



Planning, Policy and Legislation Committee Meeting Agenda Monday, September 14, 2020, 11:30 a.m.

Due to the statewide stay at home order and the Alameda County Shelter in Place Order, and pursuant to the Executive Order issued by Governor Gavin Newsom (Executive Order N-29-20), the Commission will not be convening at its Commission Room but will instead move to a remote meeting.

Members of the public wishing to submit a public comment may do so by emailing the Clerk of the Commission at vlee@alamedactc.org by 5:00 p.m. the day before the scheduled meeting. Submitted comments will be read aloud to the Commission and those listening telephonically or electronically; if the comments are more than three minutes in length the comments will be summarized. Members of the public may also make comments during the meeting by using Zoom's "Raise Hand" feature on their phone, tablet or other device during the relevant agenda item, and waiting to be recognized by the Chair. If calling into the meeting from a telephone, you can use "Star (*) 9" to raise/ lower your hand. Comments will generally be limited to three minutes in length.

Committee Chair:	Elsa Ortiz, AC Transit	Executive Director:	Tess Lengyel
Vice Chair:	Barbara Halliday, City of Hayward	Staff Liaison:	Carolyn Clevenger
Members:	Jesse Arreguin, Keith Carson, Marilyn Ezzy Ashcraft, Scott Haggerty, Rebecca Kaplan, Nick Pilch, Richard Valle	Clerk of the Commission:	Vanessa Lee
Ex-Officio:	Pauline Russo Cutter, John Bauters		

Location Information:

Virtual Meeting Information: <https://zoom.us/j/94679338490?pwd=NENwNzBvN1RLV3YxcFIFRWNxTWWhyZz09>
Webinar ID: 946 7933 8490
Password: 671619

For Public Access Dial-in Information: (669) 900-6833
Webinar ID: 946 7933 8490
Password: 671619

To request accommodation or assistance to participate in this meeting, please contact Vanessa Lee, the Clerk of the Commission, at least 48 hours prior to the meeting date at: vlee@alamedactc.org

1. Call to Order

2. Roll Call

3. Public Comment

4. Consent Calendar	Page/Action
4.1. Approve July 13, 2020 PPLC Meeting Minutes	1 A
4.2. Congestion Management Program (CMP): Summary of the Alameda CTC's Review and Comments on Environmental Documents and General Plan Amendments	5 I
4.3. Approve issuance of a Request for Proposals for Paratransit Coordination Services	7 A
4.4. Federal, state, regional, and local legislative activities update	9 A/I

5. Regular Matters

- | | |
|--|------|
| 5.1. Approve Tri-Valley-San Joaquin Valley Regional Rail Authority Request for a 2014 Measure BB Transportation Expenditure Plan Amendment | 15 A |
|--|------|

6. Committee Member Reports

7. Staff Reports

8. Adjournment

Next Meeting: Monday, October 12, 2020

Notes:

- All items on the agenda are subject to action and/or change by the Commission.
- To comment on an item not on the agenda, submit an email to the clerk or use the Raise Hand feature or if you are calling by telephone press *9 prior to or during the Public Comment section of the agenda. Generally public comments will be limited to 3 minutes.
- Call 510.208.7450 (Voice) or 1.800.855.7100 (TTY) five days in advance to request a sign-language interpreter.
- If information is needed in another language, contact 510.208.7400.
- Call 510.208.7400 48 hours in advance to request accommodation or assistance at this meeting.
- Meeting agendas and staff reports are available on the [website calendar](#).



Alameda CTC Schedule of Upcoming Meetings September and October 2020

Commission Chair

Mayor Pauline Russo Cutter
City of San Leandro

Commission Vice Chair

Councilmember John Bauters
City of Emeryville

AC Transit

Board Vice President Elsa Ortiz

Alameda County

Supervisor Scott Haggerty, District 1
Supervisor Richard Valle, District 2
Supervisor Wilma Chan, District 3
Supervisor Nate Miley, District 4
Supervisor Keith Carson, District 5

BART

Director Rebecca Saltzman

City of Alameda

Mayor Marilyn Ezzy Ashcraft

City of Albany

Mayor Nick Pilch

City of Berkeley

Mayor Jesse Arreguin

City of Dublin

Mayor David Haubert

City of Fremont

Mayor Lily Mei

City of Hayward

Mayor Barbara Halliday

City of Livermore

Mayor John Marchand

City of Newark

Councilmember Luis Freitas

City of Oakland

Councilmember At-Large
Rebecca Kaplan
Councilmember Sheng Thao

City of Piedmont

Mayor Robert McBain

City of Pleasanton

Mayor Jerry Thorne

City of Union City

Mayor Carol Dutra-Vernaci

Executive Director

Tess Lengyel

Commission and Committee Meetings

Time	Description	Date
2:00 p.m.	Alameda CTC Commission Meeting	September 24, 2020 October 22, 2020
9:00 a.m.	Multi-Modal Committee (MMC)	October 12, 2020
10:00 a.m.	Programs and Projects Committee (PPC)	
11:30 a.m.	Planning, Policy and Legislation Committee (PPLC)	
1:00 p.m.	Audit Committee	October 22, 2020

Advisory Committee Meetings

1:30 p.m.	Alameda County Technical Advisory Committee (ACTAC)	October 8, 2020
9:30 a.m.	Paratransit Technical Advisory Committee (ParaTAC)	October 13, 2020
1:30 p.m.	Paratransit Advisory and Planning Committee (PAPCO)	October 26, 2020

All meetings are held at Alameda CTC offices located at 1111 Broadway, Suite 800, Oakland, CA 94607. Meeting materials, directions and parking information are all available on the [Alameda CTC website](http://www.AlamedaCTC.org). Meetings subject to change.

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Planning, Policy and Legislation Committee
Meeting Minutes
Monday, July 13, 2020, 11:30 a.m.

4.1

1111 Broadway, Suite 800, Oakland, CA 94607

• 510.208.7400

• www.AlamedaCTC.org

1. Call to Order

2. Roll Call

A roll call was conducted. All members were present.

3. Public Comment

There were no public comments.

4. Consent Calendar

4.1. Approve June 8, 2020 PPLC Meeting Minutes

4.2. Congestion Management Program (CMP): Summary of the Alameda CTC's Review and Comments on Environmental Documents and General Plan Amendments

Commissioner Pilch wanted more information on the Summary of the Alameda CTC's Review and Comments on Environmental Documents and General Plan Amendments. Ms. Lengyel stated that this is part of the CMP and staff assess plans and environmental documents based on established thresholds and reviews for potential impacts related to the CMP.

Commissioner Pilch moved to approve the Consent Calendar. Commissioner Ezzy Ashcraft seconded the motion. The motion passed with the following roll call votes:

Yes: Arreguin, Bauters, Carson, Cutter, Ezzy Ashcraft, Haggerty, Halliday, Kaplan, Ortiz, Pilch, Valle

No: None

Abstain: None

Absent: None

5. Regular Matters

5.1. 2020 Countywide Transportation Plan: Draft Recommendations and COVID-19 Strategies

Carolyn Clevenger and Kristen Villanueva presented an overview of the draft 2020 Countywide Transportation Plan (CTP) recommendations, including the draft final countywide 10-year priority project list, draft final strategies, draft near-term priority actions, long-term projects, and programmatic investment types, as well as the approach to addressing COVID-19 in the CTP. Ms. Clevenger asked the committee to discuss/answer the following:

- Are there any final comments on the core recommendations?
 - Draft final countywide 10-year priority project list
 - Draft final strategies & near-term priority actions

- Are there any comments on the approach to addressing COVID-19 in the CTP and our interim actions?

Ms. Lengyel said Alameda CTC will get public comments that will be incorporated with the comments from the Committee and staff will bring the final CTP to the Commission for approval later this fall.

Commissioner Pilch commented on equity and expressed support for the efficient use of transportation funds to make sure that transit is a viable option for everyone that needs to use it. He noted that fare box recovery is difficult during the pandemic, and he also stated that bicycle and pedestrian projects are also an efficient use of funds. He suggested not incentivizing single occupancy vehicles and noted these vehicles should not be allowed in HOV lanes at all.

Commissioner Halliday commented on BART ridership and expressed concerns that more congestion on the highways may cause less focus and investment in transit. She asked that staff monitor the trends and identify ways to support transit. She also requested that staff focus on providing outreach to groups such as rotary clubs that are already meeting remotely during this time.

Commissioner Ezzy Ashcraft highlighted equity as a cross cutting strategy to reach all communities and she suggested working with transit agencies to protect riders. She noted that for BART and AC Transit specifically, the homeless situation during the time of COVID-19 is dire and she stressed the need to connect the homeless population with services.

Commissioner Arreguin commented on the need to provide ongoing operating funds in support of existing transit operators and to address an immediate issue of keeping transit agencies in operation and maintaining core service.

Commissioner Kaplan commented on equity and stated that the agency needs to support robust transit operations to allow for social distancing.

Commissioner Ortiz asked if fares for low income residents were mentioned in the presentation. Ms. Clevenger stated that she mentioned the Metropolitan Transportation Commission (MTC) Clipper START Program will kick off the week of July 13th. Commissioner Ortiz said that AC Transit would like to participate; however, the cost and reimbursement is an issue since most of AC Transit riders are low income.

This item is for information only.

5.2. Approve Updated Plan Bay Area 2050 Project List and Performance Strategies for Alameda County for Submittal to the Metropolitan Transportation Commission

Tess Lengyel noted that Plan Bay Area 2050 is Regional Transportation Plan (RTP) that is developed by MTC/ABAG. Alameda CTC needs to submit a final list of projects to feed into the RTP by the end of July. Carolyn Clevenger stated that the final list of projects will go to the full Commission for approval in July and Alameda CTC will submit to MTC/ABAG the final list of projects along with final commitments

for projects that MTC raised concerns about. Ms. Clevenger highlighted the key issues that staff is working on with MTC.

Commissioner Cutter asked why not make the Altamont Corridor Express (ACE) train a more robust system until Valley Link is onboard. Ms. Clevenger stated that Alameda CTC will continue to advocate for ACE service increases; however, MTC raised concerns about the ACE Service Increases based on results of the equity analysis.

Commissioner Haggerty commented that ACE is working closely with Valley Link and BART and he noted that since Valley Link will run largely on a rail line that Alameda County owns, ACE will need to negotiate traffic rights with Union Pacific Railroad.

Commissioner Halliday asked if there is a timing issue if MTC puts Valley Link in the 2035 to 2050 time frame. Ms. Lengyel stated that this is the first time the RTP has had to be broken up into two separate tranches of time. The California Air Resources Board has established a greenhouse gas (GHG) per capita reduction of 19 percent by 2035, and MTC is required to break the RTP into two tranches of time to evaluate and make sure they can meet the GHG reductions for each time period. Alameda CTC is looking for written clarifications from MTC to inform the agency of the implications of having projects in the second period.

Commissioner Halliday asked if there is a time limitation of Measure BB funds to be used for Valley Link. Ms. Lengyel stated that the 2014 Transportation Expenditure Plan (TEP) has implementing guidelines and one of the guidelines is the timely use of funds. Valley Link would be required to complete its environmental clearance and secure full funding within seven years of any TEP amendment.

Commissioner Haggerty thanked Alameda CTC, MTC, and Fremont for working together on the SR-262 Widening and Interchange Improvements project. In relationship to the Valley Link, the MTC Commission requested staff to bring options to the MTC Commission to include Valley Link in the first tranche of time of the RTP at its next meeting.

Commissioner Ezzy Ashcraft requested an update on Regional Measure (RM) 3 projects/funds. Ms. Lengyel stated said that the courts cleared RM 3 funding.

5.3. Federal, state, regional, and local legislative activities update

Tess Lengyel stated that in the interest of time, staff could refrain from presenting this item. Chair Ortiz agreed not to have this item presented by staff.

This item is for information only.

6. Committee Member Reports

There were no member reports.

7. Staff Reports

There were no staff reports.

8. Adjournment/ Next Meeting

The next meeting is: September 14, 2020 at 11:30 a.m.



Memorandum

4.2

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• PH: (510) 208-7400

• www.AlamedaCTC.org

DATE: September 4, 2020

TO: Planning, Policy and Legislation Committee

FROM: Saravana Suthanthira, Principal Transportation Planner
Chris G. Marks, Associate Transportation Planner

SUBJECT: Congestion Management Program (CMP): Summary of the Alameda CTC's Review and Comments on Environmental Documents and General Plan Amendments

Recommendation

This item updates the Commission with a summary of Alameda CTC's review and comments on Environmental Documents and General Plan Amendments. This item is for information only.

Summary

This item fulfills one of the requirements under the Land Use Analysis Program (LUAP) element of the Congestion Management Program. As part of the LUAP, Alameda CTC reviews Notices of Preparations (NOPs), General Plan Amendments (GPAs), and Environmental Impact Reports (EIRs) prepared by local jurisdictions and comments on the potential impact of proposed land development on the regional transportation system.

Since the last update on July 13, 2020, Alameda CTC has not reviewed any environmental documents.

Fiscal Impact: There is no fiscal impact. This is an information item only.

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Memorandum

4.3

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www.AlamedaCTC.org

DATE: September 4, 2020

TO: Planning, Policy and Legislation Committee

FROM: Carolyn Clevenger, Deputy Executive Director of Planning and Policy
Krystle Pasco, Associate Program Analyst

SUBJECT: Approve issuance of a Request for Proposals for Paratransit
Coordination Services

Recommendation

It is recommended that the Commission approve the issuance of a request for proposals (RFP) for Professional Services to provide Paratransit Coordination Services.

Summary

The Alameda County Transportation Commission (Alameda CTC) contracts on a periodic basis with a number of professional services consultant firms to assist staff in providing a range of types of general administration services, including, but not limited to, general counsel, media and public relations, outreach, technical assistance, and project and program management. The Paratransit Program similarly relies on professional services consultant firms to carry out the various programmatic activities noted in the 2000 Measure B and 2014 Measure BB Transportation Expenditure Plans (TEPs) for funding related to transportation for seniors and people with disabilities. The current Paratransit Coordination Services contract is due to expire at the end of fiscal year (FY) 2020-21; therefore, a release of an RFP in fall 2020 is necessary to ensure the uninterrupted continuation of professional services support for the paratransit program into FY 2021-22 and beyond.

Background

Alameda CTC has a robust and multi-faceted Transportation for Seniors and People with Disabilities (Paratransit) Program that funds and manages a range of services. The 2000 Measure B Transportation Expenditure Plan allocates 10.45 percent of net revenues and the 2014 Measure BB TEP allocates 10 percent of net revenues to the Paratransit Program. Approximately 9 percent of net revenues from each TEP is distributed to agencies on a monthly basis as Direct Local Distribution (DLD) funding for ADA-mandated services and City paratransit programs. The remaining funding is distributed as grants on a discretionary basis as part of the agency's Capital Improvement Program (CIP). As set forth in the expenditure plans, the Paratransit Advisory and Planning Committee (PAPCO), a 23-member committee of seniors and people with disabilities, is responsible for providing recommendations to the

Commission related to all funding for transportation for seniors and people with disabilities. The Paratransit Technical Advisory Committee (ParaTAC), comprised of City and transit operator staff, mostly program sponsors who receive funds, also provides input to Alameda CTC staff related to management of direct ADA-mandated services and City paratransit programs. Alameda CTC staff strategically collaborates and coordinates with PAPCO and ParaTAC with the support of the professional services consultant to deliver the full breadth of the paratransit program.

Professional Services Contract

Alameda CTC intends to retain a professional services consultant or consultant team with expertise in the management and oversight of transportation services and programs targeted towards seniors and people with disabilities, including: public meeting facilitation and coordination; administration and coordination of local, regional, state and federal grant funding; outreach and information services; coordination with partner agencies; development and management of countywide initiatives; and technical assistance.

Under the direction of and in close coordination with Alameda CTC staff, this consultant team, known as the Paratransit Coordination Team (Team), is responsible for a range of activities. The Team coordinates, monitors, conducts reporting activities, researches, and advises Alameda CTC on funding programs for seniors and people with disabilities, including Measure B and Measure BB Paratransit Program funding, and any other local, regional, state and federal funds or funding programs, including the Federal 5310 program. The Team is also responsible for facilitating, providing materials for and documenting Paratransit Program meetings (i.e., plans, coordinates, documents, and staffs PAPCO and ParaTAC meetings), as well as meetings with other organizations, as necessary. The Team is also responsible for performing technical studies, conducting research on best practices, and other technical assistance to support implementation of the Paratransit Program.

Fiscal Impact: The Paratransit Coordination Services contract will be negotiated and the final budget will be included in Alameda CTC's annual proposed budget for Commission approval.



Memorandum

4.4

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• www.AlamedaCTC.org

DATE: September 4, 2020

TO: Planning, Policy and Legislation Committee

FROM: Tess Lengyel, Executive Director
Carolyn Clevenger, Deputy Executive Director of Planning and Policy

SUBJECT: Federal, state, regional, and local legislative activities update

Recommendation

This item is to provide the Commission with an update on federal, state, regional, and local legislative activities.

Summary

The September 2020 legislative update provides information on federal and state legislative activities. Given the dynamic nature of the state and federal government's responses to the COVID-19 pandemic and the timing of the end of the legislative session in Sacramento, additional updates will be provided at the Commission meeting.

Background

The Commission approved the 2020 Legislative Program in January 2020. The purpose of the legislative program is to establish funding, regulatory, and administrative principles to guide Alameda CTC's legislative advocacy.

Each month, staff brings updates to the Commission on legislative issues related to the adopted legislative program, including recommended positions on bills as well as legislative and policy updates. Attachment A is the Alameda CTC adopted legislative platform.

State Update

The State legislature convened for a shortened session in August. Staff is currently reviewing final actions on bills and will provide an update by the Commission meeting.

Federal Update

There has been no progress on additional COVID-19 stimulus legislation or a new reauthorization of the surface transportation program. The House, Senate and White House are at an impasse and continuing resolutions for the surface transportation bill appear likely through the November elections. Staff continues to monitor potential infrastructure-related stimulus efforts but no significant action is anticipated. Any updates will be provided at the September meetings.

Fiscal Impact: There is no fiscal impact. This is an information item only.

Attachment:

- A. Alameda CTC 2020 Legislative Program



2020 Alameda County Transportation Commission Legislative Program

The legislative program herein supports Alameda CTC's transportation vision below adopted for the 2020 Countywide Transportation Plan:

4.4A

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"Alameda County residents, businesses and visitors will be served by a premier transportation system that supports a vibrant and livable Alameda County through a connected and integrated multimodal transportation system promoting sustainability, access, transit operations, public health and economic opportunities. Our vision recognizes the need to maintain and operate our existing transportation infrastructure and services while developing new investments that are targeted, effective, financially sound and supported by appropriate land uses. Mobility in Alameda County will be guided by transparent decision-making and measurable performance indicators. Our transportation system will be:

- **Accessible, Affordable and Equitable** – Improve and expand connected multimodal choices that are available for people of all abilities, affordable to all income levels and equitable.
- **Safe, Healthy and Sustainable** – Create safe facilities to walk, bike and access public transportation to promote healthy outcomes and support strategies that reduce adverse impacts of pollutants and greenhouse gas emissions by reducing reliance on single-occupant vehicles.
- **High Quality and Modern Infrastructure** – Upgrade infrastructure such that the system is of a high quality, is well-maintained, resilient and maximizes the benefits of new technologies for the public.
- **Economic Vitality** – Support the growth of Alameda County's economy and vibrancy of local communities through an integrated, reliable, efficient, cost-effective and high-capacity transportation system."

Issue	Priority	Strategy Concepts
Transportation Funding	Increase transportation funding	<ul style="list-style-type: none">• Oppose efforts to repeal transportation revenues streams enacted through SB1.• Support efforts that protect against transportation funding diversions.• Support efforts to lower the two-thirds voter threshold for voter-approved transportation measures.• Support the implementation of more stable and equitable long-term funding sources for transportation.• Ensure fair share of sales tax allocations from new laws and regulations• Seek, acquire, accept and implement grants to advance project and program delivery.
	Protect and enhance voter-approved funding	<ul style="list-style-type: none">• Support legislation and increased funding from new and/or flexible funding sources to Alameda County for operating, maintaining, restoring, and improving transportation infrastructure and operations.• Support increases in federal, state, and regional funding to expedite delivery of Alameda CTC projects and programs, including funding to expand the Affordable Student Transit Pass program.• Support efforts that give priority funding to voter-approved measures and oppose those that negatively affect the ability to implement voter-approved measures.• Support efforts that streamline financing and delivery of transportation projects and programs.• Support rewarding Self-Help Counties and states that provide significant transportation funding into transportation systems.• Support statewide principles for federal surface transportation reauthorization and/or infrastructure bills that expand funding and delivery opportunities for Alameda County.
Project Delivery and Operations	Advance innovative project delivery	<ul style="list-style-type: none">• Support environmental streamlining and expedited project delivery, including contracting flexibility and innovative project delivery methods.
	Ensure cost-effective project delivery	<ul style="list-style-type: none">• Support efforts that reduce project and program implementation costs.• Support funding and policies to implement transportation projects that create jobs and economic growth, including for apprenticeships and workforce training programs.
	Protect the efficiency of managed lanes	<ul style="list-style-type: none">• Support HOV/managed lane policies that protect toll operators' management of lane operations and performance, toll rate setting and toll revenue reinvestments, deployment of new technologies and improved enforcement.• Support high-occupancy vehicle (HOV)/express lane expansion in Alameda County and the Bay Area, and efforts that promote effective and efficient lane implementation and operations.• Oppose legislation that degrades HOV lanes that could lead to congestion and decreased efficiency.
	Reduce barriers to the implementation of transportation and land use investments	<ul style="list-style-type: none">• Support legislation that increases flexibility and reduces barriers for infrastructure improvements that support the linkage between transportation, housing and jobs.

Issue	Priority	Strategy Concepts
Multimodal Transportation, Land Use and Safety		<ul style="list-style-type: none"> • Support local flexibility and decision-making regarding land-uses for transit oriented development (TOD) and priority development areas (PDAs). • Support funding opportunities for TOD and PDA implementation, including transportation corridor investments that link PDAs.
	Expand multimodal systems, shared mobility and safety	<ul style="list-style-type: none"> • Support policies that provide increased flexibility for transportation service delivery through programs that address the needs of commuters, youth, seniors, people with disabilities and low-incomes, and do not create unfunded mandates. • Support policies that enable shared mobility innovations while protecting the public interest, including allowing shared and detailed data (such as data from transportation network companies and app based carpooling companies) that could be used for transportation and land use planning and operational purposes. • Support investments in active transportation, including for improved safety and Vision Zero strategies. • Support investments in transportation for transit-dependent communities that provide enhanced access to goods, services, jobs and education; and address parking placard abuse. • Support parity in pre-tax fringe benefits for public transit, carpooling, and vanpooling and other modes with parking. • Support legislation to modernize the Congestion Management Program, supporting the linkage between transportation, housing, and multi-modal performance monitoring. • Support efforts to increase transit priority throughout the transportation system, such as on freeway corridors and bridges serving the county.
Climate Change and Technology	Support climate change legislation and technologies to reduce greenhouse gas (GHG) emissions	<ul style="list-style-type: none"> • Support funding for infrastructure, operations, and programs to relieve congestion, improve air quality, reduce emissions, expand resiliency and support economic development, including transitioning to zero emissions transit fleets and trucks. • Support rewarding Self-Help Counties with cap-and-trade funds for projects and programs that are partially locally funded and reduce GHG emissions. • Support emerging technologies such as alternative fuels and fueling technology to reduce GHG emissions. • Support legislation and policies to facilitate deployment of connected and autonomous vehicles in Alameda County, including data sharing that will enable long-term planning. • Support the expansion of zero emissions vehicle charging stations. • Support efforts that ensure Alameda County jurisdictions are eligible for state funding related to the definition of disadvantaged communities used in state screening tools.
Rail Improvements	Expand goods movement and passenger rail funding and policy development	<ul style="list-style-type: none"> • Support a multimodal goods movement system and passenger rail services that enhance the economy, local communities, and the environment. • Support policies that enhance Bay Area goods movement and passenger rail planning, funding, delivery and advocacy. • Support legislation and efforts that improve the efficiency and connectivity of the goods movement system, including passenger rail connectivity. • Ensure that Alameda County goods movement needs and passenger rail needs are included in and prioritized in regional, state and federal goods movement planning and funding processes. • Support rewarding Self-Help Counties that directly fund goods movement and passenger rail infrastructure and programs. • Leverage local funds to the maximum extent possible to implement goods movement and passenger rail investments in Alameda County through grants and partnerships with regional, state and federal agencies.
Partnerships	Expand partnerships at the local, regional, state and federal levels	<ul style="list-style-type: none"> • Support efforts that encourage regional and mega-regional cooperation and coordination to develop, promote, and fund solutions to regional and interregional transportation problems and support governmental efficiencies and cost savings. • Partner to increase transportation funding for Alameda CTC's multiple projects and programs and to support local jobs.

