
AC TRANSIT DISTRICT
Board of Directors
Executive Summary

GM Memo No. 02-322

Meeting Date: December 12, 2002

Committees:

Executive Committee
External Affairs Committee

Operations Committee
Planning Committee

Board of Directors

SUBJECT: Update on Berkeley/Oakland/San Leandro corridor study and improvements (Bus Rapid Transit Project Update).

RECOMMENDED ACTION: **Information Only** **Recommended Motion**

.....
Fiscal Impact: None at this time.

Background/Discussion:

This memo summarizes the progress on the Telegraph/International/E. 14th Bus Rapid Transit project. It highlights key elements of the consultant work scope for additional studies and the anticipated schedule for implementation of near-term capital improvements.

Consultant Contract Amendment for Environmental Clearance

The contract amendment with Cambridge Systematics for the environmental clearance of the Telegraph/International/E. 14th Bus Rapid Transit is currently being finalized. District staff and the consultants have agreed on the terms of the contract amendment while the work scope is undergoing final staff review. The negotiated work scope includes two major deliverables:

.....
BOARD ACTION: **Approved as Recommended** [] **Other** []
 Approved with Modification(s) []

[To be filled in by District Secretary after Board/Committee Meeting]

The above order was passed and adopted on _____, 2002.

Rose Martinez, District Secretary

By _____

- A Categorical Exclusion (Cat Ex) to clear only the upgrade of traffic signals and the implementation of transit priority. This review will allow the District to implement these specific capital improvements as soon as funding is available.
- A joint NEPA/CEQA document that will include both an Environmental Impact Statement and an Environmental Impact Report (EIS/EIR) and which is intended to clear the full BRT project. In addition, the consultant will develop conceptual engineering designs to facilitate the environmental assessment and serve as an initial step in completing the overall design.

General Schedule

Work on the two environmental documents will proceed simultaneously to speed the overall completion, position the District for additional funding and to take advantage of economies of scale. The month of December will be used to mobilize the consultant team and prepare for the initial project scoping sessions. The public outreach and technical work will begin in January. *Attachment 1* is a complete list of work tasks and deliverables. More detailed schedules for each task follow.

Categorical Exclusion for Transit Priority & Implementation of Near-Term Improvements

Categorical Exclusion

The Categorical Exclusion (Cat Ex) will provide the environment clearance for upgrades to the traffic signals and the transit priority system that would be part of the near-term capital improvements in the corridor. These types of improvements are considered by both NEPA and CEQA to be minor projects with no negative impacts to the environment. As such, there is typically no or very little environmental analysis performed for a Categorical Exclusion/Categorical Exemption. This work is exempt under CEQA Section 1508.4 and NEPA 23 CFR 771.117 (8), described below:

Installation of fencing, signs, pavement markings, small passenger shelters, traffic signals and railroad warning devices where no substantial land acquisition or traffic disruption will occur.

The Cat Ex will have the following work elements:

1. Refine cost estimates previously prepared by Alameda County Congestion Management Agency (CMA).
 2. Identify extent of impacts to traffic at key intersections
 3. Complete Categorical Exclusion Form
- 1. Refined Cost Estimates.**
Recently, the CMA conducted an inventory of all the traffic signals in the BRT corridor between Bayfair and the intersection of Telegraph Avenue and Bancroft (a summary

of the cost estimate is included for information purposes). The consultant will refine the cost estimates based on discussions with local traffic engineers, a field survey and incorporation of recently adopted Caltrans requirements. Preliminary cost estimates have identified approximately \$5 Million needed to upgrade the signals to implement transit priority. Additional funding outside of the Phase 2 work will be required for design and engineering of the signals and associated system improvements.

2. Identify Traffic Impacts

Transit priority is a relatively unknown technology in the region. As such, there remains a need to document impacts to traffic (if any) to our partner cities and other agencies that would have to be consulted prior to implementation – despite the absence of a legal requirement for us to do so. Toward this end, the work scope will include a level-of-service and delay analysis for the 10 or so intersections in the corridor with the highest traffic volumes. A similar analysis performed by the LACMTA for their Metro Rapid corridors found average delays of about one second to cross traffic resulting from the traffic signal priority system. This work would be coordinated with the traffic analysis performed for the EIS/EIR.

