Population: 315,000+

Ridership & Revenue Hours:

	Ridership – Fixed Route	Ridership – Demand Response/Paratransit	Revenue Hours
FY18/19	1,825,574	160,346	205,659
FY21/22	889,091	146,051	201,993

Fleet Size: 62 fixed-route buses and 36 Paratransit vans and buses

Annual Operating Budget FY 23/24: \$35,332,185

Services: Local and Express buses, Tri MyRide, Mobility on Demand, Paratransit

Zero-Emission Bus Plans: 100% ZEB by 2036: Approx 50/50 mix of hydrogen fuel cell and battery electric buses

Service Area: 20 square miles

Service Population: 67,000

Ridership & Revenue Hours:

	Ridership – Fixed Route	Ridership – Demand Response/Paratransit	Revenue Hours
FY18/19	1,143,874	35,671	109,890
FY21/22	551,806	13,323	78,835

Fleet Size: 54 fixed-route buses and 12 Paratransit buses

Annual Operating Budget FY 23/24: \$15,307,000

Services: Local and Express buses, Transbay buses, Paratransit, Senior Dial-A-Ride

Zero-Emission Bus Plans: 100% ZEB by 2040: 100% hydrogen fuel cell

AC Transit (Alameda + Contra Costa)

Michael Hursh, General Manager



Service Area: 364 square miles

Service Population: 1,500,000

Ridership & Revenue Hours:

	Ridership – Fixed Route	Ridership – Demand Response/Paratransit	Revenue Hours
FY18/19	53,303,040	764,131	2,486,382
FY21/22	28,909,000	316,792	1,891,321

Fleet Size: 635 vehicles

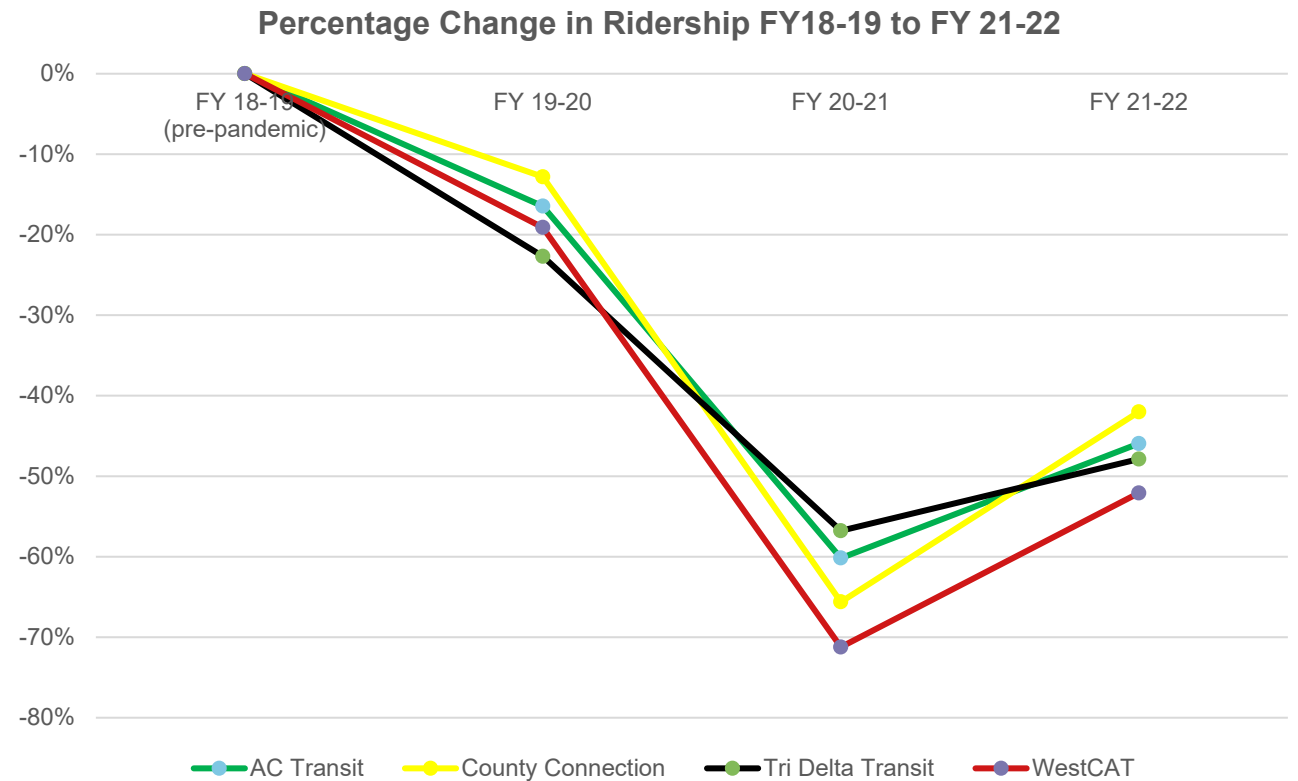
Annual Operating Budget FY 23/24: \$545,900,000