Issue	Priority	Strategy Concepts
		<ul style="list-style-type: none">• Support efforts to maintain and expand local-, women-, minority- and small-business participation in competing for contracts.

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Memorandum

5.1

1111 Broadway, Suite 800, Oakland, CA 94607

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www.AlamedaCTC.org

DATE: September 4, 2020

TO: Planning, Policy and Legislation Committee

FROM: Tess Lengyel, Executive Director
Carolyn Clevenger, Deputy Executive Director of Planning and Policy

SUBJECT: Approve Tri-Valley-San Joaquin Valley Regional Rail Authority Request for a 2014 Measure BB Transportation Expenditure Plan Amendment

Recommendation

It is recommended that the Commission approve the Tri-Valley-San Joaquin Valley Regional Rail Authority (TVSJVRRA) request (Attachment A) for an amendment to the 2014 Measure BB Transportation Expenditure Plan (TEP) to: 1) acknowledge TVSJVRRA as a new agency in Alameda County that can be an eligible recipient of Measure BB funds; 2) remove the BART to Livermore project and associated \$400 million Measure BB funding; 3) add Valley Link in Alameda County project with \$400 million in Measure BB funding; and 4) make associated technical amendments. The Commission Plan Amendment Resolution recommended for approval is included as Attachment B and the proposed 2014 Measure BB Expenditure Plan redline markups and technical amendments are detailed in Attachment C. This is an action item and requires majority approval at the Planning, Policy and Legislation Committee (PPLC) and 2/3 of the Authorized vote for approval at the Commission meeting per the Implementing Guidelines of the 2014 TEP.

Summary

The 2014 Measure BB TEP included \$400 million for BART to Livermore. Since that time, a significant number of developments have occurred on the project and in the project area, as detailed in the Project Background section of this memo. The TVSJVRRA was created by the State Legislature in 2017 by Assembly Bill 758 for the purposes of planning, developing and delivering cost-effective and responsive transit connectivity between BART and commuter rail service in the Tri-Valley and San Joaquin County that reflects regional consensus and meets the goals and objectives of the San Joaquin Valley and Tri-Valley communities.

In 2017, BART released the Draft Environmental Impact Report for BART to Livermore. In May 2018 the BART Board voted to certify the Final EIR. The Board also passed a motion directing the General Manager to not advance an alternative, effectively passing over to the TVSJVRRA the ability to plan for a connection to the Dublin/Pleasanton BART Station in

July 2018. The TVSJVRRA then assumed the lead role for the project, now known as Valley Link. The TVSJVRRA has requested Alameda CTC to amend the TEP to add Valley Link and move the \$400 million from the BART to Livermore TEP project to Valley Link.

The TEP amendment process, as detailed later in this memo, requires a 45-day comment period by jurisdictions in Alameda County. The Commission approved initiation of the comment period on May 28, 2020. Alameda CTC staff provided notification to the governing boards of all cities, the county and transit operators in Alameda County who are represented on the Alameda CTC Commission of a 45-day comment period regarding the proposed amendment, which included direction on how comments must be submitted to the Commission. The notifications were sent via email and hard copy through the US Postal Service on May 29, 2020. The comment period ended on July 13, 2020. Comments received by August 28, 2020 are included in the summary matrix of comments and responses included as Attachment D; full text of the comment letters are included in Attachment E. Any comments received thereafter and up to 5pm on September 11, 2020 will be included in a handout provided to the Commission and posted on the Alameda CTC website the day of the PPLC meeting.

Staff will present a summary of the comments received during the comment period to PPLC for its consideration. PPLC must approve by a majority vote to advance the item to the full Commission for final action on the proposed TEP amendment. A 2/3 Authorized vote by the Commission is needed to amend the TEP, per the TEP Implementing Guidelines.

The proposed amendment includes the following elements, which are documented in Attachments B and C:

- 1) Acknowledgement of the TVSJVRRA as a new agency in Alameda County that is an eligible recipient of Measure BB funds (Attachment B, Plan Amendment Resolution).
- 2) Removal of the BART to Livermore Project: The amendment would remove reference to the BART to Livermore project, which was a named capital project in the BART Expansion and Maintenance program of the TEP and the associated \$400 million.
- 3) Addition of the Valley Link project: The amendment would add the Valley Link project as a new named capital project under the Commuter Rail Improvements program of the TEP and would include \$400 million in Measure BB funding.
- 4) Technical Adjustments: The amendment would make minor technical adjustments, such as updating maps and tables, to reflect the changes noted above (as shown in Attachment C, TEP Redline Markups).

Comments Received

Per the TEP Implementing Guidelines, the comment period for a TEP Amendment is a comment period for jurisdictions in Alameda County. Comments received by the public and advocacy organizations are also included for the Commission's consideration. All

comments received are included as Attachment E. The information below summarizes key themes and comments received; a complete documentation of comments and responses are included in Attachment D.

Table 1. Summary of Support or Opposition to TEP Amendment

Agency	Support	Oppose	Questions/ concerns
AC Transit – General Manager, not Board			•
Alameda County Board of Supervisors	•		
BART – Board Member McPartland	•		
BART – General Manager, not Board	•		•
City of Dublin	•		
City of Livermore	•		
City of Pleasanton	•		
City of Union City	•		
LAVTA	•		
San Joaquin Regional Rail Commission	•		
Organizations and Public	Support	Oppose	Questions/ concerns
Alameda County Taxpayers Association		•	
Bay Area Council	•		
Bay Area Transportation Working Group		•	
Bike East Bay			•
Building and Construction Trades Council of Alameda County, AFL-CIO	•		
Chabot Las Positas College	•		
Hacienda Business Park Owners Association	•		
Innovation Tri-Valley Leadership Group	•		
Jon Spangler		•	•
Laborers' Local 304	•		
Law Offices of Jason Bezis		•	•
Livermore Valley Chamber of Commerce	•		
Pleasanton Chamber of Commerce	•		
Sierra Club		•	•
Train Riders Association of California		•	•

Key Themes from Comments

Support

Comments expressing support for the TEP Amendment focused on project benefits and the need for rail in the Tri-Valley. The three cities in the Tri-Valley, along with the Board of Supervisors, Union City, the BART Board representative, LAVTA and the San Joaquin Regional Rail Commission all submitted strong letters of support. In addition, chambers of commerce/business groups and labor expressed support for the TEP Amendment and the

Valley Link project. Full documentation of comments and responses are included in Attachments D and E; key benefits noted by commenters include:

- fulfills a commitment made to the Tri-Valley to advance rail connectivity to Livermore
- assures Tri-Valley residents will benefit from the taxes they have paid
- reduction of over 99.4 million Vehicle Miles Traveled
- reduction of over 33,000 metric tons of greenhouse gas emissions per year
- supports advancement of transit-oriented development
- protects open space
- supports businesses in the Tri-Valley by providing easy and convenient access
- provides an estimated 22,000 jobs during construction and between \$2.6 billion and \$3.5 billion in revenues

Oppose/Concerns Raised

Comments in opposition of the TEP Amendment included a number of key themes that were repeated across multiple commenters, summarized below. Full documentation of comments and responses are included in Attachments D and E.

- Timing of Amendment and impacts of COVID-19: Commenters raised concerns that the TEP Amendment is being rushed. Commenters stated that there is no valid reason to amend the TEP at this point in time, and that the amendment should be delayed until the project's Environmental Impact Report (EIR) is available and the impacts of the COVID-19 pandemic on sales tax revenues and transit ridership are better understood.

Response:

- Overall timeframe: The TVSJVRRA submitted a request for the TEP Amendment in September 2019. Since that time, Alameda CTC staff has worked with TVSJVRRA staff as well as partner agencies to better understand the project, including detailed discussions regarding potential impacts on the I-580 Express Lanes and the potential funding plan. The ability to leverage local sales tax dollars to secure competitive regional, state and federal funds is a key principle of local sales taxes. By being able to show a commitment of local funding, the project will be more competitive for regional, state and federal funding.
- EIR: As with all projects in the 2014 TEP, the project must meet specific environmental deadlines and comply with regional, state and federal requirements. The TEP does not require that projects must complete an environmental document before being in the plan, nor does it require that full funding is required before being in the plan. Every project in the 2014 TEP has a funding shortfall; the sales tax dollars are intended to be leveraged with other local, regional, state and federal funds to deliver the projects.

Most of the named capital projects in the 2014 TEP did not have completed EIRs when the TEP was approved by voters. Only four of the 21 specifically named capital projects in the TEP had an approved EIR when the TEP was approved by voters. The Draft EIR is anticipated to be released in fall 2020.

- COVID-19: The long-term travel impacts of COVID are unknown at this time. It is unclear when the region and country will start to have a better understanding of mid- and long-term impacts of the COVID-19 pandemic on travel patterns, and transit in particular. In developing the region's long-range transportation plan, Plan Bay Area 2050, MTC's direction is to assume that long-term travel and development patterns do not significantly change as a result of COVID-19; rather those impacts are largely concentrated in the early (first 10) years of the Plan. Projects under development within the Bay Area must be consistent with MTC's long-range plan.

Alameda CTC is carefully monitoring the impact of COVID-19 on sales tax revenues. Sales tax revenues are received from the California Department of Tax and Fee Administration (CDTFA) two months in arrears, and staff has been updating the Commission as data becomes available.

Alameda CTC has not developed a 5-year sales tax revenue projection at this point given the large uncertainties regarding the depth and breadth of the recession and the lack of sales tax receipt data received to date. Revenue projections for FY2020-21 were included in the agency budget that was adopted in May 2020. The budget for sales tax revenues for FY2020-21 will be updated if and when appropriate based on data received from the CDTFA.

- Inadequate public noticing: Commenters raised concerns that the proposed TEP Amendment was not noticed to the public or posted on the Alameda CTC website. Requests were made for more time for the comment period, and for all comments to be posted by the end of July.

Response: The comment period, per the TEP Implementing Guidelines for a proposed TEP Amendment, is a comment period for jurisdictions. As noted above, following the Commission's May 28, 2020 approval to initiate the comment period, Alameda CTC staff provided notification to the governing boards of all cities, the county and transit operators in Alameda County who are represented on the Alameda CTC Commission, which included direction on how comments must be submitted to the Commission. The notifications were sent via email and hard copy through the US Postal Service on May 29, 2020. Per the direction of the Commission at its May meeting, staff were directed to include the full set of comments received in the PPLC materials and distribute those in advance of the meeting per standard Commission processes.

- Insufficient alternatives analysis and interest in other transit investments in the corridor: Commenters stated that there had been insufficient analysis of alternatives, with specific focus on further analysis of a bus alternative in order to determine if there are better, more efficient uses of the funding. In addition, BART and other commenters raised concerns regarding ensuring full understanding of and eligibility for BART core system impacts as part of the project and potential uses of the \$400 million. A few commenters specifically referenced TEP Implementing Guideline #22 as a reason other projects could be eligible for the funding.

Response: Extensive alternatives analysis has been completed in the 580 corridor as part of previous BART studies and environmental impact reports. BART conducted extensive alternatives analysis, as both part of the 2010 Program Environmental Impact Report (EIR) and as part of the subsequent Project EIR certified in 2018. The 2010 Program EIR included analysis of 10 alignment alternatives. The Project EIR included extensive analysis of four alternatives plus a no project alternative. The alternatives included and Express Bus/Bus Rapid Transit Alternative and an Enhanced Bus Alternative. Details of the alternatives can be found [here](#). The analysis included detailed evaluation of potential benefits and impacts, including but not limited to: ridership, vehicle miles traveled, greenhouse gas emissions, capital and operating costs, travel times, integration with land use, and cost-effectiveness. The BART Project EIR found mixed performance results for the alternatives. While the cost per new rider for the Express Bus/BRT option was lower than for the rail alternatives, the rail alternatives carried significantly more riders and resulted in a higher reduction in vehicle miles traveled.

In developing the Valley Link Feasibility Report, and continuing in the EIR, the TVSJVRRRA is evaluating alternatives, building off of the work done by BART as well as by ACE as part of the ACE Forward analysis. The Feasibility Report included analysis of express bus alternative that included operating as bus on shoulder to provide a more time-competitive service, and focused on a limited set of stations mirroring the proposed rail service. The Feasibility Report found, consistent with the BART findings, that while express bus alternatives could be delivered at a fraction of the cost, the potential ridership benefits and greenhouse gas emission reductions were significantly higher for the rail alternative. An additional evaluation of alternatives will be released as part of the Valley Link Draft EIR.

The TEP #22 Guideline notes, "Fund Allocations: Should a planned project become undeliverable, infeasible or unfundable due to circumstances unforeseen at the time this Plan was created, or should a project not require all funds programmed for that project or have excess funding, funding for that project will be reallocated to another project or program of the same type, such as Transit, Streets, Highways, Community Development Investments, or Bicycle and Pedestrian Safety, at the discretion of Alameda CTC." The Valley Link project is a Transit project as is the

BART to Livermore Project and it is at the Commission's discretion to act on a plan amendment to use these funds for transit purposes.

Based on current ridership forecasts developed by the TVSJVRRRA, it appears that there may be some degree of impact to the BART core system in the 2040 horizon. The TVSJVRRRA has proposed to enter into an MOU with BART to address these future potential impacts. BART and the TVSJVRRRA continue to work closely to fully identify and understand all potential impacts and benefits. Faregate modernization for non-Valley Link stations does not appear to be directly linked to impacts of the Valley Link project.

- Benefits to San Joaquin County and not Alameda County: A number of commenters raised concerns that Alameda County residents would not benefit from the project, but instead the project will primarily benefit San Joaquin County residents. In addition, concerns were raised that San Joaquin County has not committed funding to the project.

Response: As required by the TEP, expenditures from Measure BB will only be spent on transportation improvements in Alameda County. The project as defined will benefit Alameda County residents and businesses as well as San Joaquin County. The Bay Area is part of an integrated mega-region, with people and goods regularly moving between the Bay Area, Central Valley, and Sacramento region. Providing a high-quality transit alternative over the heavily-traveled Altamont Pass will support both the Central Valley and Bay Area. Benefits of the project, including data specific to Alameda County residents where possible, as provided by the Valley Link staff is noted below. Data is based on an extension from Dublin-Pleasanton BART to North Lathrop.

- 10,137 daily boardings in the Tri-Valley in 2040
- 32,993 daily boardings in the full corridor
- Annual reduction of between 33,880 to 42,650 metric tons of greenhouse gas emissions in 2040 depending on the vehicle variant under consideration
- Reduction of approximately 570,000 average weekday vehicle miles travelled in 2040
- Approximately 57% of the project track mileage is in Alameda County
- Transit-oriented development in the Tri-Valley including developments at the proposed Isabel station and Southfront station alternative.

Regarding funding, the proposed TEP amendment states that funds are for construction only in Alameda County and shall not be used until full funding commitments are identified and approved for the initial operating segment.

The TVSJVRRRA is working closely with cities in San Joaquin County, the San Joaquin Council of Governments (SJCOG), and the state to secure additional funding for the project. Thus far, the City of Tracy is anticipated to act in September 2020 to

donate a key 200-acre parcel under City ownership to the project to be used for an operations and maintenance facility. The property has an estimated value of \$40 million. In April 2020, the SJCOG Board approved an amendment to its 2018 Regional Transportation Plan to include the Valley Link project, including showing \$163.9 million for the project in the plan from future measures and state funds, and SJCOG also contributed funding for the environmental document.

- Questions regarding how an initial operating segment would be determined: There were questions requesting more detail on how an initial operating (IOS) segment would be determined, given the proposed amendment language.

Response: The Valley Link Feasibility Report identified two major phases of the project: Phase 1 from Dublin-Pleasanton to North Lathrop; and Phase 2 from North Lathrop to Stockton. Within Phase 1, the project could be delivered in phases, including an initial operating segment that would terminate before North Lathrop. As part of the analysis currently underway, the TVSJVRRRA Board will consider potential IOSs in order to more quickly deliver service in the corridor. Options under consideration include service from Dublin-Pleasanton to Greenville, or from Dublin-Pleasanton to Mountain House. In addition, the TVSJVRRRA is considering a Southfront Station in Livermore. Estimated ridership, emissions reduction and costs for two IOS under consideration are summarized in Table 2.

Table 2. Potential Initial Operating Segments

Potential IOS	2025 Daily Ridership	GHG Emissions Reduction* (annual metric tons)	Capital Costs** (mid-point YOE)
D-P to Greenville	8,372	4,075 to 5,739	\$1.61 B
D-P to Mountain House***	11,101	3,980 to 7,172	\$2.04 B

* Range based on various technologies under consideration.

**Costs do not include O&M facilities (\$198.67 million) or vehicles (\$508.82 million)

***Includes Southfront station

- Potential project impacts related to sprawl and interregional commutes: Commenters stated that the project will increase sprawl and further the distances between where people live and work. It was noted that this would violate the “inter-regional commuting” policy of Senate Bill 375 (SB 375) and Plan Bay Area.

Response: SB 375 applies to regional transportation plans/sustainable communities strategies (RTP/SCS) that are adopted by metropolitan transportation organizations (MPOs) in the state of California. As it relates to this project, the two MPOs are the Metropolitan Transportation Commission (MTC) and the San Joaquin Council of

Governments (SJCOG). The MTC Commission recently voted to include Valley Link in Plan Bay Area 2050, the RTP/SCS currently in development in the Bay Area region. SJCOG's most recent RTP/SCS was amended in early 2020 to include the Valley Link project. MTC's robust project performance assessment did not identify performance concerns with the Valley Link project regarding the project conflicting with the guiding principles of Plan Bay Area and identified it as a relatively well performing regional rail project.

The TVSJVRRRA has adopted a Transit Oriented Development (TOD) Policy to support the regional goals of both San Joaquin County and the Bay Area to support the advancement of transit-oriented development (TOD) in Valley Link station areas. The policy mirrors the TOD guidelines outlined in MTC Resolution 3434 TOD guidelines and identifies key policy objectives and strategies to:

- Develop and implement station area plans that meet or exceed a corridor-level threshold of 2,200 housing units within a half mile radius of stations.
- Develop station area plans that, at a minimum, define the land use plan for the area, zoning, design standards, parking policies and station access plans.

Station area plans are currently under development at the Isabel, Downtown Tracy and River Islands stations. The Dublin/Pleasanton and Isabel Stations are in established MTC Priority Development Areas (PDA) and an application for a Southfront Station PDA was submitted to MTC/ABAG earlier this year and approved in February 2020.

- Measure BB equity considerations: Commenters stated that the amendment would require the entire TEP to need to be reopened because it would dramatically change the distribution of benefits across the county. That would therefore require the basic allocation formula for local streets and roads to need to be reconsidered.

Response: When the 2014 TEP was crafted by the Commission, it was done so to address geographic equity in investments and to reach consensus on a set of projects and programs that would provide benefits in all areas of Alameda County. The \$400 million was identified in the TEP for a rail extension in the Tri-Valley. The proposed amendment does not change the geographic distribution of the benefits of the overall TEP.

Project Background

A BART extension to Livermore has been a longstanding project, dating back in concept to the 1960s when the BART system was originally envisioned. Over the years, there have been efforts by many residents, local elected officials, and other stakeholders to extend

the BART alignment to Livermore, including planning, funding and project development efforts.

Regional and State Rail Planning

In 2007, the San Francisco Bay Area Regional Rail Plan developed by the Metropolitan Transportation Commission (MTC) identified the BART to Livermore extension as an important inter-regional rail connection. The Regional Rail Plan envisioned that BART should connect to the ACE train service in Livermore in order to provide a reliable and fast transit option for the growing congestion over the Altamont Pass and along the I-580 corridor. The importance of rail service between the Tri-Valley and San Joaquin Valley was reiterated in the 2018 California State Rail Plan, which calls for a Tri-Valley rail hub and increased rail frequencies and connectivity over the Altamont Corridor.

BART to Livermore Project

By the 1980s, the extension of BART further east in the Tri-Valley was already under serious consideration. In the mid-1980s, BART purchased a potential site for a future station near the Isabel Avenue and Interstate 580 interchange and a site in the vicinity of Greenville Road and Interstate 580 for purposes of preserving land for a potential station and yard/maintenance facility. In 1997, the Dublin/Pleasanton line was opened, with a West Dublin station added in 2011.

Numerous local and regional transportation measures have included support for BART to Livermore, starting with the 1986 Alameda County Measure B, which included \$170 million for a "Rail extension to Dublin Canyon". The 2000 TEP included funding of \$8.7 million for "I-580 Corridor/BART to Livermore Studies". Measure BB included \$400 million in the 2014 TEP for "BART to Livermore". The project also received Regional Measure 1 bridge toll funding to advance planning and environmental work. In June 2018, Bay Area voters approved Regional Measure 3, which includes \$100 million for "Tri-Valley Transit Access Improvements."

In 2010, after two years of analysis, BART completed a Program Environmental Impact Report (EIR) that evaluated the feasibility of five potential station sites and 10 different alignments for the BART to Livermore extension. In 2012, the BART Board of Directors directed its staff to advance the conceptual engineering and environmental review of a one-station extension to Isabel Avenue (Proposed Project), as well as to coordinate with the City of Livermore on the land use planning around the future station site.

In 2014, Alameda County voters approved Measure BB to fund the 2014 TEP, which includes \$400 million in dedicated funding for the BART to Livermore extension. Measure BB commits funds to support construction of the extension of BART in the I-580 corridor using the most effective and efficient technology.

On July 31, 2017, BART released the Draft Project EIR evaluating the Proposed Project and alternatives. In May 2018, BART released the Final Project EIR. The BART Board certified the Final Project EIR on May 24, 2018 and directed staff to not advance a specific project.

As major transportation project planning and analysis was underway, cities also advanced land use planning around future rail service. The City of Livermore prepared the Isabel Neighborhood Plan and program-level EIR for development around a new station. The Livermore City Council adopted the Isabel Neighborhood Plan and certified the EIR for the Plan in May 2018.

ACEforward Program

The San Joaquin Regional Rail Commission (SJRRRC) ACEforward program outlined a vision for a phased rail infrastructure and service improvement plan to increase frequency, increase service reliability, and enhance passenger facilities along the existing ACE service corridor from San Jose to Stockton, and to extend ACE service to Modesto and Merced. The (SJRRRC) released a Draft EIR in May of 2017 that was later rescinded; however, the technical documents developed by the SJRRRC for the ACEforward Draft EIR were made available to the TVSJVRRA for advancement of the Valley Link Project Feasibility Report and Draft EIR.