3. Complete Categorical Exclusion Form

This form will include a description of the proposed improvements that will show that they are categorically excluded under NEPA (exempt under CEQA).

The Cat Ex schedule will likely be adjusted once the schedule for the traffic data collection and analysis is determined. The overriding factor driving the Cat Ex schedule is the need to complete the document prior to the expenditure of infrastructure funds for the traffic signals.

Cat Ex Schedule

November 2002	Begin Agency Outreach with TAC and others
January 2003	Begin Review & Refinement of Cost Estimates
March 2003	Identify Candidate Intersections
April 2003	Collect Traffic Data
May 2003	Analyze Traffic Data and Report to TAC
July 2003	Complete Refinement of Cost Estimates
August 2003	Complete Cat Ex
September 2003	AC Transit Board Considers Approval of Cat Ex

Early Implementation of Enhanced Bus Improvements

The AC Transit Board is the policy body that will consider approving the Cat Ex. If the Cat Ex is approved by the AC Transit Board, a Notice of Determination will be filed and the stage will be set to design and build the transit priority system and other elements. The strategy recommended by staff for the early implementation phase is to pursue a set of minimal capital investments to improve the performance of the system without making any Enhanced Bus improvements that would not contribute to the overall BRT project.

Phase 2 of the proposed Service Deployment Plan envisions Rapid service on this corridor to support the capital improvements. However, service improvements rely on operating funding that have not yet been identified. Service and Capital investments within the corridor need to be timed in order to ensure the success of the system. Consequently, as the capital portion of the Enhanced Bus program continues, the District will need to revisit the implementation date for service improvements.

The early implementation program would include the following elements:

- Limited Stop Service
- Transit Priority
- Standard Lamar or Adshell shelters
- Next Bus Displays
- Route redesign

Staff submitted a request for a STIP amendment that would provide \$2.7 million for upgrading traffic signals and installing the transit priority system. The CMA Board has recommended to the California Transportation Commission that the amendment be approved pending more detailed information on locations and costs of specific improvements. The Cat Ex work plan will develop this information by August 2003. The STIP grant would cover design and engineering of the system corridor-wide and would allow construction of about 40 percent of the signals (based on CMA's initial cost estimates). *Attachment 2* is a preliminary expenditure plan for signal priority using STIP funds.

However, due to general economic conditions, STIP advances are no longer being issued. This STIP grant was expected in 2003 but will not be available until FY 2004/05. The delay in funding will directly result in delays to implementation unless alternate sources of funding are secured. Additionally, there is an immediate need to identify sources of funding to prepare engineering plans for the traffic signal improvements that will be identified in the Cat Ex work prior to the implementation of the signal systems. Staff has estimated that this could cost approximately \$1 Million, and is currently exploring potential funding options.

Draft Environmental Impact Statement/Report Schedule

The EIS/EIR will provide environmental clearance for the full BRT project including dedicated bus lanes, stations and other infrastructure. While covering all potential environmental

impacts (biological, historic resources, noise, etc.), traffic and parking will be the two categories of impact that will be the major focus of the technical analysis.

The 24-month DEIS/DEIR schedule will include an expanded public outreach program designed around participation at the city and neighborhood level. The table below illustrates project milestones and key meetings in the DEIS/DEIR schedule. The schedule includes projected meeting dates for the Policy Steering Committee (PSC) and the related Technical Advisory Committee (TAC).