Services: Local and express buses, Transbay buses, school services, Paratransit *(Provided by a consortium between BART and AC Transit dba East Bay Paratransit)*

Zero-Emission Bus Plans: 100% ZEB by 2040: 70% hydrogen fuel cell, 30% battery electric

Percentage of Total Ridership Change

Agency	FY18/19 Total Ridership	FY 21/22 Total Ridership	Percentage Change
County Connection	3,404,865	1,974,337	-42%
Tri Delta Transit	1,985,920	1,035,142	-48%
WestCAT	1,179,545	565,129	-52%
AC Transit	54,067,171	29,225,792	-46%



Data source: Latest data available from National Transit Database, FTA

Ridership Trends and Focus in 2023

- Ridership recovery varies by agency, trip type and travel period
- Return-to-work rebound has plateaued
- Commuter ridership is lagging
- Local service is in strong post-Covid recovery
- Service demands are all day rather than peak hours
- County Connection gained back weekend and school ridership
- Agencies are focusing on rebalancing service within budget constraints
- Starting in September, BART's reimagined service plan is redistributing trips to nights and weekends and to their highest ridership line: Antioch-SF (Yellow Line).

Bus Transit Revenue Sources

- Farebox
- Non-Fare revenue: Advertising, interest, vending, etc.
- Property Taxes
- County Sales Tax: Measure J in Contra Costa, BB and VV in Alameda
- Transportation Development Act
- State Transit Assistance
- Federal Transit Grants
- Other

FY 2022/23 Operating Revenue by Agency

Revenue Source	Description	County Connection	Tri Delta Transit	WestCAT	AC Transit
Farebox Revenue	Revenue derived from passenger fares	5%	6%	7%	5.3%
Non-Fare Revenue	Advertising on buses and shelters, interest, vending, etc.	6%	2%	Less than 1%	2.4%
Property Tax	Levied by Alameda and Contra Costa Counties each Fiscal Year on taxable real and personal property situated within the AC Transit District.	0%	0%	0%	24.1%
County Sales Tax	Measure J in Contra Costa, Measure BB and VV in Alameda	15%	7%	12%	19.2%
Transportation Development Act (TDA)	¼ cent state sales tax collected by county for the Local Transportation Fund (LTF). Available to transit operators for operations and capital with restrictions. Administered by MTC.	43%	68%	23%	18.9%
State Transit Assistance (STA)	Revenue generated by sales tax on diesel fuel. Allocated to transit for operations or capital by formula. Revenue based portion directly to operators. Population based portion through MTC.	12%		8%	5.4%
Federal Transit Grants & Stimulus	Federal grant funds primarily for capital only. Small portions can be used for operations. American Rescue Act for operations. ADA assistance funds.	16%	14%	22%	13.5%
Other	AB 1107, AB 434 (TFCA), RM2, Lifeline Transportation Program, BART Feeder, etc.	3%	4%	28%	11.2%

Measure J Transit Fund Allocation

Funding Allocation by Subregion Compared to Current Job/Housing Distribution

Subregion	MJ 14 Allocation	MJ 15 Allocation	MJ 16 Allocation	Job/Housing Distribution
Central County	24%	25%	20%	30.7%
West County	52%	35%	40%	26.6%
Southwest	15%	17%	20%	20.5%
East County	9%	23%	6%	22.2%

Notes:

Measure J allocation: per the 2004 Expenditure Plan

14: Countywide Bus

15: Transportation for Seniors & Disability

16: Express Bus

Other MJ programs available to Central and West subregions (not listed): additional Bus Transit Enhancements and additional Transportation for Seniors and People with Disabilities