Creation of TVSJVRRA

In 2017 Assemblymembers Catharine Baker and Susan Eggman authored AB 758, which created the TVSJVRRA. The TVSJVRRA is led by a 15-member governing Board comprised of representatives from the counties of Alameda and San Joaquin; the cities of Dublin, Livermore, Pleasanton, Danville, San Ramon, Tracy, Lathrop, Stockton, and Manteca; Mountain House Community Services District; the Livermore Amador Valley Transit Authority (LAVTA), BART, and the San Joaquin Regional Rail Commission (SJRRRC). The goal established for the TVSJVRRA is to deliver a cost-effective connection from the San Joaquin Valley to the BART system and the ACE system that reflects regional consensus and meet the goals and objectives of the San Joaquin Valley and Tri-Valley communities, consistent with a feasibility report.

AB 758 specifically stated that the TVSJVRRA would only assume planning, development and delivery of a rail extension should the BART Board fail to adopt a preferred alternative for a BART extension by June 30, 2018. When the BART Board voted to not advance the BART to Livermore project, the TVSJVRRA assumed responsibility to advance the project per AB 758. The TVSJVRRA adopted several goals and policies to guide the development of the project.

A key requirement of AB 758 was that the TVSJVRRA Board approve a Feasibility Report for the project. The [Final Feasibility Report](#) was approved in October 2019. The TVSJVRRA has continued to work to advance the project, initiating the environmental impact analysis and preliminary design engineering work.

TVSJVRRA Adopted Project Goals:

The following goals were adopted by the TVSJVRRA to address identified regional and economic and transportation challenges:

- Improve connectivity within the Bay Area Megaregion: connecting housing, people and jobs.
- Establish rail connectivity between the Bay Area Rapid Transit District's rapid transit system and the Altamont Corridor Express commuter service.
- Pursue project implementation that is fast, cost-effective and responsive to the goals and objectives of the communities it will serve.
- Be a model of sustainability in the design, construction, and operation of the system.
- Support the vision of the California State Rail Plan to connect the Northern California Megaregion to the State rail system.

Valley Link Project Development Policies

The TVSJVRRRA adopted several policies to guide the development framework of the project, including the following sustainability and transit-oriented development policies:

- **Sustainability Policy:** Identifies implementing strategies to achieve a zero emissions system. The adopted Sustainability Policy includes a commitment to encourage engagement in planning and decision-making for the project to ensure a meaningful level of participation from disadvantaged communities and low-income communities and households. It further directs maximizing benefits to these communities and households in the project planning and design of Valley Link. Four of the proposed stations in San Joaquin County are within disadvantaged community geographic areas and/or designated as low-income communities.
- **Transit Oriented Development (TOD) Policy:** Support the regional goals of both San Joaquin County and the Bay Area to support the advancement of transit-oriented development (TOD) in Valley Link station areas. The policy mirrors the TOD guidelines outlined in MTC Resolution 3434 TOD guidelines and identifies key policy objectives and strategies to:
 - Develop and implement station area plans that meet or exceed a corridor-level threshold of 2,200 housing units within a half mile radius of stations.
 - Develop station area plans that, at a minimum, define the land use plan for the area, zoning, design standards, parking policies and station access plans.

The intent of these policies is to develop strategies to create vibrant and livable station area communities within the proposed station environs. The advancement of transit-oriented development adjacent to stations aims to further reduce Vehicle Miles Traveled (VMT) and greenhouse gas emissions (GHG) for the project. Station area plans are currently under development at the Isabel, Downtown Tracy and River Islands stations. The Dublin/Pleasanton and Isabel Stations are in established MTC Priority Development Areas (PDA) and an application for a Southfront Station PDA was recently submitted by the City of Livermore to MTC/ABAG as a new PDA.

Valley Link Project Description

Valley Link is a proposed new rail service between Alameda and San Joaquin Counties. The proposed Phase 1 project will provide passenger rail service between the existing Dublin/Pleasanton BART Station and the North Lathrop ACE intermodal station. The proposed project includes seven stations on a 42-mile alignment that is expected to run along the existing I-580 corridor (11.5 miles), through the Altamont Pass using the Alameda County-owned former Southern Pacific Railroad corridor (12.5 miles) and on existing UPRR rail corridor (17.5 miles) into San Joaquin County. Design work is currently underway as part of the EIR process and will examine detailed project right-of-way needs and potential impacts in more detail.

The TVSJVRRA has been updating the project costs as part of project development. The most current project cost estimates range from \$2.81 billion to \$3.18 billion in mid-point year of expenditure dollars for the Phase 1 project from Dublin-Pleasanton to North Lathrop. The project is currently in the EIR process, and will begin both the Caltrans project development process and NEPA environmental clearance process in 2020 and 2021 respectively.

To date, a total of \$708 million is identified by the TVSJVRRA as available for the project: \$400 million in Measure BB funds (per a 2014 TEP amendment), \$188 million in Bridge Toll funds (including \$100 million in Regional Measure 3 funds), \$40 million in impact fees from the City of Livermore, \$40 million from the Tri-Valley Transportation Council, and \$40 million from the City of Tracy property contribution. The project is expected to compete for regional, state and federal funds to secure additional funding. Other revenue measures in the Bay Area and San Joaquin County, if passed by voters, could be additional revenue sources for the project.

Other Agency Actions

Given the project traverses two counties, two Metropolitan Planning Organization regions, and affects an interstate system, Express Lanes system, and existing rail system and service providers, the TVSJVRRA established an Executive Steering Committee (ESC) comprised of MTC, the San Joaquin Council of Governments (SJCOG), SJRRC, BART, Alameda CTC, the California State Transportation Agency, and Caltrans to provide input on the development of the feasibility report and project development. Alameda CTC's executive director participates in these meetings. Several of these agencies have taken actions to support development of the project:

- MTC: In September 2018, MTC allocated \$10.12 million to the TVSJVRRA for CEQA documentation and preliminary engineering on the Valley Link rail project, from the \$95 million in AB1171 Bridge Tolls committed to Tri-Valley Transit Access Improvements through MTC Resolution Number 3434. In March 2020, MTC approved an additional allocation of \$3 million in AB1171 Bridge Toll funds to the TVSJVRRA for the environmental phase and updates to the preliminary engineering plans. In June 2020, MTC allocated an additional \$46.8 million to advance the project's environmental and design phases.

- SJCOG: In April 2020, the SJCOG Board approved an amendment to its 2018 Regional Transportation Plan to include the Valley Link project, including identification of \$163.9 million for the project in the plan from future measures and state funds.
- BART: BART has committed staff to directly lead the early development of the project due to its expertise in developing and delivering similar projects, such as the e-BART extension to Antioch.
- Alameda CTC, the SJRRC and Caltrans have provided technical reviews of preliminary design plans and documents. In addition, the TVSJVRRRA is in discussion with the City of Tracy regarding donation of a key 200-acre parcel under City of Tracy ownership to the project to be used for an operations and maintenance facility. The property was recently appraised and has an estimated value of \$40 million.

Project Considerations

The project construction will have significant impacts on the I-580 Express Lanes, with major impacts anticipated during construction. The TVSJVRRRA staff have been working with Alameda CTC, as well as Caltrans, to identify design and construction considerations. Alameda CTC staff have held several workshops with the project design team to evaluate the preliminary design plans and will continue to be engaged through the ESC and technical groups to provide policy and technical feedback during design development to ensure minimal impacts to the I-580 Express Lanes. Alameda CTC will continue to work closely with the TVSJVRRRA as the project design advances, and will also conduct financial analysis to understand potential impacts to toll revenues during construction to ensure revenue losses are addressed.

Proposed Amendments

The amendment that has been requested to be made to the 2014 TEP includes two elements as follows:

- Amend to include the new entity of the TVSJVRRRA
- Amend to include the Valley Link Project for \$400 million

Existing TEP Language to be Amended

The following is the current language in the 2014 TEP (page 18 of 2014 TEP):

BART Extension and System improvements (\$710 M)

The capital projects funded as part of the BART System Modernization and Expansion investments include projects that increase the capacity and utility of the existing system, as well as provide local funding for a proposed BART extension in the eastern part of the county.

BART to Livermore (\$400 M)

This project funds the first phase of a BART Extension within the I-580 Corridor freeway alignment to the vicinity of the I-580/Isabel Avenue interchange using the most effective and efficient technology. Funds for construction for any element of this first phase project shall not be used until full funding commitments are identified and approved, and a project-specific environmental clearance is obtained. The project-specific environmental process will include a detailed alternative assessment of all fundable and feasible alternatives, and be consistent with mandates, policies and guidance of federal, state, and regional agencies that have jurisdiction over the environmental and project development process.

Proposed Changes Throughout the TEP

The 2014 TEP has many references to BART to Livermore or a BART extension and requires changes to several pages in the 2014 TEP. The proposed changes include moving the project from page 18 from the BART section of the TEP to page 20 under the section "Major Transit Corridor and Commuter Rail Improvements", remove references to BART as the agency leading the rail extension, change references from the BART to Livermore project to Valley Link on pages 2, 3, 14, 18, 19 (map) and add Valley Link to the map on page 21 (see Attachment C).

Specific Changes to Project Description

This following description will be included on page 20 of the 2014 TEP under Major Transit Corridor and Commuter Rail Improvements as shown on Attachment C. **Blue** denotes new language added; **red** denotes language removed.

~~BART to Livermore~~ Valley Link Rail in Alameda County (\$400 M)

This project funds the first phase of a ~~BART~~ Valley Link Rail Extension from the existing Dublin/Pleasanton BART Station within the Tri-Valley and Altamont Pass in Alameda County ~~I-580 Corridor freeway alignment to the vicinity of the I-580/Isabel Avenue interchange~~ using the most effective and efficient technology. Funds **are** for construction for any element of this first phase project **in Alameda County** and shall not be used until full funding commitments are identified and approved **for the initial operating segment that most effectively meets the adopted project goals**, and a project-specific environmental clearance is obtained. The project-specific environmental process will include **a** detailed alternatives assessment of ~~all~~ fundable and feasible alternatives, and be consistent with mandates, policies and guidance of federal, state, and regional agencies that have jurisdiction over the environmental and project development process.

Implementing Guidelines Related to this TEP Amendment

Once the 2014 TEP amendments are complete, all the implementing guidelines will be applicable to the project and project sponsor similar to all other TEP projects. Specifically,

for this TEP amendment, the following guidelines describe requirements for the amendment as well as the new project sponsor.

4. Amendments Require 2/3 Support: To modify and amend this Plan, an amendment must be adopted by a two-thirds vote of the Alameda CTC Commissioners. All jurisdictions within the county will be given a minimum of 45 days to comment on any proposed Plan amendment.

8. Strict Project Deadlines: To ensure that the projects promised in this plan can be completed in a timely manner, each project will be given a period of seven years from the first year of revenue collection (up to December 31, 2022) to receive environmental clearance approvals and to have a full funding plan for each project. Project sponsors may appeal to the Alameda CTC Commissioners for one-year time extensions.

Note: any new amendment that adds a project must comply with this provision and the start date of the seven years will be from the date of the adopted amendment.

11. Commitments from Fund Recipients: All recipients of funds allocated in this expenditure plan will be required to sign a Master Funding Agreement, which details their roles and responsibilities in spending sales tax funds and includes local hiring requirements. Funding agreements will include performance and accountability measures. All funds will be allocated through open and transparent public processes. In addition, fund recipients will be required to have an annual audit conducted by an independent CPA to ensure that funds are managed and spent according to the requirements of this Plan.

14. No Expenditures Outside of Alameda County: Under no circumstances may the proceeds of this transportation sales tax be applied to any purpose other than for transportation improvements benefitting Alameda County. Under no circumstances may these funds be appropriated by the State of California or any other governmental agency, as defined in the implementation guidelines.

18. New Agencies: New cities or new entities (such as new transit agencies) that come into existence in Alameda County during the life of the Plan may be considered as eligible recipients of funds through a Plan amendment.

Fiscal Impact: There is no fiscal impact for this item associated with the requested action.

Attachments:

- A. Letter from TVSJVRRRA Requesting TEP Amendment
- B. Resolution for 2014 TEP Amendment
- C. Proposed 2014 Measure BB Expenditure Plan Redline Markups and Technical Amendments
- D. Comment and Response Matrix
- E. Comment letters received



BOARD OF DIRECTORS

May 4, 2020

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LAVTA Boardmember

Boardmember Leo Zuber

Vice Chair, ACE

Michael Tree

Executive Director

Mayor Pauline Cutter, Chair

Alameda County Transportation Commission

111 Broadway, Suite 800

Oakland, Ca 94607

Dear Chair Cutter,

This letter is intended to supersede the information in the letter written to Chair Valle on September 11, 2019 (attached) as it relates to the language to be amended in the 2014 Transportation Expenditure Plan currently found on page 18. Please use the following language for the amendment:

Valley Link Rail in Alameda County (\$400 M)

This project funds the first phase of a Valley Link Rail Extension from the existing Dublin/Pleasanton BART station within the Tri-Valley and Altamont Pass in Alameda County using the most effective and efficient technology. Funds are for construction for any element of this first phase project in Alameda County and shall not be used until full funding commitments are identified and approved for the initial operating segment that most effectively meets the adopted project goals, and a project-specific environmental clearance is obtained. The project-specific environmental process will include an alternatives assessment of fundable and feasible alternatives, and be consistent with mandates, policies and guidance of federal, state, and regional agencies that have jurisdiction over the environmental and project development process.

Thank you,

Alameda County Supervisor Scott Haggerty, Chair

cc: Ms. Tess Lengyel, Executive Director, Alameda CTC



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Commissioner, ACE

Michael Tree

Executive Director

September 11, 2019

Supervisor Richard Valle, Chair
Alameda County Transportation Commission
111 Broadway, Suite 800
Oakland, CA 94607

Dear Chair Valle,

In May of 2018 the BART Board decided not to extend conventional BART to Livermore in favor of deferring the development of a rail extension project to the newly established Tri-Valley – San Joaquin Valley Regional Rail Authority ("Authority").

In the statute that created the Authority, AB 758 (Eggman/Baker), the Legislature addressed the transfer of local funds to the Authority for the Valley Link project in Section 132658:

"the unencumbered balance of all local funds programmed for the completion of the BART Livermore extension or that have otherwise been identified for the connectivity shall be transferred to the authority and be considered resources available to effectuate the authority's purposes pursuant to this chapter, except that local funds controlled by the Alameda County Transportation Commission to be used for completion of the BART Livermore extension or that have otherwise been identified for the connectivity shall continue to be programmed and allocated by the Alameda County Transportation Commission pursuant to measures approved by the voters of Alameda County pursuant to Division 19 (commencing with Section 1800000)."

Over the past 18 months, the Authority has been actively engaged in the planning of Valley Link, a passenger rail project that connects with the Dublin/Pleasanton BART station and travels eastward to Livermore and beyond to communities in the Northern San Joaquin Valley. A key element of the Valley Link Funding Plan for the Dublin/Pleasanton connection with BART and rail construction to Livermore is the \$400 million in Measure BB that is currently listed in the Alameda County 2014 Transportation Expenditure Plan ("Plan") for the BART to Livermore project. Per the requirements of the Plan, The Tri-Valley – San Joaquin Valley Regional Rail Authority requests the following amendments:

1. The Tri-Valley – San Joaquin Valley Regional Rail Authority, established by AB 758, be included as an eligible recipient of funds.
2. That the following, specific language be amended:

Move and amend the following language from Page 18 of the Plan to Page 20:





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Boardmember Leo Zuber

Commissioner, ACE

Michael Tree

Executive Director

BART to Livermore Valley Link to Livermore (\$400 M)

The project funds Valley Link the first phase of a BART to extension within the I-580 Corridor freeway alignment from the Dublin/Pleasanton BART station to the vicinity of the I-580/Isabel Avenue interchange using the most effective and efficient technology. Funds for construction of or any element of this ~~first phase~~ project shall not be used until full funding commitments are identified and approved, and a project-specific environmental clearance is obtained. The project-specific environmental process will include a detailed alternative assessment of all fundable and feasible alternatives, and be consistent with mandates, policies and guidance of federal, state, and regional agencies that have jurisdiction over the environmental and project development process.

In accordance with the Alameda County 2014 Transportation Expenditure Plan Implementing Guidelines, the Tri-Valley – San Joaquin Valley Regional Rail Authority understands and can fully comply with the requirements of recipients of Measure BB funds, including, but not limited to, annual audits and compliance reporting, the establishment of separate accounting funds for Measure BB funds, independent Watchdog reviews, performance measures, environmental clearance timelines, timely use of funds, contracting requirements, public reviews and approvals.

Thank you for your consideration,

Alameda County Supervisor Scott Haggerty, Chair

cc: Mr. Art Dao, Executive Director, Alameda CTC

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City of San Leandro

Commission Vice Chair

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AC Transit

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Executive Director

Tess Lengyel

ALAMEDA COUNTY TRANSPORTATION COMMISSION**Resolution No. 20-007****Resolution of the Alameda County Transportation Commission
Amending the 2014 Transportation Expenditure Plan to Delete the
BART to Livermore Project and add the Valley Link Project**

WHEREAS, by action of the governing body ("Commission") of Alameda County Transportation Commission ("Alameda CTC") at a regular Commission meeting on January 23, 2014, Alameda CTC approved the 2014 Transportation Expenditure Plan ("2014 TEP"), and in November 2014, the voters of Alameda County approved Measure BB, a sales tax measure intended to provide funding for the 2014 TEP.

WHEREAS, the 2014 TEP allocated \$400 million to a project identified as "BART to Livermore," constituting the first phase of a San Francisco Bay Area Rapid Transit District ("BART") extension within the I-580 Corridor to serve residents and businesses in that Corridor.

WHEREAS, on May 24, 2018, the BART Board certified the Final Environmental Impact Report for the BART to Livermore project, but declined to approve the project as proposed nor any alternative for the project.

WHEREAS, Assembly Bill (AB) 758, as adopted by the State legislature and signed by the Governor, created the Tri Valley San Joaquin Valley Regional Rail Authority ("TVSJVRRA"), an entity led by a 15-member governing Board comprised of representatives from the counties of Alameda and San Joaquin; the cities of Dublin, Livermore, Pleasanton, Danville, San Ramon, Tracy, Lathrop, Stockton, and Manteca; Mountain House Community Services District; the Livermore Amador Valley Transit Authority (LAVTA), BART, and the San Joaquin Regional Rail Commission (SJRRRC). The goal of TVSJVRRA is to deliver a cost-effective connection from the San Joaquin Valley to the BART system and the ACE system in the Tri-Valley, to address regional economic and transportation challenges.

WHEREAS, AB 758 specifically stated that the TVSJVRRRA would only assume planning, development and delivery of a rail extension should the BART Board fail to adopt a preferred alternative for a BART extension by June 30, 2018. When the BART Board voted to not advance the BART to Livermore project, the TVSJVRRRA assumed responsibility to advance a rail extension in the Corridor, now identified as "Valley Link."

WHEREAS, a key requirement of AB 758 was that the TVSJVRRRA Board approve a Feasibility Report for the project. The Final Feasibility Report was approved in October 2019. The TVSJVRRRA has continued to work to advance the project, initiating the environmental impact analysis and preliminary design engineering work.

WHEREAS, the TVSJVRRRA has been updating the project costs as part of project development. The most current project cost estimates range from \$2.81 billion to \$3.18 billion in mid-point year of expenditure dollars for the Phase 1 project from Dublin-Pleasanton to North Lathrop. The project is currently in the EIR process, and will begin both the Caltrans project development process and NEPA environmental clearance process in 2020 and 2021.

To date, a total of \$708 million is identified by the TVSJVRRRA as available for the project: \$400 million in Measure BB funds (per a 2014 TEP amendment), \$188 million in Bridge Toll funds (including \$100 million in Regional Measure 3 funds), \$40 million in impact fees from the City of Livermore, \$40 million from the Tri-Valley Transportation Council, and \$40 million from the City of Tracy property contribution. The project is expected to compete for regional, state and federal funds to secure additional funding. Other revenue measures in the Bay Area and San Joaquin County, if passed by voters, could be additional revenue sources for the project.

WHEREAS, given that the Valley Link project traverses two counties, two Metropolitan Planning Organization regions, and affects an interstate system, Express Lanes system, and existing rail system and service providers, the TVSJVRRRA established an Executive Steering Committee (ESC) comprised of MTC, San Joaquin Council of Governments (SJCOG), San Joaquin Regional Rail Commission (SJRRRC), BART, Alameda CTC, and Caltrans to provide input on the development of the feasibility report and project development. Alameda CTC's executive director participates in these meetings. Several of these agencies have taken actions to support development of the project, as outlined below:

MTC: In September 2018, MTC allocated \$10.12 million to the TVSJVRRRA for CEQA documentation and preliminary engineering on the Valley Link rail project, from the \$95 million in AB1171 Bridge Tolls committed to Tri-Valley Transit Access Improvements through MTC Res. No. 3434. In March 2020, MTC approved an additional allocation of \$3 million in AB1171 Bridge Toll funds to the TVSJVRRRA for the environmental phase and updates to the preliminary engineering plans. In June 2020, MTC allocated an additional \$46.8 million to advance the project's environmental and design phases.

SJCOG: In April 2020, the SJCOG Board approved an amendment to its 2018 Regional Transportation Plan to include the Valley Link project, including identification of \$163.9 million for the project in the plan from future measures and state funds, and SJCOG also contributed funding for the environmental document. In addition, the City of Tracy is

anticipated to act in September 2020 to donate a 200-acre parcel under City ownership to the project to be used for an operations and maintenance facility. The property has an estimated value of \$40 million.

WHEREAS, the 2014 TEP and Public Utilities Code Section 180207 together provide that the 2014 Plan may be modified if an amendment is approved by a two-thirds vote of the Commission.

NOW THEREFORE, BE IT RESOLVED that the 2014 Transportation Expenditure Plan is amended to delete the BART to Livermore Project and all references to that Project;

BE IT FURTHER RESOLVED that the Tri Valley San Joaquin Valley Regional Rail Authority be recognized as an eligible agency for recipient of funds in the 2014 TEP;

BE IT FURTHER RESOLVED that the Valley Link Rail Project in Alameda County with an allocation of \$400 Million is placed in the 2014 TEP, described as follows:

This project funds the first phase of a Valley Link rail project from the existing Dublin/Pleasanton BART station within the Tri-Valley and Altamont Pass in Alameda County using the most effective and efficient technology. Funds are for construction for any element of this first phase project in Alameda County and shall not be used until full funding commitments are identified and approved for the initial operating segment that most effectively meets the adopted project goals, and a project-specific environmental clearance is obtained. The project-specific environmental process will include an alternatives assessment of fundable and feasible alternatives, and be consistent with mandates, policies and guidance of federal, state, and regional agencies that have jurisdiction over the environmental and project development process.

BE IT FURTHER RESOLVED that the 2014 TEP be amended to include the following specific description of the Valley Link Project:

A proposed new rail service between Alameda and San Joaquin Counties that will provide passenger rail service between the existing Dublin/Pleasanton BART Station and the City of Stockton. The proposed project includes seven stations on a 42-mile alignment that is expected to run along the existing I-580 corridor (11.5 miles), through the Altamont Pass using the Alameda County-owned former Southern Pacific Railroad corridor (12.5 miles) and on existing UPRR rail corridor (17.5 miles) into San Joaquin County. Design work is currently underway as part of the EIR process and will examine detailed project right-of-way needs and potential impacts in more detail.

