



Citizens Advisory Committee

Tuesday, August 2, 2016

12:00pm – 2:00 p.m.

550 S. Main St., Orange, California, 92868

Conference Room 07

Agenda

- 1. Vice-Chair's Remarks** Roy Shahbazian, *CAC Vice-Chair*
- 2. Chair/Vice-Chair Election** Alice Rogan, *Public Outreach Manager*
- 3. June 21 CAC Special Meeting Follow-Up** Alice Rogan, *Public Outreach Manager*
Discussion (10 min.)
- 4. Interchange Treatments Memo** Roy Shahbazian, *CAC Bicycle/Pedestrian*
Discussion (10 min.) Subcommittee Chair
- 5. State and Federal Legislative Platform** Brandon Bullock, *State and Federal Relations*
Presentation (15 min.)
- 6. OC Streetcar** *Presentation (20 min.)* Tresa Oliveri, *Community Relations Officer*
- 7. Marketing Strategies** *Discussion (15 min.)* Ellen Burton, *Executive Director, External Affairs*
Stella Lin, *Marketing Manager*
- 8. Update Reports** *(5 min. each)*
 - Bicycle/Pedestrian Subcommittee Roy Shahbazian, *Bike/Ped Subcommittee Chair*
 - Oct. Service Change Scott Holmes, *Manager, Transit*
 - Government Relations Lance Larson, *Executive Director, Gov. Relations*
 - Bike Rack Demonstration Cliff Thorne, *Maintenance Manager*
 - Staff Liaison Alice Rogan, *Public Outreach Manager, External Affairs*
- 9. Committee Member Comments**
- 10. Public Comments**
- 11. Adjournment / Next Meeting**
October 18, 2016

Agenda Descriptions/Public Comments on Agenda Items

The Agenda descriptions are intended to give notice to members of the public of a general summary of items of business to be transacted or discussed. Members from the public wishing to address the Committee will be recognized by the Chairman at the time the Agenda item is to be considered. A speaker's comments shall be limited to three (3) minutes.

Any person with a disability who requires a modification or accommodation in order to participate in this meeting should contact the OCTA at (714) 560-5611, no less than two (2) business days prior to this meeting to enable OCTA to make reasonable arrangements to assure accessibility to this meeting.



Citizens Advisory Committee Special Meeting

Meeting Notes

June 21, 2016

11:30 a.m. to 12:45 p.m.

550 S. Main Street, Orange, California

Conference Room 07

Members Present

Paul Adams, *Fountain Valley Resident*

Dan Avery, *Mission Viejo Resident*

Hamid Bahadori, *Automobile Club of So. CA*

Ralph Bauer, *Council on Aging & City of Hunt. Bch*

Kara Darnell, *Transit Advocates of Orange County*

Barbara Delgleize, *Huntington Beach Chamber*

Barry Duffin, *Orange County Wheelmen*

Merlin "Bud" Henry, *North Tustin Advisory Committee*

Dan Kalmick, *Huntington Beach Planning Commission*

Leonard Lahtinen, *North O.C. Community College Dist.*

Derek McGregor, *Trabuco Canyon Advisory Committee*

Michael McNally, *UC Irvine*

Frank Murphy, *Orange Rotary*

Lyle Overby, *Santa Ana Resident*

Roy Shahbazian, *Transit Advocates of Orange Co.*

Schelly Sustarsic, *Seal Bch. Parks & Recreation Comm.*

John Taylor, *Rotary Club of San Juan Capistrano*

Susan Gordon, Janine Heft and Mark Anthony Paredes (Incoming CAC Members)

Members Absent

Phil Bacerra, *Santa Ana Resident*

Michael Brandman, *Building Industry Association*

Vince Buck, *Cal State Fullerton*

Michael Carroll, *Irvine Community Services Commission*

Min Chai, *Irvine Resident*

Brian Cox, *Orange County Bicycle Coalition*

John Frankel, *Resident of Laguna Woods*

Tom Garner, *Small Business Owner*

Andrew Kanzler, *Orange County Bicycle Coalition*

Theodore Luckham, *Anaheim Resident*

Dan Oregel, *Santa Ana, Resident*

Donna Peery, *Tustin Community Services Commission*

Laurel Reimer, *OC Young Planners Group*

Michael Stockstill, *Transportation Professional*

Jeff Thompson, *Tustin Planning Comm. & Building Assoc.*

1. Chairman and Vice-Chairman Remarks

Chairman Leonard Lahtinen welcomed the committee and explained that this special meeting is being held as a result of a meeting with OCTA Chair Donchak and Director Murray to discuss the CAC's mission and ways to enhance the committee's effectiveness to provide feedback and help distribute information to the public. Ideas discussed with the Chair and Director Murray included ensuring the committee has an opportunity to provide feedback on studies before reports are finalized and approved by the Board, encouraging members to participate in speakers' bureau efforts, holding

project tours (i.e. OC Bridges and OC Streetcar), encouraging members to keep in contact with their appointing board member, adopting an attendance policy to help encourage active membership, and holding a special CAC meeting to discuss the members' thoughts on how to ensure the committee has added value to OCTA. The Fare Study discussion item was added to the agenda to ensure the committee's ability to provide feedback on this matter in a timely manner.

2. CAC Mission

Alice Rogan, Public Outreach Manager, explained that OCTA is required by state law to have a standing public committee that meets regularly. The CAC currently meets quarterly and also holds special meetings, roundtables and ad hocs as necessary to cover specific topics or issues. It is important to note, however, that most major OCTA projects and programs have their own stakeholder working groups made up of people who have a vested interest in the project areas. Therefore, the CAC is appropriate when a more regional perspective is needed, such as on the upcoming Transit Master Plan Study.

Alice then went over the CAC mission statement, pointing out that the committee's main responsibility is to provide advice and recommendations to OCTA in order to reach greatest possible public consensus concerning Orange County transportation matters. To accomplish this the committee will review significant transportation issues, such as the Fare Study and Long Range Transportation Plan (LRTP), and provide recommendations to the OCTA Board as appropriate. Currently the committee's recommendations are transmitted to the Board in a variety of ways, including a summary of the feedback in a project staff report, presentation or memo.

Another important role of the CAC is recommending mechanisms and methodologies for obtaining public opinions. Alice encouraged the committee members to come forward with ideas on how to reach the community or constituency that the member represents. The committee members are also encouraged to serve as a liaison between OCTA and the public, which could include the members being actively involved in speakers' bureau activities for the LRTP. Alice then said that the goal for this meeting is to collect some ideas on how to enhance and reenergize the committee.

The idea of the tours was brought up and Alice said that the OC Bridges tour would be good from the construction perspective and the OC Streetcar would be good so the committee has an idea of the area it will be serving. She asked the committee what other tours they would be interested in. Suggestions from the committee included a bus base tour, a bus ride such as the OC Fair Express and a train ride on Metrolink.

3. Committee Focus and Effectiveness

Alice Rogan, Public Outreach Manager, began the discussion by talking about the timing of when items are taken to the committee and Board. Whenever possible, the goal is to try to receive the committee's feedback ahead of time so that it can be folded into the final report, project or program. The Fare Study item that will be discussed

today is a perfect example of this. It is important to note, however, that because of the diverse representation on the committee it may be unlikely that the committee will be able to come to a consensus vote on issues. Instead, staff will be able to hear what is important to the committee members and gather ideas to be able to include in staff reports. Alice emphasized that she met with the CEO and he has indicated that he supports taking items to the CAC before the Board whenever possible. Since these items may not fall into the normally scheduled CAC meetings, roundtable or special meetings may have to be held.

The committee members discussed their availability to accommodate attending special meetings and tours. A committee member suggested touring the 91 Freeway, including the new extension of the express lanes.

Alice described the Transit Master Plan and explained the committee would be the key stakeholder working group for this study. She also recapped the 2014 LRTP and emphasized the committee's role during the upcoming LRTP. Ellen Burton, External Affairs Executive Director, asked the committee members that were involved in the 2014 LRTP if they felt like they had sufficient opportunity to provide OCTA with their feedback.

A committee member commented he felt that they spent far too much time discussing the cover of the report and would prefer not to do that again. Ellen asked if the committee would like to approach the LRTP discussion by mode this time. A committee member said that questionnaires or surveys are a great way to get people to react to a presented situation.

Ellen asked if there was any other feedback. A committee member said that the LRTP is a long-term continuous process and that it is important to look back and see what worked and what did not work. The committee member also suggested considering plan length because 30 years is so far into the future, geography of the projects involved and regional/state preferences.

A committee member suggested that perhaps people will change what they do if it takes two hours to go 15 miles. It was also mentioned that with all the housing being built, there are a lot of folks moving into the area,

Another committee member said there is nothing wrong with creating a long-term transportation plan and that we have to think about the consequences of not changing anything. Orange County, they said, is a great place to live and part of the reason is because Orange County monitors where things are and strategically makes plans. The Southern California Association of Governments (SCAG) has also collected a lot of input and transportation plans, and has created an integrated transportation plan for Southern California. This committee member feels, however, that we also need to understand Caltrans' plans. A committee member commented that Roy Shahbazian,

CAC Vice-Chair, has made a breakthrough with Caltrans through the CAC Bicycle/Pedestrian Subcommittee and they appear to be more receptive.

A committee member commented that many people in Orange County are worried that everything that is happening will lead to the county becoming like Los Angeles (LA) County. They said LA County is overcrowded and has a housing shortage, has inconsistent building codes and is a traffic nightmare.

Another committee member said that they have attended a number of the Bicycle/Pedestrian Subcommittee meetings and they were pleasantly surprised with Caltrans' attentiveness and involvement. The committee member said that Caltrans is encouraging the subcommittee to get involved, write letters and communicate directly with Caltrans. It is important for the CAC to ensure that messages are communicated to Caltrans effectively.

Alice said that it is also important for committee members to think about priorities within their communities and how those can be brought to the table or addressed through the committee.

Another committee member suggested taking ideas back to the members' respective groups to elevate the conversation and the committee a bit. A committee member said that, since Orange County is a business oriented county, it would be interesting to learn more about the private side of transportation. Alice said that OCTA just has to be careful to not show preference for vendors.

A committee member said that they have not heard OCTA talk about autonomous vehicles, even though it appears that it will revolutionize the transportation industry. This committee member said that Google's self-driving cars are safer than normal cars and suggested this concept be a focus for OCTA and the committee moving forward.

A committee member asked what a reasonable way is for the committee to stay on top of this issue while balancing being too futuristic with focusing on the present. Another committee member suggested having a CAC Technology Subcommittee, which could include discussing things like the TAP card. A committee member mentioned that there was a planners' conference in San Rafael where Mitsubishi and Google gave a presentation on what they are testing in Silicon Valley.

Alice said another item for the committee to think about is what mechanism/methodologies OCTA should use to gain public input, specifically from groups the committee members are involved with. Alice then said that any committee member interested in participating on the speakers' bureau should let staff know.

A committee member said that a huge audience to consider in the county is students, including high school and college level students, which equate to about 700,000 people. This committee member feels that it is especially important because this age group is

made up of the people who are waiting longer to get their license, will eventually use driverless cars and other similar technologies, and are constantly using smartphones and apps. Alice said that during the last LRTP cycle three high schools were visited. Since staff is limited, this would be a good opportunity for committee members to participate in speakers' bureau. Staff would provide the committee member with a presentation and a student could take notes on the discussion. A committee member suggested that everyone in the group could pick one high school to go to.

Another committee member said it would be interesting to see Tesla's long-range planning guide to keep up with emerging technologies. A committee member then suggested that the Technology Subcommittee could host a technology summit.

4. Fare Study Recommendations

Sean Murdock, Finance and Administration Director, gave a presentation on the Fare Study recommendations. He provided a background and timeline of the study, what actions were not recommended, and what actions were recommended. He emphasized the decline in bus ridership over the years and how it will take more than just an adjustment in the fares to help reverse that trend, hence the OC Bus 360 approach and development of mobile ticketing. In fact, while simply lowering the fare from \$2 to \$1.50 would increase ridership, it is impossible to generate enough revenue to offset the cost of operations. While lowering the fares on 100 percent of the folks who use the base fare, it would only generate eight percent more riders. Lowering the base fare would also require lowering the ACCESS fare as well.

A committee member said they feel there is a general societal point to be considered in the matter of bus fares – the divide between the haves and the have-nots. This committee member mentioned the increase in the homeless population and suggested it could help if there was the ability to subsidize the tickets so that people would be able to get to work.

Sean explained that the funding for bus operations comes from the state, and in order to maximize the funding received OCTA is required to have a 20 percent fare box recovery, which has been far more difficult in recent years. A committee member asked Sean to explain the 20 percent fare box recovery. Sean said that means that for every dollar OCTA spends on operations, it has to have \$0.20 on that dollar from passenger fares. When FTA grants are added into the equation, the subsidy is actually closer to 90 percent. Sean said that free fares would likely have to be legislated. The committee then discussed ACCESS services with Sean and the costs that come with that service. Sean said that the average cost per trip is \$40 to \$50, and can get up to \$70 to \$75 per trip if someone is going from one end of the county to the other.

Sean then went through and explained the seven recommendations and the affect they would have on the bus system as a whole. These included reducing the Day Pass from \$5 to \$4 (pilot), re-categorizing the Express Services, eliminating the 5-day and 7-day pass, offering discounted rides to veterans, implementing ACCESS zone fares,

incentivizing mobile ticketing, and enforcing consistent pricing rules. As each item was discussed the committee was asked whether they supported each recommendation. Through straw votes, the majority of committee members present supported all seven recommendations.

5. Update Reports

The CAC received update reports regarding the following:

- 91 Express Lanes Pavement Rehabilitation, by Fernando Chavarria, *Community Relations Officer*
- Staff Liaison, Alice Rogan, *Public Outreach Manager, External Affairs*

6. Committee Member Comments

Incoming committee members were recognized. Alice made the committee aware that this meeting was Chair Lahtinen's last and thanked him for all his years of service.

8. Public Comments

No one from the public spoke.

9. Adjournment

The next meeting will be at the OCTA offices on August 2, 2016 at 12:00 p.m.

**Citizens Advisory Committee
Fiscal Year 2015-2016 Attendance Record**

● = Present

⊙ = Absent

R = Resigned

| Member | | | | | |
|--------------------------|---------|----------|---------|---------|----------|
| | 7/15/15 | 10/20/15 | 1/19/16 | 4/19/16 | 6/21/16* |
| Adams, Paul | ● | ● | ● | ● | ● |
| Avery, Dan | ● | ⊙ | ⊙ | ⊙ | ● |
| Bacerra, Phil | ● | ⊙ | ⊙ | ⊙ | ⊙ |
| Bahadori, Hamid | ⊙ | ⊙ | ⊙ | ● | ● |
| Bauer, Ralph | ● | ⊙ | ● | ● | ● |
| Brandman, Michael | ⊙ | ⊙ | ● | ⊙ | ⊙ |
| Buck, Vince | ⊙ | ● | ● | ● | ⊙ |
| Carroll, Michael | ● | ● | ⊙ | ⊙ | ⊙ |
| Chai, Min | -- | -- | ● | ● | ⊙ |
| Cox, Brian | ● | ● | ● | ● | ⊙ |
| Darnell, Kara | ● | ⊙ | ● | ⊙ | ● |
| Delgleize, Barbara | ● | ● | ⊙ | ● | ● |
| Duffin, Barry | ● | ● | ● | ● | ● |
| Frankel, John | ⊙ | ● | ⊙ | ⊙ | ⊙ |
| Garner, Tom | ● | ⊙ | ● | ● | ⊙ |
| Henry, Merlin "Bud" | ● | ⊙ | ● | ● | ● |
| Kalmick, Dan | ● | ● | ⊙ | ● | ● |
| Kanzler, Andrew | ⊙ | ● | ⊙ | ⊙ | ⊙ |
| Kaupp, Michael | ● | ● | ⊙ | R | R |
| Lahtinen, Leonard | ● | ● | ● | ● | ● |
| Luckham, Theodore | ● | ● | ● | ● | ⊙ |
| McGregor, Derek | ● | ● | ● | ● | ● |
| McNally, Michael | ● | ● | ● | ● | ● |
| Murphy, Frank | ⊙ | ⊙ | ⊙ | ⊙ | ● |
| Oregel, Dan | ● | ● | ⊙ | ⊙ | ⊙ |
| Overby, Lyle | ⊙ | ● | ⊙ | ● | ● |
| Peery, Donna | ⊙ | ● | ⊙ | ● | ⊙ |
| Reimer, Laurel | ⊙ | ⊙ | ⊙ | ⊙ | ⊙ |
| Shahbazian, Roy | ● | ● | ● | ● | ● |
| Stockstill, Michael | ● | ● | ● | ● | ⊙ |
| Schelly Sustarsic | ● | ● | ● | ● | ● |
| Taylor, John | ● | ⊙ | ⊙ | ● | ● |
| Thompson, Jeff | ● | ● | ● | ⊙ | ⊙ |
| Gordon, Susan (Incoming) | -- | -- | -- | -- | ● |
| Heft, Janine (Incoming) | -- | -- | -- | -- | ● |
| Paredes, Mark (Incoming) | -- | -- | -- | -- | ● |

*special meeting

DATE

To: Ryan Chamberlain, Caltrans Director, District 12

From: Roy Shahbazian, Bicycle/Pedestrian Subcommittee Chair and
Citizens Advisory Committee Vice-Chair

Subject: **OCTA Citizens Advisory Committee Bicycle/Pedestrian
Subcommittee Suggested Bicycle & Pedestrian Design
Treatments at Freeway Interchanges**

Recognizing the major investment in the state's active transportation program, during the past 18 months each meeting of the Bicycle/Pedestrian Subcommittee (BPS) of the appointed OCTA Citizens Advisory Committee has included a presentation on Measure M2 freeway improvement projects.

In an effort to provide direction for enhancements, at its March 15, 2016 meeting, the BPS developed a list of recommended treatments (Attachment A) to support enhanced safety and access for people walking and biking through Caltrans highway interchanges.

The treatments are consistent with the Caltrans Mission and Goals with regards to safety and active transportation travel.

- **Caltrans Mission:** Provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability.
- **Caltrans Safety and Health Goal:** Provide a safe transportation system for workers and users, and promote health through active transportation and reduced pollution in communities.