Integrated Transit Plan

CCTA's **transit-first vision** includes an Integrated Transit Plan (ITP) that provides technical and planning guidance with a clear vision for delivering a robust transit network that **connects all major activity centers and regional hubs in Contra Costa.**





Project Oversight Committee Kickoff & Interviews

- The ITP kicked off in April with the first meeting of the Project Oversight Committee.
- The committee includes representatives from MTC, AC Transit, WestCAT, County Connection, and Tri Delta Transit.
- In June, the ITP Consultant team conducted 1:1 interviews with members of the POC and executive staff from each agency

Key Themes

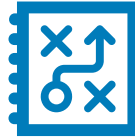
Questions focused on the agency's goals, priorities and initiatives, coordination efforts, current challenges and needs, and possible solutions.

Discussion revolved around topics like:

- Funding and Financial Sustainability
- Evolving Travel Patterns, Rider Needs, and Equity
- Operational Efficiency and Service Improvements
- Technology and Innovation
- Coordination and Integration
- Stakeholder Engagement

Aspirations for the ITP and Beyond

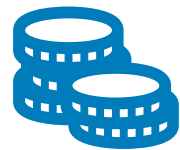
The agencies are looking to CCTA to:



provide a comprehensive roadmap for transportation within the county



identify and prioritize projects that are supported and ready for implementation

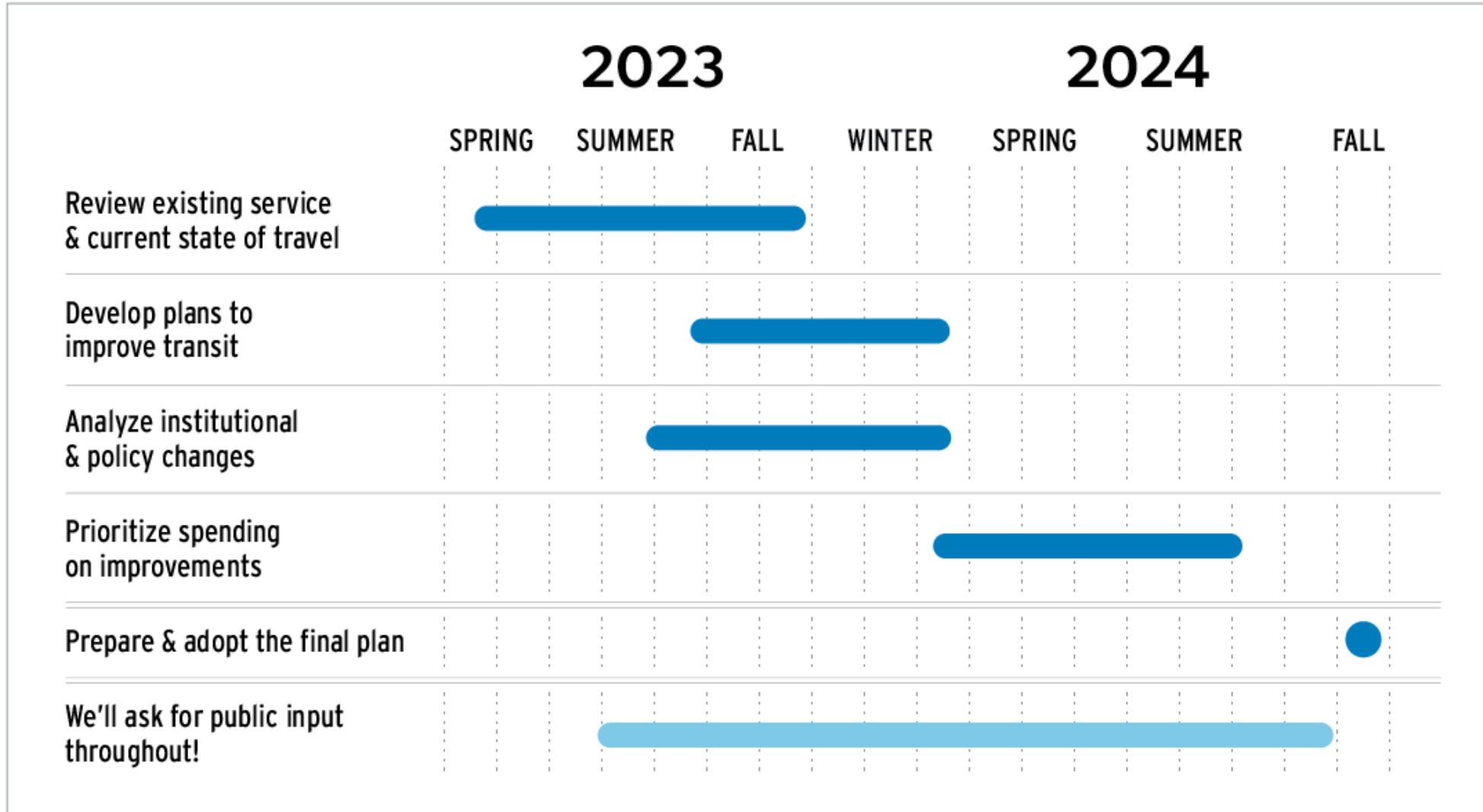


seek and secure funds for operations and capital projects to address congestion and transit priority



develop shared interests and build consensus around new initiatives, like transit priority policies

Project Schedule



Coordination with Transit Agency Studies & Regional Initiatives

Transit Agency Input

- Service Assessment: input from transit operators' data, studies and passenger survey
- Interviews
- Qualitative input

Regional Initiatives

- Transit 2050+
- Regional Network Management
- State and Regional Funding for Transit

Project Status

Project Highlights	Timeline & Status
Project & Project Oversight Committee Kick-Off	April 2023 <i>Complete</i>
Stakeholder Engagement	May 2023 – August 2024 <i>Ongoing</i>
Service Assessment & Travel Market Analysis	May 2023 - October 2023 <i>In Progress</i>
Service Assessment Memo & Presentation	September 2023
Transit Action Plan Framing Workshop	September 2023
Transit Action Plan Playbook & Presentation	February 2024
Institutional & Policy Changes White Paper	February 2024
Capital Improvements Memo & Presentation	August 2024
Expected Project Completion	December 2024

Questions?

For more information, visit: ccta.net/ITP





CONNECT CONTRA COSTA

Planning for Tomorrow's Transportation



Outreach Summary

Action Plan and Countywide Transportation Plan Updates March - May 2022



CONTRA COSTA
transportation
authority

Prepared by:

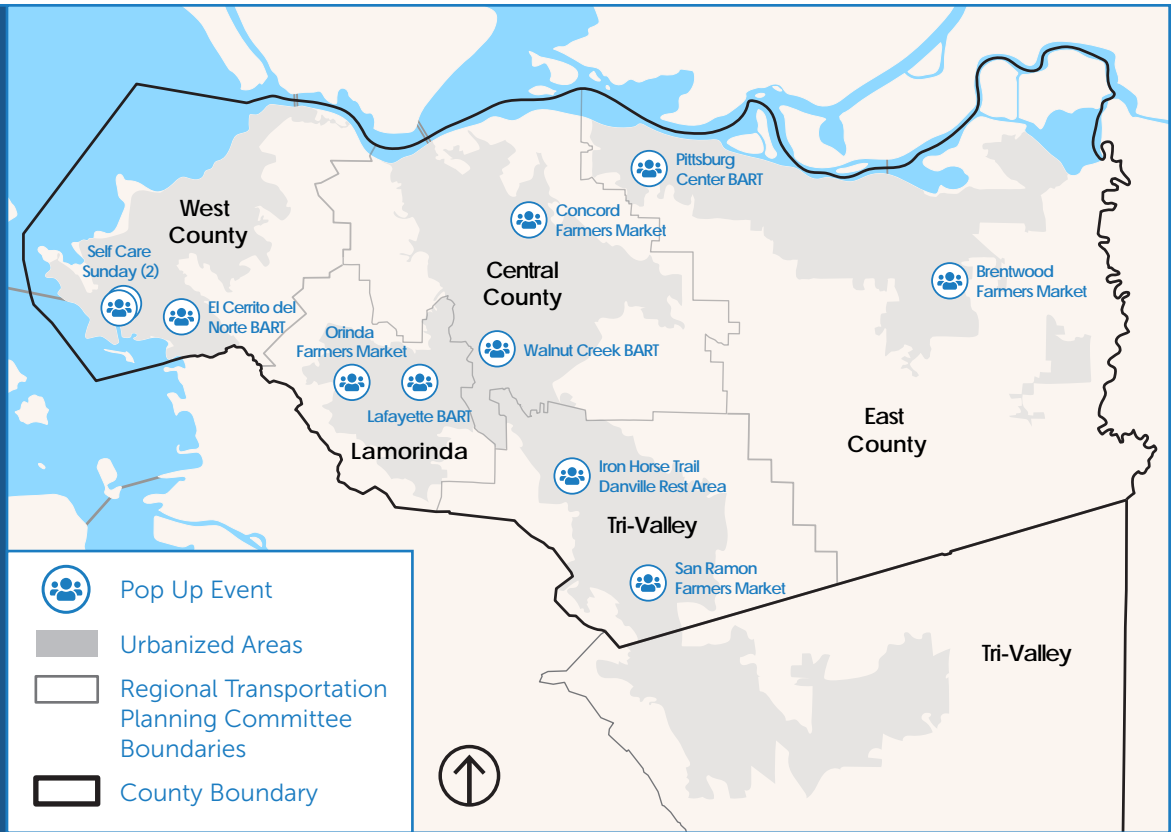


PLACEWORKS

Introduction

This document outlines the first round of public outreach conducted by the Contra Costa Transportation Authority (CCTA) and its consultants between March and April 2022 for the Action Plan and Countywide Transportation Plan Updates. Outreach was conducted to the general Contra Costa Community and the Alameda County portion of the Tri Valley area. Feedback was collected both in-person and virtually to provide for a variety of feedback channels:

- **11 In-Person Pop Up Events**
- **5 Virtual Workshops**
- **Online Community Forum Survey**
- **421 Project Flyers Distributed!**



Each CCTA subregion had two in-person pop up events and one virtual workshop, except for the West County subregion where a repeated pop up was conducted due to a last-minute rain cancellation. The online community forum survey was available countywide for all residents.



TRI-VALLEY AREA: San Ramon Farmers Market

Saturday, March 5th 2022 from 9:00 am to 1:00 pm
 6000 Bollinger Canyon Road
 San Ramon