DULY PASSED AND ADOPTED by the Alameda CTC Commission at the regular Commission meeting held on Thursday, September 24, 2020 in Oakland, California, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

SIGNED:

Attest:

Pauline Russo Cutter,
Chair, Alameda CTC

Vanessa Lee,
Clerk of the Commission

INTRODUCTION

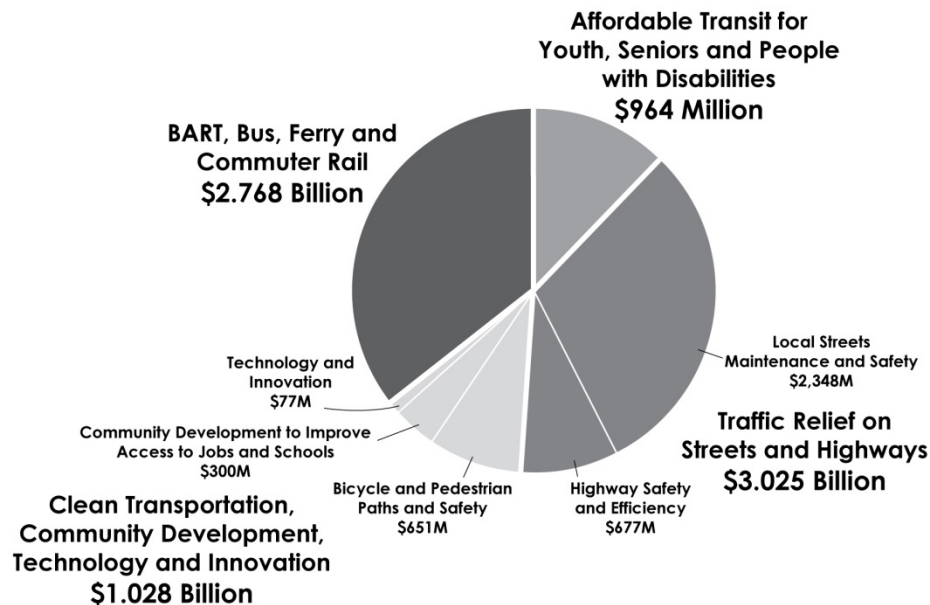
Summary of Investments	FUNDS ALLOCATION* (\$ x million)
BART, Bus, Ferry and Commuter Rail for Reliable, Safe and Fast Services	\$1,587
BART Expansion and Maintenance	\$349 \$749
Bus Operations, Maintenance and Rapid Bus Projects	\$1,548
Commuter Rail Improvements	\$832 \$432
Ferry Services in Alameda County	\$39
Affordable Transit for Youth, Seniors and People with Disabilities	\$964
Affordable Youth Transit to School and Transit Innovation	\$190
Affordable Transit for Seniors and People with Disabilities	\$774
Traffic Relief on Streets and Highways	\$3,025
City and County Streets*	\$2,348
Highway Safety and Efficiency	\$677
Clean Transportation, Community Development, Technology and Innovation	\$1,028
Bicycle and Pedestrian Paths and Safety Projects and Educational Programs*	\$651
Community Development Projects to Improve Access to Jobs and Schools	\$300
Technology and Innovation	\$77
TOTAL INVESTMENTS (YEAR 2015 TO 2045) **	\$7,785

Notes:

*15% of city and county streets funding will support bicycle and pedestrian paths and safety improvements on local streets.


**Estimated funds from 2015 to 2045 are anticipated to be almost \$8 billion.

\$7,785 in Total Investments Year 2015 to 2045



See Table 1 for a detailed list of transportation investments.

Table 1: List of Investments

Type	Investment Category	Project/Program	Amount (\$ x millions)	% of Total Funds
 BART, Bus, Senior, and Youth Transit (48%)	Transit: Operations, Maintenance, and Safety Program	AC Transit	\$1,455.15	18.8%
		Altamont Commuter Express	\$77.40	1.0%
		BART Maintenance	\$38.70	0.5%
		San Francisco Bay Area Water Emergency Transportation Authority	\$38.70	0.5%
		Livermore Amador Valley Transit Authority	\$38.70	0.5%
		Union City Transit	\$19.35	0.25%
		Innovative grant funds, including successful student transportation programs	\$174.63	2.24%
	Affordable Transit Program for Students and Youth	Affordable Student Transit Pass Program	\$15.00	0.19%
		Subtotal	\$1,857.63	24%
	Affordable Transit for Seniors and People with Disabilities	City-based and Locally Mandated	\$232.20	3.0%
		East Bay Paratransit - AC Transit	\$348.31	4.5%
		East Bay Paratransit - BART	\$116.10	1.5%
		Coordination and Service Grants	\$77.40	1.0%
		Subtotal	\$774.01	10%
	Rapid Bus Projects	Telegraph Avenue/East 14th/ International Boulevard project	\$10.0	14%
		Alameda to Fruitvale BART Rapid Bus	\$9.0	
		Grand/MacArthur BRT	\$6.0	
		College/Broadway Corridor Transit Priority	\$10.0	
		Subtotal	\$35.0	
	BART System Modernization and Expansion	Irvington BART Station	\$120.0	
		Bay Fair Connector/BART METRO	\$100.0	
		BART Station Modernization and Capacity Program	\$90.0	
		BART to Livermore	\$400.0	
		Subtotal	\$710.0\$310.0	
	Major Transit Corridor Enhancements and Rail Connections	Dumbarton Corridor Area Transportation Improvements	\$120.0	
		Union City Intermodal Station	\$75.0	
		Railroad Corridor Right of Way Preservation and Track Improvements	\$110.0	
		Oakland Broadway Corridor Transit	\$10.0	
		Capitol Corridor Service Expansion	\$40.0	
		Valley Link	\$400.0	
		Subtotal	\$355.0\$755.0	
	TOTAL		\$3,731.64	48%

Notes: Priority implementation of specific investments and amounts for fully defined capital projects and phases will be determined as part of the Capital Improvement Program developed through a public process and adopted by Alameda CTC every two years and will include geographic equity provisions.

BART Maintenance funds will require an equal amount of matching funds and must be spent in Alameda County.

All recipients of sales tax funds will be required to enter into agreements which will include performance and accountability measures.

BART, BUS, SENIOR AND YOUTH TRANSIT



A total of 48% of net revenue will be dedicated to BART, bus, commuter rail, and senior and youth transit investments. Funds for operations and maintenance will be provided to transit operators in the

county (AC Transit, BART, Union City Transit and Livermore Amador Valley Transit Authority (LAVTA)) as well as to ferries and the Altamont Commuter Express (ACE) rail service. In addition, these funds will substantially increase Alameda County's commitment to the growing transportation needs of older adults and people with disabilities, essentially doubling the funds available for targeted services for this important group. Grant funds are also available to support affordable transportation access to schools. Major capital investments include upgrades to the existing [BART-rail](#) system and BART extensions, adding bus rapid transit routes to improve the utility and efficiency of transit, and providing funding for transit improvements serving the Dumbarton Corridor Area.

TRANSIT OPERATIONS, MAINTENANCE, AND SAFETY PROGRAM (24% OF NET REVENUE, \$1,857 M)

This program provides transit operators with a consistent funding source for maintaining, restoring and improving transit services in Alameda County. Transit operators will allocate these funds in consultation with their riders and policy makers with the goal of creating a world class transit system that is an efficient, effective, safe and affordable alternative to driving.

This funding will support the following:

Transit Operations and Maintenance Program (21.55% of net revenue, estimated at \$1.668 M)

Funds are disbursed to AC Transit, BART, ACE, the Water Emergency Transportation Authority (WETA), LAVTA and Union City Transit. The relative percentage of net revenue being allocated to these agencies is as follows:

Agency	% of Net Total Revenue	Total 2015-2045 (est.) \$Millions
AC Transit	18.8%	\$1,455
ACE	1.0%	\$77
BART Maintenance	0.5%	\$39
WETA (ferries)	0.5%	\$39
LAVTA (WHEELS)	0.5%	\$39
Union City Transit	0.25%	\$19
Total Transit Operations	21.55%	\$1,668

Affordable Youth Transit Pass Program (\$15 million)

This program is for the purposes of funding one or more models for a student transit pass program. The program would be designed to account for geographic differences within the county. Successful models determined through periodic reviews will have the first call for funding within the innovative grant program, as described below.

Innovative Grant Program including successful student transportation programs (2.24% of net revenue, estimated at \$175 M)

These grant funds, administered by Alameda CTC, will be used for the purposes of funding innovative and emerging transit projects, including implementing successful models aimed at increasing the use of transit among junior high and high school students, including a transit pass program for students in Alameda County. Successful models will receive the first priority for funding from this category.

Funds will be periodically distributed by Alameda CTC for projects and programs with proven abilities to accomplish the goals listed below:

- Increase the use of public transit by youth riders (first priority for funding) and increase youth access to school
- Enhance the quality of service for transit riders
- Reduce costs or improve operating efficiency
- Increase transit ridership by improving the rider experience
- Enhance rider safety and security

BART, BUS, SENIOR AND YOUTH TRANSIT

BART ~~STATION EXTENSION~~ AND SYSTEM IMPROVEMENTS (\$3710 M)

The capital projects funded as part of the BART System Modernization and Expansion investments include projects that increase the capacity and utility of the existing system, ~~as well as provide local funding for a proposed BART extension in the eastern part of the county.~~

~~BART to Livermore (\$400 M)~~

~~This project funds the first phase of a BART Extension within the I-580 Corridor freeway alignment to the vicinity of the I-580/Isabel Avenue interchange using the most effective and efficient technology. Funds for construction for any element of this first phase project shall not be used until full funding commitments are identified and approved, and a project-specific environmental clearance is obtained. The project-specific environmental process will include a detailed alternative assessment of all fundable and feasible alternatives, and be consistent with mandates, policies and guidance of federal, state, and regional agencies that have jurisdiction over the environmental and project development process.~~

BART Station Upgrades and System Improvements (\$310 M)

BART projections indicate that its system will need to carry over 700,000 daily riders by the end of this Plan period. New riders will affect the capacity of existing systems and stations, requiring focused capacity enhancements to keep the system moving as ridership increases occur.



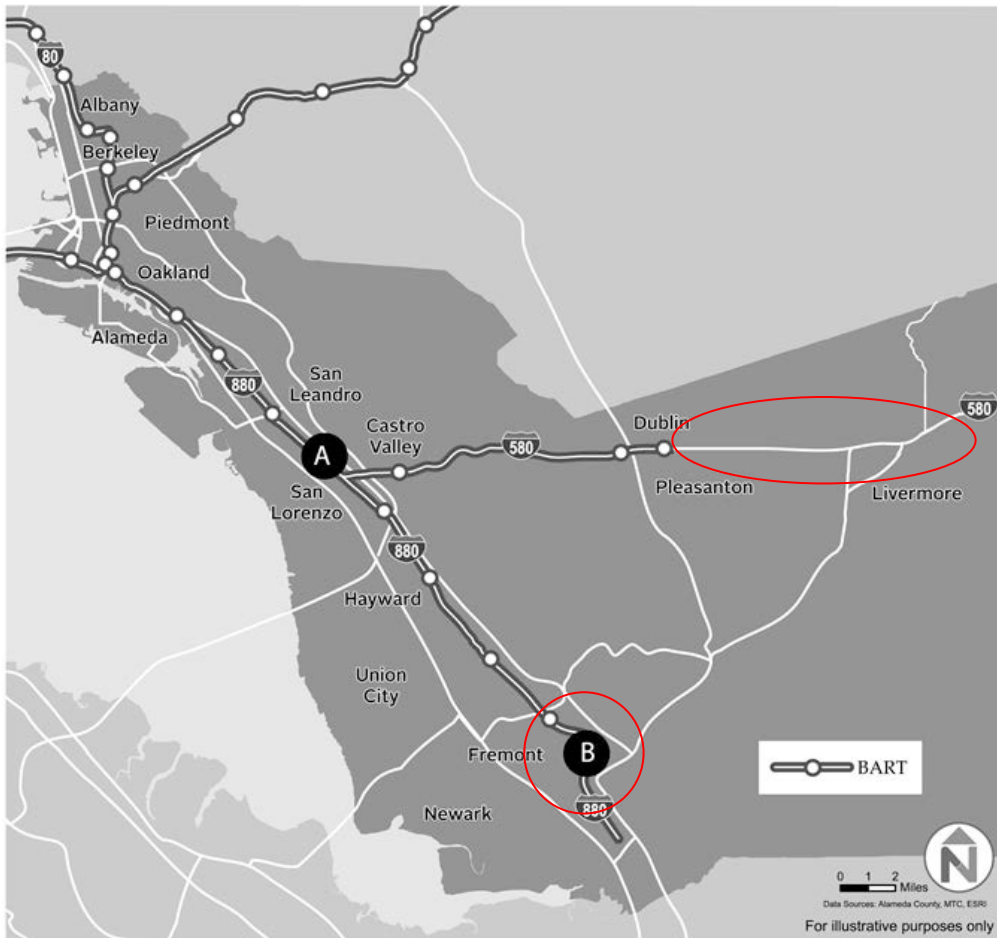
- The Bay Fair Connector/BART METRO project will receive \$100 M in sales tax funds for the Alameda County portion of this project which will increase capacity and operational flexibility systemwide. One goal of these improvements will be to improve connections to jobs in the

southern part of the county and beyond as Santa Clara County builds its own BART extension.

- The BART Station Modernization and Capacity Program will receive \$90 M for improvements at all BART stations in Alameda County, addressing station site, building envelope, escalator and elevator rehabilitation/replacement, circulation and wayfinding, air conditioning, lighting and ambient environment, station reliability upgrades, and other station equipment replacement/upgrades.
- The Irvington BART Station will receive \$120 M to provide an infill station on the soon-to-open Warm Springs extension south of the existing Fremont Station, creating new accessibility to BART in the southern part of the County.

BART, BUS, SENIOR AND YOUTH TRANSIT

BART INVESTMENTS



Commented [ACTC1]: Bottom circle: The new "B" is Irvington BART Station, and below that removal of "C"

Commented [ACTC2]: Top circle: Removal of the original "B – BART Extension to Livermore (within the I-580 corridor)"

Commented [ACTC3]: Middle circle: Change the original "C – Irvington BART Station" to a new "B"

A Bay Fair Connector / BART METRO

B Irvington BART Station

Not Shown:

- BART Station Modernization and Capacity Improvements
- Affordable Transit for Seniors and People with Disabilities

MAJOR TRANSIT CORRIDOR AND COMMUTER RAIL IMPROVEMENTS (~~\$355~~-\$755 M)

Investments include maintenance and service enhancements on existing rail lines and the development of transportation investments serving the Dumbarton Corridor Area. Funds will also be allocated for preserving rail right of way for transportation purposes, ensuring that service is available for future generations. Finally, this funding category acknowledges the importance of connecting high speed rail to Alameda County and the Bay Area and seeks to prioritize targeted investments to ensure strong connections to this future service.

Dumbarton Corridor Area Transportation Improvements (\$120 M)

Dumbarton Corridor Area Transportation Improvement projects will support express bus services in the Dumbarton Corridor connecting southern Alameda County and the Peninsula. The projects will also support transit oriented development and priority development areas, and improve local streets and bicycle and pedestrian infrastructure within the cities of Fremont, Newark and Union City.

Union City Intermodal Station (\$75 M)

This project funds the development of a new intermodal station in Union City to serve BART, Dumbarton Corridor services, Capitol Corridor, ACE and local and regional bus passengers. The project involves construction of a two-sided rail station and bus transit facility, accessible to a 30-acre transit oriented development site. Improvements will be made to pedestrian and bicycle access, BART parking, elevators, fare gates and other passenger amenities.



Capitol Corridor Service Expansion (\$40 M)

This project supports track improvements and train car procurement which will enable the trains running between Oakland and San Jose to increase daily round trips, matching frequencies between Sacramento and Oakland.

Railroad Corridor Right of Way Preservation and Track Improvements (\$110 M)

Funds allocated by this project may be used to maintain and enhance existing railroad corridors for regional rail as well as to preserve the rights of way of rail corridors that could be used for other transportation purposes, such as major trails.

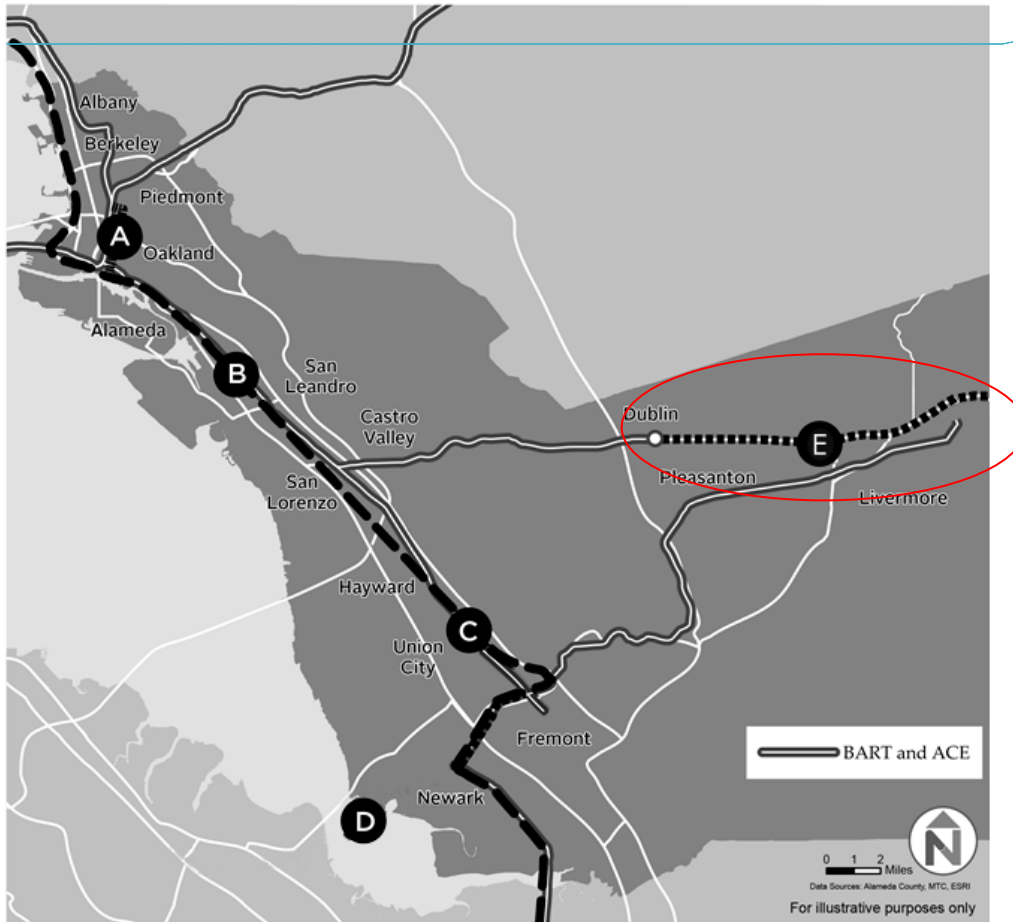
Oakland Broadway Corridor Transit (\$10 M)

This project will link neighborhoods to transit stations along Broadway, Oakland's major transit spine, providing a frequent and reliable connection between the regional rail hub at Jack London Square, with Downtown Oakland, the Uptown Arts and Entertainment District, and adjoining neighborhoods, utilizing the most efficient and effective technology.

Valley Link Rail in Alameda County (\$400 M)

This project funds the first phase of a Valley Link rail extension from the existing Dublin/Pleasanton BART station within the Tri-Valley and Altamont Pass in Alameda County using the most effective and efficient technology. Funds are for construction for any element of this first phase project in Alameda County and shall not be used until full funding commitments are identified and approved for the initial operating segment that most effectively meets the adopted project goals, and a project-specific environmental clearance is obtained. The project-specific environmental process will include an alternatives assessment of fundable and feasible alternatives, and be consistent with mandates, policies and guidance of federal, state, and regional agencies that have jurisdiction over the environmental and project development process.

MAJOR TRANSIT CORRIDOR AND COMMUTER RAIL IMPROVEMENTS



Commented [ACTC4]: Both circles: Addition of "E – Valley Link Rail" on the map and in the legend

- A** Broadway Corridor Transit
- B** Capitol Corridor Service Expansion
- C** Union City Intermodal Station
- D** Dumbarton Corridor Area Transportation Improvements
- E** Valley Link Rail

Not Shown:
- Railroad Corridor Right of Way Preservation and Track Improvements

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TEP Amendment Comment Letters

Jurisdiction Comments

Agency	Date	Comments	Response
AC Transit General Manager	July 9, 2020	1. AC Transit's Board of Directors has not had the opportunity to provide official comment and position on the proposed amendment; this letter reflects the comments of AC Transit staff.	Noted.

		<p>2. The Valley Link Rail project appears to have a primary purpose of transporting residents from San Joaquin County to Alameda County, with an ultimate destination in Santa Clara County, similar to existing ACE Train service. Alameda County taxpayers would not directly benefit as much as San Joaquin County residents, especially if there are no committed funds from San Joaquin County.</p>	<p>Expenditures from Measure BB will only be spent on transportation improvements in Alameda County. No expenditures may be made outside of Alameda County. Benefits of the project, including data specific to Alameda County residents where possible, as provided by the Valley Link staff is noted below. Data is based on an extension from Dublin-Pleasanton BART to North Lathrop.</p> <ul style="list-style-type: none"> ○ 10,137 Tri-Valley daily boardings in 2040 ○ 32,993 total daily boardings in 2040 ○ Annual reduction of 38,880 to 42,650 metric tons of greenhouse gas emissions in 2040 depending on the vehicle variant under consideration ○ Reduction of approximately 570,000 average weekday vehicle miles travelled in 2040 ○ Approximately 57% of the project track mileage is in Alameda County ○ Transit-oriented development in the Tri-Valley including developments at the proposed Isabel station and Southfront station alternative. <p>Valley Link will provide fast and frequent rail service to BART, operating 25 daily roundtrips a day with a focus on serving the Oakland and San Francisco commute. ACE currently operates 4 daily roundtrips with a focus on primarily serving Santa Clara County commuters. Expansion of ACE service is constrained due to operations on Union Pacific tracks in mixed freight.</p>
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		<p>3. There are many transportation projects that could improve travel and commute for Eastern Alameda County and would have a better cost-benefit ratio than the Valley Link Rail project and thus, a better and more efficient use of funds. Possible projects such as express bus service and bus rapid transit would fall into this category. Implementing Guideline #22 – “Fund Allocations” under the TEP would allow for such projects to be funded with the allocation.</p>	<p>BART conducted extensive alternatives analysis, as both part of the 2010 Program Environmental Impact Report (EIR) and as part of the subsequent Project EIR certified in 2018. The 2010 Program EIR included analysis of 10 alignment alternatives. The Project EIR included extensive analysis of four alternatives plus a no project alternative. The alternatives included an Express Bus/Bus Rapid Transit Alternative and an Enhanced Bus Alternative. Details of the alternatives can be found here. The analysis included detailed evaluation of potential benefits and impacts, including but not limited to: ridership, vehicle miles traveled, greenhouse gas emissions, capital and operating costs, travel times, integration with land use, and cost-effectiveness.</p> <p>In considering the Project EIR in 2018, the BART Board could not reach consensus on which transit alternative to adopt as a preferred alternative. The BART Board acted to not advance an alternative.</p> <p>The BART Project EIR found mixed performance results for the alternatives. While the cost per new rider for the Express Bus/BRT option was lower than for the rail alternatives, the rail alternatives carried significantly more riders and resulted in a higher reduction in vehicle miles traveled.</p> <p>The Tri-Valley San Joaquin Valley Regional Rail Authority (TVSJVRRA) was created by the State Legislature in 2017 by Assembly Bill 758 for the purposes of planning, developing and delivering cost-effective and responsive transit connectivity between BART and commuter rail service in the Tri-Valley and</p>
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Agency	Date	Comments	Response
			<p>San Joaquin County that reflects regional consensus and meets the goals and objectives of the San Joaquin Valley and Tri-Valley communities.</p> <p>When the BART Board directed the General Manager to not advance an alternative, it effectively passed over to the TVSJVRRRA the ability to plan for a connection to the Dublin/Pleasanton BART Station in July 2018. The TVSJVRRRA then assumed the lead role for the project, now known as Valley Link. The TVSJRRRA has requested Alameda CTC to amend the TEP to add Valley Link and move the \$400 million from the BART to Livermore TEP project to Valley Link. The TVSJVRRRA is currently evaluating alternatives as part of the Valley Link EIR, building off of the work done by BART as well as by ACE as part of the ACE Forward analysis.</p> <p>The 2014 Transportation Expenditure Plan (TEP) #22 Guideline notes, “Fund Allocations: Should a planned project become undeliverable, infeasible or unfundable due to circumstances unforeseen at the time this Plan was created, or should a project not require all funds programmed for that project or have excess funding, funding for that project will be reallocated to another project or program of the same type, such as Transit, Streets, Highways, Community Development Investments, or Bicycle and Pedestrian Safety, at the discretion of Alameda CTC.” The Valley Link project is a Transit project as is the BART to Livermore Project and it is at the Commission’s discretion to act on a plan amendment to use these funds for transit purposes.</p>

Agency	Date	Comments	Response
		4. Given the current financial climate and the uncertainty that lies ahead, it is within reason for ACTC to also consider reallocating the \$400 million to any number of under-funded capital projects throughout the county, including transit projects within the AC Transit service area.	The funds that were programmed to BART to Livermore must be used on Transit and the Commission programming actions are subject to geographic equity by planning area. Reprogramming \$400M to other parts of Alameda County, rather than exclusively towards improvements built in East County, will impact the original TEP geographic funding distribution by planning area.
Alameda County Board of Supervisors	June 10, 2020	5. Expressed support for the amendment; will fulfill a commitment made to the Tri-Valley to advance rail connectivity to Livermore and assure that our residents will finally benefit from the taxes they have paid.	Support noted.
		6. Noted key benefits of the project: <ul style="list-style-type: none"> - reduction of over 99.4 million Vehicle Miles Traveled - reduction of over 33,000 metric tons of greenhouse gas emissions per year - support advancement of transit-oriented development - protects open space 	Benefits noted.
BART General Manager	July 13, 2020 and May 27, 2020	7. Expressed support, with recommendations, of the TEP amendment.	Support noted.
		8. Staff believes this action is consistent with intent of Alameda County voters to invest in transit in the I-580 Corridor. It is important that the \$400 M sales tax investment does accrue to Alameda County residents and businesses.	Noted.