Given the high volume of vehicular traffic directed to major arterials and freeways, the interchanges are often viewed as a constraint that affects active transportation travel. Caltrans, local agencies, and OCTA staff are encouraged to utilize all transportation improvement projects as an opportunity to incorporate the suggested engineering design treatments wherever possible to improve travel for people walking and biking.

c: OCTA Board Members
CAC Members
Alice Rogan, OCTA CAC Staff Liaison

| Suggested Bicycle & Pedestrian Design Treatments at Freeway Interchanges | Bicycle | Pedestrian | Crossing Treatments | Motorist Speeds |
|---|---------|------------|---------------------|-----------------|
| 1. Incorporate traffic control devices such as Pedestrian Hybrid Beacon (HAWK), full signal, flashing beacon, Rectangular Rapid Flashing Beacon, etc. | ✓ | ✓ | ✓ | |
| 2. Where dual-lane on- or off-ramps are provided, signalize the junction | ✓ | ✓ | ✓ | ✓ |
| 3. Utilize California Manual on Uniform Traffic Control Devices (CA MUTCD) standardized R4-11 sign (Bicycles May Use Full Lane) and Shared Lane Markings where appropriate. | ✓ | | | ✓ |
| 4. Prohibit dual-lane on-ramp entrances. | ✓ | ✓ | | ✓ |
| 5. Prohibit option through/right-turn lane next to right-turn lane. | ✓ | ✓ | | ✓ |
| 6. Stripe bike lanes regardless of status of bike lane on either side of interchange. | ✓ | | | |
| 7. Provide bike lane between through lane and right-turn lane. | ✓ | | | |
| 8. Widen roadway over/undercrossing to provide bike lanes in addition to motorist lanes. | ✓ | | | |
| 9. Change Highway Design Manual standards where appropriate to provide proactive measures to accommodate all modes, support driver awareness and provide visibility of users at the interchanges. | ✓ | ✓ | ✓ | ✓ |
| 10. Reconfigure interchange to provide full 90-degree turn for motorists as they enter freeway ramp. | ✓ | ✓ | | ✓ |
| 11. Incorporate raised crosswalks and speed humps at crosswalks. | ✓ | ✓ | ✓ | ✓ |
| 12. Consider rumble strips or raised crosswalks, accounting for travel routes by bicyclists. | ✓ | ✓ | ✓ | ✓ |

Bicycle & Pedestrian: Utilize engineering treatments wherever possible to provide clarity regarding right-of-way and highlight potential conflict points for bicyclists navigating the interchange.

Crossing Treatments: Proactively utilize traffic control devices where off-ramps begin at the arterial crossing to better serve pedestrian activity.

Motorist Speeds: Plan for and incorporate engineering measures for reduced motorist design speeds on the arterials and entering freeway ramps.

ORANGE COUNTY
TRANSPORTATION AUTHORITY

2015 / 2016

State Legislative Platform

Revised and adopted on November 23, 2015





The Orange County Transportation Authority (OCTA) was formed in 1991 by the consolidation of seven separate transportation agencies. This consolidation created a multimodal authority, which eliminated duplicate transportation functions and increased efficiency in providing transportation services throughout the County.

The 2015-2016 State Legislative Platform positions OCTA to advocate for the recognition and advancement of OCTA's projects and programs, while continuing to pursue economic and regulatory reforms that provide cost savings and opportunities for economic stimulus. In addition to these efforts, OCTA will continue to inform the Legislature and the Governor about the economic and regulatory challenges that the state's transportation infrastructure system faces and the need for state and regional collaboration to study alternative and innovative methods to help address these challenges.

While annual transportation funding has remained relatively stable over the last few years due to previously enacted funding reforms and Proposition 1B, which is now coming to an end, the state's transportation system continues to be severely underfunded. In an attempt to address this, the 2013-2014 state legislative session saw the passage of key initiatives which sought to provide funding to the transportation sector, including the authority to explore the potential use of a road user charge. In addition, expenditure plans which will govern the immediate and future allocation of revenues from the state's various cap-and-trade programs were adopted. With about 40 percent of the state's greenhouse gas emissions coming from transportation sources, the use of revenues from these programs offers a unique opportunity for increased transportation investment in Orange County. However, questions remain as to how to ensure that these programs are appropriately implemented and that the revenues are equitably distributed, both now and in the future.

Work will also continue in 2015-2016 to explore many of the recommendations that were included in the State-Smart Transportation Initiative and the California Transportation Infrastructure Priorities review documents that were released in 2014. These documents, which conducted top-to-bottom reviews of the state's Department of Transportation (Caltrans), recommended sweeping changes to the funding priorities of the state's transportation system and have already served as the impetus for reform legislation. While many of the recommendations found within the reports could serve to implement much needed efficiency and transparency reforms, it is unclear how they could impact the decision making purview of local agencies as they work to deliver their own transportation improvements.

In conjunction with funding and reform discussions, methods of streamlining existing project delivery methods must continue to be pursued to ensure that the maximum cost and time savings are achieved. Alternative project contracting and delivery methods, such as design-build and construction manager/general contractor, can be utilized to streamline large transportation projects to provide more immediate economic benefits to commuters.

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Table Of Contents

| | |
|---|---------|
| Key Transportation Policy Issues in 2015-2016..... | Page 1 |
| I. State Budget..... | Page 4 |
| II. State/Local Fiscal Reforms and Issues..... | Page 5 |
| III. State Transportation Improvement Program Streamlining..... | Page 5 |
| IV. Transit Programs..... | Page 6 |
| V. Roads & Highways..... | Page 6 |
| VI. 91 Express Lanes/ Managed Lanes..... | Page 7 |
| VII. Rail Programs..... | Page 8 |
| VIII. Active Transportation..... | Page 8 |
| IX. Administration/General..... | Page 9 |
| X. Environmental Policies..... | Page 9 |
| XI. Employment Issues..... | Page 9 |
| XII. Transportation Security..... | Page 10 |

The 2015-16 State Legislative Platform (Platform) serves as a framework document to guide the Orange County Transportation Authority's (OCTA) state legislative, regulatory, and administrative activities in the coming legislative session. The Key Transportation Policy Issues section briefly describes the issues that are anticipated to be the major focus of the upcoming legislative session and offers guiding policy direction for those issues. The later sections present guiding policy statements for other major issue areas that may arise during the session.

Although this document generally serves to guide legislative activities and recommendations, positions on individual items not directly addressed by the Platform will be brought to the Board of Directors (Board) for formal action.

Key Transportation Policy Issues In 2015-2016

A number of significant transportation issues are expected to be discussed in the 2015-16 legislative session. A few of these key issues are highlighted in this section including: Transportation Funding, Implementation of Environmental Regulations and Cap-and-Trade, and Statewide Transportation Reform Efforts.

In order to better understand how resources are anticipated to be allocated during the 2015-16 legislative session, each issue in the Key Transportation Issues section is designated with a "Lobbying Action Level." The level is derived from the expected impact the issue could have on OCTA, the context in which the issue is moving forward, and the amount of resources that are expected to be devoted to the issue in pursuit of the objective.

A Lobbying Action Level - High designation means that all resources and actions necessary will be devoted to this particular issue not only due to the direct, significant, or long-term impacts that the outcome poses to OCTA, but also the priority items of the OCTA Board. A strategically targeted, comprehensive array of actions will be taken in addition to those used for other Lobbying Action Levels.

A Lobbying Action Level - Medium designation means that a full range of resources will be explored for the particular issue depending on the current status. Such actions could include formal correspondence and personal involvement of staff or Board members through the legislative process.

A Lobbying Action Level - Low designation means that a smaller amount of resources will be devoted to the issue due to the low level of activity anticipated for that particular item. These issues will be monitored for potential amendments which could increase the issue's significance and warrant a higher level of activity.

Transportation Funding:

Since 2010, state funding for transportation programs continues to experience changes. In March 2010, the "gas tax swap" eliminated the state sales tax on gasoline and was replaced by a 17.3 cent increase to the state gas excise tax (gas tax) in order to increase the flexibility on how these funds could be utilized. Additionally, as part of the "gas tax swap" package, the state sales tax on diesel was increased to 6.75 percent, while the diesel gas tax was reduced to 13.6 cents in order to provide a steady revenue stream for public transit.

The November 2010 election placed the state transportation financing structure in uncharted territory. While Proposition 22 contained stronger protections for specific local and transportation funding sources, the provisions related to local transportation funds modified transit formulas in a way that negatively impacted transit operations funding. Furthermore, Proposition 26 required any measure passed where a revenue source was increased regardless of revenue neutrality, within a specified time period, to be re authorized by a two-thirds vote.

The Legislature ultimately passed the ratification of the gas tax swap and also included provisions to maintain funding levels for transit, transfer weight fee revenue to cover transportation debt service, and reduced overall funding for capital programs.

Through 2014, the state continued to fund transportation and transit programs at traditional levels. However, the road ahead may contain some

reasons for caution in projecting future revenue levels. As Proposition 1B (2006) funding programs reach their conclusion, transit revenues continue to remain dependent on economic growth. With no new transportation funding source projected, and a large percentage of traditional transportation funding sources being used for transportation bond debt service, questions remain as to how the state intends to address the maintenance and infrastructure improvement needs of the state's transportation system. In addition, increases in fuel efficiency standards for newer automobiles have reduced the amount of fuel that is being purchased. As a result, gas tax revenue collected to fund transportation improvements continues to decline. For these reasons, it is imperative to identify any attempts by the state to use special fund transfers or any efforts to shift funding responsibilities to the local level to address the transportation funding needs of the state. Discussions on the regional, state, and federal levels to address these challenges are ongoing and will continue through the 2015-16 legislative session.

Therefore, in 2015-2016, to assist in the development of measures and programs to address these funding challenges, OCTA will:

- a) Support efforts to maintain and protect transportation and transit funding and distribution formulas approved under the gas tax swap
Lobbying Action Level High
- b) Advocate for a continued strong state role in providing funding for transit operations rather than shifting responsibility to local transportation entities. No additional requirements should be created for operation levels beyond existing capacity, unless agreed to by that entity or otherwise appropriately funded
Lobbying Action Level High
- c) Oppose efforts to divert or reclassify transportation revenue sources, including General Fund and debt service purposes
Lobbying Action Level High

- d) Oppose efforts to link or reprioritize local and state transportation funding through the AB 32 program
Lobbying Action Level High
- e) Support legislation to implement the provisions of the federal reauthorization, Moving Ahead for Progress in the 21st Century in an equitable manner that promotes traditional funding levels, programming roles, and local discretion in allocation decisions
Lobbying Action Level High
- f) Support the development of greater efficiencies within the Transportation Development Act, eliminating any unnecessary, overly burdensome and/or duplicative mandates
Lobbying Action Level High
- g) Support efforts to provide secure transit funding for capital and operating expenses to assist in meeting AB 32 (Chapter 488, Statutes of 2006) and SB 375 (Chapter 728, Statutes of 2008) goals
Lobbying Action Level Medium
- h) Flexibility should be included in any state transit funding source, allowing transit operators to use the funding for both operations and capital expenditures
Lobbying Action Level Medium

Implementation of Environmental Regulations and Cap-and-Trade

The state is currently pursuing multiple environmental objectives, many of which seek to reduce emissions from the transportations sector. The Global Warming Solutions Act of 2006, known as AB 32, created landmark greenhouse gas emission reduction requirements by setting the overall state goal of restoring emissions to 1990 levels by the year 2020. To meet this mandate, the state has undertaken numerous mitigation strategies, including mandates for regions to create a sustainable communities strategy to meet regional greenhouse gas emission reduction targets, increased fuel efficiency standards for vehicles, and the development of a cap-and-trade program.

In 2014, the Governor signed legislation that established a framework to allocate both immediate

and future cap-and-trade revenues through numerous competitive and formula-based programs, and involve numerous state agencies including the California State Transportation Agency (CalSTA), the California Air Resources Board, the California Department of Transportation (Caltrans), the California Environmental Protection Agency, and the Governor’s Strategic Growth Council.

Therefore, in order to ensure that the state’s environmental regulations and cap-and-trade program are implemented in an equitable manner which will both help to reduce emissions, and encourage the development of necessary infrastructure and services to meet the needs of California’s growing population, in 2015-2016 OCTA will:

- a) Support efforts to ensure local flexibility in meeting the goals of AB 32 and the use of any associated funding
Lobbying Action Level High
- b) Support the eligibility of the transportation sector and inclusion of county transportation commissions as eligible recipients of any funding mechanism created for AB 32 implementation, including the cap-and-trade program
Lobbying Action Level High
- c) Support efforts to ensure the availability of proven technology and adequate funding prior to the implementation of zero emission bus regulations
Lobbying Action Level High
- d) Support the prioritization of transportation projects and programs that achieve greenhouse gas emissions reductions for cap-and-trade funding
Lobbying Action Level High
- e) Support incentive-based compliance measures rather than punitive policies
Lobbying Action Level Medium
- f) Oppose efforts to create regulations or strengthen existing standards that are not currently economically practicable or technologically feasible
Lobbying Action Level Medium

- g) Support legislation to streamline the environmental review and permitting processes for transportation projects and programs to avoid potentially duplicative and unnecessary analysis, while still maintaining traditional environmental protections
Lobbying Action Level Medium
- h) Support the creation of grant programs to assist with compliance of the adopted regulations
Lobbying Action Level Low
- i) Support the creation of formula-based funding programs under the cap-and-trade program to assist with compliance of any adopted regulations
Lobbying Action Level Low

Implementation of Statewide Transportation Reform Efforts

In 2014, CalSTA released the State Smart Transportation Initiative (SSTI) and the California Transportation Infrastructure Priorities (CTIP) reports. These reports provided not only an examination of the operations of Caltrans, but also analyzed the state’s strategy and ability to deliver the needed improvements to the state’s transportation system and recommendations for improvement. Many of the recommendations suggested seek changes in funding structures and priorities, the role of local and regional agencies, and would require additional review of existing and future projects to ensure projects align with the state’s planning and environmental priorities.

While many of the suggestions included in these reports were abstract and preliminary at the time that the reports were released, it is expected that in 2015-16, legislation will be introduced to enact many of the recommendations included in the SSTI and CTIP reports, attempting to realign existing funding programs and local delegation authority.

Furthermore, in 2015 Governor Brown called for a special session of the legislature to address the unfunded maintenance needs for the state and local transportation systems, and for improvements to trade corridors. Discussion will also take place within the special session on reforms to create improved efficiencies with existing funds and in project delivery.

As the special session continues in 2016, efforts will continue to ensure that proposals introduced during the special session are consistent with the legislative principles adopted by the OCTA Board.

Therefore, as reform efforts advance on the state level, OCTA will:

- a) Support streamlining of the Caltrans review process for projects, simplification of processes, and reduction of red tape, without compromising environmental safeguards

Lobbying Action Level High

- b) Support maintaining the current State Transportation Improvement Program (STIP) formula, which provides 75 percent of the STIP funding to the locally nominated Regional Transportation Improvement Program (RTIP) and 25 percent to the Interregional Transportation Improvement Program (ITIP) Program

Lobbying Action Level High

- c) Oppose efforts to unnecessarily subject projects to additional reviews and project selection approvals that could adversely affect delivery timelines and processes

Lobbying Action Level High

- d) Support legislation protecting or expanding local decision-making in programming expenditures of transportation funds

Lobbying Action Level High

- e) Support the retention of existing and future local revenue sources

Lobbying Action Level High

- f) Support administrative policy changes to lower the oversight fee charged by Caltrans to ensure that project support costs are equivalent whether the project is administered by Caltrans or a local agency

Lobbying Action Level Medium

I. State Budget

As the Legislature continues to move forward in developing solutions to close the state's structural deficit, OCTA continues to monitor the status of transportation funding in California, promoting the continued stability of existing programs and efforts to address future funding deficiencies to meet transportation infrastructure needs. As a proven method to help rebuild the economy through investments in vital transportation infrastructure projects and critical transit services, OCTA also will work to promote methods of expediting such projects to allow for such stimulus.

Key actions by OCTA will include:

- a) Oppose unfunded mandates for transportation agencies, transit providers, and local governments in providing transportation improvements and services;
- b) Oppose cost shifts or changes in responsibility for projects funded by the state to the local transportation entities;
- c) Support legislation to treat the property tax of single-county transit districts the same as multi-county districts and correct other Educational Revenue Augmentation Fund inequities between like agencies;
- d) Support the constitutional protection of all transportation funding resources;
- e) Seek additional funding for paratransit operations and transit accessibility capital improvements that support persons with disabilities and senior citizens;
- f) Support removing the barriers for funding transportation projects, including allowing local agencies to advance projects with local funds when state funds are unavailable due to budgetary reasons, and allowing regions to pool federal, state, and local funds in order to limit lengthy amendment processes and streamline project delivery time.

II. State/Local Fiscal Reforms and Issues

As California's budget challenges continue, uncertainties over potential future structural changes remain. OCTA is concerned that local agencies will be impacted as the Legislature and Administration attempt to erase the budget deficit and repay loans coming due in the next few years.

Therefore, OCTA will:

- a) Oppose efforts to reduce local prerogative over regional program funds;
- b) Oppose levying new and/or increase in gasoline taxes or user fees, including revenue increases on fuel consumption categorized as charges, fees, revenue enhancements, or similar classifications. Consideration of such efforts shall occur when a direct nexus is determined to exist between revenues and transportation projects and additional revenues are to be controlled by the county transportation commission;
- c) Oppose efforts to decrease the voter threshold requirement for local tax measures for transportation purposes and/or mandating specific uses of future local sales tax revenues;
- d) Oppose efforts to increase administrative fees charged by the Board of Equalization on the collection of local sales tax measures;
- e) Support efforts to ease or simplify local matching requirements for state and federal grants and programs;
- f) Support legislation to protect the flexibility of the federal aid highway funds by requiring state compliance with federal highway safety requirements;
- g) Support flexibility for obligating regional federal transportation funds through interim exchange instead of loss of the funds by the local agency;
- h) Support increased flexibility in state guidelines related to the use of state highway funds for soundwalls;

- i) Support efforts to restore equity with regards to the generation and disbursement of sales tax revenues that support the Local Transportation Fund.

III. State Transportation Improvement Program Streamlining

The STIP, substantially amended by SB 45 (Chapter 622, Statutes of 1997), is a programming document that establishes the funding priorities and project commitments for transportation capital improvements in California. SB 45 placed decision-making closest to the problem by providing project selection for 75 percent of the funding in the RTIP. This funding is distributed to counties based on an allocation formula. The remaining 25 percent of the funds is programmed by Caltrans in the ITIP. Although traditionally funded through multiple revenue sources, as a result of the state's ongoing budgetary issues, the gas excise tax and bond funding have become the STIP's remaining sources of program funding.

Key provisions to be sought by OCTA include:

- a) Support legislation that maintains equitable "return to source" allocations of transportation tax revenues, such as updating the north/south formula distribution of county shares and ITIP allocations;
- b) Support legislation to clarify that programming of current period county shares has priority over advancement of future county shares;
- c) Support a formula-based guaranteed disbursement of the ITIP;
- d) Support legislation to involve county transportation commissions in the development and prioritization of State Highway Operation and Protection Program projects;
- e) Support efforts to allow a mode neutral STIP.

IV. Transit Programs

In 2015-16, OCTA will continue with its focus on providing safe, reliable, and efficient transit services in Orange County. While state transit funding has recently become more stable, future demand increases due to environmental regulations and increased fuel prices may put further strain on existing resources. Thus, OCTA will make every effort to minimize additional state obligations to transit operations which lack a sufficient and secure revenue source.