Preliminary DEIS/DEIR Schedule

December 2002	Develop Project Scoping process & Outreach Plan Refine Schedule
January 2003	Board considers approval of Scoping Process and Outreach Plan and directs staff to Issue Notice of Intent /Notice of Preparation TAC Meeting #1 & PSC Meeting #1
February 2003	TAC Meeting #2 Initial Public Scoping sessions (4) <i>Berkeley [1], Oakland [2] San Leandro [1]</i>
March 2003	Begin Traffic Studies, Data Collection & Simulation TAC Meeting #3 Alternatives Refinement (alignment, stations) Update Land Use and Travel Model
April 2003	TAC Meeting #4 & PSC Meeting #2 Begin Baseline Environmental Analysis
June 2003	TAC Meeting #5 & PSC Meeting #3
July-Sep 2003	Neighborhood Workshops (12) <i>Berkeley [3], Oakland [7] San Leandro [2]</i>
August 2003	Begin Conceptual Engineering & Cost Estimates Summary Report #1
September 2003	TAC Meeting #6 & PSC Meeting #4
February 2004	TAC Meeting #7

March 2004	Summary Report #2
June/July 2004	Circulate DEIS/DEIR Administrative Draft to the TAC/PSC TAC Meeting #8 & PSC Meeting #5
August 2004	Board considers release of DEIS for public and agency review Public Hearings (4) <i>Berkeley [1], Oakland [2] San Leandro [1]</i>
September 2004	TAC Meeting #9 & PSC Meeting #6
December 2004	TAC Meeting #10 & PSC Meeting #7
Jan-Nov 2005	Engineering, Design & FEIS preparation
November 2005	Board considers approval of FEIS with Findings and Record of Decision
2006	Begin Construction Phase - new timeline to be developed

Note: Meetings in **bold**

Public Outreach Plan

The above schedule allows for extended public outreach and neighborhood workshops beyond the strict legal requirements of NEPA or CEQA. The purpose beyond full disclosure of impacts is to incorporate neighborhood-level concerns into the project while maintaining the integrity of the overall design (e.g. dedicated bus lanes, stations, etc.). The need for consensus building for this project is a paramount concern given the dramatic changes that are proposed and the public's limited experience with BRT.

Staff proposes that the District conduct 23 public meetings over the course of Phase II, with updates provided to the Board after each phase of public meetings.

Initial Scoping Sessions (4). These meetings are a legal requirement and are intended to allow the public early, meaningful input into the project.

Neighborhood Workshops (12). The 18-mile corridor serves many distinct neighborhoods with unique characteristics (wide v. narrow streets, low v. high parking demand, etc.). These workshops are intended to consider community-level impacts and concerns. These sessions will also be an opportunity to develop designs that reflect neighborhood character and to foster a sense of ownership of the project by the community.

Neighborhood follow-up workshops (3). There may be cases where complex technical or design issues require that the District conduct a follow up workshop in some neighborhoods. We have assumed that ¼ of the neighborhood workshops would need a follow-up session.

Public Hearings (4). The public hearings are part of the final round of public comments that attend the release of the DEIS/DEIR.

In addition, District staff will be available to make presentations to any interested community organization. These meetings will be organized as the opportunity arises.

Potential Risks to Overall Project Schedule

The intent of an extended outreach period is to permit minor course changes, design revisions or revised technical studies within the schedule and budget. Nevertheless, potential risks to the schedule cannot entirely be eliminated, only anticipated and managed.

Scoping and Public Input. The outreach plan is designed to minimize schedule risks of scoping. The extended time period allotted for this task recognizes the potential risk and minimizes possible disruptions to the schedule.

Inconsistent response of local jurisdictions. Strong collaborative practices between the cities and the District are key to the success of the project. Unanticipated mid-stream changes in project definition would likely delay completion of technical studies and the completion of the DEIS/DEIR.

Funding. Beginning in FY 2004/05, funding for construction of the Enhanced Bus capital improvements will become available. Transit priority improvements at traffic signals would be the main element of the infrastructure improvements at this stage. The rate at which the District receives revenues due to the state of the general economy will determine the scheduled rollout of near-term improvements.

Funding Update

The District does have a small amount of funding available for this project, as well as a commitment from MTC through Resolution 3434 (Regional Transit Expansion Plan). However, fully funding the BRT is still a challenge, and there are also issues regarding the existing funding commitments. The District must develop a strategy for both fully funding the BRT, as well as obtaining committed funding to implement the Track 1 project identified in the RTP. Staff will develop such strategy and seek Board approval, as more information becomes available.