Agency	Date	Comments	Response
		<p>9. BART recommends that the amendment to the TEP clearly indicate that required improvements to the BART system in Alameda County resulting from the impacts of the Valley Link Rail project are priority components of the Phase 1 Valley Link Rail project.</p> <ul style="list-style-type: none"> - Base Project: Impacts to the BART system including additional rail cars and the reconfiguration of the Dublin/Pleasanton station - Core Improvements: improvements to destination stations of Valley Link patrons - I-580 Corridor Faregate Modernization: modernize faregates for all stations in the I-580 Corridor (Castro Valley, West Dublin/Pleasanton, and Dublin/Pleasanton stations) 	<p>Valley Link and BART are working together closely to identify potential future impacts and benefits to the BART system, including both capital and operating impacts. Over the course of project development, it is anticipated that the benefits and impacts will be better defined. Based on current ridership forecasts, it appears that there may be some degree of impact to the BART core system in the 2040 horizon. The TVSJVRRRA has proposed to enter into an MOU with BART to detail a process to identify and address these future potential impacts. Faregate modernization for non-Valley Link stations does not appear to be directly linked to impacts of the Valley Link project.</p>
BART Director McPartland	May 27, 2020	10. Expressed support for the project approval of TEP amendment.	Support noted.
		11. Noted key benefits of project: to fulfil commitment made to Tri-Valley and reduce traffic on 580/680 corridor and VMT.	Benefits noted.
City of Dublin	May 25, 2020 and July 10, 2020	12. Expressed support for the project and amendment that will fulfill a commitment made to the Tri-Valley to advance rail connectivity to Livermore and, after many decades of study, assure that residents will finally benefit from the taxes paid.	Support noted.

Agency	Date	Comments	Response
		<p>13. Noted key benefits of the project:</p> <ul style="list-style-type: none"> - reduction of over 99.4 million Vehicle Miles Traveled - reduction of over 33,000 metric tons of greenhouse gas emissions per year - support advancement of transit-oriented development - connects Northern California Megaregion's workforce to affordable housing - will provide an estimated 22,000 jobs during construction and went operational support 400 jobs per year 	Benefits noted.
City of Livermore	July 10, 2020 and May 28, 2020	<p>14. Expressed support for the project and amendment that will fulfill a commitment made to the Tri-Valley to advance rail connectivity to Livermore and, after many decades of study, assure that our residents will finally benefit from the taxes paid.</p>	Support noted.
		<p>15. Noted key benefits of the project:</p> <ul style="list-style-type: none"> - reduction of over 99.4 million Vehicle Miles Traveled - reduction of over 33,000 metric tons of greenhouse gas emissions per year - support advancement of transit-oriented development - protects open space - connects Northern California Megaregion's workforce to affordable housing - will provide an estimated 22,000 jobs during construction and went operational support 400 jobs per year 	Benefits noted.

Agency	Date	Comments	Response
City of Pleasanton	May 26, 2020 and June 26, 2020	16. Expressed support for the amendment. The Valley Link Project will complete the regional rail concept initially envisioned for the Tri-Valley decades ago and meets the vision and goals of Measure BB by expanding regional rail, providing traffic relief, improving air quality by providing clean transportation.	Support noted.
		17. Noted key benefits of the project: <ul style="list-style-type: none"> - reduction of greenhouse gas emissions - included renewable energy sources and sustainable construction practices - supports transit-oriented development - protects open space 	Benefits noted.
City of Union City	July 21, 2020	18. Expressed support for the amendment request.	Support noted.
		19. Noted benefits of the project: <ul style="list-style-type: none"> - mega-regional cooperation - provides connectivity to other transit providers - provides service between housing and job centers - facilitates the movement of goods - provides a transit alternative to reduce greenhouse gas emissions - supports transit-oriented development 	Benefits noted.
LAVTA	May 25, 2020	20. Expressed support for the project and amendment that will fulfill a commitment made to the Tri-Valley to advance rail connectivity to Livermore and, after many decades of study, assure residents will finally benefit from the taxes paid.	Support noted.

Agency	Date	Comments	Response
		21. Noted key benefits of the project: <ul style="list-style-type: none"> - reduction of over 99.4 million Vehicle Miles Traveled - reduction of over 33,000 metric tons of greenhouse gas emissions per year - support advancement of transit-oriented development - protects open space 	Benefits noted.
San Joaquin Regional Rail Commission	July 2, 2020	22. Expressed support for the amendment request.	Support noted.
		23. Noted key benefits of the project: <ul style="list-style-type: none"> - fulfill a commitment made to the Tri-Valley to advance rail connectivity to Livermore - supports an intermodal connection between ACE and the BART system and the advancement of the Altamont Corridor Vision. - will benefit the entire Tri-Valley by reducing traffic over the Altamont Pass and through the 580/680 corridor - estimated 28,000 are projected to ride the Valley Link system in 2040 - reduction of over 99.4 million Vehicle Miles Traveled (VMT) - reduction of over 33,000 metric tons of greenhouse gas emissions per year 	Benefits noted.

Public Comments

Organization/Individual	Date	Comments	Response
Bay Area Council	May 27, 2020	24. Expressed support for the project and amendment that will fulfill a commitment made to the Tri-Valley to advance rail connectivity to Livermore and, after many decades of study, assure residents will finally benefit from the taxes paid.	Support noted.
		25. Noted key benefits of the project: <ul style="list-style-type: none"> - reduction of over 99.4 million Vehicle Miles Traveled - reduction of over 33,000 metric tons of greenhouse gas emissions per year - supports advancement of transit-oriented development - protects open space 	Benefits noted.
Alameda County Taxpayers Association	May 22, 2020	26. Expressed opposition to transferring funds to Valley Link at this time.	Opposition noted.
		27. Encourages narrow reading of TEP as to intention of voters and sees need for full alternatives analysis completed including consideration of express bus. States that ACTA will vigorously oppose any plan to divert these funds away from a voter-approved project.	See response to Comment 3.

Organization/Individual	Date	Comments	Response
		28. Troubled by transferring funds before San Joaquin contribution is secured.	<p>The proposed TEP amendment states that funds are for construction only in Alameda County and shall not be used until full funding commitments are identified and approved for the initial operating segment.</p> <p>The TVSJVRRA is working closely with cities in San Joaquin County, SJCOG, and the state to secure additional funding for the project. Thus far, the City of Tracy has committed to donation of a key 200-acre parcel under City ownership to the project to be used for an operations and maintenance facility. The property has an estimated value of \$40 million. In April 2020, the SJCOG Board approved an amendment to its 2018 Regional Transportation Plan to include the Valley Link project, including identification of \$163.9 million for the project in the plan from future measures and state funds.</p>
Bay Area Transportation Working Group	May 11, 2020 and May 23, 2020	29. Expressed opposition to the project and amendment.	Opposition noted.

Organization/Individual	Date	Comments	Response
		<p>30. A full unbiased feasibility study must be done, including assessment of projected ridership, cost-effectiveness, and funding opportunities of Valley Link and other transportation options for the corridor.</p> <p>Stated that the BART staff recommended a significantly upgraded bus option to its Board in 2017 that would better serve the transportation needs to Pleasanton and Livermore.</p> <p>Stated that the Bay Area Transportation Working Group conducted an extensive investigation of a bus alternative and concluded that in terms of improving the access of the people of Livermore to BART, well-appointed buses operating in bus-only lanes would be a far cheaper and better option.</p>	<p>See response to Comment 3.</p> <p>The BART staff did not recommend an alternative to the BART Board when considering the adoption of the Final BART to Livermore Environmental Impact Report on May 24, 2018.</p>
		<p>31. Valley Link primarily benefits non-Alameda County residents.</p>	<p>See response to Comment 2.</p>

Organization/Individual	Date	Comments	Response
		32. Changes brought about by COVID must be considered.	The long-term travel and commute impacts of COVID are unknown at this time. In developing the region's long-range transportation plan, Plan Bay Area 2050, MTC's direction is to assume that long-term travel and development patterns do not significantly change as a result of COVID-19; rather those impacts are largely concentrated in the early years of the Plan. Projects under development within the Bay Area must be consistent with MTC's long-range plan.
Bike East Bay	May 11, 2020	33. Bike East Bay supports transit but has questions and concerns regarding the project.	Support with concerns noted.
		34. Concerned there was not sufficient public outreach in Livermore to generate support for the project. Where are the residents of Livermore on the project?	To-date there has been extensive public outreach in Livermore, first as part of the BART to Livermore project and subsequently when the Tri-Valley San Joaquin Valley Regional Rail Authority (TVSJRRRA) developed the Project Feasibility Report. The TVSJRRRA documented outreach it conducted in Appendix B of the Project Feasibility Report . The City of Livermore also conducted significant outreach as part of the Isabel Neighborhood Specific Plan, which is closely tied to rail service in Livermore. Livermore also recently advanced an application to form a new Priority Development Area (PDA) by the proposed site for a future station, the Southfront Station PDA, which was approved by ABAG in February 2020.
		35. Hour headways off-peak is not high-quality transit. What can be done to convert this to good transit?	As the project development has advanced, the planning service frequencies have been updated. The TVSJRRRA is currently planning for 12-minute frequencies in the weekday peak, 24-minute frequencies in the off-peak, and 36-minute frequencies on weekends and holidays by 2040.

Organization/Individual	Date	Comments	Response
		36. Requested information regarding the potential impacts of the current financial crisis on the project.	<p>Alameda CTC is carefully monitoring the impact of COVID-19 on sales tax revenues. Sales tax revenues are received from the California Department of Tax and Fee Administration (CDTFA) two months in arrears, and staff has been updating the Commission as data becomes available.</p> <p>Alameda CTC has not developed a 5-year sales tax revenue projection at this point given the large uncertainties regarding the depth and breadth of the recession and the lack of sales tax receipt data received to date. Revenue projections for FY2020-21 were included in the agency budget that was adopted in May 2020, which can be found on Alameda CTC's website at the following link: https://www.alamedactc.org/wp-content/uploads/2020/05/7.1_COMM_FY2020-21_Proposed_Budget_20200528.pdf.</p> <p>The budget for sales tax revenues for FY2020-21 will be updated if and when appropriate based on data received from the CDTFA.</p> <p>Formulas used to calculate Direct Local Distributions (DLD) are not affected by increases or decreases in sales tax revenue collections. Alameda CTC's website also includes sales tax projections for DLDs for FY2020-21 here. Alameda CTC currently does not anticipate any impact to payments to jurisdictions for other grants nor specific projects or programs due to COVID-19.</p>

Organization/Individual	Date	Comments	Response
Building and Construction Trades Council of Alameda County	May 26, 2020 (same as May 11 letter)	37. Expressed support for the project and amendment that has been under development dating back to the 1960s when the BART system was originally envisioned.	Support noted.
		38. Noted key benefits of the project: <ul style="list-style-type: none"> - cost effective and efficient in that it uses currently existing transportation rights of way - will provide transportation alternatives that will benefit the environment, economy and quality of life of residents and Bay Area workers - sustainable technology - reduction of over 99.4 million Vehicle Miles Traveled - reduction of over 33,000 metric tons of greenhouse gas emissions per year - supports transit-oriented development - will provide an estimated 22,000 jobs during construction and between \$2.6 billion and \$3.5 billion in revenues 	Benefits noted.

Organization/Individual	Date	Comments	Response
		39. Supports advancing the amendment now so the project can compete for additional funding.	Support noted. The ability to leverage local sales tax dollars to secure competitive regional, state and federal funds is a key principle of local sales taxes. By being able to show a commitment of local funding, the project will be more competitive for regional, state and federal funding.
Chabot-Las Positas Community College	May 25, 2020	40. Expressed support for the amendment and notes fulfillment of commitment to tri-valley and benefits for student population from both Tri-Valley and 580-880 corridors.	Support and benefits noted.
Innovation Tri-Valley Leadership Group	May 7, 2020	41. Expressed support for the amendment, which fulfills a long-standing vision for rail connections from Dublin/Pleasanton to Livermore, and is consistent with the original intent and vision of Measure BB for rail connectivity in the Tri-Valley.	Support noted.
		42. Noted congestion reduction benefits of the project and the need to provide transportation alternatives in the corridor to benefit the environment, the economy and the quality of life of residents and workers.	Benefits noted.
		43. Amending the TEP now is important to allow the Authority to leverage local funds with State, federal and private funding to complete the project.	Support noted.

Organization/Individual	Date	Comments	Response
Laborers' Local 304 (Rafael Gonzalez)	May 26, 2020	44. Expressed support for the project and amendment.	Support noted.
		45. Noted key benefits of the project: <ul style="list-style-type: none"> - cost effective and efficient in that it uses currently existing transportation rights of way - will provide transportation alternatives that will benefit the environment, economy and quality of life of residents and Bay Area workers - sustainable technology - reduction of over 99.4 million Vehicle Miles Traveled - reduction of over 33,000 metric tons of greenhouse gas emissions per year - supports transit-oriented development 	Benefits noted.
Livermore Chamber of Commerce	May 8, 2020	46. Expressed support for the proposed amendment to provide an urgently needed and long-awaited effective rail connection between Livermore and the Dublin/Pleasanton BART station.	Support noted.
Hacienda	June 9, 2020	47. Expressed support for the project and amendment that advance long-held objectives of creating a viable rail connection between alameda and San Joaquin Counties.	Support noted.

Organization/Individual	Date	Comments	Response
		48. Critical employment centers, such as Hacienda, need to make sure that all corridors leading into the Tri-Valley provide easy and convenient access for businesses whose labor supply extends into outlying areas. Likewise, residents at Hacienda similarly need the ability to enjoy access to corridors connecting the Tri-Valley with the larger region.	Support noted. Valley Link would provide access to support businesses and residents at Hacienda.
		49. Noted key benefits of the project: <ul style="list-style-type: none"> - reduction of over 99.4 million Vehicle Miles Traveled - reduction of over 33,000 metric tons of greenhouse gas emissions per year - supports advancement of transit-oriented development - protects open space 	Benefits noted.
Jon M Spangler	July 15, 2020	50. Expressed opposition to the project and amendment.	Opposition noted.
		51. Inadequate public noticing of the comment period: <ul style="list-style-type: none"> - The project was never on the 2014 Measure BB project list - Very limited public notice or input and almost no publicity - Process to submit public comment was not noticed on Alameda CTC's website 	<p>The following are amendment requirements as specified in the 2014 Transportation Expenditure Plan (2014 TEP) Implementing Guidelines:</p> <p>"4. Amendments Require 2/3 Support: To modify and amend this Plan, an amendment must be adopted by a two-thirds vote of the Alameda CTC Commissioners. All jurisdictions within the county will be given a minimum of 45 days to comment on any proposed Plan amendment."</p>

Organization/Individual	Date	Comments	Response
			<p>The comment period is for jurisdictions in Alameda County. Alameda CTC staff provided notification to the governing boards of all cities, the county and transit operators in Alameda County who are represented on the Alameda CTC Commission of a 45-day comment period regarding the proposed amendment, which included direction on how comments must be submitted to the Commission. The notifications were sent via email and hard copy through the US Postal Service on May 29, 2020.</p> <p>The public noticing process is consistent with what is required in the TEP Implementing Guidelines. The process was described at the May Alameda CTC Committee and Commission agenda materials and discussed at the meetings. Alameda CTC is responding to all public comments received. Comments were received by member jurisdictions as well as advocacy organizations and individual members of the public expressing a diversity of viewpoints on the proposed amendment.</p>

Organization/Individual	Date	Comments	Response
		52. No environmental impact report is not complete so there is not detailed information available regarding the rail project's effects.	<p>As with all projects in the 2014 TEP, the project must meet specific environmental deadlines and comply with regional, state and federal requirements. There is no legal requirement and the TEP does not require that projects must complete an environmental document before being in the plan, nor does it require that full funding is required before being in the plan. Every project in the 2014 TEP has a funding shortfall; the sales tax dollars are intended to be leveraged with other local, regional, state and federal funds to deliver the projects.</p> <p>Most of the named capital projects in the 2014 TEP did not have completed EIRs when the TEP was approved by voters. Only four of the 21 named capital projects in the TEP had an approved EIR when the TEP was approved by voters. The Draft EIR is anticipated to be released in fall 2020.</p>
		53. No detailed evaluation of other alternatives such as extending BART service to Livermore.	See response to Comment 3.

Organization/Individual	Date	Comments	Response
		<p>54. Concerned with exurban sprawl and the need to re-establish patterns of living close to work. Before the Valley Rail project received any public funding, policies must be established to ensure that only higher-density, compact growth will be allowed in these outlying areas.</p>	<p>The TVSJVRRRA has adopted a Transit Oriented Development (TOD) Policy to support the regional goals of both San Joaquin County and the Bay Area to support the advancement of transit-oriented development (TOD) in Valley Link station areas. The policy mirrors the TOD guidelines outlined in MTC Resolution 3434 TOD guidelines and identifies key policy objectives and strategies to:</p> <ul style="list-style-type: none"> • Develop and implement station area plans that meet or exceed a corridor-level threshold of 2,200 housing units within a half mile radius of stations. • Develop station area plans that, at a minimum, define the land use plan for the area, zoning, design standards, parking policies and station access plans. <p>The intent of these policies is to develop strategies to create vibrant and livable station area communities within the proposed station environs. The advancement of transit-oriented development adjacent to stations aims to further reduce Vehicle Miles Traveled (VMT) and greenhouse gas emissions (GHG) for the project. Station area plans are currently under development at the Isabel, Downtown Tracy and River Islands stations. The Dublin/Pleasanton and Isabel Stations are in established MTC Priority Development Areas (PDA) and an application for a Southfront Station PDA was recently added as a new PDA.</p>
		<p>55. The additional demand on BART and the mechanism for funding BART's added costs should also be detailed ahead of making large expenditures like this.</p>	<p>See response to Comment 9.</p>

Organization/Individual	Date	Comments	Response
		56. Large-scale policy and planning decisions and clearer understanding of Valley Link's overall impacts on growth and additional sprawl in the exurbs and suburbs must be very carefully calculated before, not after, such a project is funded.	See response to Comment 52.
		57. With future sales tax revenues in doubt and existing transit systems in crisis, the funding should remain unspent, be allocated to other voter-approved Measure BB projects, or used to support existing transit agencies and services.	See responses to Comments 3 and 4.
Law Offices of Jason A. Bezis	May 28, 2020	58. Expressed opposition to the TEP Amendment.	Opposition noted.
		59. Stated that the Amendment would be a bait and switch while voters distracted by the COVID-19 pandemic and is a major decision that should not be made during an emergency.	The Alameda County Transportation Commission continues to operate during the COVID pandemic, including acting on advancing projects approved by voters in the 2014 Transportation Expenditure Plan.
		60. Stated that the Valley Link Rail project to Altamont Pass is a drastically different project than BART to Livermore and raised concerns about funding being spent outside of the county and for little to no benefit to Alameda County taxpayers.	See response to Comment 2.

Organization/Individual	Date	Comments	Response
		61. Stated that the Amendment upsets to overall geographic equity consensus that underpins the Measure BB TEP, as the benefits to the residents of the Tri-Valley are less than they would have been is BART to Isabel Avenue had advanced.	This Amendment preserves the original geographic funding distribution of the 2014 TEP. When the 2014 TEP was crafted by the Commission, it was done so to address geographic equity in investments and to reach consensus on a set of projects and programs that would provide benefits in all areas of Alameda County. The Amendment does not propose redistributing funds outside of the East Planning Area.
		62. Stated that the Commission is acting prematurely, with too many unknowns, and highlighted the need for the EIR to be released and an implementation plan and funding plan to be complete.	See responses to Comments 3 and 52. The proposed TEP amendment states that funds are for construction only in Alameda County and shall not be used until full funding commitments are identified and approved
		63. Raised concerns regarding potential impacts on crowded BART trains.	See response to Comment 9.
		64. States that alternatives need to be further evaluated. The commenter specifically advocated for an express bus alternative that was identified in the 2003 Caltrans I-580 widening study as a cost-effective alternative that could be implemented quickly, or for a t-BART proposal that would utilize existing rail corridors in the Tri-Valley.	See response to Comment 3. Conditions have changed since 2003 with the construction of the I-580 Express Lanes. BART did analysis in 2018 (Comment 3) and express bus was considered but not recommended to be advanced.
		65. Noted that voters in the Tri-Valley did not support Measure BB and suggested that voters in the Tri-Valley vote on whether or not to reallocate the \$400 million.	Measure BB passed based on total votes in the county, not based on geographies within the county. The TEP Implementing Guidelines lay out the Amendment process. This proposed Amendment is following that process.

Organization/Individual	Date	Comments	Response
		66. Stated that the decision should not be made until after the fall elections, which will result in new mayors for all three cities in the Tri-Valley and a new county supervisor.	Actions taken at the Alameda County Transportation Commission are done based upon the 22 members representing the full Commission and are not made on a planning area basis.
		67. Stated that Livermore residents would be betrayed if the Amendment proceeds, as they would continue paying taxes with no BART service and diminished local streets and road funding.	The Valley Link project includes rail stations, and rail service connecting directly into the BART system. The City of Livermore submitted a letter of support for the project. See also response to Comment 34.
		68. Raised concerns regarding the Measure BB campaign.	See Memorandum, Attachment A to this Comment Matrix.
Sierra Club	May 11, 2020 and July 13, 2020	69. Expressed opposition to the proposed actions. Recommend that no action be taken for the foreseeable future, at least until after completion of a full Environmental Impact Report process and other related documentation, and until there is a return to financial stability for Measure BB sales tax funds.	See response to Comments 52 (regarding environmental analysis) and 36 (regarding sales tax).
		70. Expressed no current position regarding the project itself, pending much more documentation and analysis for both decisionmakers and the public.	Noted the desire for more documentation and analysis.