To that end, OCTA will focus on the following:

- a) Support legislation to encourage and incentivize the interoperability of transit and rail systems within California;
- b) Support legislation to limit the liability of transit districts for the location of bus stops (*Bonanno v. Central Contra Costa Transit Authority*);
- c) Support the citing of transit oriented development projects (i.e. authorize extra credit towards housing element requirements for these developments), including incentives for development;
- d) Support program reforms to realign administrative rules, farebox recovery requirements, and various exclusions under the State Transit Assistance Program;
- e) Support legislation and or/regulations which aim to enhance transit services without compromising the overall safety of transit riders, coach operators, and on-road vehicles;

V. Roads and Highways

OCTA's commitment to continuously improve mobility in Orange County is reflected through a dynamic involvement in such innovative highway endeavors as the ownership of the 91 Express Lanes and the use of design-build authority on the State Route 22 project. OCTA will continue to seek new and innovative ways to deliver road and highway projects to the residents of Orange County and, to that end, in 2015-16, OCTA will focus on the following:

- a) Oppose efforts to create a conservancy that would

inhibit the delivery of transportation projects under study or being implemented in the region;

- b) Support improvements in major trade gateways in California to facilitate the movement of intrastate, interstate, and international trade beneficial to the state's economy;
- c) Support efforts to expand, extend, and preserve new and existing alternative project delivery methods such as design-build, public-private partnership authority, and construction manager/general contractor authority, including expanding mode and funding eligibility, while allowing the appropriate balance of partnership between the state and local agencies;
- d) Support legislation that would authorize local agencies to advertise, award, and administer contracts for state highway projects;
- e) Oppose duplicative reporting mandates and efforts to impose additional requirements, beyond what is required in statute, on lead agencies awarding contracts using alternative project delivery mechanisms;
- f) Support the use of public-private partnerships that increase highway capacity without limiting the ability to improve public facilities and that maintains local authority and flexibility in decision making;
- g) Support studying the policies, funding options, and need for rail/highway grade separations including any impact on existing state highway and transit funding sources;
- h) Support the Transportation Corridor Agency's Foothill South Toll Road Extension Plan to connect State Route 241 to Interstate 5 in South Orange County;
- i) Work with Caltrans to ensure design specifications for bridges are free from defect;
- j) Seek cooperation from the state, the county, cities, and other local jurisdictions to implement street signal coordination, prioritization, preemption, and use of intelligent transportation system measures;
- k) Work with Caltrans to further improve street signal coordination by permitting the coordination of

on-and off-ramp signals with local street signal synchronization efforts;

- l) Continue to work with Caltrans and regional agencies on expanding utilization of continuous access of high-occupancy vehicle (HOV) lanes;
- m) Monitor efforts to increase fines for HOV lane violations and, if implemented, ensure fines are dedicated to enforcement purposes;
- n) Work with Caltrans on collaborative solutions to address the degradation of HOV lanes within the state, ensuring any solution respects local transportation funding sources and programs, is supported by the relevant regional transportation planning agency, and does not attempt to redirect existing local transportation funding sources. Any discussions associated with HOV degradation must include an analysis of the impacts from single-occupant low-emission vehicles, including associated federal requirements triggered by their access allowance;
- o) Support efforts to improve local oversight and create operational improvements in the administration of the Orange County Taxi Administration Program;
- p) Support legislation that provides for equitable enforcement of regulations governing transportation network companies;
- q) Support efforts to increase the flexibility for the use of funds for motorist service programs such as the Service Authority for Freeway Emergencies program and for funds previously acquired through the Service Authority for Abandoned Vehicles program;
- r) Oppose legislation that fails to preserve local discretion and flexibility in the development of the congestion management program.

VI. 91 Express Lanes/Managed Lanes

OCTA's commitment to continuously improve mobility in Orange County is reflected through a dynamic involvement in such innovative highway endeavors as the ownership of the 91 Express Lanes, a ten-mile managed lane facility on State Route 91, extending

from State Route 55 to the Orange/Riverside County line. Since its purchase in 2003, the 91 Express Lanes has provided drivers an alternative mobility option between Orange and Riverside Counties, while also allowing for investment in multi-modal improvements throughout the State Route 91 corridor. As transportation demands continue to increase and transportation revenues remain stagnant, innovative tools must be available to ensure transportation infrastructure projects continue to be built in a reliable, prompt, and efficient manner. One such tool many agencies are discussing is increased use of managed lane facilities. To ensure not only the continued success of the 91 Express lanes, but also to ensure managed lane policy moving forward allows for local flexibility and input, in 2015-16, OCTA will:

- a) Support legislation to ensure revenues from managed lane facilities remain within the corridor from which they are generated, opposing efforts to divert revenues from managed lane facilities for state purposes;
- b) Cooperate with the Riverside County Transportation Commission on the extension of the existing 91 Express Lanes into Riverside County;
- c) Support efforts to preserve local flexibility in the administration of toll lanes, ensuring consistency with the provisions of the settlement agreement in *Avery et al v. Orange County Transportation Authority*;
- d) Oppose state efforts to construct or operate managed lane facilities that are established without an adopted statewide managed lane strategy or plan;
- e) Oppose state efforts to construct or operate managed lane facilities that fail to respect existing local transportation projects and funding programs;
- f) Support customer privacy rights while maintaining OCTA's ability to effectively communicate with customers and operate the 91 Express Lanes;
- g) Support the use of new technology to enhance toll agency enforcement efforts;
- h) Support methods to address toll violations due to the absence of license plates, the use of temporary

plates, or protected plates. The option of allowing for the immediate issuance of permanent vehicle license plates at the point of sale must be considered.

VII. Rail Programs

Metrolink is Southern California's commuter rail system that links residential communities to employment and activity centers. Orange County is served by three Metrolink routes: the Orange County Line, the Inland Empire-Orange County Line, and the 91 Line. In support of these routes, OCTA administers 48 miles of track that carry approximately four million passengers per year. OCTA's Metrolink capital budget is funded through a combination of local, state, and federal funding sources. In 2014, with the support of OCTA, its member agencies, and in partnership with the BNSF Railway, Metrolink became the first commuter railroad in the nation to run interoperable Positive Train Control (PTC)-equipped trains with plans to put PTC in service on all of its routes by 2015.

In addition to Metrolink services, Orange County is also served by inter-county passenger rail services provided by Amtrak Pacific Surfliner (Surfliner). These trains operate along the Los Angeles-San Diego-San Luis Obispo (LOSSAN) Rail Corridor and are currently administered by Caltrans. With the passage of SB 1225 (Chapter 802, Statutes of 2012), a statutory framework was established to facilitate the transfer of operation and managerial oversight of Surfliner services to the LOSSAN Rail Corridor Agency (LOSSAN Agency), pending Caltrans approval. In 2013, OCTA was selected by the LOSSAN Agency to serve as the interim administering agency to facilitate the transfer of Surfliner services to the LOSSAN Agency.

Other rail systems could also travel through Orange County at some point in the future, including magnetic-levitation (also known as Maglev) and additional intercity rail service. While the status and future of these programs is uncertain, OCTA will be watchful to ensure that funding for these rail systems does not impact other transportation funding sources.

Key advocacy efforts will emphasize the following:

- a) Support legislation that encourages commercial, commuter-based development around passenger rail corridors that includes permanent job creation;
- b) Support legislation that will aid in the development, approval, and construction of projects to expand goods movement capacity and reduce congestion;
- c) Support efforts at creating additional efficiency in rail program oversight, including consideration of possible program consolidation;
- d) Monitor and evaluate plans and progress of high-speed rail and its funding;
- e) Work with regional passenger rail providers including Metrolink and the LOSSAN Agency, on any proposed legislation to provide safety improvements on the rail network in Southern California, including positive train control;
- f) Ensure that public control of goods movement infrastructure projects is retained at the local level;
- g) Seek mitigation for the impacts of goods movement on local communities;
- h) Pursue ongoing, stable sources of funding for goods movement infrastructure;
- i) Continue to work with local, regional, state, and federal entities, as well as with the private sector, to develop and implement needed infrastructure projects that support modernization, connectivity, and general system-wide improvements to California's rail network.

VIII. Active Transportation

Active transportation projects and programs, which encourage greater mobility through walking and biking, have grown in popularity due to the environmental, health, and cost savings benefits. Through local planning efforts such as Orange County's Regional Bikeways Planning Collaborative and the development of OCTA's Commuter Bikeways Strategic Plan, OCTA continues to study, plan, and fund active transportation projects and programs as part of its mission to provide Orange County with an efficient and multi modal transportation system.

Key positions include:

- a) Support legislation that increases the visibility and safety of users engaged in active transportation;
- b) Support creative use of paths, roads, and abandoned rail lines using existing established rights-of-way to promote bike trails and pedestrian paths;
- c) Support policies that encourage the safe interaction and operation of integrated multi-modal systems, including roadways, rail lines, bikeways, and pedestrian ways, and the users of those facilities;
- d) Support efforts to streamline active transportation funding programs.

IX. Administration/General

General administrative issues arise every session that could impact OCTA's ability to operate efficiently. Key positions include:

- a) Oppose legislation and regulations adversely affecting OCTA's ability to efficiently and effectively contract for goods and services, conduct business of the agency, and limit or transfer the risk of liability;
- b) Support legislation that is aimed at controlling, diminishing, or eliminating unsolicited electronic messages that congest OCTA's computer systems and reduce productivity;
- c) Support legislation that establishes reasonable liability for non-economic damages in any action for personal injury, property damage, or wrongful death brought against a public entity based on principles of comparative fault;
- d) Support legislation that would provide for consistency of campaign contribution limits applied to both elected and appointed bodies;
- e) Monitor the effect of Brown Act legislation on OCTA Board operations as it relates to the use of new technologies for communication with the public.

X. Environmental Policies

Changes in environmental laws can affect OCTA's ability to plan, develop, and build transit, rail, and highway projects. While OCTA has been a leading advocate for new, cleaner transit technologies and the efficient use of transportation alternatives, it also remains alert to new, conflicting, or excessive environmental statute changes.

Key positions include:

- a) Oppose efforts to grant special interest groups or new bureaucracies control, oversight, or influence over the California Environmental Quality Act process;
- b) Oppose legislation that restricts road construction by superseding existing broad based environmental review and mitigation processes;
- c) Support incentives for development, testing, and purchase of clean fuel commercial vehicles;
- d) Support efforts to seek funding and flexibility for the retrofit or re-powering of transit buses and locomotives with cleaner engines to attain air quality standards;
- e) Oppose legislation that would limit lead agency discretion in the management and oversight of lands set aside for environmental mitigation purposes, while encouraging policies that promote advance mitigation planning programs.

XI. Employment Issues

As a public agency and one of the largest employers in Orange County, OCTA balances its responsibility to the community and the taxpayers to provide safe, reliable, cost effective service with its responsibility of being a reasonable, responsive employer.

Key advocacy positions include:

- a) Oppose efforts to impose state labor laws on currently exempt public agencies;

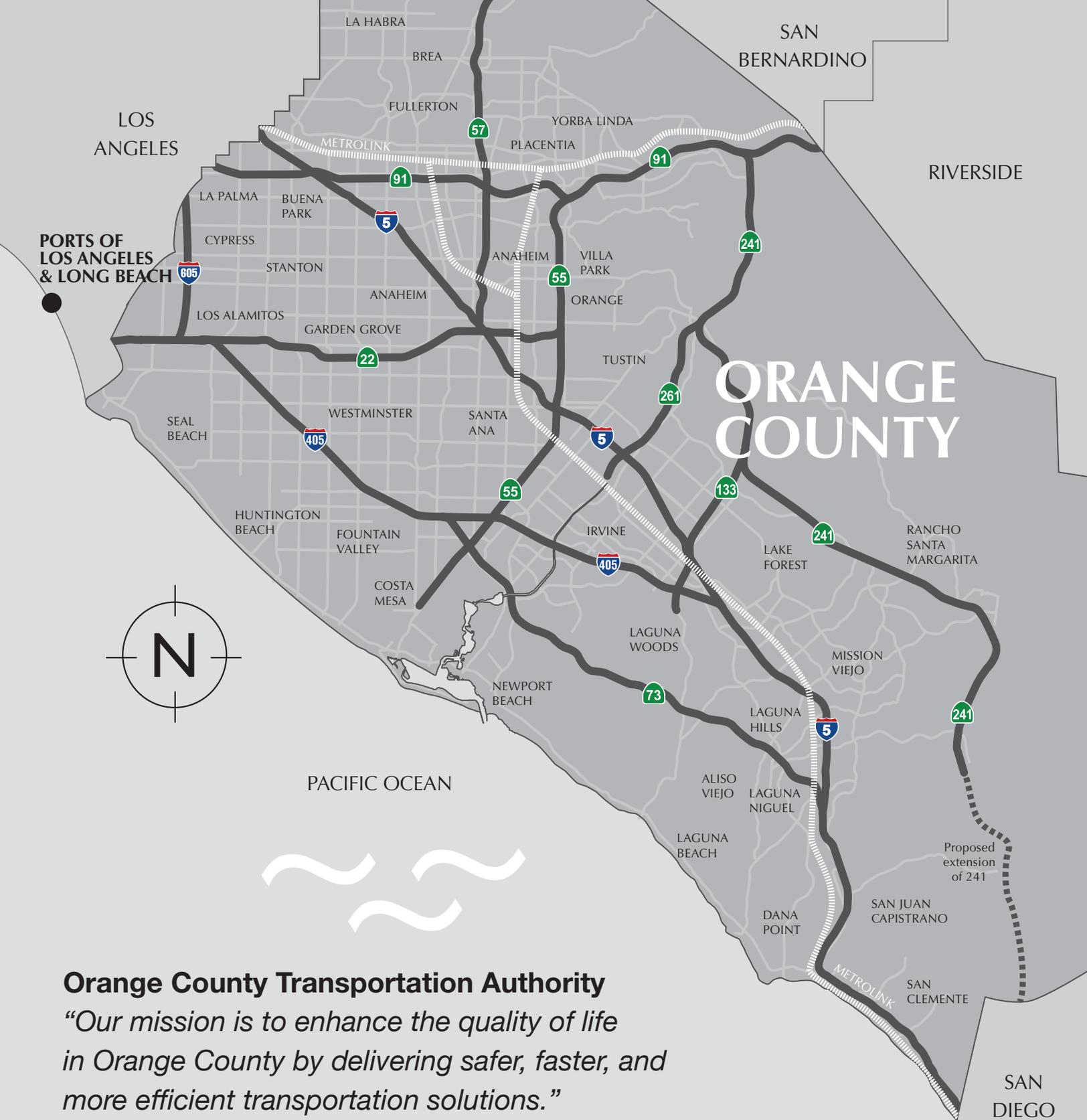
- b) Oppose legislation that circumvents the collective bargaining process;
 - c) Oppose legislation and regulations adversely affecting OCTA's ability to efficiently and effectively deal with labor relations, employee rights, benefits, Family Medical Leave Act, and working conditions, including health, safety, and ergonomic standards for the workplace;
 - d) Support legislation that reforms and resolves inconsistencies in the workers' compensation and unemployment insurance systems, and labor law requirements that maintain protection for employees and allow businesses to operate efficiently.
- b) Support legislation that balances retention mandates of video surveillance records to reflect current reasonable technological and fiscal capabilities;
 - c) Support the use of new technology to increase the safety of public transportation passengers and operators.the safety of public transportation passengers and operators.

XII. Transportation Security

As terrorist attacks continue to take place on transit systems around the world, significant transportation security efforts have been, and continue to be, carried out in the United States. OCTA is the county's bus provider and Metrolink partner, and comprehends the importance of securing our transportation network and protecting our customers. Presently, OCTA maintains a partnership with the Orange County Sheriff's Department to provide OCTA Transit Police Services for the bus and train systems in Orange County. OCTA is also currently working with its community partners on an effort to install video surveillance systems at Metrolink stations and on buses to enhance security efforts.

Heightened security awareness, an active public safety campaign, and greater surveillance efforts, all require additional financial resources. Consequently, in 2015-16, OCTA's advocacy position will highlight:

- a) Support state homeland security and emergency preparedness funding and grant programs to local transportation agencies to alleviate financial burden placed on local entities;



Orange County Transportation Authority

“Our mission is to enhance the quality of life in Orange County by delivering safer, faster, and more efficient transportation solutions.”

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Local Transportation Authority
Service Authority for
Freeway Emergencies
Consolidated Transportation
Service Agency
Congestion Management
Agency
Service Authority for
Abandoned Vehicles



ORANGE COUNTY
TRANSPORTATION AUTHORITY

2015 / 2016

Federal Legislative Platform

Revised and adopted on November 23, 2015





The Orange County Transportation Authority (OCTA) was formed in 1991 by the consolidation of seven separate transportation agencies. This consolidation created a multimodal authority, which eliminated duplicate transportation functions and increased efficiency in providing transportation services throughout the County.

The following facts indicate the size and the breadth of OCTA's functions:

- Budget for fiscal year (FY) 2014-15 of more than \$1.1 billion.
- Countywide bus system that spans 34 cities and seven congressional districts with more than 820 vehicles.
- Among the top 20 busiest bus transit operations in the nation, providing more than 50 million rides annually.
- Countywide paratransit service for people with disabilities with 250 buses and more than 1.4 million boardings per year.
- Three Metrolink commuter-rail lines with more than 16,000 boardings each weekday.
- OCTA owns the Los Angeles-San Diego-San Luis Obispo (LOSSAN) rail right-of-way from Fullerton to San Clemente.
- Successful completion of Measure M, the package of \$4 billion in transportation improvements promised to Orange County voters in 1990 when they approved a 20-year half-cent sales tax program.
- Implementation of Renewed Measure M approved by voters in 2006, providing \$15 billion in new funding for freeway, regional/local streets and roads, and transit improvements until 2041.
- Owner and operator of the 91 Express Lanes toll road with more than 12 million vehicle trips in FY 2013.
- Oversight of Orange County's major investment studies and management of the planning for all future transportation infrastructure improvements in the county.

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Table Of Contents

| | |
|---|--------|
| Introduction..... | Page 1 |
| Principles and Objectives..... | Page 1 |
| I. Annual Transportation Funding..... | Page 1 |
| II. Advocacy Efforts for Implementation of Existing and Planned Federal Highway and Transit or Rail Programs..... | Page 2 |
| III. Economic Impact Legislation and Regulations..... | Page 4 |
| IV. Reauthorization of the Highway and Transit Programs..... | Page 4 |
| V. Goods Movement..... | Page 5 |
| VI. Homeland Security..... | Page 6 |
| VII. Energy Issues..... | Page 6 |
| VIII. Environmental Policy and Other Regulatory Requirements..... | Page 6 |
| IX. Employment Issues..... | Page 7 |

Introduction

With a population of over three million, Orange County is the second most populous county in California and the fifth most populous county in the nation. Orange County is also one of the most densely populated areas in the country and is second only to San Francisco for the most densely populated county in the State of California. National and global attractions include Disneyland, Knott's Berry Farm, and over 42 miles of beaches, making Orange County a worldwide vacation destination.