In-person pop up events included interactive poster boards, surveys, and project flyers while the virtual workshops included a PowerPoint presentation and group discussion. Regardless of the event, participants were asked the same set of questions (*though additional feedback was welcomed and encouraged*):

- **What do you think transportation should look like in the future?**
- **What can we do to help you with your transportation needs?**
- **What is your bright idea for improving transportation in the County?**

A total of 704 comments were collected through this outreach effort. 151 of these comments were made on the online community forum survey, the remaining 553 comments were collected during the pop-up and workshop events.



151
People
Commented
Online

553 People
Commented
In Person

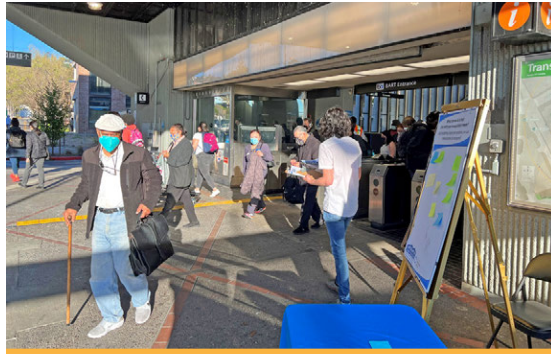




Demographic Breakdown



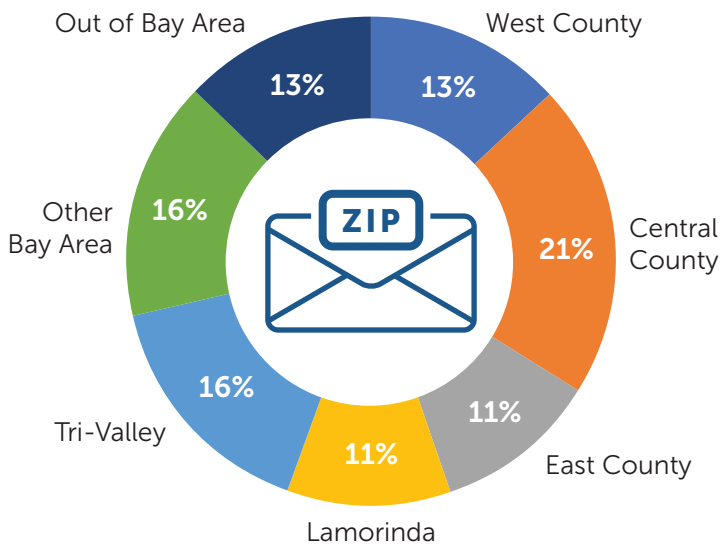
The project team collected optional demographic information on the written surveys at the pop-up events, during registration for the virtual workshops, and on the online community forum survey. Note that not all respondents chose to share demographic information. Percentages shown on this page indicate the percentage of responses in each category, not demographics of all respondents.