Organization/Individual	Date	Comments	Response
		<p>71. Insufficient comment period:</p> <ul style="list-style-type: none"> - No notice was provided to the public or posted on the Alameda CTC website - The public was not informed how to communicate with elected representatives so that timely and informed comments by the jurisdiction could be submitted 	See response to Comment 51.
		72. Request that all comments by jurisdictions be posted on the Alameda CTC website by the end of July 2020 so that the public can communicate on this matter with their elected officials.	Per direction of the Commission in May 2020, all comments will be posted with the September materials for the Planning, Policy and Legislation Committee (PPLC) along with a comment and response matrix.
		73. Request information regarding the potential/expected impact on other transit recipients if Valley Link is approved as a new agency that is eligible for Measure BB funds, including for operations? Does the selective omission of Valley Link in the “redlined” Appendix C of the May 28 materials mean that Valley Link will not be an eligible recipient under the Category of “Transit: Operations, Maintenance, and Safety Program”?	The TEP amendment request did not include a request for operating funds and, therefore, consideration for operating funds is not subject to this amendment. Redistribution of funds for operations would require a separate amendment, which has not been requested.

Organization/Individual	Date	Comments	Response
		74. The entire package of proposed actions is premature before completion of a full Environmental Review process, which is necessary to determine the viability, appropriateness, and environmental impact of the proposed project.	See response to Comment 51.
		75. Concerned the actions are being rushed, especially given the magnitude of current revenue uncertainties.	<p>The TVSJVRRRA submitted its request for the TEP Amendment to Alameda CTC in September 2019. Over the past year, Alameda CTC has participated on a project Executive Steering Committee with MTC, BART, SJRRC, Caltrans, and the California State Transportation Agency to provide input on the development of the feasibility report and project development. Alameda CTC also evaluated initial project designs related to potential impacts on the I-580 Express Lanes; those discussions will continue as the design progresses.</p> <p>See response to Comment 36 regarding sales tax.</p>

Organization/Individual	Date	Comments	Response
		<p>76. Current financial projections and analyses identify significant shortfalls in sales tax revenues at all levels for the foreseeable future. Please identify your responses below both with, and without, the impact of ACTC approval of the proposed Valley Link actions:</p> <ul style="list-style-type: none"> - What are the current estimates and projections for Measures B and BB revenues (for at least the next 5 years), and as compared to previous actuals? - How will these changes in revenues affect DLD formulas, as well as other anticipated payments to jurisdictions and/or projects or programs? 	See response to Comment 36.

		<p>77. There is no “entitlement” for Measure BB funds from the cancelled “BART to Livermore” project for either the Tri-Valley planning area or even for a rail project, and the voters who actually approved Measure BB, with the “BART to Livermore” project, were, in large part, not primarily from the Tri-Valley. There should be an open, full and fair competitive assessment to determine any re-programming of that project’s successor, per Implementing Guideline 22 from the TEP.</p> <p>22. Fund Allocations: <i>Should a planned project become undeliverable, infeasible, or unfundable due to circumstances unforeseen at the time this Plan was created, or should a project not require all funds programmed for that project or have excess funding, funding for that project will be allocated to another project or program of the same type, such as Transit, Streets, 4 Highways, Community Development Investments, or Bicycle and Pedestrian Safety, at the discretion of Alameda CTC.</i></p>	See responses to Comments 3 and 4.
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Organization/Individual	Date	Comments	Response
		78. Valley Link violates the “inter-regional commuting” policy of SB 375 and Plan Bay Area.	SB 375 applies to regional transportation plans/sustainable communities strategies (RTP/SCS) that are adopted by metropolitan transportation organizations (MPOs) in the state of California. As it relates to this project, the two MPOs are the Metropolitan Transportation Commission (MTC) and the San Joaquin Council of Governments (SJCOG). The MTC Commission recently voted to include Valley Link in Plan Bay Area 2050, the RTP/SCS currently in development in the Bay Area region. SJCOG’s most recent RTP/SCS was amended in early 2020 to include the Valley Link project. MTC’s robust project performance assessment did not identify performance concerns with the Valley Link project regarding the project conflicting with the guiding principles of Plan Bay Area and identified it as a relatively well performing regional rail project.
		79. Valley Link would disadvantage Alameda County residents, taxpayers, and transit riders to the benefit of inter-regional travelers from San Joaquin County.	See response to Comment 2.
		80. ACTC should not act until there is at least a matching financial commitment from San Joaquin County. Any ACTC action should be conditioned on a firm commitment of adequate funds for both capital and continuing operations for this multi-county project.	See response to Comment 28.

	<p>81. The ACTC meeting materials from May 28th show the proposed project description only as it would be amended, without including the carefully negotiated original terms – approved by the voters – that are proposed for omission or change now.</p> <ul style="list-style-type: none"> - What difference does the “initial operating segment” make to the proposal’s potential draw on Alameda County funds? - What criteria will be used to assess whether the initial operating segment “most effectively meets” the adopted project goals, and which agency will make that determination? - When will “full funding commitments” be identified and approved for the full project? - Please also explain why the references to “detailed” analysis and “all” alternatives are being deleted. 	<p>No Measure BB funds may be expended outside of Alameda County. Measure BB funds could be used for an Initial Operating Segment that would be adopted by the TVSJVRRRA Board, which has established project goals against which the proposed project and project alternatives will be measured and considered when considering project adoption. The TVSJVRRRA-adopted project goals are:</p> <ul style="list-style-type: none"> • Improve connectivity within the Bay Area Megaregion: connecting housing, people and jobs. • Establish rail connectivity between the Bay Area Rapid Transit District’s rapid transit system and the Altamont Corridor Express commuter service. • Pursue project implementation that is fast, cost-effective and responsive to the goals and objectives of the communities it will serve. • Be a model of sustainability in the design, construction, and operation of the system. • Support the vision of the California State Rail Plan to connect the Northern California Megaregion to the State rail system. <p>Currently the TVSJVRRRA is considering two different potential initial operating segments: an extension from Dublin-Pleasanton BART to Greenville, or an extension from Dublin-Pleasanton BART to Mountain House.</p> <p>As stated in the proposed TEP Amendment language, a full funding plan must be identified before Alameda CTC would release Measure BB funds. In addition, Measure BB funds are only allowed to be used for construction.</p> <p>References to “detailed” and “all” are proposed to be removed for clarity and to remove vague qualifying statements. The BART</p>
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Organization/Individual	Date	Comments	Response
			to Livermore Project EIR evaluated a number of alternatives, and the Valley Link EIR is also evaluating a number of alternatives.
		82. Several places in the proposed “amendments” describe Valley link as “Commuter Rail,” despite the fact that it is proposed to operate throughout the day. Is this an attempt to obviate or avoid an obligation for ADA complementary paratransit service for passengers, or attempted passengers, who may have difficulty using the train service?	Valley Link will comply with all ADA regulations and will work with local transit operators to assure equitable access to the system. Under those regulations, Valley Link clearly falls within the definition of "commuter rail" as it will not operate in exclusive right-of-way and is not a light rail (street car) system by definition. See 49 CFR §37.3, §37.121(c).
		83. There is simply no need to rush into the proposed actions, particularly in the context of the current health and financial crises being faced by the State and local communities. Why not first take time for responsible analysis and an opportunity to see if-how-and-when recovery is able to occur, before committing funds that may not materialize for years to come?	See response to Comment 36.
Pleasanton Chamber of Commerce	May 27, 2020	84. Expresses support for amendment. Cites traffic reduction benefits, fulfilment of voter promise, reduction in VMT.	Support noted. Benefits noted.

Organization/Individual	Date	Comments	Response
Train Riders Association of California	May 26, 2020	85. Urge the Commission to defer action until an Environmental Impact Report is completed.	Comment noted.
		<p>86. Without a certified EIR, there is no evidence to support the claim that the proposed Valley Link project will provide meaningful benefits to Alameda County taxpayers. The Commission has a special duty to taxpayers to make an affirmative finding of benefit, under Section 14 of the Expenditure Plan Guidelines:</p> <ul style="list-style-type: none"> - No Expenditures Outside of Alameda County: Under no circumstances may the proceeds of this transportation sales tax be applied to any purpose other than for transportation improvements benefitting Alameda County. 	No Measure BB funding may be spent outside of Alameda County. See response to Comment 2.
		87. Valley Link may result in overcrowding on the BART system that would have serious implications as to whether the project could reasonably be judged as benefitting Alameda County residents.	See response to Comment 9.

Organization/Individual	Date	Comments	Response
		88. An EIR would determine whether Valley Link would result in the construction of any infrastructure or station that would be inconsistent with the land use constraining provisions of Alameda County year 2000 Measure D. An EIR will provide information on the Valley Link project's compliance with the County's Gateway Policy.	<p>The "gateway policy" is part of the Alameda County East County Area Plan - as amended by Measure D. The policies identified in the Plan (as noted in italics below) do not preclude the advancement of Valley Link. The Valley Link project will both facilitate the movement of commercial goods and improve safety in the corridor.</p> <ul style="list-style-type: none"> • <i>The County shall assign priority in funding decisions to arterial and transit improvements that would improve local circulation, and to improvements that would facilitate movement of commercial goods.</i> • <i>This policy shall not preclude the County from supporting or approving any rail projects or improvements required for roadway safety.</i>
		89. As the largest single capital project in Measure BB, BART to Livermore was the marquee project. Because of that special status, it demands special treatment above and beyond the 2/3 majority required for an amendment.	<p>The TEP implementing guidelines do not include any special requirements for specific projects. The TEP implementing guidelines specifically state:</p> <p>"4. Amendments Require 2/3 Support: To modify and amend this Plan, an amendment must be adopted by a two-thirds vote of the Alameda CTC Commissioners. All jurisdictions within the county will be given a minimum of 45 days to comment on any proposed Plan amendment."</p>
		Because Measure BB resulted in financial trade-offs between the Tri-Valley and the North County cities through a reweighting of the basic allocation formula for local streets and roads, the entire Expenditure Plan would need to be reopened to assure fairness for all jurisdictions.	See response to Comment 4.

Organization/Individual	Date	Comments	Response
		90. Other alternative projects, including several that TRAC has advocated for, would potentially be far more cost-effective in providing the service that Valley Link seeks to offer.	See response to Comment 3.

Verbal Comments & Letters Received for PPLC and Commission Meetings

May 11, 2020 Alameda CTC Planning, Policy and Legislation Committee meeting

The following public comments were heard during the 5/11 PPLC meeting:

- Pat Piras, on behalf of the Sierra Club, spoke during public comment noting that there were too many issues and questions that should be addressed before the recommended actions move forward. Ms. Piras specifically questioned the lack of funding from San Joaquin County, consistency with SB 375, and the financial impact of COVID-19.

The following letters were received for the 5/11 PPLC Meeting and received by Commissioners:

- Gerald Cauthen on behalf of **Bay Area Transportation Working Group** – expressing concern about reallocation, advocating for buses in bus-only lanes as a superior alternative.
- Dave Campbell on behalf of **Bike East Bay** – Raised questions about the lack of outreach in the City of Livermore. He mentioned concerns regarding how the financial crisis will impact the proposed project
- Kelly Ellen Marshal on behalf of **Building and Construction Trades Council of Alameda County**, AFL-CIO – Support of staff's recommendation
- Tim Sbranti on behalf of **Innovation Tri-Valley Leadership Group** – Support of staff's recommendation
- Dawn P. Argula on behalf of **Livermore Chamber of Commerce** – Support of staff's recommendation

- **Sierra Club** (San Francisco Bay Chapter) (Matt Williams, Dick Schneider, Eric Parfrey) – Noted too many issues and questions that should be addressed before the recommended actions move forward; and questioned the lack of funding from San Joaquin County, consistency with SB 375, and the financial impact of COVID-19

May 28, 2020 Alameda CTC Commission meeting:

The following public comments were heard during the 5/28 Commission meeting:

- Jason Bezis stated he did not support staff's recommendation and noted his concerns about the \$400 Million being used by San Joaquin residents and not Alameda County residents.
- BART Director John McPartland stated that he supports staff's recommendation.
- Pat Piras, on behalf of the Sierra Club, urged Alameda CTC to defer this action and requested Alameda CTC respond to the letters and comments before the end of the 45-day comment period.
- Gerald Cauthen (President of Bay Area Transportation Working Group) expressed his opposition to staff's recommendation.

The following Public comment letters were received by the noticed deadline for the 5/28 Commission Meeting and provided to Commissioners:

- **Alameda County Taxpayers Association** – Oppose staff's recommendation
- **BART Director John McPartland** – Support of staff's recommendation
- **BART** General Manager Robert Powers – Support of staff's recommendation
- Jim Wunderman writes on behalf of the **Bay Area Council** – Support of staff's recommendation
- Gerald Cauthen, President and co-founder of the **Bay Area Transportation Working Group** – Oppose staff's recommendation
- Andreas Culver, Secretary-Treasurer, of the **Building and Construction Trades Council of Alameda County** – Support of staff's recommendation
- Ronald P. Gerhard, Chancellor of the **Chabot-Los Positas Community College District** – Support of staff's recommendation
- Linda Smith, City Manager of the **City of Dublin** – Support of staff's recommendation
- John Marchand, Mayor of the **City of Livermore** – Support of staff's recommendation

- Nelson Fialho, City Manager of the **City of Pleasanton** – Support of staff's recommendation
- Tim Sbranti, on behalf of the business and civic leaders who comprise the **Innovation Tri-Valley Leadership** Group – Support of staff's recommendation
- Rafael Gonzalez on behalf of **Laborers' Local 304** – Support of staff's recommendation
- David Haubert on behalf of the **Livermore Amador Valley Transit Authority (LAVTA)** – Support of staff's recommendation
- Steve Van Dorn, President and CEO of the **Pleasanton Chamber of Commerce** – Support of staff's recommendation
- David Schonbrunn, President of the **Train Riders Association of California**, writes to urge the Commission to defer action on amending the Expenditure Plan for Measure BB until Alameda CTC receives an environmental impact report for Valley Link

June 8, 2020 Alameda CTC Planning, Policy and Legislation Committee

1. Public Comment

Pat Piras, on behalf of the **Sierra Club**, commented on the Valley Link Project and the proposed 2014 Transportation Expenditure Plan amendment. Ms. Piras requested that Alameda CTC respond to questions raised by the Sierra Club, well in advance of the 45-day comment period that is required to amend the 2014 Transportation Plan. She requested to extend the 45-day comment period to end at a later date.



1111 Broadway, 24th Floor
Oakland, CA 94607-4036

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MEMORANDUM

September 3, 2020

TO: Alameda County Transportation Commission

FROM: R. Zachary Wasserman

RE: Comments from Jason Bezis regarding the 2014 campaign to approve Measure BB as part of Valley Link comments

Jason Bezis submitted a number of comments on the Valley Link amendment which are addressed as part of the Comment Matrix. In addition to comments about both the substance and the process for this amendment, he added irrelevant comments about the 2014 election that approved the extension and increase of the sales tax supporting transportation projects and programs in Alameda County. Mr. Bezis raised these issues in 2014 and 2015 with the Commission and with the State Fair Political Practices Commission ("FPPC"). The Commission retained an independent law firm, Renne Sloane Holtzman Sakai to investigate the issues he raised. Randy Riddle of that firm conducted a thorough factual investigation and legal analysis, resulting in a 62-page report. The report concluded that no laws were violated, that no public funds were improperly used and that no conflict of interest rules were violated by any of the actions raised by Mr. Bezis. Mr. Riddle did recommend that Commission staff receive formal ethics training about campaign rules. That training has been provided as part of a broader ethics training program.

Mr. Bezis made a complaint to the FPPC with similar issues. The FPPC reviewed the complaint and a response from ACTC and declined to investigate those complaints. A similar, but more vague complaint was made by Jerry Cauthen to the FPPC. After reviewing the report by Randy Riddle, the FPPC also declined to investigate that complaint.

These issues are entirely irrelevant to the Valley Link amendment and as noted have been thoroughly investigated and rejected by both the Commissions independent investigator and the FPPC. No further response is necessary.

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Alameda-Contra Costa Transit District

July 9, 2020
Mayor Pauline Cutter
Alameda County Transportation Commission Chair
1111 Broadway, Suite 800
Oakland, CA 94607

Re: Valley Link TEP Amendment

Dear Chair Cutter,

Thank you for providing AC Transit and other jurisdictions in Alameda County the opportunity to comment on the Alameda County Transportation Commission (ACTC) and Tri-Valley San Joaquin Valley Regional Rail Authority's (TVSJVRRA) proposed amendment to the 2014 Measure BB Transportation Expenditure Plan (TEP) to reprogram \$400 million in the Measure BB funds from the BART to Livermore project to the Valley Link Rail project. Please note that AC Transit's Board of Directors has not had the opportunity to provide official comment and position on the proposed amendment and AC Transit's Board representative has indicated she will be guided by the board's direction. Therefore, this letter reflects the comments of AC Transit staff.

As a primary transportation provider in Alameda County, AC Transit has interest in the county's transportation services and the establishment of a comprehensive, multi-modal transit network. As a result, staff has the following comments with regard to the proposed amendment:

- Though the BART to Livermore project did not align with BART's service priorities, the project was primarily intended for Alameda County residents, employees and taxpayers. Any alternate use of the funding allocation should benefit the same population in the county. This is consistent with Implementing Guideline #14 - "No Expenditures Outside of Alameda County" under the TEP.

The Valley Link Rail project appears to have a primary purpose of transporting residents from San Joaquin County to Alameda County, with an ultimate destination in Santa Clara County, similar to existing ACE Train service. ACTC Staff and Valley Link Project staff were unable to clarify this issue when asked by the AC Transit Board. If the funding allocation is transferred to this project, Alameda County taxpayers would not directly benefit as much as San Joaquin County residents, especially if there are no committed funds from San Joaquin County.

- Appropriate use of the \$400 million in funding should be to help create a comprehensive multimodal transportation network that serves the residents, employees and taxpayers of Alameda County. There are many transportation projects

that could improve travel and commute for Eastern Alameda County and would have a better cost-benefit ratio than the Valley Link Rail project and thus, a better and more efficient use of funds. Possible projects such as express bus service and bus rapid transit would fall into this category. Implementing Guideline #22 – “Fund Allocations” under the TEP would allow for such projects to be funded with the allocation.

- Given the current financial climate and the uncertainty that lies ahead, it is within reason for ACTC to also consider reallocating the \$400 million to any number of under-funded capital projects throughout the county, including transit projects within the AC Transit service area that are identified in multiple countywide plan documents. Per Implementing Guideline #4 – “Amendments Require 2/3 Support” of the TEP, ACTC could amend the plan with a 2/3 supporting vote of the commission and distribute funds to existing planned or proposed projects.

Again, thank you for giving AC Transit the opportunity to comment on this proposed amendment to the TEP. Should you have any questions or need clarification on the above comments, please do not hesitate to contact AC Transit staff.

Sincerely,



Michael Hursh
General Manager



BOARD OF SUPERVISORS

June 10, 2020

The Honorable Pauline Cutter, Chair
Alameda County Transportation Commission
1111 Broadway, Suite 800
Oakland, CA 94607

Dear Chair Cutter:

RE: Support for ACTC Approval of Tri-Valley-San Joaquin Valley Regional Rail Authority Request for a 2014 Measure BB Transportation Expenditure Plan Amendment

I write to support the approval of the the Tri-Valley-San Joaquin Valley Regional Rail Authority (Authority) request to initiate an amendment to the 2014 Measure BB Transportation Expenditure Plan (TEP). The TEP amendment will acknowledge the Authority as a new agency in Alameda County that can be an eligible recipient of Measure BB funds and update the TEP by adding Valley Link for the \$400 million Measure BB funding identified for the BART to Livermore project. This action will fulfill a commitment made to the Tri-Valley to advance rail connectivity to Livermore. After many decades of study, it will assure that our residents will finally benefit from the taxes they have paid to BART for many decades.

The Authority was created in 2017 by Assembly Bill 758 for the purposes of planning, developing and delivering cost-effective and responsive transit connectivity between BART and the Altamont Corridor Express (ACE) commuter rail service in the Tri-Valley that reflects regional consensus and meets the goals and objectives of the San Joaquin Valley and Tri-Valley communities. Valley Link will benefit the entire Tri-Valley by reducing traffic over the Altamont Pass and through the 580/680 corridor. An estimated 98,500 Bay Area workers are now living in Northern San Joaquin County, commuting daily through the Altamont in their cars. This includes those delivering our most vital services – firefighters, police, nurses, and teachers, many of whom have been priced out of the communities they serve by rising housing costs – who face an average 78-minute commute each way.

An estimated 28,000 are projected to ride the system in 2040. This will result in the reduction of over 99.4 million Vehicle Miles Traveled (VMT) and the reduction of over 33,000 metric tons of greenhouse gas emissions per year. In addition, through the Board-adopted TOD Policy, Valley Link will support the advancement of transit-oriented development adjacent to its stations, which will further reduce VMT and greenhouse emissions within the station environs. The Transit Oriented Development policy mirrors the MTC policy with a corridor average threshold requirement of 2,200 homes within a ½ mile of stations, ensuring that the transportation infrastructure is a catalyst for smart growth that protects open space. The proposed Isabel Neighborhood Plan is an example of how this may happen throughout the system.

We urge approval of the Authority's Request for a 2014 Measure BB Transportation Expenditure Plan Amendment. This action will ensure that this vital project moves forward and that commitments to the Tri-Valley are long last met.

Sincerely,

A handwritten signature in blue ink, consisting of a series of loops and a final flourish.

Richard Valle, President
Alameda County Board of Supervisors

CC: Alameda County Transportation Commissioners
Tess Lengyel, ACTC Executive Director
Michael Tree, Authority Executive Director

From: [Marcus Crawley](#)
To: [Vanessa Lee](#)
Subject: Tri Valley \$400 million
Date: Saturday, May 23, 2020 7:59:43 AM

Pauline Cutter, Chair, and ACTC Commissioners
2020

May 22,

Alameda County Transportation Commission
1111 Broadway, Suite 800
Oakland, California 94607

via: e-mail to Clerk of the Commission

re: ACTC May 28, 2020 meeting, Agenda item 8.1, "Approve Tri-Valley-San Joaquin Valley Regional Rail Authority Request for a 2014 Measure BB Transportation Expenditure Plan Amendment (Valley Rail)"

Dear Chair Cutter:

The Alameda County Taxpayers Association (ACTA), a 501(c)(4) organization, represents the taxpayers of this County in advocating legal and productive expenditures of taxpayer funds. As such, ACTA is a statutory appointer of a member of the ACTC Independent Watchdog Committee.

Alameda County Taxpayers Association [ACTA] is troubled by plan to transfer \$400 million BART funds to the Tri-Valley-San Joaquin Valley Regional Rail Authority. The Alameda County voters approved the Special Tax of Measure BB and to be dedicated for Alameda County transportation projects such as the BART to Livermore extension. The foremost consideration of ACTC must be the will of the voters. ACTC must narrowly construe the intention of the voters regarding the 'specific purposes' of the Measure BB special sales tax. The voters did not contemplate that the Measure BB taxes would single-handedly fund multi-county projects in the absence of funds contributions from other counties. When the Tri-Valley Authority has produced its share of the project funding, the ACTC can plan how to spend Tri-Valley Authority funds. ACTA will vigorously oppose any plan to divert these funds away from a voter-approved project.

For the present ACTC must demonstrate that it can plan a viable project by solving the BART to Livermore extension. This Committee must demonstrate leadership and build consensus on existing Alameda County projects, not leap ahead to the next glorious project that has not even been planned. As a first step in leadership, the committee should use its power to make the promised annual audits of Measure BB expenditures a reality.

We call on ACTC to table this action until such time as a proper study be made of this project and the logical alternatives, including a long-haul commuter express bus network for both Eastern Alameda County along the I-580 Corridor and over the hills from the Central Valley. We certainly have no objection to working jointly with Central Valley governments and other interest groups on a project of mutual benefit. However, we do not understand why ACTC is proposing that the Alameda County taxpayers be the first to transfer funds approved by the voters to benefit primarily Alameda County residents to a project that would instead primarily benefit residents of other counties – particularly since there is no commitment from those counties, or even an idea of when such a commitment might be made.