Among metro areas in the United States (U.S.), Orange County is one of the top 20 producing economies in the nation and is home to one of the busiest transit systems in the nation. In addition, Orange County provides highway and rail corridors that facilitate an increasing level of international trade entering the Southern California ports. However, according to the latest annual survey of urban mobility by the Texas Transit Institute, the Los Angeles metropolitan area, including Long Beach and Orange County, also has the second most congestion of any metropolitan area in the nation, delaying drivers an average of more than 61 hours per year. In conducting all of its activities, Orange County Transportation Authority (OCTA) strives to the maximum extent possible to improve transportation performance, reduce congestion, and reduce emissions. With regard to federal revenues, Orange County is consistently a donor county within a donor state.

OCTA's Federal Legislative Platform outlines the statutory, regulatory, and administrative goals and objectives of the transportation authority. The following platform was adopted by the OCTA Board of Directors (Board) to provide direction to staff and federal legislative advocates for the 114th Congress.

Principles and Objectives

OCTA will use the following principles and objectives to guide implementation of the specific recommendations contained in this platform:

1. OCTA will seek to obtain a fair share of federal

funding from all sources for transportation projects within the County, taking into account its size, population, congestion mitigation, and particular transportation needs;

2. OCTA will support the transportation legislative efforts and objectives of other Orange County entities, as appropriate, to further the implementation of this platform, provided that such efforts by others are consistent with OCTA Board-approved projects and policies;
3. In order to accomplish the goals of this platform, OCTA will to work with other entities such as the Orange County Business Council, regional entities such as county transportation commissions and transit agencies, the Southern California Association of Governments, and Mobility 21;
4. OCTA will take an active role in the process of formulating legislation which will reauthorize the federal highway and transit programs in the timeframe beyond May 31, 2015, reaching out to the region, state, and appropriate congressional leaders, and working with them towards a long term and stable future reauthorization program which benefits Orange County.

I. Annual Transportation Funding

On July 6, 2012, President Obama signed Public Law 112-141, Moving Ahead for Progress in the 21st Century (MAP-21), which authorizes surface transportation funding for federal fiscal years (FFY) 2013 and 2014. However, MAP-21 lacks the firewalls from previous transportation authorization legislation. In the past, these firewalls required the annual appropriation of all authorized amounts from the Highway Trust Fund. Therefore, the annual appropriations process will continue to play a role in the OCTA federal legislative platform, and OCTA will continue to advocate for the largest possible annual appropriations to implement MAP-21.

An important aspect of MAP-21 was the bipartisan Congressional agreement that the legislation not contain any funding specifically directed to individual projects (commonly referred to as "earmarks"). It is expected that annual appropriation bills will follow a

similar approach. Accordingly, there are no earmark requests included in the OCTA platform for the 114th Congress. Should this situation change, OCTA will seek the guidance and input of the Legislative and Communications Committee regarding any project requests.

Even in the absence of specific congressional earmarks, small amounts of discretionary transportation funding continue to be distributed by the U.S. Department of Transportation (DOT). As long as this remains the case, OCTA will continue to aggressively pursue discretionary funding for transportation projects from DOT, working within the parameters of DOT funding eligibility, the current funding status of OCTA's capital program, and the direction of the Legislation and Communications Committee.

Other annual appropriations funding priorities for OCTA include:

- a) Support appropriations and additional funding, with increased flexibility, of transit security grant programs for the Department of Homeland Security (DHS) to protect county surface transportation systems, including highways, transit facilities, rail lines, and related software systems;
- b) Support New Start funding for fixed-guideway projects selected for implementation through the Go Local process;
- c) In concert with regional transportation agencies, seek funding for the Southern California Regional Training Consortium to develop bus maintenance training information for the transit agencies throughout Southern California;
- d) Support appropriations funding of the Rail Safety Improvement Act of 2008 (RSIA), particularly funding for implementation of positive train control requirements and other safety enhancements or risk reduction recommendations called for in Title I of RSIA;
- e) Support the reauthorization of a rail title that provides for federal funding that supports intercity and regional rail corridors in California, including the Los Angeles-San Diego-San Luis Obispo Rail Corridor.

II. Advocacy Efforts for Implementation of Existing and Planned Federal Highway and Transit or Rail Programs

With the recent extension of MAP-21, OCTA efforts during 2015 and 2016 will continue to focus on regulatory implementation of this legislation and on possible additional legislation to complement the programs and provisions set out in MAP-21. During this time, OCTA will advocate for the following issues:

- a) Advocate for a fair and equitable distribution of MAP-21 funding to OCTA from the State of California in accordance with any agreed-upon statewide administrative plan or enacted state legislation;
- b) Working with regional agencies, advocate for a high ranking of the Alameda Corridor East Construction Authority project as part of the DOT's Projects of National and Regional Significance program;
- c) Upon definition and approval by the Board, seek support from the Federal Transit Administration and Orange County Congressional Delegation for any fixed-guideway transit projects approved for implementation by the Go Local process;
- d) Pursue continued eligibility of Congestion Mitigation Air Quality (CMAQ) program funding for at least three years of operating expenses associated with any new start fixed-guideway projects in Orange County;
- e) Support expanded design-build authorization for federally-funded highway and surface transportation projects, in accordance with the OCTA Breaking Down Barriers report (approved by the Board on March 28, 2011) and any similar follow on reports;
- f) Support environmental process improvements and stewardship efforts by the relevant federal agencies to expedite project delivery and accelerate the creation of jobs, in accordance with MAP-21 and the OCTA Breaking Down Barriers Report approved by the Board on March 28, 2011, and any similar follow on reports;

- g) Support expedited federal review and payments to local agencies and their contractors for project development, right-of-way acquisition, and construction activities, in accordance with MAP-21 and the OCTA Breaking Down Barriers Report, approved by the Board on March 28, 2011, and any similar follow on reports;
- h) Support efforts within the surface transportation reauthorization legislation, or other appropriate legislation, that direct state departments of transportation to give consideration to the condition and effectiveness of local evacuation routes in high risk areas when setting priorities for the disbursement of highway funding;
- i) Support efforts to authorize and fund bike paths and bike trails within Orange County;
- j) Advocate for legislation, programs, and projects, which encourage where possible, a “complete streets” approach to planning and multi-modal planning approaches in order to expedite project delivery;
- k) Advocate for inclusion of recommendations from the OCTA Breaking Down Barriers Report, approved by the Board on March 28, 2011, and any similar follow on reports, as part of future legislation and regulations;
- l) Encourage the Federal Highway Administration (FHWA) to return the Regional Transportation Plan (RTP) to a long-range planning and vision document rather than a detailed, 30-year financial plan, as current regulations mandate;
- m) Regulations have shifted the approval of RTP amendments involving Transportation Control Measures from FHWA to the Environmental Protection Agency (EPA). OCTA requests that this approval process revert back to FHWA and maintain a consultation process with EPA;
- n) Request that federal funding guidelines permit use of funds for soundwalls as a local option. The FHWA does not permit the use of highway funds to retrofit soundwalls, yet federal trade policies have led to increased freight traffic along goods movement corridors and, hence, noise along the freeways. OCTA requests that the policy be amended to allow highway funds to be used to mitigate the impacts of freight traffic on local communities adjacent to goods movement corridors;
- o) Work with the FHWA, or appropriate members of Congress, to obtain flexibility and increased local decision-making authority regarding the operation of high-occupancy vehicle (HOV) lanes, in order to reduce or eliminate the unintended consequences provided by Section 166 of the Federal Highway Act or any similar provisions regulating degradation of HOV lanes;
- p) Engage the State of California and other state and federal stakeholders, to seek the mitigation or elimination of any federal requirements for direct actions within 180-days in response to any degradation found to exist on federally funded highways;
- q) Support legislative and administrative streamlining of Federal Buy America requirements to permit greater surety regarding the requirements and greater flexibility in applying the requirements to federal funded highway and transit projects;
- r) In conjunction with other Southern California public rail transportation providers, support legislative and administrative efforts to:
 - 1) Responsibly implement Positive Train Control (PTC) nationwide in a manner that takes into consideration any and all technological, fiscal, and logistical challenges in its implementation, while providing for reasonable exemptions from legislative deadlines on a case-by-case basis;
 - 2) Assure that any alternative technologies employed in other rail systems are interoperable with, and contain the same safety benefits as, the PTC system implemented by Metrolink;
 - 3) Ensure that the necessary technical resources such as wireless spectrum are made available, as appropriate, for the full implementation of PTC.

The last 16 miles of the 67-mile Transportation Corridor Agencies (TCA) toll road system, known as the Foothill South Project, represents the only Southern Orange County travel alternative to the Interstate 5 (I-5). The I-5 corridor is already dominated by severe traffic

congestion, negatively impacting travelers throughout Orange County. Due to the need to use property leased from the federal government as part of the preferred right-of-way for the extension, opponents of this project have used federal legislation in an attempt to halt or severely impede project completion. Therefore, OCTA will continue to oppose any provision of federal law which would impede the completion of the project and will work in an active partnership with the TCA in Washington D.C. to seek a resolution to this issue which will permit the completion of a Foothill South Project through Southern Orange County.

III. Economic Impact Legislation and Regulations

Several federal legislative and regulatory actions are also under consideration to prevent unintended adverse economic impacts to the transportation industry and also to appropriate funding for transportation infrastructure projects as a means of creating needed jobs in the economy. In this regard, OCTA will:

- a) Support legislation or regulations to prevent the adverse economic impact which would result from the forced early termination, through technical default, of leveraging agreements such as those entered into by Metrolink for rail rolling stock;
- b) Support legislation which would hold harmless local governments who held debt instruments of Lehman Brothers on September 15, 2008, and other regulatory actions pursuant to section 103 of the Emergency Economic Stabilization Act which are needed to ensure stability in local entities that, through no fault of their own, suffered losses in the economic crisis of 2008;
- c) Support federal legislation and programs which accelerate funding for transportation infrastructure projects and, thereby, create additional jobs and economic activity in Orange County;
- d) Oppose any federal legislation or regulatory action which acts to impede the development of business opportunities and job creation in Orange County;
- e) Support federal assistance for transit operations, provided that such assistance substantially conforms with the Principles for Emergency Support for Public Transportation adopted on

December 15, 2009, by the American Public Transportation Association. Specifically, such operations assistance should:

- 1) Be temporary;
 - 2) Not be considered a precedent for any ongoing program, or a substitute for the currently authorized transit program;
 - 3) Be funded by the general fund apart from any ongoing transit appropriations;
 - 4) Sunset when the economy recovers and unemployment is reduced to a determined acceptable level;
 - 5) Be used to preserve or create jobs and transit service, and not for wage increases to current personnel; and
 - 6) Be available for capital purposes to the extent not needed for direct operating costs;
- f) Oppose any retroactive increase in the current rail passenger liability cap of \$200 million per incident and work with regional partners to assess the appropriate level of any future liability cap, taking into account the limited resources of public sector passenger rail providers.

IV. Reauthorization of the Highway and Transit Programs

During the nine year life of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) and its extensions, OCTA received over \$1.4 billion in transportation funding from programs authorized under the act. The overwhelming majority of these funds (approximately \$1.3 billion) were provided pursuant to formula-funded programs on a pay as you go basis. A large percentage of the formula funds are used to fund the OCTA's transit operating budget. The remainder is used for highway, transit, and surface transportation capital projects throughout the region.

MAP-21 continues surface transportation funding at SAFETEA-LU levels into FFY 2014 and part of FFY 2015. Under a recently passed extension, MAP-21 will now

expire on May 31, 2015, therefore, the 114th Congress will be considering new transportation reauthorizing legislation. In addition, PRIIA also expired at the end of FFY 2013, and Congress will likely be considering new rail reauthorization in the 114th Congress as well.

- a) OCTA will analyze key highway, transit, and rail reauthorization proposals as they emerge to determine:
- 1) The source, adequacy, and stability of proposed future revenues to meet future transportation needs and the economic impact to the public of collection of those revenues;
 - 2) The extent to which a proposal will maximize the return of federal revenues to California and to OCTA;
 - 3) The extent to which a proposal enhances the federal funding partnership by helping OCTA address capital and operating revenue shortfalls;
 - 4) Whether or not the proposal contains any unfunded statutory or regulatory mandates applicable to OCTA;
 - 5) The extent to which the proposal contains provisions which support the recommendations contained in OCTA's Breaking Down Barriers Report, approved by the Board on March 28, 2011, and any similar follow on reports.

Based upon this analysis, OCTA will seek a Board determination of the appropriate approach to surface transportation reauthorizing proposals in Washington D.C.:

- b) OCTA generally supports program features in the next highway, transit, and rail authorization legislation which enable greater flexibility in permitted uses of transportation funds, and which distribute funding based upon formula factors which adequately recognize the extent of transportation funding needs within Orange County;
- c) Evaluate the benefits and challenges of receiving federal highway funds through sub-allocation, taking into account additional costs, increased administrative responsibilities, and the potential for

increased liabilities to which the agency may be subject.

V. Goods Movement

The twin Ports of Los Angeles and Long Beach are considered "America's Gateway" and the nation's busiest ports. The maintenance and improvement of our region's goods movement infrastructure must continue to be a national priority if our region is to remain competitive with the rest of the world and be responsive to the consumer needs of the nearly 18 million people living in Southern California. The need for the Southern California region to remain competitive is further underscored by the expansion and modernization of the Panama Canal and other ports. Currently, revenue streams at the federal level are not sufficient to fund the projects needed to offset the costs of moving these goods.

In March 2007, the Board adopted a Goods Movement Policy intended to guide OCTA decisions regarding goods movement. Further, in July 2007, the Board-adopted Principles for a Container Fee Program, which is intended to guide analysis of legislative programs applicable to goods movement at ports. OCTA will use these two policies to evaluate any federal legislative proposals regarding goods movement.

MAP-21 provides "that it is the policy of the United States to improve the condition and performance of the national freight network and to ensure that the national freight network provides the foundation for the United States to compete in the global economy..." MAP-21 also sets out a timetable and specifications for the designation of a Primary Freight Network and a National Freight Strategic Plan. Working with the regional partners, OCTA's advocacy efforts in this regard will emphasize the following:

- a) Pursue new, stable, dedicated, and secure sources of funding for goods movement infrastructure, such as a goods movement trust fund, which ensure that any revenues are dedicated towards projects in the goods movement corridors where they are generated or collected;
- b) Assure that the benefits of newly-funded projects also take into account mitigation factors to impacted communities;

- c) Continue to work with Congress, the state, and local governments, as well as with the private sector, to develop and implement the needed infrastructure programs and projects;
- d) Ensure that public control of goods movement infrastructure projects is retained at the local level;
- e) Seek mitigation for the impacts of goods movement on local communities in Orange County.

VI. Homeland Security

OCTA continues cooperative efforts with neighboring transit agencies, Urban Area Security Initiative partners, state and federal Homeland Security grant partners, and local jurisdictions to enhance the security of regional highway, bus, and rail systems. In addition to seeking additional grant funding to secure the county's highways, rail, and transit systems, OCTA will pursue the following regulatory and statutory changes to ensure homeland security needs are met:

- a) Support increased federal funding to transit agencies for staff training and operational security improvements for highways, transit, and rail security in the U.S., and flexibility for the use of these funds;
- b) Support a fair and effective distribution of grant funds which takes into consideration the risk of terrorism on targets in Southern California as estimated by the DHS, working in cooperation with state and local officials;
- c) Support programs that reach out to state homeland security officials to improve information exchange protocols, refine the Homeland Security Advisory System, and support state and regional data coordination.

VII. Energy Issues

Legislation addressing U.S. policies on energy is likely to play a role in the 114th Congress. The transportation sector is the largest consumer of petroleum in the U.S. Therefore, the focus by Congress to further develop energy efficient policies is likely to have an impact on OCTA operations. With this in mind, OCTA will:

- a) Monitor legislation and federal rulemaking that addresses new or emerging energy policies such as incentives for alternative fuel technology and use and developer incentives supporting transit programs, as well as research and technology;
- b) Provide federal legislative reports to the Board outlining any energy-related legislation introduced in the next Congress that potentially impacts OCTA operations;
- c) Work with industry associations to comment on congressional actions and/or federal policies that impact the public transportation sector;
- d) Support the continuation of fuel tax credits for the OCTA's use of compressed natural gas and liquefied natural gas.

VIII. Environmental Policy and Other Regulatory Requirements

Federal environmental laws and regulations affecting OCTA include the National Environmental Protection Act, the Federal Clean Air Act, Federal Water Pollution Control Act, and the Endangered Species Act. With regard to these acts and related regulations, OCTA will:

- a) Seek opportunities to expedite and improve the efficiency of the environmental process for federally funded projects. The OCTA Breaking Down Barriers report, approved by the Board on March 28, 2011, contains numerous examples of instances where the environmental process can be expedited and made more efficient without impairing substantive environmental requirements. MAP-21 has incorporated many of these recommendations into statute, with the requirement of implementing regulations. OCTA will monitor future regulations in this area to ensure that they effectively implement the MAP-21 statutory provisions;
- b) Seek federal funding to meet state and local environmental quality requirements, including anticipated requirements for zero emission busses, alternative fueling stations, and future greenhouse

gas reduction requirements;

- c) Monitor any new federal programs seeking to address the environmental impacts of greenhouse gases to ensure that any new environmental requirements are accompanied by additional funding necessary to implement those requirements;
- d) Support legislation and federal grant programs that encourage ridesharing and related congestion relief programs for Orange County commuters.