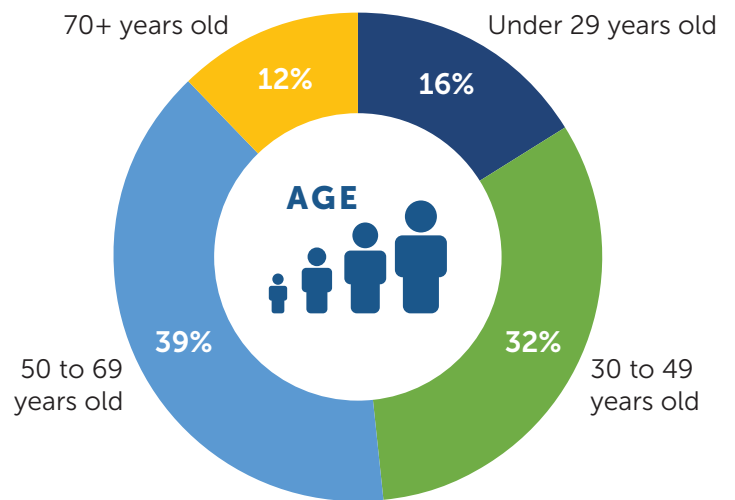
WEST COUNTY: El Cerrito del Norte BART

Tuesday, March 22nd
2022 from 4:00 pm
to 6:00 pm
6400 Cutting Blvd,
El Cerrito

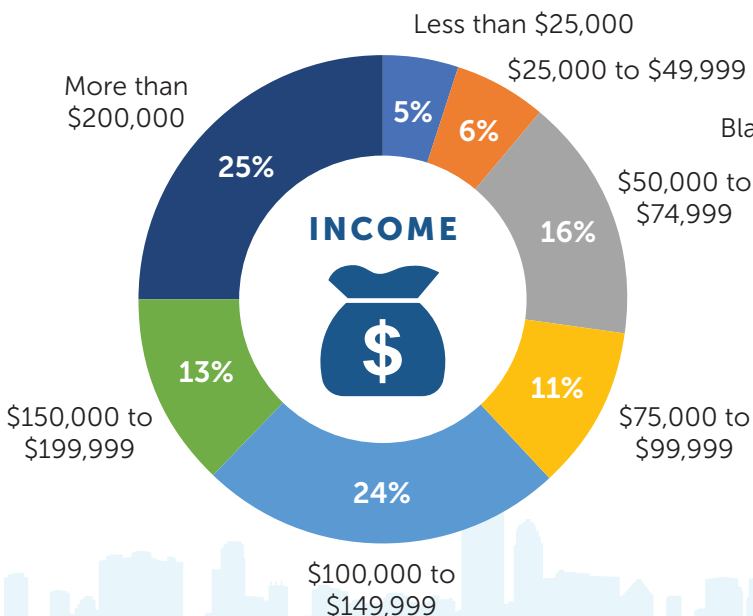
Zip Code - 38 Responses



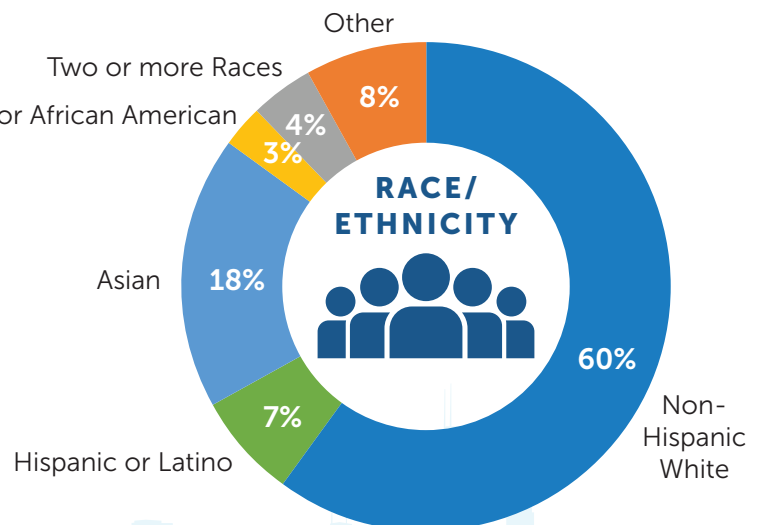
Age - 74 Responses



Household Income - 63 Responses



Race/ Ethnicity - 73 Responses



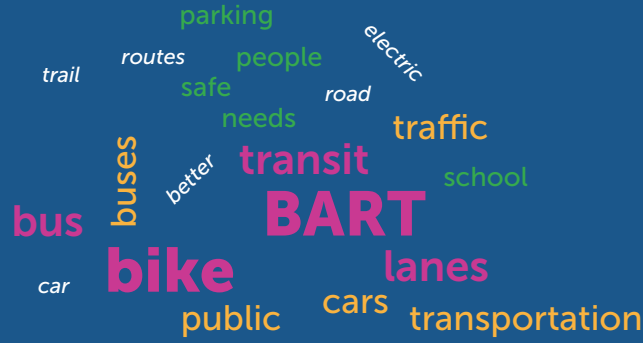
* 0% American Indian or Alaska Native
** 0% Native Hawaiian or Pacific Islander



General Comments



Of the 704 total comments, 470 of them were general comments about countywide transportation and not focused on improvements in a specific subregion. The most commented words include:



This list of comments includes frequently mentioned topics and ideas but is not an exhaustive list of general comments. Comments are not listed in order of priority.

- Increase walkability and explore pedestrian-only areas
- Increase bikeability, number of bike lanes, and their convenience and safety
- Ensure bicyclists and pedestrians feel safe
- Conduct safety presentations for pedestrians, cyclists, and drivers
- Bike and scooter share
- Improve last mile connections to public transit
- Bus express lanes or bus-only lanes on freeways and arterials