The \$400 million was originally approved by the voters as part of Measure BB in 2014 for a BART extension to Livermore. The BART Board elected not to pursue this, so we agree it is proper to study other transportation improvements in this corridor – but, we believe that the first priority should be for what the voters intended, benefits for the residents and travelers along the I-580 corridor in the Eastern Tri-Valley area.

We do not object to the study of rail alternatives in this corridor and into the Central Valley, either BART or commuter/inter-city rail. But, in our role as a taxpayer advocate, we believe that it would be improper to advocate for rail unless and until a proper, unbiased study fairly considers other options, including a bus system on dedicated lanes, that could require far less taxpayer dollars and could be completed much faster. If the study shows that Valley Rail is the best option and is fair to the taxpayers and the traveling public, and is feasible, then ACTC should consider this \$400 million reallocation at that time.

We do not understand the necessity nor the benefit of making this decision so early in the planning process.

I will be commenting on this matter at the Commission meeting.

Thank you for your consideration of the position of the Alameda County Taxpayers Association on this important matter before the Commission.

Respectfully submitted,

Marcus Crawley -President of

ACTA



SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT
300 Lakeside Drive, P.O. Box 12688
Oakland, CA 94604-2688
(510) 464-6000

2020

May 27, 2020

Lateefah Simon
PRESIDENT

Mark Foley
VICE PRESIDENT

Robert Powers
GENERAL MANAGER

DIRECTORS

Debra Allen
1ST DISTRICT

Mark Foley
2ND DISTRICT

Rebecca Saltzman
3RD DISTRICT

Robert Raburn, Ph.D.
4TH DISTRICT

John McPartland
5TH DISTRICT

Elizabeth Ames
6TH DISTRICT

Lateefah Simon
7TH DISTRICT

Janice Li
8TH DISTRICT

Bevan Duffy
9TH DISTRICT

The Honorable Pauline Cutter, Chair
Alameda County Transportation Commission
1111 Broadway, Suite 800
Oakland, CA 94607

Dear Chair Cutter:

Subject: Approval of Tri-Valley-San Joaquin Valley Regional Rail Authority Request for a 2014 Measure BB Transportation Expenditure Plan Amendment

As BART Director (District 5) and representative for my constituents and taxpayers in the Tri-Valley area, I write to support the approval of the Tri-Valley-San Joaquin Valley Regional Rail Authority (Authority) request to initiate an amendment to the 2014 Measure BB Transportation Expenditure Plan (TEP). The TEP amendment will acknowledge the Authority as a new agency in Alameda County that can be an eligible recipient of Measure BB funds and update the TEP by adding Valley Link for the \$400 million Measure BB funding identified for the BART to Livermore project. This action will fulfill a commitment made to the Tri-Valley, and particularly Livermore, to advance rail connectivity to Livermore. After many decades of study, it will assure that our residents will finally benefit from the taxes they have paid to BART for many decades. The Authority was created in 2017 by Assembly Bill 758 for the purposes of planning, developing and delivering cost-effective and responsive transit connectivity between BART and the Altamont Corridor Express (ACE) commuter rail service in the Tri-Valley that reflects regional consensus and meets the goals and objectives of the San Joaquin Valley and Tri-Valley communities. Valley Link will benefit the entire Tri-Valley by reducing traffic over the Altamont Pass and through the 580/680 corridor. An estimated 98,500 Bay Area workers are now living in Northern San Joaquin County, commuting daily through the Altamont in their cars. This includes those delivering our most vital services - firefighters, police, nurses and teachers, many of whom have been priced out of the communities they serve by rising housing costs – who face an average 78-minute commute each way.

An estimated 28,000 are projected to ride the system in 2040. This will result in the reduction of over 99.4 million Vehicle Miles Traveled (VMT) and the reduction of over 33,000 metric tons of greenhouse gas emissions per year. In addition, through the Board-adopted TOD Policy, Valley Link will support the advancement of transit-oriented development adjacent to its stations, which will further reduce VMT and greenhouse emissions within the station environs. The Transit Oriented Development policy mirrors the MTC policy with a corridor average threshold requirement of 2,200 homes within a ½ mile of stations, ensuring that the transportation infrastructure is a catalyst for smart growth that protects open space. The proposed Isabel Neighborhood Plan is an example of how this may happen throughout the system.

I urge approval of the Authority's Request for a 2014 Measure BB Transportation Expenditure Plan Amendment. This action will ensure that this vital project moves forward and that commitments to the Tri-Valley are long last met.

Sincerely,

John McPartland
BART Director, District 5

www.bart.gov

Cc: BART Directors and Board Appointed Officers
Alameda County Transportation Commission members
Tess Lengyel, ACTC Executive Director



SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT

300 Lakeside Drive, P.O. Box 12688

Oakland, CA 94604-2688

(510) 464-6000

2020

May 27, 2020

Via Email

Lateefah Simon
PRESIDENT

Mark Foley
VICE PRESIDENT

Robert Powers
GENERAL MANAGER

Mayor Pauline Cutter, Chair
c/o Vanessa Lee, Clerk of the Commission
Alameda County Transportation Commission
1111 Broadway, Suite 800
Oakland, CA 95607
vlee@alamedactc.org

DIRECTORS

Debora Allen
1ST DISTRICT

Mark Foley
2ND DISTRICT

Rebecca Saltzman
3RD DISTRICT

Robert Raburn, Ph.D.
4TH DISTRICT

John McPartland
5TH DISTRICT

Elizabeth Ames
6TH DISTRICT

Lateefah Simon
7TH DISTRICT

Janice Li
8TH DISTRICT

Bevan Dufty
9TH DISTRICT

RE: Item 8.1 - Tri-Valley-San Joaquin Valley Regional Rail Authority Request

Chair Cutter:

Thank you for the opportunity to comment on the above referenced item. On behalf of the San Francisco Bay Area Rapid Transit District (BART), I would like to express support for beginning a 45-day comment period on the proposed amendment to the 2014 Measure BB funded TEP, as described in the staff memorandum.

In May 2018, the BART Board of Directors certified the Final Project EIR for the BART to Livermore extension, and directed staff not to advance a specific project in the Tri-Valley. Pursuant to AB 758 (Baker), the Tri-Valley-San Joaquin Valley Regional Rail Authority (TVSJVRRA) at that point assumed responsibility to advance a rail project in the corridor. Since then, BART staff have been engaged with the TVSJVRRA throughout project feasibility and initial design and environmental assessments of the proposed Valley Link Rail project, and this coordination continues.

Because of this, BART supports the action to begin the public comment period for the amendment to the TEP naming the TVSJVRRA as an eligible recipient of Measure BB funds and specifically naming the Valley Link project in place of BART to Livermore. It is important to hear from Alameda County residents and other stakeholders. The District anticipates submitting a more detailed set of comments during the official 45-day comment period that this action will kick-off.

Please do not hesitate to contact me or my staff with any additional questions.

Sincerely,

Robert M. Powers
General Manager



SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT
300 Lakeside Drive, P.O. Box 12688
Oakland, CA 94604-2688
(510) 464-6000

2020

July 13, 2020

Lateefah Simon
PRESIDENT

Mark Foley
VICE PRESIDENT

Robert Powers
GENERAL MANAGER

DIRECTORS

Debora Allen
1ST DISTRICT

Mark Foley
2ND DISTRICT

Rebecca Saltzman
3RD DISTRICT

Robert Raburn, Ph.D.
4TH DISTRICT

John McPartland
5TH DISTRICT

Elizabeth Ames
6TH DISTRICT

Lateefah Simon
7TH DISTRICT

Janice Li
8TH DISTRICT

Bevan Dufty
9TH DISTRICT

Via Email

Tess Lengyel, Executive Director
Alameda County Transportation Commission
1111 Broadway, Suite 800
Oakland, CA 95607
tlengyel@alamedactc.org

**RE: Tri-Valley-San Joaquin Valley Regional Rail Authority Request for a
2014 Measure BB Transportation Expenditure Plan Amendment**

Ms. Lengyel,

Thank you for the opportunity to comment on the above referenced item as part of the 45-day comment period that began following the Alameda County Transportation Commission's (Alameda CTC) initial action on May 28, 2020. On behalf of the staff of the San Francisco Bay Area Rapid Transit District (BART), I am writing to express my support, with recommendations detailed below, of the proposed amendment of the 2014 Transportation Expenditure Plan, specifically on the \$400 million (M) of the 2014 Measure BB funds identified for the BART to Livermore extension project.

The 2014 Transportation Expenditure Plan (TEP) that was approved by Alameda County voters did specify "a BART Extension within the I-580 Corridor ... using the most effective and efficient technology." In May 2018, the BART Board of Directors certified the Final Project EIR for the BART to Livermore extension, and directed staff not to advance a specific project in the Tri-Valley. Pursuant to AB 758 (Baker), the Tri-Valley-San Joaquin Valley Regional Rail Authority (TVSJVRRA) at that point assumed responsibility to advance a rail project in the corridor. Because of the BART Board's decision to not advance a project in the corridor, and TVSJVRRA's subsequent assumption of the lead for rail planning in the Tri-Valley, BART staff supports (with recommendations below) the proposed action to amend the TEP naming the TVSJVRRA as an eligible recipient of Measure BB funds and specifically naming the Valley Link project in place of BART to Livermore. Staff believes this action is consistent with intent of Alameda County voters to invest in transit in the I-580 Corridor. It is important that the \$400 M sales tax investment does accrue to Alameda County residents and businesses.

Since the TVSJVRRA assumed responsibility for a rail project in the Tri-Valley, BART staff have been engaged with the Authority during project feasibility and initial design of the proposed Valley Link Rail project, and this coordination continues as the project undergoes environmental review and design refinement. This coordination has been key to BART's review of the potential impacts that the Valley Link project is projected to have on riders of the BART system.

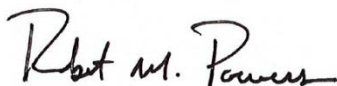
To ensure a safe, comfortable and seamless journey for transit riders, BART recommends that the amendment to the TEP clearly indicate that required improvements to the BART system in Alameda County resulting from the impacts of the Valley Link Rail project are priority components of the Phase 1 Valley Link Rail project. These fall into three areas of investments:

- 1) **Base Project:** As a result of our initial analysis of these impacts, BART projects that the increased ridership driven by the Valley Link Rail project will result in impacts to BART (including the need to acquire additional rail cars), station capital improvement needs (to accommodate safe and smooth passengers flows), and reconfiguration of the Dublin/Pleasanton station (to facilitate transfers between the two systems). These analyses will be further revised as coordination continues, in preparation for the release of the Draft Environmental Impact Report for the Valley Link Rail project scheduled for later this year
- 2) **Core Improvements:** Initial analysis indicates that many future Valley Link patrons would transfer to the BART system, and that capacity improvements of varying cost may be required at destination stations, such as the 12th St Oakland, 19th St Oakland, Castro Valley, Lake Merritt, and West Dublin / Pleasanton BART stations (i.e., platform width, emergency egress, vertical circulation). Measure BB funding eligibility must reflect the potential that expenses related to the Valley Link Phase 1 project may occur outside the I-580 corridor itself, but still within Alameda County.
- 3) **I-580 Corridor Fare Gate Modernization:** Funding is required to modernize faregates for BART stations within the I-580 Corridor (Castro Valley, West Dublin/Pleasanton and Dublin/Pleasanton stations) to the revised standard adopted by the BART Board of Directors. These new faregates address fare evasion at these stations and provide current and future travelers within the I-580 Corridor a safer and more secure experience.

The Valley Link project will not be successful for our riders and Alameda County taxpayers if the system does not adequately accommodate these new passengers. BART does not have funding to mitigate these impacts, which are critical to the overall success of this project. Therefore, BART anticipates that the close coordination with the Valley Link Rail project team will continue as the project advances. While ultimately other fund sources may be used for the core system BART impacts noted above, at this early phase it is important to maintain maximum flexibility of local funding so that they can be used to leverage additional region, state, and federal funding sources.

Thank you again for this opportunity to comment on this proposed action. Please do not hesitate to contact me or my staff with any additional questions.

Sincerely,



Robert M. Powers
General Manager



Bay Area Transportation Working Group (BATWG)

May 11, 2020

Hon. Elsa Ortiz, Chair, and Members of the Planning, Policy and Legislation Committee

Alameda County Transportation Commission (ACTC)

1111 Broadway, Suite 800 Oakland, CA 94607

Dear Commissioner Ortiz:

It has come to our attention that the ACTC is thinking of reallocating the Measure BB funds set aside for the Livermore BART connection to “Valley Link”. We urge you to desist.

For one thing such an action would make a mockery of what the Alameda County voters voted for in 2016. For another it would deny the people of Livermore the one good way of getting from their city to the East Dublin BART Station.

At the time the BART Board was considering whether or not to put the Measure BB \$400 million toward a proposed \$3.2 billion BART extension to Greenville Road, BATWG conducted an extensive investigation of the bus alternative. It was our conclusion that in terms of improving the access of the people of Livermore to BART, well-appointed buses (patterned after the privately-operated hi-tech buses) operating in bus-only lanes would be a far cheaper and better option. At the time we envisioned three separate lines originating in separate parts of Livermore all traveling out-of-traffic, at least during commute hours, to the Station.

Sincerely,

**Gerald Cauthen
Co-Founder and President,
Bay Area Transportation Working Group
510 208 5441
www.batwgblog.com**

**Bay Area Transportation Working Group
3001 Ashbrook Court
Oakland CA 94601
www.batwgblog.com**

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Bay Area Transportation Working Group

May 23, 2020

Pauline Cutter, Chair, and ACTC Commissioners

Alameda County Transportation Commission

1111 Broadway, Suite 800

Oakland, California 94607

via: e-mail to Clerk of the Commission

re: ACTC May 28, 2020 meeting, Agenda Item 8.1, “Approve Tri-Valley-San Joaquin Valley Regional Rail Authority Request for a 2014 Measure BB Transportation Expenditure Plan Amendment (Valley Rail)”

Dear Chair Cutter:

The Bay Area Transportation Working Group (BATWG) is an Oakland-based 501(c)(3) composed of senior transportation experts and advocates with centuries of collective experience in California, Bay Area, and Alameda County transportation issues and projects.

At BATWG’s May 21, 2020 meeting there was a discussion of the proposed diversion of Alameda County Measure BB funds to Valley Rail. After the discussion the vote was unanimous; we believe this action would be inappropriate and unwise.

What Valley Rail needs most right now is a full, proper, and unbiased study of its feasibility – including projected ridership, cost-effectiveness and identified sources of funding, all in comparison with the other transportation options for the corridor and all taking the changes brought on by COVID into full account.

In 2017, when the question how to use this \$400 million was before the BART Board, the BART staff recommended a significantly upgraded bus option on grounds that it would better serve the transportation needs of Pleasanton and Livermore than an expensive 10-mile extension of BART to Livermore’s Greenville Road would. BATWG strongly supported the staff’s recommendation and subsequently submitted a list of proposed bus system enhancements.

The original BART Extension project approved by the Alameda County voters was intended to benefit the people of Alameda County, including the residents of

Pleasanton and Livermore Area and those traveling to those cities from more westerly Alameda County locations. Obviously, this was a project that the Alameda County taxpayers were willing to support because the vast majority of the benefits would accrue to Alameda County residents and taxpayers. Valley Rail, which includes five stations in the Central Valley and only three in Alameda County, is intended to primarily benefit non-Alameda County residents.

There is no reason or justification for diverting \$400 million in BB funds to Valley Rail at this time.

The Bay Area Transportation Working Group looks forward to working with the ACTC in working to improve transportation in the I-580 Corridor.

Respectfully submitted,

Gerald Cauthen PE

President and Co-founder

Bay Area Transportation Working Group (BATWG)

510 208 5441

www.batwgblog.com



May 27, 2020

The Honorable Pauline Cutter, Chair
Alameda County Transportation Commission
1111 Broadway, Suite 800
Oakland, CA 94607

Dear Chair Cutter:

Subject: Approval of Tri-Valley-San Joaquin Valley Regional Rail Authority Request for a 2014 Measure BB Transportation Expenditure Plan Amendment

I write to support the approval of the Tri-Valley-San Joaquin Valley Regional Rail Authority (Authority) request to initiate an amendment to the 2014 Measure BB Transportation Expenditure Plan (TEP). The TEP amendment will acknowledge the Authority as a new agency in Alameda County that can be an eligible recipient of Measure BB funds and update the TEP by adding Valley Link for the \$400 million Measure BB funding identified for the BART to Livermore project. This action will fulfill a commitment made to the Tri-Valley, and particularly Livermore, to advance rail connectivity to Livermore. After many decades of study, it will assure that our residents will finally benefit from the taxes they have paid to BART for many decades.

The Authority was created in 2017 by Assembly Bill 758 for the purposes of planning, developing and delivering cost-effective and responsive transit connectivity between BART and the Altamont Corridor Express (ACE) commuter rail service in the Tri-Valley that reflects regional consensus and meets the goals and objectives of the San Joaquin Valley and Tri-Valley communities. Valley Link will benefit the entire Tri-Valley by reducing traffic over the Altamont Pass and through the 580/680 corridor. An estimated 98,500 Bay Area workers are now living in Northern San Joaquin County, commuting daily through the Altamont in their cars. This includes those delivering our most vital services - firefighters, police, nurses and teachers, many of whom have been priced out of the communities they serve by rising housing costs – who face an average 78-minute commute each way.

An estimated 28,000 are projected to ride the system in 2040. This will result in the reduction of over 99.4 million Vehicle Miles Traveled (VMT) and the reduction of over 33,000 metric tons of greenhouse gas emissions per year. In addition, through the Board-adopted TOD Policy, Valley Link will support the advancement of transit-oriented development adjacent to its stations, which will further reduce VMT and greenhouse emissions within the station environs. The Transit Oriented Development policy mirrors the MTC policy with a corridor average threshold requirement of 2,200 homes within a ½ mile of stations, ensuring that the transportation infrastructure is a catalyst for smart growth that protects open space. The proposed Isabel Neighborhood Plan is an example of how this may happen throughout the system.

We urge approval of the Authority's Request for a 2014 Measure BB Transportation Expenditure Plan Amendment. This action will ensure that this vital project moves forward and that commitments to the Tri-Valley are long last met.

Sincerely,

Jim Wunderman
President & CEO
Bay Area Council

Cc: Alameda County Transportation Commission members
Tess Lengyel, ACTC Executive Director

From: [Angie Ayers](#)
To: [Angie Ayers](#)
Cc: [Tess Lengyel](#); [Vanessa Lee](#)
Subject: FW: Bike East Bay comments on Valley Link
Date: Monday, May 11, 2020 12:23:17 PM

Hello Commissioners,

Please see the below public comment for item 5.1.

Regards,
Angie

Angie Ayers, Associate Administrative Analyst
Alameda County Transportation Commission
1111 Broadway, Suite 800, Oakland, CA 94607
Phone: 510.208.7450 direct dial | 510.208.7400 main line
Email: aaayers@alamedactc.org Website: www.alamedactc.org
Facebook: www.facebook.com/alamedactc Twitter: [@alamedactc](https://twitter.com/alamedactc)

From: Vanessa Lee
Sent: Monday, May 11, 2020 12:20 PM
To: Dave(dave@bikeeastbay.org) Campbell <dave@bikeeastbay.org>
Cc: Tess Lengyel <tlengyel@alamedactc.org>; Angie Ayers <aaayers@alamedactc.org>
Subject: RE: Bike East Bay comments on Valley Link

Received. Thank you.

Vanessa Lee, Clerk of the Commission
Alameda County Transportation Commission

From: Dave Campbell <dave@bikeeastbay.org>
Sent: Monday, May 11, 2020 12:19 PM
To: Vanessa Lee <VLee@alamedactc.org>
Subject: Bike East Bay comments on Valley Link

Commission

We support transit, and possibly this project too, but have questions and concerns around:

1. The lack of public outreach in Livermore to generate support for this project. Measure BB in Livermore did not get a ton of support and BART was controversial. RM3 get even less support in Livermore. We don't want this project to be controversial like the BART project was. The Isabel Neighborhood Plan was controversial too because of BART. Where are the residents of Livermore on this project?;
2. Hour headways off -peak is poor public transit, and is in fact commuter rail. This corridor needs good transit. What can be done to convert this project from commuter rail to good transit?
3. Can we hear more about the financial crisis and how this project is affected? It's concerning to hear a presentation that does not acknowledge the current financial crisis.

Thank you for more clarifying information.

--

Dave Campbell
Advocacy Director
[Bike East Bay](#)

Office: 466 Water Street at Jack London Square in Oakland

Mail: PO Box 1736, Oakland, CA 94604

Cell: [\(510\) 701-5971](tel:5107015971)

BikeEastBay.org

[Learn how COVID-19 is impacting Bike East Bay events and activities.](#)

Building and Construction Trades Council of Alameda County, AFL-CIO

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btca@btcalameda.org | (510) 430-8664

Andreas Cluver
Secretary-Treasurer

Rob Stoker
President

Rafael Gonzalez
Vice President

Che Timmons
Sergeant in Arms

Auto & Marine Painters, #1176
Boilermakers, #549
Brick & Tile Layers, #3
Carpenters, #713
Carpenters, #2236
Carpet & Linoleum, #12
Cement Masons, #300
Electrical Workers, #595
Elevator Constructors #8
Glaziers #169
Insulators & Asbestos Workers, #16
Iron Workers, #378
Laborers, #67
Laborers, #304
Lathers, #68L
Millwrights, #102
Operating Engineers, #3
Painters, #3
Pile Drivers, #34
Plasterers, #66
Plumbers & Steamfitters, #342
Roofers, #81
Sheet Metal Workers, #104
Sign & Display, #510
Sprinkler Fitters, #483
Teamsters, #853
U.A., Utilities / Landscape, #355

The Alameda County Building and Construction Trades Council Supports the Staff Recommendation, under item 5.1 (Valley Link) for the following reasons:

- A BART extension to Livermore has been a longstanding project, dating back in concept to the 1960s when the BART system was originally envisioned. Over the years there have been efforts by many resident, local elected officials, and other stakeholders to extend the BART alignment to Livermore.
- After decades of planning, in May of 2018 the BART Board certified the BART to Livermore EIR but voted to not advance a specific project, opting instead to defer the planning and construction of passenger rail in the 580 corridor of the Tri-Valley to the Tri-Valley – San Joaquin Valley Regional Rail Authority.
- Created by AB758 (Baker/Eggman), the Tri-Valley – San Joaquin Valley Regional Rail Authority has since completed a Feasibility Report and selected from alternatives the Valley Link passenger rail project. Phase 1 of Valley Link is a 42 mile, seven station alignment from the Dublin/Pleasanton BART station to the North Lathrop station, with a key connection with BART at the Dublin/Pleasanton BART station and with ACE at the Greenville Station and the planned ACE North Lathrop station. The project is cost effective and efficient in that it uses currently existing transportation rights of way (580 in Tri-Valley, former So Pacific Railroad right of way now owned by County of Alameda in the Altamont and the UP right of way in the San Joaquin Valley). Valley Link will carry between 26,000 and 28,000 rides/day as a transportation option for the nearly 100,000 commuters on the highly congested 580. With congestion in the 580 due to increase 75% by 2040, transportation alternatives are a high priority that will benefit the environment, the economy and the quality of life of residents and Bay Area Workers.
- The goal of the Valley Link Board is to be 100% sustainable, with catenary/battery technology being studied and solar/wind energy being planned to power both the O&M facility and the seven stations. Additionally, the Valley Link Board has approved a Transit Oriented Development policy that mirrors MTC policy to mandate 2,200 homes within a ½ mile of stations, ensuring that the transportation infrastructure is a catalyst for smart growth that protects open space and lowers VMT. Valley Link will result in a reduction of 99.4 million vehicles miles travelled per year and a reduction of 33,000 metric tons in greenhouse gas emissions annually.
- The Tri-Valley – San Joaquin Valley Regional Rail Authority will publish the draft Valley Link EIR in September and aims to certify the EIR by the end of 2020. NEPA and 30% design will be completed in 2021. Final design and construction will begin in 2022, with the project scheduled to open for passenger service in late 2027 to early 2028.
- Per a recent PGH Wong study, during construction the economic impact of Valley Link project will be 16,300 to 22,200 jobs and between \$2.6 billion and \$3.5 billion in revenues.
- Valley Link is a project advancing quickly and cost effectively. Amending the Measure BB Transportation Expenditure Plan to provide \$400 million to the Valley Link project for construction in the Alameda County portion of the project will be extremely important at this time so that the Authority can leverage local funds with State, federal and private funding to complete.