In addition, OCTA takes the following positions with regard to U.S. departments providing federal oversight, specifically:

- e) Support efforts to work with the California Department of Transportation and the Administration to equitably resolve the United States Department of Transportation interpretation of Americans with Disability Act (ADA) compliance guidelines that retroactively require the implementation of costly curb-ramp and level boarding upgrades within the boundaries of federally-funded projects. According to state officials implementing these regulations on behalf of FHWA, the requirements apply even if curb-ramps are already in place but considered to be out of date according to the most recent ADA guidelines, or when the project would not require ground disturbance (i.e. signal synchronization projects funded with CMAQ funds);
- f) Oppose any regulations or administrative guidance seeking to extend through administrative actions the statutory requirements of ADA;
- g) Support expedited federal review and payments to local agencies and their contractors for project

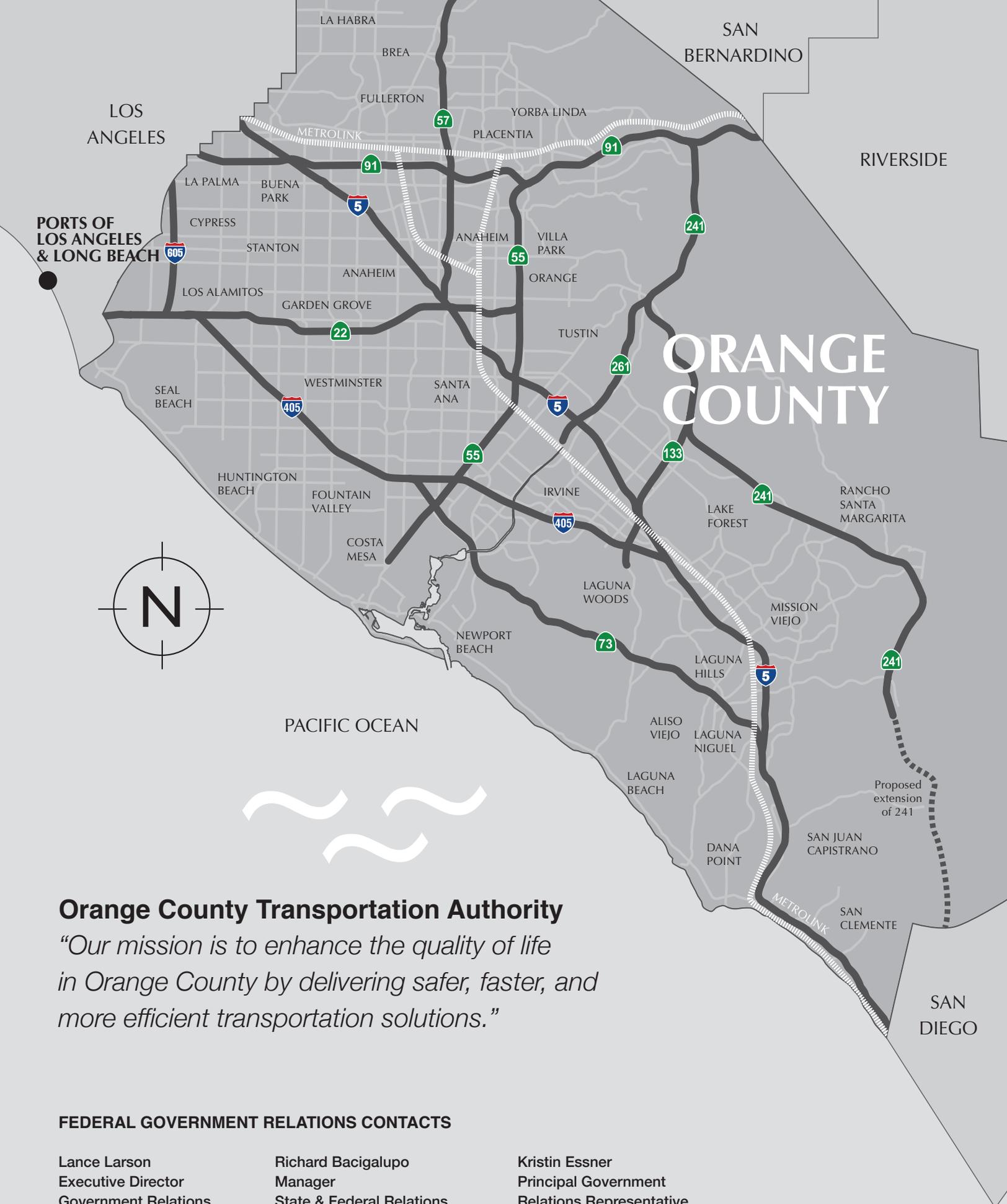
development, right-of-way acquisition, and construction activities;

- h) Support expedited and improved federal reporting and monitoring requirements to ensure efficiency and usefulness of data and to eliminate redundant state and federal requirements;
- i) Ensure that regulations and programs implementing MAP-21 provisions regarding transit safety oversight are reasonable, as free as possible from bureaucratic burden, and do not place an unfair financial burden on OCTA operations.

IX. Employment Issues

Federal employment laws affecting OCTA include the Fair Labor Standards Act, Family and Medical Leave Act, Occupational Safety and Health Act, and the Omnibus Transportation Employee Testing Act of 1991. While significant changes to these federal laws are not anticipated during the 114th Congress, OCTA's historical positions regarding labor and employment issues have included:

- a) Support income tax deductions for employees receiving employer-provided transit passes, vanpool benefits, or parking spaces currently counted as income;
- b) Oppose legislation and regulations adversely affecting the agency's ability to effectively and efficiently address labor relations, employee rights, benefits, and working conditions including health, safety, and ergonomics standards in the workplace;
- c) Support efforts to restrict the ability of the Federal Government to limit state or local efforts to reform pension benefits.



ORANGE COUNTY

Orange County Transportation Authority

“Our mission is to enhance the quality of life in Orange County by delivering safer, faster, and more efficient transportation solutions.”

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OCTA AFFILIATED AGENCIES

Orange County Transit District

Local Transportation Authority

Service Authority for
Freeway Emergencies

Consolidated Transportation
Service Agency

Congestion Management
Agency

Service Authority for
Abandoned Vehicles





2017-18 State and Federal Legislative Platforms Suggestion Form

Name: _____

Agency: _____

Phone Number: _____

E-mail Address: _____

Circle one or both, as it may apply: State Issue Federal Issue

Problem Description:

Possible Solution(s):

Potential Support:

Potential Opposition:

Past Attempts to Address Issue:

Please return this form to Brandon Bullock, Associate Government Relations Representative, Orange County Transportation Agency, 550 South Main Street, P.O. Box 14184, Orange, CA 92863. Phone (714)560-5389; Fax (714)560-5706; E-mail: bullock@octa.net. Or take a survey online at:

<https://www.octa.net/About-OCTA/Who-We-Are/Government-Relations/OCTA-Legislative-Platform/>

Copies of the 2015-16 State and Federal Legislative Platforms can be found at the above link. Since these recommendations are for time-sensitive documents, we would appreciate receiving your suggestions by August 26, 2016.



COMMITTEE TRANSMITTAL

July 25, 2016

To: Members of the Board of Directors
From: Laurena Weinert, Clerk of the Board
Subject: OC Streetcar Project Update and Revised Capital Funding Plan

Transit Committee Meeting of July 14, 2016

Present: Directors Jones, Murray, Pulido, Shaw, Steel, and Winterbottom
Absent: Directors Do and Tait

Committee Vote

This item was passed by the Members present.

Committee Recommendations

- A. Approve the revised OC Streetcar project funding plan to increase the overall project funding from \$288.74 million to \$297.91 million, including increasing the Congestion Mitigation and Air Quality Improvement Program funds from \$48.45 million to \$ 53.03 million.
- B. Approve the transfer of \$4.09 million in Federal Transit Administration Section 5307 funds from the initial project studies into the design and construction phases and a corresponding reduction in Measure M2 funds in keeping with the Board of Directors' policy to maximize matching state and federal funds.
- C. Direct staff to submit the annual New Starts application with a request to increase the federal New Starts funding share from \$144.37 million to \$148.96 million.
- D. Authorize staff to make all necessary amendments to the Federal Transportation Improvement Program and execute any required agreements or amendments to facilitate the recommendation above.



ORANGE COUNTY TRANSPORTATION AUTHORITY

**OC Streetcar Project Update and Revised Capital Funding
Plan**

Staff Report



July 14, 2016

To: Transit Committee

From: Darrell Johnson, Chief Executive Officer

A handwritten signature in black ink, appearing to read "Darrell Johnson for", is written over the printed name in the "From:" field.

Subject: OC Streetcar Project Update and Revised Capital Funding Plan

Overview

On August 24, 2015, the Orange County Transportation Authority Board of Directors approved the capital funding plan for the OC Streetcar project. With completion of 30 percent design and consistent with Federal New Starts requirements, an updated funding plan has been prepared. Staff is seeking Board of Directors' approval of the revised funding plan.

Recommendations

- A. Approve the revised OC Streetcar project funding plan to increase the overall project funding from \$288.74 million to \$297.91 million, including increasing the Congestion Mitigation and Air Quality Improvement Program funds from \$48.45 million to \$ 53.03 million.
- B. Approve the transfer of \$4.09 million in Federal Transit Administration Section 5307 funds from the initial project studies into the design and construction phases and a corresponding reduction in Measure M2 funds in keeping with the Board of Directors' policy to maximize matching state and federal funds.
- C. Direct staff to submit the annual New Starts application with a request to increase the federal New Starts funding share from \$144.37 million to \$148.96 million.
- D. Authorize staff to make all necessary amendments to the Federal Transportation Improvement Program and execute any required agreements or amendments to facilitate the recommendation above.

Background

On August 24, 2015, the Orange County Transportation Authority (OCTA) Board of Directors (Board) approved the capital funding plan for the OC Streetcar

project (Project). The funding sources included federal Capital Investment Grant Program (New Starts) and Congestion Mitigation and Air Quality Improvement (CMAQ) Program funds, Measure M2 (M2) sales tax revenue, and state cap-and-trade funding. Since that time, significant progress on the Project has been made related to design, vehicle procurement, right-of-way (ROW), and coordination with the Federal Transit Administration (FTA).

- In February 2016, the Project was included in the President's Fiscal Year (FY) 2017 Budget request and recommended in FTA's Annual Report on Funding Recommendations for \$125 million with a "medium-high" rating. This executive branch recommendation has been followed by similar funding recommendations in both the Senate and House of Representatives to identify specific FY 2017 appropriations funding for the Project.
- Thirty percent design plans were completed in late May 2016 and are undergoing review by OCTA and the cities of Santa Ana and Garden Grove. Through the design effort, a number of design modifications were developed based on coordination with the cities, as well as the results of the Risk Assessment and Value Engineering workshop conducted in June 2015. The necessary environmental technical analyses have been undertaken on these minor design modifications.
- Staff completed site visits with two agencies to explore opportunities to secure assignments of the agencies' existing vehicle contracts (piggybacking approach): the City of Cincinnati and Tri-County Metropolitan District of Oregon. A third agency, Metropolitan Transit Authority of Harris County (Houston METRO) was also considered, but it was determined not to proceed with evaluation of the vehicle contract because the contract with the vehicle manufacturer expires in November 2016. Securing an assignment from Houston METRO would have necessitated OCTA Board action on the contract before evaluation of the available vehicle contracts could be completed.

The next step in the vehicle procurement process is the release of a request for quotes (RFQ) in July 2016. The RFQ will obtain pricing on the required vehicle modifications, commitment on production schedule, as well as revisions to commercial terms from the base contracts. Staff is scheduled to return to the Board in fall 2016 with recommendations on the viability of the piggybacking approach and, potentially, a recommended contract award.

- Appraisals for ROW acquisitions for the Maintenance and Storage Facility (MSF) are being finalized based upon environmental site assessments. Additionally, the Project required the termination of

11 licenses along the OCTA-owned Pacific Electric ROW determined to be in conflict with the Project alignment. Notices have been sent to all licensees indicating OCTA would exercise the 30-day termination notice. OCTA has entered into new agreements with five of the 11 licensees which allow the licensees to use the property on a temporary basis through the end of 2016, consistent with the Project need for the property.

- Utility conflict identification is underway with meetings to coordinate the resolution of conflicts with utility owners scheduled for this summer.
- A recommendation for the consultant selection of the construction management contract is scheduled to be presented to the OCTA Board in July 2016.
- The station and urban design effort is underway with the development of aesthetic concepts for the streetcar stops. Community outreach for stop design will begin in July 2016, and staff will brief the Board on stop design criteria in August 2016.
- Staff continues to coordinate with FTA and its project management oversight consultant on the plans and documents required for approval into the next phase of the New Starts process – Engineering.

Discussion

At the end of May 2016, the Project reached a significant milestone with the completion of 30 percent design. The design work resulted in a more defined project in terms of the alignment, location of stops and traction power substations, parking, pedestrian and bicycle accommodations, and the MSF design.

Through the design work and close coordination with the cities of Santa Ana and Garden Grove, design modifications were made to the Project to enhance operations, minimize conflicts with adjacent developments and utilities, and reduce long-term operations and maintenance costs. An environmental analysis was conducted on the design modifications, and an updated cost estimate and financial plan were prepared.

Preparation of the FY 2018 New Starts submission to report annual progress to FTA and provide the project justification and financial templates required to rate the Project against the New Starts criteria is underway and will be submitted to FTA by September 2, 2016. Additionally, with the completion of 30 percent design, staff is finalizing materials supporting OCTA's request to FTA to enter the New Starts Engineering phase. The request represents the final opportunity to adjust Project cost and solidifies the federal New Starts contribution, capped at 50 percent of the capital cost.

Environmental

Staff has conducted additional environmental analyses to determine if the design modifications would result in any new environmental effects or increase the impact of the previously identified significant effects. The analyses, which included noise and vibration, cultural and historic, visual impact, and traffic analysis, concluded that the design modifications would not result in any new significant environmental effects that were not previously analyzed as part of the approved California Environmental Quality Act (CEQA) Environmental Impact Report (EIR).

Pursuant to CEQA, an addendum is the appropriate documentation if a project requires changes or additions to a previously approved EIR that are minor in nature. This means that the changes are not so significant that it would require major revisions to the approved EIR, involve significant new environmental effects, or substantially increase the severity of previously identified significant effects.

Consistent with CEQA, staff prepared an addendum (Attachment A) to document the analysis and conclusions. CEQA requires that the decision-making body, in this instance the OCTA Board, consider the addendum prior to taking an action on the Project.

Staff is also coordinating with FTA on how the minor design modifications effect the requirements related to the federal environmental process.

Capital Cost Estimate

The Project cost estimate was updated to address all major Project elements, including construction, professional services, ROW, vehicles, and contingency. The updated construction cost estimate reflects the results of the 30 percent design effort, including the refinement of quantities for the various construction elements, developing a bottom's-up estimate for each construction activity based on current labor rates, anticipated production rates, and necessary equipment and materials. The other Project (non-construction) elements were refined based on an in-depth review of past and anticipated expenditures.

Additionally, FTA requires that projects conduct multiple cost and risk assessments during project development to assist project sponsors and FTA in identifying and properly accounting for risks and opportunities within the Project's cost estimate and schedule. The initial Risk Assessment and Value Engineering workshop was conducted in June 2015. The workshop looked at risks and opportunities, and included a value engineering initial effort to identify potential areas of efficiency and cost savings. Based upon the workshop, the cost estimate for the Project, submitted as part of the September 2015 New Starts application, was \$288.74 million in year of expenditure (YOE) dollars. The cost estimate

accounts for the impact of annual inflation over the multi-year implementation/construction process.

In May 2016, the Project team conducted a second risk assessment analysis based on the 30 percent design plans. The following elements were identified as continuing to have risk to the Project scope and schedule:

- Unquantifiable risk during construction requiring contract change orders
- Design changes to the MSF
- On-time vehicle delivery

To address these risks, a 25 percent contingency is included in the cost estimate. This is the contingency level recommended by FTA at this stage of project development.

Based on the results of the 30 percent design effort and the May 2016 risk assessment analysis, the cost estimate with a 25 percent contingency was revised to \$297.91 million (YOE dollars), \$9.17 million higher than the previous estimate of \$288.74 million.

Key elements contributing to the cost increase include higher professional service costs to ensure recovery of all eligible agency costs, and costs incurred by the cities of Santa Ana and Garden Grove. Professional services include consultant contracts which augment agency staff to provide specialized expertise in the areas of project and construction management and design. The vehicle costs increased to include non-revenue vehicles, as well as sales tax. Additionally, there was an increase in the cost of the MSF, as well as the number of traffic signals that will be replaced. Further, two elements have been added to the Project: a new section of track along Ross Street to enhance operational flexibility and safety, and an in-ground wheel truing machine for the benefit of long-term maintenance.

The updated capital cost estimate will be included in the September 2016 New Starts annual update. Any further adjustments to the cost estimate during the Engineering phase will be reported back to the Board prior to submitting the request for the Full Funding Grant Agreement (FFGA), which is scheduled for spring 2017.

Revised Funding Plan

Projects pursuing a New Starts FFGA are required to show a committed and reasonably anticipated funding plan for the required local match. Consistent with Board-adopted Capital Programming Policies and the M2 ordinance, which requires that every effort be made to maximize state and federal funding for M2 projects, staff has developed a revised Project funding plan reflecting the updated capital cost estimate and incorporation of an additional federal funding source.

The table below compares last year’s funding strategy to the proposed revised funding plan.

| Funding Source | August 2015 Funding Plan (millions) | July 2016 Funding Plan (millions) | Change in Funding (millions) | Status of Funding Source |
|----------------------|-------------------------------------|-----------------------------------|------------------------------|--|
| Federal New Starts* | \$144.37 | \$148.96 | \$4.59 | Pending award by FTA |
| Federal CMAQ | \$48.45 | \$53.03 | \$4.58 | Committed, with the additional \$4.58 million pending Board approval |
| Federal FTA 5307 | | \$4.09 | \$4.09 | Pending Board approval |
| State Cap-and-Trade* | \$40.00 | \$40.00 | 0 | Pending award by the California State Transportation Agency |
| M2 – Project S | \$55.92 | \$51.83 | -\$4.09 | Committed |
| TOTAL | \$288.74 | \$297.91 | \$9.17 | |

* Contingent on state and federal approvals.

- All numbers have been rounded.

The Project’s updated capital cost estimate is \$297.91 million (YOE dollars). The recommended revised funding plan reflects the following:

- Federal New Starts funds: \$148.96 million; increased by \$4.59 million to cover 50 percent of project cost. Funding is contingent on FY 2017 and future year congressional appropriations and execution of the FFGA, which is expected in fall 2017.
- Federal CMAQ Funds: \$53.03 million; a \$4.58 million increase from the August 2015 Funding Plan amount.
- Federal FTA Section 5307 Formula funds: \$4.09 million (Santa Ana) – these are unused funds from earlier phases of the Project. These funds are eligible to cover professional services expenses. The FTA Section 5307 Formula funds are included in the revised funding plan, but have not yet been approved for this use by the Board.

- State Cap-and-Trade Program funds: \$40 million; the same level as was indicated in the August 2015 funding plan. In spring 2016, staff submitted a \$50.7 million application for this competitive grant program, requesting funding for streetcar vehicles (Priority 1), ticket vending machines (Priority 2), and mobile ticketing equipment (Priority 3). It is anticipated the State of California will announce grant awards in August 2016.
- M2 – Project S: \$51.83 million – a decrease of \$4.09 million from the August 2015 funding plan and maximizes state and federal funds in place of M2 funds whenever possible.

With regards to the state Cap-and-Trade Program, an item was presented to the Board on May 18, 2016, which identified potential funding challenges for the grant program. Both state officials and outside financial analysts have pointed to numerous scenarios for recent poor auction showings, including an overall lack of demand for credits, more competitive pricing for credits on the secondary market, and increased speculation that pending litigation being pursued by business advocacy groups such as the California Chamber of Commerce, may overturn the cap-and-trade system entirely. Currently, the next credit auction is scheduled for August 16, 2016.

If the pursuit of cap-and-trade funds results in a lower than requested funding level, or if it is unsuccessful, staff will return to the Board with a revised Project capital funding plan for the local financial commitment. As previously reported to the Board, there is capacity within the M2 Project S line item that could provide additional funding for the Project. However, the M2 Ordinance and Board-approved Capital Programming Policy directs staff to “make every effort to maximize state and federal funding for transit projects.” Consistent with that direction, staff will also continue to seek alternate sources of funds to provide the required local match.

The capital funding plan, which provides funding information for OCTA-funded commuter rail projects and also highlights the recommended changes included in this item, is provided in Attachment B.