- Public transit improvements to frequency, hours of service, reliability, and cleanliness
- Ensure public transportation is accessible for all socioeconomic groups
- Improve paratransit and other accessible transportation options and solutions
- Safety improvements on BART and buses
- Improved parking options at major transit stations
- Plan for regional connections throughout the county and beyond
- Electrify the transportation system (public and private) and improve infrastructure
- Explore autonomous vehicles
- Decrease number of potholes on freeways and major roadways
- Decrease traffic congestion
- Improve the timing of traffic lights



EAST COUNTY: Brentwood Farmers Market

Saturday, March 26th 2022
from 8:00 am to 12:00 pm
Oak Street and 1st Street,
Brentwood



CENTRAL COUNTY: Concord Farmers Market

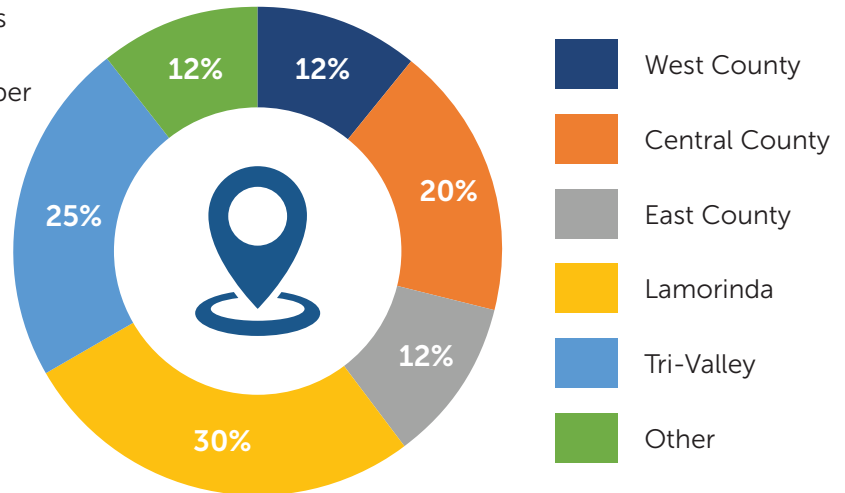
Tuesday, March 8th 2022
from 10:00 am to 2:00 pm
Todos Santos Plaza at 2175
Willow Pass Road,
Concord



Specific Comments

The graph to the right indicates the percent of comments that were collected by subregion, with some subregions more eager to comment than others. Note that the number of comments by subregion does not reflect the number of people engaged with, but rather the number of comments since many participants chose to provide more than one comment.