The following provides an overview of some of the funding issues:

Measure B. Total funding through Measure B is about \$25 million (escalated). Through an agreement with ACTIA, funding from Alameda County's Measure B will carry through the early years of the project and allow completion of the DEIS and Cat Ex. The "draw down" rate of funds after 2004 has not yet been established and will be dependent on the

readiness of other projects and current and future sales tax revenue. Continued funding in this period is needed to ensure completion of the BRT design and construct the initial stages of infrastructure, including traffic signal work.

Section 5309. Section 5309 is anticipated to be the single largest source of funds for this project at \$111 Million. The issue is the slow rate at which the District receives Section 5309 funds. This could affect the early years of implementation when the Enhanced Bus improvements would be built. While the annual disbursement may be sufficient to complete the Enhanced Bus improvements, a protracted revenue stream is not appropriate for a large-scale construction project. There will ultimately be a need for a construction bond to complete the project in an efficient manner. One strategy would be to seek a non-New Starts Full Funding Grant Agreement (FFGA) based on Bus Discretionary funding. On November 13, staff made a presentation on the project to MTC staff to provide an update on the status of the project, identify committed funding and funding gaps and outline potential risks to the implementation schedule.

Possible Funding Scenarios

Bridge Toll funds. The BRT project figures prominently in the Expenditure Plan that is being developed by Senator Perata's staff for a potential increase to the bridge tolls in the region. However, the District will not be certain that this funding is committed until March 2004. Additionally, the Expenditure Plan is only in the conceptual stage right now and no recommendations have been revealed regarding the level of funding for the project. The District will continue to work with the Senator's staff to ensure every effort is made to see that the project receives a significant share of the funding available.

Federal Reauthorization of TEA-21. Proposed changes to Section 5302 and 5309 to incorporate BRT and/or Enhanced Bus type projects could allow for a Full Funding Grant Agreement for the project, or a federal legislative earmark as part of the reauthorization of TEA-21. The District has been working with APTA on the proposed changes, and will continue to seek alternate funding streams—whether through existing commitments or future commitments—for the early implementation of the project.

Next Steps

Staff has identified three main areas of focus for the next several months:

- 1. AC Transit Board to consider changes to the Policy Steering Committee (PSC):** Due to changes associated with recent elections, new members to the Policy Steering Committee are anticipated. As a result, staff feels it is an appropriate time to consider changes to the composition of the PSC.

Because this phase of the corridor work will entail detailed engineering work, there may be a benefit to having high-level officials from both Caltrans and MTC sit on the PSC as ex-officio members. The corridor is situated on Caltrans right-of-way through the majority

of the International Boulevard and E. 14th Street, and would require Caltrans approval to construct improvements. An appointed Caltrans ex-officio member can help elevate the project's profile within Caltrans, and offer the opportunity for Caltrans to see the political support for the project.

Additionally, MTC has been a technical partner throughout the Phase 1 work and was helpful in getting the project into Track 1 of the RTP. Now that we are moving into a phase that will require careful coordination with MTC to determine cash flow opportunities, staff believes that having a high level MTC official will also help MTC to better understand the project. *Attachment 3* shows the present makeup of the PSC.

In January, the staff will present a formal recommendation to the Board regarding possible changes to the composition of the PSC.

Other changes to enhance the effectiveness of the PSC will also be developed.

- 2. Develop funding strategies for near-term implementation of the project:** Several funding sources may be available for the design and implementation of the signal priority aspect of the project. Staff will be developing potential strategies for Board approval so that work can proceed toward that implementation.
- 3. Develop financial strategies for the full implementation of the project:** Staff will be developing other financial strategies needed to complete the full project, and submitting these for Board approval as well. This may entail bonding opportunities or other strategies to secure both committed funding and new funding sources.

Prior Relevant Board Actions/Policies: None

Attachments:

Attachment 1: DEIS/DEIR Task Summary & List of Deliverables
Attachment 2: Preliminary Cost Estimates for Signal Priority
Attachment 3: PSC Composition

Approved by: Rick Fernandez, General Manager
Kathleen Kelly, DGM Service Development
Tina Konvalinka, Manager Long Range Planning

Prepared by: Jim Cunradi, AICP, Senior Transportation Planner

Date Prepared: November 26, 2002