New Starts Engineering Phase

The next phase of the New Starts process is Engineering. Consistent with Board direction in August 2015, staff submitted the required Project readiness documents to FTA in October 2015. Over the last several months, staff has been working to update the documents to address federal review comments, as well as to reflect additional work performed on the Project. Pursuant to recently released FTA Guidance for the New Starts Program, all projects pursuing a New Starts FFGA must complete 30 percent design prior to receiving approval to enter Engineering.

With the completion of 30 percent design, staff is finalizing the submissions for FTA review. It is anticipated that OCTA will be approved into Engineering in November 2016.

Next Steps

Following the cap-and-trade funding announcement, which is anticipated in August 2016, staff will revisit the funding plan. If the cap-and-trade grant award differs from the programmed amount (\$40 million), staff will return to the Board with an updated funding plan.

The Project team will continue to prepare the annual New Starts application update and submit the application to FTA by September 2, 2016. Additionally, the Project team will continue to develop the application to enter Engineering and, upon resolution of FTA comments, will submit a letter formally requesting entry into Engineering. The request is anticipated to be made in early fall 2016, following FTA's acceptance of the New Starts application annual update submittal.

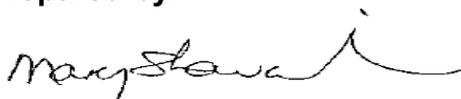
Summary

Significant progress has been made on the Project since August 2015, including completion of 30 percent design, environmental analysis, and updating of the capital cost estimate. Staff is currently working to complete the required annual New Starts application update and request for entry into Engineering. In order to ensure continued progress, staff is seeking Board approval of the revised funding plan for the required local match commitment.

Attachments

- A. Addendum to the Environmental Impact Report for the Santa Ana/Garden Grove Fixed Guideway Project
- B. Capital Funding Program Report

Prepared by:



Mary Shavalier
Program Manager
(714) 560-5856

Approved by:



Jim Beil, P.E.
Executive Director, Capital Programs
(714) 560-5646



ORANGE COUNTY TRANSPORTATION AUTHORITY

**OC Streetcar Project Update and Revised Capital Funding
Plan**

Attachment A

**Addendum to the Environmental Impact Report
for the
Santa Ana/Garden Grove Fixed Guideway
Project**

SCH No. 2010051060

Prepared For:

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1. INTRODUCTION

This Environmental re-evaluation and Addendum to the Santa Ana/Garden Grove Fixed Guideway Project (Project) Final Environmental Impact Report (EIR) has been prepared to address design modifications to the Project resulting from the completion of preliminary engineering (30%) design.

The California Environmental Quality Act (CEQA) requires that if there are minor technical changes or additions to a project and no new or substantially more severe significant effects result, an Addendum to an approved EIR must be prepared. This Addendum describes design modifications that Orange County Transportation Authority (OCTA) is proposing for the Project and summarizes the findings and conclusions of the evaluation of how these changes affect the previous environmental analysis contained in the EIR.

Section 15164(a) of the CEQA Guidelines states that “the lead agency or a responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.” Pursuant to Section 15162(a) of the State CEQA Guidelines, a subsequent EIR or Negative Declaration is only required when:

(1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

(2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

(3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:

- (A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;*
- (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;*
- (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or*
- (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.*

If major revisions of the EIR are not necessary and none of the conditions described in State CEQA Guidelines Section 15162 calling for the preparation of a subsequent EIR have occurred, CEQA mandates that an addendum be prepared.

2. BACKGROUND

The Project is a proposed as an approximately 4-route mile modern streetcar line that will connect the Santa Ana Regional Transportation Center (SARTC) to Downtown Santa Ana and a new transportation hub located near the intersection of Harbor Boulevard and Westminster Avenue in Garden Grove.

Construction and operation of the Project (the adopted Locally Preferred Alternative, or "LPA") was approved by the Federal Transit Administration (FTA) in a Finding of No Significant Impact (FONSI), dated March 10, 2015 based on the findings of the Revised Environmental Assessment (EA) (January 2015), pursuant to the National Environmental Policy Act (NEPA). The City of Santa Ana certified the EIR (State Clearinghouse #2010051060) in January 2015, which was subsequently adopted by OCTA. OCTA is a CEQA "Responsible Agency" as defined by CEQA Guideline 15381. Pursuant to CEQA Guideline 15381, "Responsible Agency" means "a public agency which proposes to carry out or approve a project, for which a Lead Agency is preparing or has prepared an EIR or Negative Declaration."

The approved Project was based on a conceptual level of engineering. Subsequent to Project approval in 2015, OCTA has taken the lead in advancing the design and implementation of the Project. As part of this engineering design phase, OCTA is proposing some modifications to the Project as it was defined and analyzed in the EIR. The modifications comprise of physical and operational improvements, and are partly derived from value engineering and risk workshops conducted in 2015, as well as design coordination with OCTA's partner cities and stakeholders. The modifications are not anticipated to result in changes to the maintenance plan for the Project.

3. DESCRIPTION OF DESIGN MODIFICATIONS

The following describes the proposed modifications that are the basis of evaluation in this Addendum. Additionally, Table 3.1 provides a listing of design updates, comparing the description of Project features in the EIR to the revised description of Project features resulting from the modifications.

The corresponding figures for each modification are referenced on the table and attached to this Addendum. Figure 1 provides an overview of the current Project features. Figures 2 to 12 provide graphics focused on specific changes in Project features for added clarity.

Table 3.1. Project Description Comparison of Approved Project (2015 EIR) and Modifications (30% Design Revisions – May 2016)

| Update ID | Project Description | | Figure |
|-----------|---|--|--------|
| | Approved Projectin 2015 EIR | 30% Design – May 2016 | |
| 1 | Single-track bridge across the Santa Ana River south of the existing historic bridge. | Double-track bridge across the Santa Ana River; north of the existing historic bridge. The double-track bridge is the same distance away from the historic bridge as the single-track bridge. | 1 |
| 2 | Track positioned in the center of the former Pacific Electric Right-of-Way (PE ROW). | Track shifted to the northern side of the PE ROW; no private property is required. | 2 |
| 3 | At-grade Santa Ana River Trail crossing on the West Bank. | Provision of a Santa Ana River Trail undercrossing at the West Bank by including an extra span on the Santa Ana River bridge | 3 |
| 4 | Streetcar Maximum Speed of 35 mph in PE ROW | Streetcar Maximum Speed of 45 mph in PE ROW | 1 |
| 5 | Willowick Station Stop within PE ROW. | No Willowick Station Stop within the PE ROW. | 4 & 5 |
| 6 | Side platforms at Harbor Blvd., Fairview St. (staggered, farside), and Raitt St., farside Bristol St. eastbound, farside Ross St. westbound, stops at Broadway and Main. | Center platforms at Harbor Blvd., Fairview St., and Raitt St., nearside Bristol St. westbound, nearside Ross St. westbound, stops at Sycamore (farside westbound, farside eastbound), No private property is required for the platforms. | 5 |
| 7 | Double crossover west of Maintenance and Storage Facility (MSF), turnout and tail track beyond Santa Ana Regional Transportation Center (SARTC) platform. | Single crossovers on both sides of the MSF, revised MSF track layout, single crossovers on both ends of downtown couplet, double-crossover prior to SARTC platform. | 6 |
| 8 | No consideration for traffic signal priority for the streetcar. | Traffic signal priority at all traffic signals along the route except for Main St., Broadway, and Bristol St. The TSP extends a green phase or shortens an opposing green phase by as much as 20 seconds, | 1 |
| 9 | Tied-Arch Bridge at Westminster Avenue | Concrete Box Girder Bridge at Westminster Avenue | 7 |
| 10 | Santa Ana Blvd. from Flower St. to Raitt St. maintained as a four-lane street (two lanes in each direction with streetcar in the outside lanes). | Santa Ana Blvd from Flower St. to Raitt St. with a raised 4-ft median and re-stripped as a two-lane street (one lane in each direction) with left and U-turns allowed only at signalized intersections and striped bike lanes. No private property is required. | 8 |
| 11 | Santa Ana Blvd. from French St. to Flower St. with three-lanes westbound. | Santa Ana Blvd. from French St. to Flower St. with two-lanes westbound and a protected bike lane on the north side of the street. No private property is required. | 9 |
| 12 | Six traction power substations (TPSS) located at the following locations: (1) At Harbor Blvd.; (2) At Susan St. (outside PE ROW); (3) On east side of Santa Ana River (outside of PE ROW); (4) At Pacific Ave.; (5) In a parking structure at 5 th and Main; and (6) On south side of Santa Ana Blvd at Garfield St. | Elimination of two TPSS to result in a total of four TPSS for the Project, with the following revised locations. No private property is required: (1) On south side of Westminster Ave in the PE ROW; (2) At the Maintenance and Storage Facility (MSF) site; (3) On north side of Santa Ava Blvd east of Parton St.; and (4) On north side of Santa Ana Blvd and N. Garfield St. Locations 1 and 2 are within the ROW previously cleared. Locations 3 and 4 are identified on the updated APE. | 10 |

| Update ID | Project Description | | Figure |
|-----------|--|---|--------|
| | Approved Projectin 2015 EIR | 30% Design – May 2016 | |
| 13 | Appendix P to the EIR, the Drainage Technical Report, indicate storm drain improvements on many streets outside the project alignment. | Modification of scope of drainage improvements to rely less on connections to storm drain network and use surface conveyance in streets to maintain existing drainage patterns to the maximum extent practicable while addressing surface storm water drainage needs generated by the Project, or change in drainage patterns caused solely by the Project. | 11 |
| 14 | Single contact wire in PE ROW. | Two-wire catenary in the PE ROW. | 12 |
| 15 | No provision for underground fiber optics cable | Underground fiber optics cable (communications) from SARTC to OCTA Garden Grove Bus Annex north of PE ROW, approximately 1500 feet west of Harbor Blvd | 1 |

The Project footprint and Area of Potential Effect (APE) for Cultural Resources study were also updated to encompass the modifications as well as the anticipated revised construction limits of the Project.

Physical Improvements: The modifications would result in the following physical improvements:

- Concrete Box Girder bridge at Westminster Avenue;
- Construction of a double track bridge across the Santa Ana River (SAR) north of a historic bridge location;
- Adding a bridge span on the west bank of the SAR, behind an existing levee to accommodate an undercrossing for the SAR Trail and Bikeway (and Orange County Flood Control District (OCFCD) maintenance road. Implementing a slight raise to the bridge (approximately one foot) to keep the pathway higher than the water surface elevation in the river to allow for positive drainage to the river;
- Repositioning the double track alignment within the PE ROW;
- No Willowick Station Stop. This station stop is associated with future development. At this time there is no development that is accessible to this station stop;
- Repositioning of side platforms to center platforms at Harbor Boulevard, Fairview Street (both west side), and Raitt Street in the PE ROW segment of the Project alignment;
- Repositioning westbound platform at Ross Street from farside to nearside, and platforms at Broadway and Main consolidated and moved to farside Sycamore Street;
- Placement of single crossovers on both sides of the Maintenance and Storage Facility (MSF) with a revised layout for the MSF, added crossovers on both sides of downtown couplet, and replaced the tail track beyond the SARTC platform with a double-crossover before the SARTC platform;
- Restriping Santa Ana Boulevard from Flower Street to Raitt Street from a four-lane to a two-lane street with a raised 4-ft median;
- Restriping westbound Santa Ana Boulevard from French Street to Flower Street from three-lanes to two-lanes and a protected bike lane on the north side of the street;
- Relocation of the traction power substations (TPSS) to the PE ROW and publically owned properties and reducing the number of TPSS from six to four;
- Re-evaluation of the scope of drainage improvements to mitigate additional surface storm water drainage needs generated by the Project, or change in drainage patterns caused solely by the Project;
- Changing from single contact wire in the PE ROW to a two-wire catenary to enhance operations at higher speed; and

- Consideration of underground fiber optic lines from SARTC to the OCTA Garden Grove Bus Annex north of the PE ROW, about 1500 feet west of Harbor Blvd.

Operational Improvements: Two changes to the Project's operations are proposed as part of the modifications:

- Increasing the maximum speed within the PE ROW from 35 miles per hour (mph) to 45 mph. The increased speed reduces travel time, providing operational cost and ridership benefits; and,
- Implementation of traffic signal priority at all traffic signals along the route except for Main Street, Broadway, and Bristol Street.

4. ENVIRONMENTAL ANALYSIS OF DESIGN MODIFICATIONS

To evaluate whether the proposed design modifications would result in a new significant impact, increase in the severity of an impact, or require new mitigation measures, OCTA undertook environmental review and where needed, conducted a technical analysis of each Project feature update. The following technical reports were prepared as part of this analysis and are included as attachments to this Addendum:

- Visual Impact Assessment (VIA) Supplement (HDR, 2016) (Appendix A)
- Cultural Resources Update Technical Memorandum (HDR, 2016) (Appendix B)
- Traffic Study Addendum v2 (IBI Group, 2016) (Appendix C)
- Supplemental Noise and Vibration Technical Analysis (HDR, 2016) (Appendix D)

The technical analysis was coordinated with the 30% design work that was progressing on the Project. In some cases, specific design modifications were refined based upon analysis undertaken in the 30% design work.

The CEQA Guidelines require that a brief explanation be provided to support the findings that no subsequent EIR or Negative Declaration is needed for further discretionary approval. A summary of findings from the re-evaluation of each of the environmental issue areas that were analyzed in the Project EIR are described below.

Effects Determined Not Adverse

The Project EIR identified the following environmental resource areas that would not be impacted by the proposed Project: coastal zones, wetlands and navigable waterways, ecologically sensitive areas, and endangered and/or threatened plant and animal species.

The proposed design modifications would not significantly impact these resources as these resources are not present within, or in proximity to, the limits of disturbance associated with implementation of the design modifications. No additional impacts would occur to these environmental resources and the conclusions that the project would not result in a significant impact to these resources as identified in the EIR remain accurate.

Land Use and Zoning

The potential land use and zoning impacts (including agricultural and forestry resources) associated with the construction and operation of the Project were evaluated in the EIR. Since the certification of the EIR, there have been no changes to the land use or zoning environment, and the fundamental characteristics of the Project as evaluated in the EIR have not changed. The EIR concluded that impacts related to land use and zoning and agricultural and forestry resources were determined to be less than significant. No mitigation measures were required.

The proposed design modifications would not change the fundamental characteristics of the Project. The proposed Project design modifications would not expand or increase the development footprint in such a manner as to create a

land use or zoning impact, and there are no agricultural or forestry resources located within the construction footprint. Both the construction and operations of the Project would be similar to the Project as evaluated in the EIR. No additional land use and zoning impact would occur and the conclusions that the Project would not result in a significant land use and zoning impact as identified in the EIR remain accurate.

Land Acquisition and Displacements

This environmental resource issue area is only applicable to the analysis pursuant to NEPA, and no further analysis is warranted in this CEQA Addendum. In addition, no additional displacements are anticipated by the design changes.

Section 4(f) Resources

This environmental resource issue area is only applicable to the analysis pursuant to NEPA, and no further analysis is warranted in this CEQA Addendum.

Community Effects and Environmental Justice

This section of the EIR includes an evaluation of potential impacts associated with fire protection, police protection, schools, parks, and other public facilities. The EIR determined that impacts to fire and police protection would be less than significant, and that there would be no impact to schools, parks or other public facilities. The design changes do not involve any modifications to the characteristics of the project that would affect any of these facilities. Both the construction and operations of the Project would be similar to the Project as evaluated in the EIR. No additional community effects impact would occur and the conclusions that the Project would not result in a significant community effects impact as identified in the EIR remain accurate.

Visual Quality

The potential visual quality impacts associated with the construction and operation of the Project were evaluated in the EIR. The EIR determined that the proposed project would result in less than significant impacts to visual quality including scenic vistas, scenic resources, or aesthetic features, or substantially degrade the existing visual quality or character of the area. Since the certification of the EIR, there have been no changes to the aesthetic environment of the proposed Project as evaluated in the EIR. However, as described under "Description of Design Modifications" the design modifications that have been determined to potentially affect visual resources, and therefore determined to require further evaluation are located at: (1) the Westminster Avenue Bridge; (2) the Santa Ana River Bridge; and (3) realignment of the track and change from one to two-wire catenary in the PE ROW. An additional change would occur within a portion of the Project as a result of the repositioning of the TPSS's.

The visual impact of two wire catenary within the PE ROW is considered to be less than significant in the context of the prior analysis and presence of overhead wires in adjacent areas; therefore, no supplemental visual analysis was performed for this change.

In order to address the potential visual quality impacts associated with the design modifications to the Westminster Avenue Bridge, the Santa Ana River Bridge, the realignment of track and change from one to two-wire catenary in the PE ROW, as well as the repositioning of TPSSs, a supplemental visual impact analysis was prepared (see Visual Impact Assessment Supplement, Appendix A). The purpose of the analysis was to identify any changes to visual effects that were previously disclosed in the EIR.

The supplemental visual impact analysis concludes that no new significant visual impacts and no increase in the severity of an impact would result as compared to the originally approved Project as evaluated in the EIR. No additional visual quality impact would occur and the conclusions that the Project would not result in a significant visual quality as identified in the EIR remain accurate.

Cultural Resources

A supplemental cultural resources technical analysis was prepared to identify whether any of the proposed design modifications within the Project would affect the previous findings regarding cultural resources (both historic and archaeological) within the previously-approved APE, and the revised APE (see Cultural Resources Update Technical Memorandum, Appendix B).

As identified in the EIR, the proposed Project was not expected to have a significant impact on historical resources (including historic architecture) or archaeological resources. However, given the sensitivity of the area for archaeological resources, archaeological monitoring would be conducted for earth-disturbing activities that could encounter previously undisturbed soils per the Mitigation Monitoring and Reporting Program (MMRP) adopted as part of the EIR.

The proposed design modifications would expand the previously-identified APE associated with cultural resources. The 2015 EIR APE was originally created to take into consideration both archaeology and architectural resources, encompassing the maximum footprint for construction, ground-disturbance and grading, and generally extended one parcel past the limits of the above-ground Project improvements, and/or direct impacts for the TPSS sites, gated crossings, tree removal areas, maintenance facilities, transit structures, raised medians, staging areas, property acquisitions, and ROW impacts. The APE also included previously recorded cultural resources located adjacent to the above-ground Project improvements and direct impact areas. In addition, the APE included parcels adjacent to the proposed Project footprint as part of the architectural history field surveys for properties that may be potentially indirectly affected by visual, audible, or atmospheric intrusions; shadow effects; vibrations from construction activities; or change in access or use. These areas of the APE would not be physically demolished, destroyed, relocated/removed, materially altered, or impacted from neglect or deterioration as a result of the Project.

As part of the supplemental cultural resources analysis (Appendix B), the original Project APE was compared to the design modifications, and a revised and expanded APE was developed to address the modifications. The revised APE encompasses the original 2015 APE and was expanded in areas to accommodate design modifications identified in Table 1, primarily to include the relocation of TPSS, areas of ground disturbance due to utility relocations and storm drain improvements, adjustments to platforms, station stops, and rail lines, and the location of the bridge over the Santa Ana River. The APE maps include the locations of historic properties. In keeping with the previous methodology, both direct and indirect effects were taken into account when revising the APE and include areas where the streetcar and its Project components will be visible and/or where there may be effects due to audible or atmospheric impacts or vibration impacts from construction.