Of the 704 comments collected, 234 of them were comments made to indicate transportation improvements in a specific subregion. The most frequently mentioned topics and ideas are listed in the following pages. Note that this list is not exhaustive and are not listed in order of priority.



West County

Incorporated Jurisdictions:

Hercules, Pinole, San Pablo, Richmond, El Cerrito

Feedback regarding West County focused on safe and adequate roadways, transit improvements, bike and pedestrian improvements and safety of all modes. There was little mention of technology, climate change, and equity.

- Desire for well-maintained, continuous, protected/safe/calm bike facilities that cross cities, especially connecting to waterfront destinations and regional routes, with safe and easy freeway crossings
- Need for traffic calming techniques
- Improve transit access for those with mobility needs
- Give bus priority on arterial routes between Alameda County and Contra Costa County
- Provide timed/coordinated service between BART, Amtrak, and various bus agencies to serve long-distance and regional travel
- Ensure public transportation is safe, comfortable, and efficient
- Increase frequency of BART
- Improve streetlight issues throughout Richmond, replace traffic lights, fix potholes and paving issue areas
- Many comments mentioning improvements to specific roadways, including: San Pablo Ave, Cutting Blvd, Central Ave, Canal Blvd, and 15th Street

Central County

Incorporated Jurisdictions:

Martinez, Concord, Pleasant Hill, Walnut Creek, Clayton

Feedback regarding Central County focused on transit improvements, bike and pedestrian sidewalk and intercity access, need for traffic calming, and equity in the transportation system. Few comments are made regarding climate change and technology.

- Address active and public transportation barriers for those with mobility needs, including ADA accessible bike and pedestrian facilities, taxi service with wheelchair access, and extended service hours
- Increase traffic calming techniques along busy roadways
- Desire for safe bike and pedestrian connections across the subregion, particularly when crossing roadways and train tracks
- Provide continuous sidewalks and bike lanes and install lighting for safe travel in the dark
- Provide protected bike lanes to schools
- Improve traffic light cycles and remove unprotected left turns
- Reduce neighborhood cut-through traffic
- Connect trail networks to transit hubs
- Encourage public transit ridership again

East County

Incorporated Jurisdictions:

Pittsburg, Antioch, Brentwood, Oakley

Feedback regarding East County focused on improvements to and extension of the BART system.

- More frequent BART service and extension to Brentwood
- Increased BART connections and access, including parking, carpooling, or commuter buses from outlying communities
- Deploy High-Occupancy Vehicle (HOV) commuter buses to job centers and BART stations
- Increase off-street bikeways and connections to BART and railroads
- Increase first and last mile connections from residential areas to public transportation
- Increase lighting and shade on trails
- Ensure adequate ADA accessibility on all modes
- Reduce frequency of automobile speeding

Tri-Valley

Incorporated Jurisdictions:

Danville, San Ramon, Dublin, Pleasanton, Livermore

Feedback regarding the Tri Valley area focused on I-580/I-680 corridor connections, bike and pedestrian improvements, general equity, and general safety concerns. Climate change was not a specific concern mentioned.

- Increase traffic calming techniques, especially near schools
- Improve crossings of bike and pedestrian facilities with roadways
- Deploy bike and scooter share programs
- Improve bike and pedestrian facilities, especially with better lighting and restroom facilities
- Increase bus service to schools and other major facilities
- Expand BART service through the Tri Valley area
- Examine the success of HOV and toll lanes on I-680

Lamorinda

Incorporated Jurisdictions:

Lafayette, Moraga, Orinda

Feedback regarding the Lamorinda area included safe routes to schools, BART access, transportation electrification, and roadway speeding. Little mention of equity concerns or climate change were given.

- Increase traffic calming solutions around schools and improve general Safe Routes to Schools techniques
- Increase controlled crossings of major roads
- Explore first and last mile connections to BART
- Improve bike and pedestrian facilities with traffic lights and bike activation of traffic signals
- Expand County Connection service to middle and high school students
- Explore small bus options
- Explore feasibility of autonomous vehicles
- Reduce frequency of automobile speeding



LAMORINDA: Orinda Farmers Market

Saturday, March 12th 2022 from 9:00 am to 1:00 pm
Orinda Village at 14 Orinda Way, Orinda



TRI-VALLEY: Iron Horse Trail Danville Rest Area

Sunday, March 6th
2022 from 9:00 am to
12:00 pm