Additionally, an updated records search was conducted with the South Central Coastal Information Center to ensure that all recently recorded cultural resources in the expanded APE were taken into account in the supplemental cultural resources study. Based on the results of the records search, there are no newly identified historic properties located within the expanded 2016 APE as compared to the 2015 APE. A reconnaissance-level field survey was conducted in May 2016 to photograph and document the expanded areas of the revised APE.

As noted in the 2014 survey and evaluation, there are several historic properties located with the 2015 APE. The proposed modifications and the expanded APE include the historic properties identified in Table 2 of the supplemental cultural resources analysis (Appendix B). There are no known archaeological or paleontological resources eligible for listing in the National Register of Historic Places (NRHP) located within the original or expanded APE.

The expanded APE does not include any known archaeological or paleontological resources eligible for or listed in the NRHP. Ground disturbance would not be more than five feet beneath the existing surface in most areas. The deepest excavations would be 12-20 feet deep (likely a 36-inch diameter boring) to accommodate OCS pole foundations, depending on soil conditions which will be determined through a geotechnical investigation. Although the APE has already been subject to extensive disruption from previous development and may contain artificial fill

materials, the APE has the possibility of containing intact, undisturbed cultural deposits below the level of previous disturbance. As such, important archaeological resources may exist within the APE. The potential exists that construction activities associated with ground disturbance may unearth undocumented archaeological resources. Implementation of Mitigation Measure CR 1 of the EIR MMRP would ensure that measures are taken to minimize potential effects to archaeological resources. Therefore, no adverse effects would occur to archaeological resources as a result of the design modifications, and no change to the previously-adopted Mitigation Measure CR 1 would be required.

The proposed utility and storm drain modifications, the repositioning of double-track and platforms, placing single crossovers, restriping Santa Ana Boulevard, and repositioning of platforms would occur almost entirely within the street and PE ROW, which have been previously disturbed with pavement, utility lines and a previous rail line. Within the street ROW, construction would require a depth of approximately 18 inches below ground surface of excavation for placement of foundation material and laying track. Additional depth of excavation may be required for utility relocations and foundation construction for the TPSSs at a depth of five feet or less, but this would not likely encounter previously undisturbed soil. These areas are all located in previously disturbed areas with underground infrastructure along the street ROW, and the potential for the accidental discovery of archeological resources is low.

The construction and operation of the proposed Project would not disrupt the essential form or integrity of the historic properties in the expanded APE. Further, the design modifications would not result in visual, audible, or atmospheric intrusions beyond those noted in the 2014 cultural resources evaluation.

Based on the expanded 2016 APE, the sensitivity of the area for archaeological resources and the recommendation for archaeological monitoring to be conducted for earth-disturbing activities that could encounter previously undisturbed soils is unchanged, and should remain consistent with the EIR. The updated analysis confirms that there are no changes to the previous conclusions regarding cultural resources as a result of the engineering refinements and that a less than significant impact would result from the Project modifications within the revised/expanded APE for the Project modifications. No additional cultural resource impact would occur and the conclusions and mitigation measure (Mitigation Measure CR 1) identified in the EIR remain accurate and applicable to the proposed Project modifications.

Geology, Soils, and Seismicity

The potential geology, soils, and seismicity impacts associated with the construction and operation of the Project were evaluated in the EIR. Since the certification of the EIR, there have been no changes to the geological, soils or seismic environment or changes to the characteristics of the proposed Project as evaluated in the EIR that would affect these resources. The EIR concluded that impacts related to geologic and seismic hazards were less than significant and that no mitigation measures are required. No additional geology, soils, and seismicity impact would occur and the conclusions regarding no significant impacts identified in the EIR remain accurate.

Hazardous Materials

The potential hazardous materials impacts associated with the construction and operation of the Project was evaluated in the EIR. Since the certification of the EIR, there have been no changes to the hazardous materials environment or changes to the characteristics of the proposed project as evaluated in the EIR that would affect hazardous materials. As previously identified in the EIR, the Project would require limited acquisition or property which could have the potential to contain hazardous materials. Three properties identified as potentially hazardous sites would be acquired as part of Operations & Maintenance (O&M) Facility Site B (which is the currently proposed location for the O&M facility). As described in the EIR, a detailed Phase I Environmental Site Assessment would be required to ascertain if employees working at the O&M Facility would be exposed to toxic levels of hazardous materials. The EIR recommended implementation of Mitigation Measure HAZ1 to reduce this potential impact to a level less than significant. Because the proposed design modifications do not involve a change with respect to the location of the proposed O&M Facility Site B, the conclusions regarding hazardous materials would remain the same.

The EIR indicates that operation of the streetcar along the Project alignment would not involve the use of hazardous materials. As stated previously, no change to streetcar maintenance activities is proposed as part of the design modifications; therefore, no new significant impact or the increase in the severity of a significant impact would result. The conclusions that the potential hazardous materials impact would be reduced to a level of less than significant with the implementation of Mitigation Measure HAZ1 as identified in the EIR remain accurate.

Traffic and Parking

The potential traffic and parking related impacts associated with the construction and operation of the proposed Project were evaluated in the EIR.

Since the certification of the EIR, there have been some changes to the transportation network within the Project area. Also, as described under "Description of Design Modifications," some of the design modifications were determined to have the potential to impact traffic, and further analysis was warranted.

In order to address the potential traffic impacts associated with the design modifications, an addendum to the previously-prepared traffic study, which was provided as Appendix I to the EIR was prepared (see OC Streetcar Santa Ana-Garden Grove Project Traffic Study Addendum provided in Appendix C). The purpose of the analysis was to identify any changes to traffic impacts that were previously disclosed in the EIR, due to several design modifications with the advancement of engineering since the Project (and conceptual design) was approved in 2015.

The five design modifications addressed in the addendum to the traffic analysis consists of:

- Reclassification of Santa Ana Boulevard
- Relocation of Santa Ana Boulevard Stations
- Fairview Street Grade Crossing Analysis
- Traffic Signal Priority for the Streetcar
- Street Design Concept for Santa Ana Boulevard

The supplemental traffic analysis was prepared in accordance with City of Santa Ana requirements and the Orange County Congestion Management Program (CMP) (OCTA 2015) requirements.

Reclassification of Santa Ana Boulevard. Santa Ana Boulevard between Raitt Street and Shelton Street would be reclassified from a four-lane undivided roadway to a two-lane roadway (divided with a center left turn lane or raised median with left-turn pockets). Table 3-1 of the supplemental traffic analysis (see Appendix C), provides the

intersection Level of Service (LOS) Summary for the Santa Ana Boulevard Reclassification. As shown, the Santa Ana Boulevard Reclassification would not cause any of the affected intersections to deteriorate to unacceptable LOS (all intersections operate at LOS D or better). Table 3-2 of the supplemental traffic analysis shows the results of the roadway segment LOS analysis at the seven affected roadway segments. As shown in Table 3-2, the Santa Ana Boulevard reclassification would not cause any of the affected roadway segments to deteriorate to an unacceptable LOS (all seven roadway segments are forecast to operate at acceptable LOS B).

Santa Ana Boulevard Stations. Table 3-3 of the supplemental traffic analysis (see Appendix C), provides the results of the intersection LOS analysis at the intersection of Santa Ana Boulevard/Ross Street. As shown in Table 3-3, the Santa Ana Boulevard station relocation would not cause the affected intersection to deteriorate to unacceptable LOS (the intersection of forecast to operate at acceptable LOS A during the AM and PM peak hours).

Fairview Street Grade Crossing Analysis. Table 3-4 shows the results of the intersection VISSIM analysis at the intersections of Fairview Street and Civic Center Drive and Fairview Street and 5th Street. As shown in Table 3-4, the Fairview Street grade crossing would not cause the affected intersections to deteriorate to unacceptable LOS. Tables 3-5 and 3-6 show the AM and PM Peak Hour intersection queuing summary associated with the Fairview Street Grade Crossing. As shown in Tables 3-5 and 3-6, the addition of the at-grade crossing at Fairview Street between Civic Center Drive and 5th Street would reduce, on average, both the average and maximum queue lengths.

Traffic Signal Priority for the Streetcar. Table 3-7 summarizes the delay and corresponding LOS for 2035 Streetcar Conditions, with and without the transit signal priority adjustments, and using Highway Capacity Manual (HCM) Methodology. As shown on Table 3-7, overall intersection delay would change with implementation of Traffic Signal Priority, with minor decreases in delay at some locations, and minor increases in delay at other locations. However, in no instance would the minor increase in delay result in a new significant impact, or increase in the severity of an impact. All intersections would continue to operate at an acceptable LOS. Table 3-8 summarizes the delay and corresponding LOS for 2035 Streetcar Conditions, with and without the transit signal priority adjustments, and using Intersection Capacity Utilization (ICU) Methodology. As shown in Table 3-8, the application of Traffic Signal Priority to all of the affected intersections would not result in any deterioration of LOS from acceptable to unacceptable.

Street Design Concept for Santa Ana Boulevard. Table 3-9 summarizes the LOS for study area intersections with implementation of the Santa Ana Boulevard Street Design Concepts, but without the implementation of the Traffic Signal Priority as discussed above. Table 3-9 shows an impact at the intersection of Santa Ana Boulevard/Raitt Street, where the LOS would deteriorate from acceptable LOS D to unacceptable LOS E in the PM peak hour. However, implementation of the design modifications includes implementing Traffic Signal Priority. Therefore, the new street design concept with the inclusion of Traffic Signal Priority was evaluated, and is summarized in Table 3-10. As shown in Table 3-10, the application of Traffic Signal Priority to all the affected intersections would not result in any deterioration of LOS from acceptable to unacceptable.

Based on this supplemental traffic impact analysis of design modifications, no new significant traffic impacts and no increase in the severity of an impact would result as compared to the originally approved Project as evaluated in the EIR. No additional traffic impacts would occur and the conclusion that the Project would result in a less than significant traffic impact as identified in the EIR remain accurate.

Noise and Vibration

A Supplemental Noise and Vibration Technical Analysis was prepared to address the potential noise and vibration impacts associated with the proposed design modifications (see Appendix D).

The findings of the supplemental noise and vibration analysis of proposed design modifications conclude that the recommendations have been incorporated into the Project in the form of design features that are consistent with previously-adopted Mitigation Measures N-1 through N-3 in the EIR. Incorporation of these design features would attenuate noise and vibration levels at the few locations potentially affected by the design modifications along the

Project alignment, such that no new significant impacts and no increase in the severity of an impact would result as compared to the originally approved Project and as evaluated in the EIR.

The proposed modifications that have been determined to have the potential to affect noise and vibration levels and were studied in detail in the Supplemental Noise and Vibration Analysis (Appendix D) include physical improvements and operational modifications.

Physical Improvements:

- **Alignment Shift.** Repositioning the double track alignment within the PE ROW is proposed. This modification would shift the railroad centerline within the PE ROW to the north.
- **Changes to Special Trackwork.** Placement of single crossovers on both sides of the maintenance and storage facility (MSF), changed layout for MSF, added crossovers on both sides of downtown couplet, and replacement of the tail track beyond the SAR Transit Center (SARTC) platform with a double-crossover before the SARTC platform is proposed.

Operational Modifications:

- **Increase in Speed.** Increasing the maximum speed within the PE ROW from 35 miles per hour (mph) to 45 mph; and
- **Traffic Signal Priority.** Implementation of traffic signal priority at all traffic signals along the route except for Main Street, Broadway, and Bristol Street is proposed.

Noise Analysis of Increased Speed and Alignment Shift

As described in Appendix D, the impacts associated with the increase in speed combined with the alignment shift are the same as those for the original Project with the exception of at receivers R1 (located within NSA 1), R4 (located within NSA 2), R7 (located within NSA 3), and R8 (located within NSA 4). With the proposed modifications, receivers R1 and R4 would be exposed to moderate noise impacts. At receiver R7 the noise level would worsen from a moderate impact to a severe impact without mitigation as compared to the original Project. At receiver R8 the noise level improved, as it would be reduced from a severe impact under the original Project, to a moderate impact under the currently modified Project.

The February 2012 noise and vibration technical report provided as an appendix to the EIR, recommended the following measures to reduce the severe impacts: 1) wayside noise barriers; 2) horn sounding exemption at grade crossings; and, 3) special trackwork devices. The currently proposed Project plans call for the use of flange bearing frogs at all crossovers. Therefore, no further measures are required for the special trackwork.

The 2012 noise analysis evaluation provided in the EIR identified the need for noise barriers for receptor locations R10, R12, R13, and R14. Due to the change in train speed, elevation, and the shift in centerline an additional wayside noise barrier would be required to reduce the noise level in the vicinity of receptor R7 (located in NSA 3). Noise levels at receivers R7 and R14 would be reduced to moderate after the implementation of the proposed design feature, which is consistent with the previously-adopted Mitigation Measure N-3.

If a horn sounding exemption is established and approved at each crossing, the required use of warning horns would be exempted and horns would not be sounded except in an emergency situation. Based on the supplemental noise and vibration analysis, noise levels at receivers R10 and R13 would be reduced to a moderate impact after the implementation of the proposed mitigation measure. This measure was previously identified in the EIR, and the supplemental analysis demonstrates that the proposed modification does not change the previously-adopted mitigation measure.

As disclosed in the EIR, all severely impacted receivers would be reduced to moderate or no impact after the implementation of proposed mitigation. Eliminating the horn sounding at receptors R10 and R13 would reduce the noise impact from severe to moderate. Therefore, no barriers are recommended at those locations.

Streetcar Vibration Analysis

The proposed Project modifications would affect the vibration level results as presented in the February 2012 Noise and Vibration Technical Report provided as an appendix to the EIR. Beginning at Harbor Boulevard and ending at Raitt Street the proposed modifications would implement the following changes to the previously approved Project.

- The proposed modification would increase the average train speed within the PE ROW from 35 to 45 mph
- The proposed modification would shift the railroad alignment within the PE ROW to the north.

Impact of Proposed Design Modifications

Table L of the Supplemental Noise and Vibration Analysis lists the vibration levels calculated for the proposed alignment. This table reflects the change in vibration levels associated with the increase in speed and the change in centerline location. There are only Land Use Category 2 and Land Use Category 3 noise receptors located within the vicinity of the project modifications. Land Use Category 2 includes residences and buildings where people normally sleep. Land Use Category 3 includes institutional land uses with primarily daytime and evening use. The impact threshold for Land Use Category 2 is 72 VdB and for Land Use Category 3 is 75 VdB. As shown, the vibration levels are below the impact threshold at all receptor locations. Therefore, no minimization design features are required.

Construction Vibration Analysis

Construction of the proposed Project may require pile driving and has the potential to result in temporary vibration impacts to structures and humans. The potential use of pile driving is associated with the Project as evaluated in the EIR. However, the design modifications specifically do not trigger the need for the use of pile driving. The 2012 Noise and Vibration Technical Report (URS) determined that residences located within 100 feet of the Westminster Avenue overpass or the Santa Ana River Bridge would be exposed to vibration levels exceeding those listed in Table M of the Supplemental Noise and Vibration Analysis, therefore the design modifications do not increase the severity of vibration impacts nor introduce new vibration impacts not previously analyzed.

The residences located adjacent to the Santa Ana River Bridge would be exposed to vibration levels of up to 0.32 PPV, exceeding the 0.2 PPV threshold for standard residential construction. The Old Pacific Electric Santa Ana River Bridge would be exposed to vibration levels of up to 0.23 PPV, exceeding the 0.12 PPV threshold for historic structures. However, these levels are based on the use of impact pile drivers. Section 3.16.2.3 of the EIR included the following best management practices (BMPs) for bridge construction vibration:

- Noise and Vibration Control Plan will be developed and implemented prior to construction that will include the following best management practices to minimize exposure to high levels of noise and vibration and ensure compliance with construction noise and vibration criteria listed in the FTA Transit Noise and Vibration Impact Assessment guidance document. This includes ensuring that vibration levels at historic structures do not exceed 0.12 inches per second peak particle velocity.
- Where pile-driving operations are required, vibratory pile driving or pre-drilled pile insertion techniques shall be used whenever possible, rather than impact pile driving.

Although perceptible at the residences these vibration levels would not exceed FTA's vibration damage criteria.

The 2012 Noise and Vibration Technical Report (URS) determined the following distances for potential for vibration impacts due to the use of a piece of equipment such as a vibratory roller during construction:

- Building damage to residential structure – 26 Feet
- Building damage to institutional structure – 15 Feet

- Human annoyance to residential land use – 145 Feet
- Human annoyance to institutional land use – 115 Feet

Any structures within the distances identified above would be considered impacted due to use of construction equipment such as a vibratory roller. The proposed modified alignment would reduce the minimum distance to a residential structure to 37 feet. While this distance is within the annoyance area it is outside of the potential damage area.

Traction Power Substation Noise Analysis

The noise sources on TPSS units are the transformer hum and noise from cooling systems. The wall mounted HVAC units are the primary noise source on the proposed TPSS units.

TPSS units 1 and 4 are located in residential areas. Table N of the Supplemental Noise and Vibration Technical Analysis (see Appendix D) shows the predicted noise level at the TPSS sites. This table also lists the FTA noise impact criteria, in which a noise level above the specified dBA would be considered an impact. For TPSS unit 1, a noise level exceeding 54 dBA would be considered an impact. For TPSS unit 4, a noise level exceeding 59 dBA would be considered an impact. As shown in Table N, noise levels would be 42 dBA at TPSS unit 1 and 46 dBA at TPSS unit 4. These noise levels are less than the specified thresholds of 54 dBA (unit 1) and 59 dBA (unit 4); therefore, there would be no impact associated with the TPSS units. However, it is recommended that the following measures be implemented to ensure that the impact is below a level of significance:

- Orient the TPSS unit so that the HVAC units, the primary source of noise, are pointing away from the nearest residence.
- At the residential locations, the TPSS units will be designed so as not to exceed a maximum noise level of 45 dBA at a distance of 50 feet from the unit or at the setback line of the nearest building, whichever is closer.

The potential noise and vibration impacts associated with the construction and operation of the Project were evaluated in the EIR. Since the certification of the EIR, there have been some design modifications that have the potential to change the noise and vibration characteristics of the proposed Project as evaluated in the EIR. These design modifications have been evaluated as summarized above. Based on this supplemental evaluation, it has been determined that the proposed design modifications would not result in a new impact, increase in the severity of an impact, or require the implementation of a new mitigation measure as evaluated in the EIR. No additional noise or vibration impact would occur and the conclusions and mitigation measures identified in the EIR remain accurate and applicable to the proposed Project.

Air Quality

The potential air quality and greenhouse gas emissions (global climate change) impacts associated with both the construction and operation of the proposed Project were evaluated in the EIR. There have been no changes to the air quality environment as evaluated in the EIR. The proposed minor design modifications would change some of proposed improvements within the corridor; however, the general Project construction characteristics as described in EIR would not be altered in such a manner as to result in an increase in the daily construction emissions, and no new mitigation measures would be required.

In terms of short-term, construction-related air quality impacts, as described in the EIR (and applicable to the Project with the proposed design modifications), construction activities would be completed in a segment by segment basis to minimize the disruption to local residents and businesses in the Study Area. As concluded in the EIR, there would be no exceedances of South Coast Air Quality Management District (SCAQMD) regional significance thresholds as a result of daily construction emissions. This conclusion would still apply with implementation of the proposed Project modifications as the construction parameters and characteristics would be the same; no new significant short-term air

quality impact, increase in the severity of an impact, or new mitigation measure would be required associated with implementation of the proposed design modifications.

In terms of long-term, operational air quality and greenhouse gas emissions impacts, with the exception of an increased maximum speed in the PE ROW and the implementation of traffic signal priority, no changes to the operational characteristics are proposed that would affect the previous conclusions of “less than significant impact” for operational air quality and greenhouse gas emissions impacts. The Traffic Study Addendum v2 (provided in Appendix C), indicates that all roadway segments and intersections would operate at an acceptable LOS with the implementation of the traffic signal priority. Therefore, the conclusion that long-term impacts associated with localized CO concentrations (due to poor intersection LOS) would be less than significant would remain. No additional air quality or greenhouse gas emissions impacts would occur and the conclusions identified in the EIR remain accurate.

Energy Resources

The EIR identified a less than significant impact to Energy Resources as a result of the Project. This is attributed to the reduction of Vehicle Miles Traveled (VMT) that is anticipated with the operation of the streetcar. The proposed design modifications would not affect the anticipated ridership for the Project; therefore, there would be no new impact, or increase in the severity of an impact related to Energy Resources and the conclusions identified in the EIR remain accurate.

Water Quality, Hydrology, and Floodplains

The potential water quality, hydrology, and floodplains impacts associated with the construction and operation of the Project were evaluated in the EIR. The EIR determined that impacts to these resources would be less than significant related to water quality, water discharge, stormwater runoff and as related to alteration of drainage patterns. As described previously, some of the proposed design modifications involve changes to the proposed drainage improvements. Appendix P (Drainage Technical Report) of the EIR, described storm drain improvements on many streets outside the Project alignment. However, modification of scope of drainage improvements is proposed in order to rely less on connections to the existing storm drain network and, instead, use surface conveyance in streets to maintain existing drainage patterns to the maximum extent practicable while addressing surface storm water drainage needs generated by the Project, or change in drainage patterns caused solely by the Project. The proposed design modifications to the drainage plan for the Project would not result in the increase in a new impact related to hydrology, increase in the severity of an impact related to hydrology, or require new mitigation measures in order to address drainage and/or hydrology impacts. The EIR identifies that the Project would be required to comply with BMPs to address pollutants of concern and hydrologic conditions of concern associated with the Project's stormwater runoff. With implementation of the BMPs, the Project would result in less than significant impacts to water quality, water discharge, and stormwater runoff. The implementation of BMPs would be applicable to the design modifications. Further, design modifications such as changing the single track bridge to a double track bridge over the Santa Ana River would not increase impervious surfaces, as the underlying channel is concrete lined. Therefore, the construction and operation of the Project would be the same as evaluated in the EIR. No additional water quality, hydrology, or floodplains impact would occur and the conclusions that impacts to these environmental resource areas are less than significant as identified in the EIR remain accurate.

Safety and Security

This environmental resource issue area is only applicable to the analysis pursuant to the NEPA, and no further analysis is warranted in this CEQA Addendum.

Construction

The potential construction impacts associated with the proposed Project construction were evaluated in the EIR. This chapter of the EIR evaluated potential construction impacts related to visual quality, energy resources, traffic, circulation, parking, hazardous materials, air quality, noise and vibration, and land use. Since the certification of the EIR, there have been no changes to the construction characteristics of the proposed Project as evaluated in the EIR. Proposed construction activities would remain the same as previously evaluated with respect to these environmental resource areas.

The proposed design modifications would not change the previous conclusions regarding construction impacts. No additional impacts would occur to these environmental resources and the conclusions that the Project would not result in a significant impact to these resources as identified in the EIR remain accurate.

Other Considerations

The EIR addressed several environmental issue areas within Chapter 3.17 Other Considerations. These included: Biological Resources, Utilities and Service Systems (Wastewater Treatment and Facilities, Stormwater Drainage Facilities, Water Supply, and Solid Waste Disposal and Compliance Regulations), Parklands and Recreational Facilities, Growth Inducing Impacts, Significant Irreversible Environmental Changes, and Summary of Significant Unavoidable Impacts.

Biological Resources. The proposed design modifications would not significantly impact biological resources as these resources are not present within, or in proximity to, the limits of disturbance associated with implementation of the design modifications. No additional impacts would occur to this environmental resource and the conclusions that the Project would not result in a significant impact to this resource as identified in the EIR remain accurate.

Utilities and Service Systems. The proposed design modifications would result in less than significant impacts to wastewater treatment facilities, stormwater drainage facilities, water supply, and solid waste disposal.

As with the Project described in the EIR, implementation of the design modifications would not generate wastewater from activity along the alignment or at stations. Wastewater would be generated by the O&M Facility, but no change to the O&M Facility is proposed, and as identified in the EIR, the O&M Facility would not put added strain on existing wastewater treatment capacity.

Project modifications are proposed related to drainage improvements as described previously under "Water Quality, Hydrology and Floodplains." No change to the previous conclusion of less than significant impact would occur.

The design modifications would not change the water use associated with operation and maintenance of the Project, such as vehicle washing and worker hygiene. No change to the previous conclusion of less than significant impact would occur.

Solid waste receptacles would be placed at stations, and solid waste would be generated at the O&M Facility. However, no changes to these aspects of the Project are proposed with the design modifications; therefore, no change to the previous conclusion of less than significant impact would occur.

Parklands and Recreational Facilities. The proposed design modifications would not significantly impact parklands and recreational facilities. No additional impacts would occur to these environmental resources and the conclusions that the project would not result in a significant impact to these resources as identified in the EIR remain accurate.

Findings from Environmental Re-evaluation

- (1). *Substantial changes are not proposed for the project that will require major revisions of the previous EIR due to the involvement of new, significant environmental effects or a substantial increase in the severity of previously identified effects.*

Substantial changes have not occurred with respect to the circumstances under which the Project was undertaken, that would require major revisions to the Project EIR. Since certification of the Project EIR in January 2015, there have been no major updates to the CEQA Guidelines or adoption of new legislation requiring additional environmental analysis. Therefore, no proposed changes or revisions to the EIR are required. In addition, all previously adopted mitigation measures are incorporated herein by reference.

- (2). *Substantial changes have not occurred with respect to the circumstances under which the project is undertaken, that would require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.*

As described in the preceding text for each environmental issue area, no substantial changes have occurred with respect to the circumstances under which the proposed Project design modifications would be undertaken that would suggest that its adoption and implementation would result in any new significant environmental effects or a substantial increase in the severity of the previously identified significant effects not previously discussed in the certified Project EIR would occur. Therefore, no proposed changes or revisions to the EIR are required. In addition, all previously adopted mitigation measures presented in the Project EIR are incorporated herein by reference and would be implemented in compliance with the adopted MMRP for the Project.

- (3). *No new information has been provided, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete that would indicate that the proposed project would result in one or more significant effects not discussed in the previous EIR, significant effects would be substantially more severe, mitigation measures or alternatives previously found to be infeasible would in fact be feasible, or mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponent declines to adopt the mitigation measure or alternative.*

There is nothing in the proposed Project design modifications that would suggest that its adoption and implementation would result in any new significant environmental effects or the increase in the severity of an environmental effect not previously discussed in the Project EIR. Therefore, no proposed changes or revisions to the EIR are required. In addition, all previously adopted mitigation measures presented in the Project EIR are incorporated herein by reference and would be implemented in compliance with the adopted MMRP for the Project.

6. CONCLUSIONS

Based on the findings and information contained in the previously-certified Project EIR, the analysis above, the CEQA statute and State CEQA Guidelines, including Sections 15164 and 15162, the proposed design modifications will not result in any new, increased, or substantially different impacts, other than those previously considered and addressed in the Project EIR. No changes or additions to the Project EIR analyses are necessary, nor is there a need for any additional mitigation measures. Therefore, a Supplemental EIR is not required. This Addendum to the EIR is the appropriate environmental documentation for the proposed modifications to the Project.

Figures and Appendices are not included with this Addendum, but can be made available upon request.

List of Figures

| | |
|-----------|--|
| Figure 1 | Overview of Design Modifications |
| Figure 2 | Design Update ID # 1 – Santa Ana River Bridge |
| Figure 3 | Design Update ID # 3 – New SAR Trail and Bikeway Undercrossing on West Side of SAR |
| Figure 4 | Design Update ID # 5 – Delete Willowick Station Stop |
| Figure 5 | Design Update ID # 5 & # 6 – Revised Station Locations |
| Figure 6 | Design Update ID # 7 – Revised Crossover Locations |
| Figure 7 | Design Update ID # 9 – Westminster Avenue Bridge Type |
| Figure 8 | Design Update ID # 10 – Santa Ana Blvd from Flower to Raitt |
| Figure 9 | Design Update ID # 11 – Santa Ana Blvd from French to Flower |
| Figure 10 | Design Update ID # 12 – Traction Power Substation Locations |
| Figure 11 | Design Update ID # 13 – Street Drainage |
| Figure 12 | Design Update ID # 14 – Two-Wire OCS in PE ROW |

List of Appendices:

| | |
|------------|---|
| Appendix A | Visual Impact Assessment (VIA) Supplement (HDR, 2016) |
| Appendix B | Cultural Resources Update Technical Memorandum (HDR, 2016) |
| Appendix C | Traffic Study Addendum v2 (IBI Group, 2016) |
| Appendix D | Supplemental Noise and Vibration Technical Analysis (HDR, 2016) |



ORANGE COUNTY TRANSPORTATION AUTHORITY

**OC Streetcar Project Update and Revised Capital Funding
Plan**

Attachment B



Capital Funding Program Report

Rail Project

| Project Title | M Code | Total Funding | State Funds | | Federal Funds | | Local Funds | | Local - Other |
|---|--------|---------------|-------------|-------------|---------------|------------|-------------|-----------|---------------|
| | | | STIP/Other | State Bonds | RSTP/CMAQ | Other Fed. | M1 | M2 | |
| Fullerton Transportation Center Parking Expansion Project | M1/R | \$33,667 | \$11,250 | \$11,035 | | | \$9,718 | | \$1,664 |
| Laguna Niguel-Mission Viejo Station Parking Improvements and Expansion | M1/R | \$15,134 | | | \$6,500 | | \$8,634 | | |
| Orange Transportation Center Parking Structure | M1/R | \$33,175 | \$13,762 | \$28,104 | \$4,073 | \$3,298 | \$1,850 | \$420 | \$9,772 |
| Sand Canyon Avenue Grade Separation Project ¹ | M1/R | \$61,962 | | | \$10,536 | | \$3,116 | \$5,352 | \$14,854 |
| M2 Project S Fixed-Guideway Anaheim Rapid Connection | M1/S | \$19,452 | | | | | \$6,000 | \$1,335 | \$1,435 |
| OC Streetcar (Proposed New Starts) ^{2,3} | M1/S | \$297,911 | \$40,000 | | \$53,034 | \$153,047 | \$4,977 | \$51,830 | |
| OC Streetcar Preliminary Studies and Environmental ³ | M1/S | \$7,014 | | | | \$341 | | \$554 | |
| Anaheim Regional Intermodal Transportation Center (ARTIC) Construction | M1/T | \$184,164 | \$29,219 | | \$35,000 | \$40,754 | \$43,900 | \$35,291 | \$1,142 |
| 17th Street Grade Separation Environmental | R | \$3,500 | | | \$18,050 | | | \$3,500 | |
| Anaheim Canyon Station Improvements | R | \$20,051 | | | | \$2,001 | | | |
| Control Point at 4th Street | R | \$4,000 | | | | \$4,000 | | | |
| Future Video Surveillance Systems | R | \$1,531 | | | | \$1,288 | | | \$243 |
| Laguna Niguel to San Juan Capistrano Passing Siding | R | \$82,217 | \$3,000 | \$2,483 | \$19,791 | | | | |
| Metrolink Rehabilitation/Renovation - fiscal years 2011-12 to 2019-20 | R | \$2,230 | | | | \$82,217 | | | |
| Metrolink Station and Track Improvements, and Rehabilitation | R | \$34,825 | \$2,500 | \$400 | \$50 | \$1,784 | | \$8,000 | \$446 |
| Placentia Commuter Rail Station | R | \$39,916 | | | | | | | \$23,875 |
| Positive Train Control (Metrolink) | R | \$788 | | | | | | | |
| Rail Station Platform Safety Improvements (Fullerton, Irvine, and Tustin) | R | \$5,103 | | | | | | | |
| San Clemente Beach Trail Crossings Safety Enhancements | R | \$34,200 | | | | \$29,375 | | \$2,311 | \$622 |
| San Juan Creek Bridge Replacement ¹ | R | \$2,000 | | | | \$2,000 | | \$1,213 | |
| Slope Stabilization Laguna Niguel-Lake Forest | R | \$79,284 | | | | | | \$33,284 | |
| State College Grade Separation (LOSSAN) | R | \$6,857 | | \$46,000 | | | | | \$860 |
| Ticket Vending Machines | R | \$4,300 | | | | | | | |
| Video Surveillance Systems at Commuter Rail Stations | S | \$733 | | | | | | \$733 | |
| M2 Project S Transit Extensions to Metrolink (Rubber Tire) | M1 | \$875 | | | \$775 | | \$100 | | |
| Fullerton Transportation Station Expansion Planning, Environmental, Planning Study Report | | \$1,000,163 | \$99,731 | \$128,782 | \$147,809 | \$346,810 | \$78,295 | \$143,823 | \$54,913 |
| Rail Project Totals | | | | | | | | | |
| State Funding Total | | \$228,513 | | | | | | | |
| Federal Funding Total | | \$494,619 | | | | | | | |
| Local Funding Total | | \$277,031 | | | | | | | |
| Total Funding (000's) | | \$1,000,163 | | | | | | | |

Rail Project Completed

| Project Title | M Code | Total Funding | State Funds | | Federal Funds | | Local Funds | | Local - Other |
|---|--------|---------------|-------------|-------------|---------------|------------|-------------|----------|---------------|
| | | | STIP/Other | State Bonds | RSTP/CMAQ | Other Fed. | M1 | M2 | |
| Metrolink Grade Crossing Safety Improvements (OC) | M1/R | \$85,009 | | \$18,595 | | | \$6,305 | \$36,299 | \$23,810 |
| Metrolink Rolling Stock | M1/R | \$158,009 | | \$36,300 | \$42,230 | \$35,390 | \$44,089 | | |
| Metrolink Service Track Expansion | M1/R | \$119,957 | | \$51,399 | | | \$68,558 | | |
| Control Point Stadium Crossover | R | \$6,490 | | \$3,245 | | \$3,245 | | | |



Capital Funding Program Report

Rail Project Completed

| Project Title | M Code | Total Funding | State Funds | | Federal Funds | | Local Funds | | | | | |
|---|--------|------------------|----------------|------------------|-----------------|-----------------|------------------|-----------------|-----------------|---------|--|---------|
| | | | STIP/Other | State Bonds | RSTP/CMAQ | Other Fed. | M1 | M2 | Local - Other | | | |
| LOSSAN Corridor Grade Separations PSR in Anaheim, Orange, and Santa Ana | R | \$2,699 | | | | | | | | \$2,699 | | |
| MetroLink Grade Crossing Safety Improvements ROW | R | \$3,025 | | | | | | | | | | \$3,025 |
| North Beach Crossings Safety Enhancements | R | \$348 | | \$166 | | | | | | | | \$182 |
| Rail Crossing Signal Lights and Pedestrian Gates | R | \$252 | | \$252 | | | | | | | | |
| Safety Repairs for San Clemente Pier Station | R | \$122 | | \$122 | | | | | | | | |
| Transit Rail Security (Monitors, Fencing, Video Surveillance) | R | \$310 | | \$310 | | | | | | | | |
| Go Local | S | \$7,730 | | | | | | | \$7,730 | | | |
| ARTIC Environmental, ROW, Program Management Support, Site Plan | M1 | \$42,888 | | | | | | | \$42,888 | | | |
| Fiber Optics Installation (MetroLink) | M1 | \$24,600 | | \$12,300 | | \$10,903 | | | \$1,397 | | | |
| Laguna Niguel-Mission Viejo Station Parking Expansion (South Lot) | M1 | \$4,135 | | \$695 | | | | | \$3,440 | | | |
| Santa Ana Grade Separation Planning and Environmental PSR | M1 | \$1,333 | | | | \$1,180 | | | \$153 | | | |
| Santa Ana Transportation Station Planning and Environmental PSR | M1 | \$1,003 | | | | \$888 | | | \$115 | | | |
| Tustin Rail Station Parking Expansion | M1 | \$15,389 | \$1,100 | \$7,181 | | | | | \$7,108 | | | |
| Rail Project Totals | | \$473,299 | \$1,100 | \$130,565 | \$44,298 | \$49,538 | \$181,783 | \$42,205 | \$23,810 | | | |

Acronyms:

- M1/M2 - Measure M1/Measure M2
- M Code - M1 = Measure M1, otherwise Project Codes in Measure M2 Program
- STIP - State Transportation Improvement Program
- RSTP/CMAQ - Regional Surface Transportation Program/Congestion Mitigation and Air Quality
- CURE - Commuter and Rail Endowment Fund
- LOSSAN - Los Angeles-San Diego-San Luis Obispo Rail Corridor
- OCX - Rail-Highway Grade Crossing/Safety Enhancement Project
- PTMISEA - Proposition 1B Public Transportation Modernization, Improvement, and Service Enhancement Account
- CTC - California Transportation Commission
- OCTA - Orange County Transportation Authority
- PSR - Project Study Report
- ROW - Right-of-way

Board Notes:

- Proposition 116 additional savings were realized increasing Proposition 116 savings approved in June 13, 2016 Capital Programming Update from \$396,000 to \$581,000.
- Requesting Board approval on July 25, 2016 for a cost increase of \$9.16 million for the OC Streetcar (proposed New Starts) project. Changes include an increase in Federal New Starts by \$4.58 million and increase in CMAQ by \$4.58 million. Project cost increases from \$288.75 million to \$297.91 million. Also requesting Board approval to use \$4.09 million in FTA 5307 from preliminary studies in place of Measure M2
- Requesting Board approval on July 25, 2016 to direct \$4.09 million in FTA 5307 to the OC Streetcar (proposed New Starts) project. Reduces Measure M2 match by \$1.02 million. Project cost decreases from \$12.13 million to \$7.01 million.