Sincerely,



Andreas Cluver, Secretary-Treasurer
Building & Construction Trades Council of Alameda County

AC:kem
only:29/afl-cio

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Building and Construction Trades Council of Alameda County, AFL-CIO

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Andreas Cluver
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Auto & Marine Painters, #1176

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Brick & Tile Layers, #3

Carpenters, #713

Carpenters, #2236

Carpet & Linoleum, #12

Cement Masons, #300

Electrical Workers, #595

Elevator Constructors #8

Glaziers #169

Insulators & Asbestos Workers, #16

Iron Workers, #378

Laborers, #67

Laborers, #304

Lathers, #68L

Millwrights, #102

Operating Engineers, #3

Painters, #3

Pile Drivers, #34

Plasterers, #66

Plumbers & Steamfitters, #342

Roofers, #81

Sheet Metal Workers, #104

Sign & Display, #510

Sprinkler Fitters, #483

Teamsters, #853

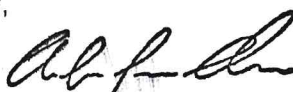
U.A., Utilities / Landscape, #355

May 26, 2020

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- The goal of the Valley Link Board is to be 100% sustainable, with catenary/battery technology being studied and solar/wind energy being planned to power both the O&M facility and the seven stations. Additionally, the Valley Link Board has approved a Transit Oriented Development policy that mirrors MTC policy to mandate 2,200 homes within a ½ mile of stations, ensuring that the transportation infrastructure is a catalyst for smart growth that protects open space and lowers VMT. Valley Link will result in a reduction of 99.4 million vehicles miles travelled per year and a reduction of 33,000 metric tons in greenhouse gas emissions annually.
- The Tri-Valley – San Joaquin Valley Regional Rail Authority will publish the draft Valley Link EIR in September and aims to certify the EIR by the end of 2020. NEPA and 30% design will be completed in 2021. Final design and construction will begin in 2022, with the project scheduled to open for passenger service in late 2027 to early 2028.
- Per a recent PGH Wong study, during construction the economic impact of Valley Link project will be 16,300 to 22,200 jobs and between \$2.6 billion and \$3.5 billion in revenues.
- Valley Link is a project advancing quickly and cost effectively. Amending the Measure BB Transportation Expenditure Plan to provide \$400 million to the Valley Link project for construction in the Alameda County portion of the project will be extremely important at this time so that the Authority can leverage local funds with State, federal and private funding to complete.

Sincerely,



Andreas Cluver, Secretary-Treasurer
Building & Construction Trades Council of Alameda County

AC:kem

05/29/afl-cio



May 25, 2020

The Honorable Pauline Cutter, Chair
Alameda County Transportation Commission
1111 Broadway, Suite 800
Oakland, CA 94607

Dear Chair Cutter:

Subject: Approval of Tri-Valley-San Joaquin Valley Regional Rail Authority
Request for a 2014 Measure BB Transportation Expenditure Plan Amendment

I write to support the approval of the Tri-Valley-San Joaquin Valley Regional Rail Authority (Authority) request to initiate an amendment to the 2014 Measure BB Transportation Expenditure Plan (TEP). The TEP amendment will acknowledge the Authority as a new agency in Alameda County that can be an eligible recipient of Measure BB funds and update the TEP by adding Valley Link for the \$400 million Measure BB funding identified for the BART to Livermore project. This action will fulfill a commitment made to the Tri-Valley, and particularly Livermore, to advance rail connectivity to Livermore. After many decades of study, it will assure that our residents will finally benefit from the taxes they have paid to BART for many decades.

The CLPCCD and, especially Las Positas College, as evidenced by our MOU with LAVTA, recognize the value of public transportation in meeting sustainability goals and facilitating travel to and from the college. Specifically, the largest benefactor of these two projects will be Las Positas College, and the community we serve which encompasses over 9,200 students and 500 employees. Our research shows that our public transportation usage average is 10,000 individual rides per month and nearly 500 students take the bus each business day. Of our total student population, 20% take classes at both campuses. A rail extension to Livermore would support and facilitate the needs of student populations from both the Tri-Valley and 880/580 corridors. We know there is still a great need for additional public transportation options for all of our students and employees.

**CHABOT-LAS POSITAS
COMMUNITY COLLEGE DISTRICT
BOARD OF TRUSTEES**

Edralin J. "Ed" Maduli, President
Genevieve Randolph, Secretary
Hal G. Gin, Ed.D.
Linda Granger
Maria L. Heredia
Tim Sbranti

Ronald P. Gerhard, Chancellor

OFFICE OF THE CHANCELLOR

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CLPCCD provides educational opportunities and support for completing of students' transfer, associate degree, basic skills, career technical education, and retraining goals. We serve, annually, approximately 29,000 students. Our employees and students use public transportation to get to and from their homes to our places of work.

We urge approval of the Authority's Request for a 2014 Measure BB Transportation Expenditure Plan Amendment. This action will ensure that this vital project moves forward and that commitments to the Tri-Valley are long last met.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Gerhard".

Ronald P. Gerhard
Chancellor

Cc: Alameda County Transportation Commission members
Tess Lengyel, ACTC Executive Director



May 25, 2020

The Honorable Pauline Cutter, Chair
Alameda County Transportation Commission
1111 Broadway, Suite 800
Oakland, CA 94607

Dear Chair Cutter:

Subject: Approval of Tri-Valley-San Joaquin Valley Regional Rail Authority Request for a 2014 Measure BB Transportation Expenditure Plan Amendment

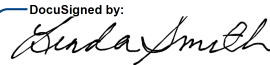
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An estimated 28,000 are projected to ride the system in 2040. This will result in the reduction of over 99.4 million Vehicle Miles Traveled (VMT) and the reduction of over 33,000 metric tons of greenhouse gas emissions per year. In addition, through the Board-adopted TOD Policy, Valley Link will support the advancement of transit-oriented development adjacent to its stations, which will further reduce VMT and greenhouse emissions within the station environs. The Transit Oriented Development policy mirrors the MTC policy with a corridor average threshold requirement of 2,200 homes within a ½ mile of stations, ensuring that the transportation infrastructure is a catalyst for smart growth that protects open space. The proposed Isabel Neighborhood Plan is an example of how this may happen throughout the system.

We urge approval of the Authority's Request for a 2014 Measure BB Transportation Expenditure Plan Amendment. This action will ensure that this vital project moves forward and that commitments to the Tri-Valley are long last met.

Sincerely,

DocuSigned by:

Linda Smith

City Manager, City of Dublin

City Council
925.833.6650
City Manager
925.833.6650
Community Development
925.833.6610
Economic Development
925.833.6650
Finance/IT
925.833.6640
Fire Prevention
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Human Resources
925.833.6605
Parks & Community Services
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Police
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Public Works
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Cc: Alameda County Transportation Commission members
Tess Lengyel, ACTC Executive Director



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July 10, 2020

The Honorable Pauline Cutter, Chair
Alameda County Transportation Commission
1111 Broadway, Suite 800
Oakland, CA 94607

Dear Chair Cutter:

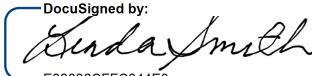
Subject: Support for ACTC Approval of Tri-Valley-San Joaquin Valley Regional Rail Authority Request for a 2014 Measure BB Transportation Expenditure Plan Amendment.

On May 28, 2020, the Alameda County Transportation Commission (ACTC) approved the Tri-Valley-San Joaquin Valley Regional Rail Authority (Authority) request to amend the 2014 Measure BB Transportation Expenditure Plan (TEP) to add the Authority's Valley Link project into the TEP, remove the BART to Livermore project from the TEP, and to move \$400 million from the BART to Livermore TEP project to the Valley Link project. ACTC's action initiated 45-day comment period for all jurisdictions in Alameda County to comment on the proposed amendment. On behalf of the City of Dublin and as an ACTC member jurisdiction, I write to strongly support the amendment of the TEP to include Valley Link and to move \$400 million of Measure BB funding to Valley Link. The Valley Link project will fulfill a commitment made to the Tri-Valley to advance rail connectivity to Livermore and, after many decades of study, it will assure that our residents will finally benefit from the taxes they have paid.

An estimated 28,000 people are projected to ride the 42-mile, 7-station Valley Link system in 2040. This will result in the reduction of over 99.4 million Vehicle Miles Traveled (VMT) and the reduction of over 33,000 metric tons of greenhouse gas emissions per year. Valley Link will connect Northern California Megaregion's workforce to affordable housing, will provide opportunities for compact transit-oriented development, and will significantly reduce greenhouse gas emissions. It will also provide an estimated 22,000 jobs during construction and when operational support 400 jobs per year with labor income of over \$19 million per year and \$69 million in business sales annually. In short, Valley Link is vital to our environment and the quality of life in our communities – and now even more vital to our economy given the recovery needs we are now facing.

I support ACTC's approval of the 2014 Measure BB Transportation Expenditure Plan Amendment to include the Valley Link project. This action will ensure that this vital project moves forward.

Sincerely,

DocuSigned by:

#33886CFFC044E0...

Linda Smith
City Manager, City of Dublin

Cc: Alameda County Transportation Commission members
Tess Lengyel, ACTC Executive Director
Michael Tree, Authority Executive Director



May 28, 2020

The Honorable Pauline Russo Cutter, Chair
Alameda County Transportation Commission
1111 Broadway, Suite 800
Oakland, CA 94607

Subject: Agenda Item 8.1 - Tri-Valley-San Joaquin Valley Regional Rail Authority
Request for a 2014 Measure BB Transportation Expenditure Plan Amendment. Position
of support.

Dear Chair Cutter:

I write to support the approval of the Tri-Valley-San Joaquin Valley Regional Rail Authority (Authority) request to initiate an amendment to the 2014 Measure BB Transportation Expenditure Plan (TEP). The TEP amendment will acknowledge the Authority as a new agency in Alameda County that can be an eligible recipient of Measure BB funds and update the TEP by adding Valley Link for the \$400 million Measure BB funding identified for the BART to Livermore project. This action will fulfill a commitment made to the Tri-Valley, and particularly Livermore, to advance rail connectivity to Livermore. After many decades of study, it will assure that our residents will finally benefit from the taxes they have paid to BART for many decades.

The Authority was created in 2017 by Assembly Bill 758 for the purposes of planning, developing and delivering cost-effective and responsive transit connectivity between BART and the Altamont Corridor Express (ACE) commuter rail service in the Tri-Valley that reflects regional consensus and meets the goals and objectives of the San Joaquin Valley and Tri-Valley communities. Valley Link will benefit the entire County by reducing traffic over the Altamont Pass and through the congested I-580 and I-680 corridors. An estimated 93,500 Bay Area workers are now living in Northern San Joaquin County, commuting daily through the Altamont in their cars. This includes those delivering our most vital services - firefighters, police, nurses, teachers, and people employed in manufacturing in the Tri-Valley and throughout Alameda County. Many of these Bay Area workers have been priced out of the communities they serve by rising housing costs and are suffering through an average 78-minute commute each way.

The environmental benefits of Valley Link are significant. Valley Link offers a rail alternative for those commuting by automobile. An estimated 28,000 are projected to ride the system in 2040. This will result in the reduction of over 99.4 million Vehicle Miles

Traveled (VMT) and the reduction of over 33,000 metric tons of greenhouse gas emissions per year.

Valley Link supports construction of badly needed affordable housing. Through the Board-adopted TOD Policy, Valley Link will support the advancement of transit-oriented development adjacent to its stations, which will further reduce VMT and greenhouse emissions within the station environs. The Transit Oriented Development policy mirrors the MTC policy with a corridor average threshold requirement of 2,200 homes within a ½ mile of stations, ensuring that the transportation infrastructure is a catalyst for smart growth that protects open space. The Isabel Neighborhood Specific Plan, developed around the Valley Link station at Isabel Avenue, includes 4,095 new multifamily housing units with a mandatory 20% minimum affordable requirement with an overall goal for 25% affordable units in the Plan area.

We urge approval of the Authority's Request for a 2014 Measure BB Transportation Expenditure Plan Amendment. This action will help ensure that this vital project can move forward to benefit the entire County and that commitments to the Tri-Valley are finally met.

Sincerely,

A handwritten signature in cursive script that reads "John Marchand".

John Marchand
Mayor

cc: Supervisor Scott Haggerty
Tess Lengyel, ACTC Executive Director



July 10, 2020

The Honorable Pauline Cutter, Chair
Alameda County Transportation Commission
1111 Broadway, Suite 800
Oakland, CA 94607

Subject: Support for Approval of Tri-Valley-San Joaquin Valley Regional Rail Authority
Request for a 2014 Measure BB Transportation Expenditure Plan Amendment

Dear Chair Cutter:

On behalf of the City of Livermore and as a member jurisdiction of the Alameda County Transportation Commission, I write to strongly support approval of the Tri-Valley-San Joaquin Valley Regional Rail Authority (Authority) request to amend the 2014 Measure BB Transportation Expenditure Plan (TEP). The TEP amendment will acknowledge the Authority as a new agency in Alameda County that can be an eligible recipient of Measure BB funds and update the TEP by adding Valley Link for the \$400 million Measure BB funding identified for the BART to Livermore project. This action will fulfill a commitment made to the Tri-Valley to advance rail connectivity to Livermore and after many decades of study, it will assure that our residents will finally benefit from the taxes they have paid.

The Tri-Valley is a thriving Bay Area job center - with two national labs and it is the headquarter location of more than 450 technology companies. It has a regional gross domestic product (GDP) of an estimated \$42 billion. The quality of life it affords its residents is considered to be a large part of its competitive advantage – but growing congestion and skyrocketing Bay Area housing costs put this all at risk. An estimated 93,400 Bay Area workers are now living in Northern San Joaquin County, commuting daily through the Altamont in their cars. This includes those delivering essential services to the Bay Area - firefighters, police, nurses and teachers, many of whom have been priced out of the communities they serve by rising housing costs. Pre-pandemic, these commuters faced an average 78-minute commute each way and already there is evidence that this congestion is rapidly returning.

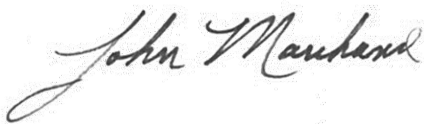
An estimated 28,000 commuters are projected to ride the 42-mile, 7-station Valley Link system in 2040. This will result in the reduction of over 99.4 million Vehicle Miles

Traveled (VMT) and the reduction of over 33,000 metric tons of greenhouse gas emissions per year. In addition, through the Board-adopted TOD Policy, Valley Link will support the advancement of transit-oriented development adjacent to its stations, which will further reduce VMT and greenhouse emissions within the station environs. The Transit Oriented Development policy mirrors the MTC policy with a corridor average threshold requirement of 2,200 homes within a ½ mile of stations, ensuring that the transportation infrastructure is a catalyst for smart growth that protects open space. An example of Valley Link supported TOD is the proposed Isabel Neighborhood Plan in Livermore, which includes 4,095 new housing units with a 20% minimum affordable inclusionary requirement per project with overall 25% affordability goal for the plan area.

Valley Link will link our Northern California Megaregion's workforce to affordable housing, provide opportunities for compact transit-oriented development and will have a significant impact on the reduction of greenhouse gas emissions. It will also provide an estimated 22,000 jobs during construction and when operational support 400 jobs per year with labor income of over \$19 million per year and \$69 million in business sales annually. In short, it is vital to our environment and the quality of life in our communities – and now even more vital to our economy given the recovery needs we are now facing.

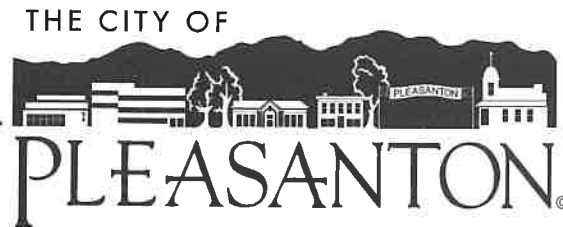
We urge approval of the Authority's Request for a 2014 Measure BB Transportation Expenditure Plan Amendment. This action will ensure that this vital project moves forward and that commitments to the Tri-Valley are finally met.

Sincerely,

A handwritten signature in cursive script that reads "John Marchand".

John Marchand
Mayor

Cc: Alameda County Transportation Commission members
Tess Lengyel, ACTC Executive Director
Michael Tree, Authority Executive Director



May 26, 2020

The Honorable Pauline Cutter, Chair
Alameda County Transportation Commission
1111 Broadway, Suite 800
Oakland, CA 94607

Via Email: vlee@alamedactc.org

Dear Chair Cutter:

Subject: Approval of Tri-Valley-San Joaquin Valley Regional Rail Authority Request for a 2014 Measure BB Transportation Expenditure Plan Amendment

I write to support the approval of the the Tri-Valley-San Joaquin Valley Regional Rail Authority (Authority) request to initiate an amendment to the 2014 Measure BB Transportation Expenditure Plan (TEP). The TEP amendment will acknowledge the Authority as a new agency in Alameda County that can be an eligible recipient of Measure BB funds and update the TEP by adding Valley Link for the \$400 million Measure BB funding identified for the BART to Livermore project. This action will fulfill a commitment made to the Tri-Valley, and particularly Livermore, to advance rail connectivity to Livermore. After many decades of study, it will assure that all of our Tri-Valley residents will finally benefit from the taxes they have paid to BART for many decades.

The Authority was created in 2017 by Assembly Bill 758 for the purposes of planning, developing and delivering cost-effective and responsive transit connectivity between BART and the Altamont Corridor Express (ACE) commuter rail service in the Tri-Valley that reflects regional consensus and meets the goals and objectives of the San Joaquin Valley and Tri-Valley communities. Valley Link will benefit the entire Tri-Valley by reducing traffic over the Altamont Pass and through the 580/680 corridor. An estimated 98,500 Bay Area workers are now living in Northern San Joaquin County, commuting daily through the Altamont in their cars. This includes those delivering our most vital services - firefighters, police, nurses and teachers, many of whom have been priced out of the communities they serve by rising housing costs – who face an average 78-minute commute each way.

An estimated 28,000 are projected to ride the system in 2040. This will result in the reduction of over 99.4 million Vehicle Miles Traveled (VMT) and the reduction of over 33,000 metric tons of greenhouse gas emissions per year. In addition, through the Board-adopted TOD Policy, Valley Link will support the advancement of transit-oriented development adjacent to its stations, which will further reduce VMT and greenhouse emissions within the station environs. The Transit Oriented Development policy mirrors the MTC policy with a corridor average threshold requirement of 2,200 homes within a ½ mile of stations, ensuring that the transportation infrastructure is a catalyst for smart growth that protects open space. The proposed Isabel Neighborhood Plan is an example of how this may happen throughout the system.

P. O. Box 520, Pleasanton, CA 94566-0802

123 Main Street

City Manager
(925) 931-5002
Fax: 931-5482

City Attorney
(925) 931-5015
Fax: 931-5482

Economic Development
200 Old Bernal Avenue
(925) 931-5038
Fax: 931-5476

City Clerk
(925) 931-5027
Fax: 931-5492

The Honorable Pauline Cutter
Alameda County Transportation Commission
May 26, 2020
Page 2

We urge approval of the Authority's Request for a 2014 Measure BB Transportation Expenditure Plan Amendment. This action will ensure that this vital project moves forward and that commitments to the Tri-Valley are long last met.

Sincerely,

DocuSigned by:

9B5F9FFD0C8544D...
Nelson Fialho
City Manager

Cc: Alameda County Transportation Commission members
Tess Lengyel, ACTC Executive Director
Pleasanton City Council



June 26, 2020

The Honorable Pauline Cutter, Chair
Alameda County Transportation Commission
1111 Broadway, Suite 800
Oakland, CA 94607

Via Email: vlee@alamedactc.org

Subject: Support for 2014 Measure BB Transportation Expenditure Plan Amendment – Valley Link

Dear Chair Cutter:

Thank you for the opportunity to comment on the proposed 2014 Transportation Expenditure Plan Amendment.

The Alameda County Transportation Commission (Alameda CTC) discussed and approved the request from the Tri-Valley San Joaquin Valley Regional Rail Authority's (TVSJVRRA) request for an amendment of the 2014 Measure BB transportation Expenditure Plan on May 28, 2020. The amendment proposes to complete several actions: 1) recognize the TVSJVRRA as a new agency that is eligible to receive Measure BB funds; 2) Replace the BART to Livermore project with the Valley Link project and retain the \$400 million in Measure BB funding for the Valley Link project.

The City of Pleasanton strongly supports the amendment to the 2014 Measure BB Transportation Expenditure Plan. As stated in the City's previous letter dated May 26th, 2020, the Valley Link Project will complete the regional rail concept initially envisioned for the Tri-Valley decades ago. The TVSJVRRA was created in 2017 to expedite the planning, development and construction of a rail service that connects BART to the Altamont Commuter Express. Valley Link not only benefits the Tri-Valley in creating regional mobility and reducing traffic along the 580 corridor; the project will connect San Joaquin County to the Bay Area servicing up to 28,000 riders per day.

The congestion reduction also provides numerous environmental benefits. Valley Link will reduce GHG emissions, pursue renewable energy sources, strive to attain 100 percent self-sufficiency, and apply global best practices to design and construct sustainable infrastructure. Valley Link will reduce GHG emissions by 24,000 metric tons of CO2 emissions annually in

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City Clerk
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Fax: 931-5492

The Honorable Pauline Cutter

June 26, 2020

Page 2

2025, and 33,000 metric tons of CO2 emissions annually in 2040. The vehicle technology will provide additional environmental benefits by using Multiple Units featuring hybrid technology with the ability to convert to a fully-electric operation in the future.

Valley Link will also support the advancement of Transit Oriented Development by supporting MTC's Plan Bay Area; having four PDAs located along the Valley Link alignment will support more than 2,200 homes, all located within ½ mile of the stations. Housing and jobs in these areas will be within walking distance to regular Valley Link service, providing access throughout the day in both directions, and connecting with the Bay Area's BART system.

The project meets the vision and goals of Measure BB by expanding regional rail, providing traffic relief, improving air quality by providing clean transportation. The City of Pleasanton is encouraged by the TVSJVRRRA's progress on the Valley Link Project and looks forward to the approval of the use of the Measure BB funds to assist in the completion of this vital project.

Sincerely,

DocuSigned by:

9B5F9FED0C8544D...
Nelson Fialho
City Manager

Electronic cc: Mayor and City Council

Michael Tree, Executive Director of Tri-Valley – San Joaquin Valley Regional Rail Authority

Becky Hopkins, Assistant to the City Manager

Mike Tassano, Deputy Director of Community Development, Transportation



July 21, 2020

Pauline Cutter, Chair
Alameda County Transportation Commission
tepamendment@alamedactc.org

Re: Comments on ACTC 2014 Measure BB Expenditure Plan Amendment

Dear Chair Cutter:

I am pleased to support the Tri-Valley San Joaquin Valley Regional Rail Authority request to amend the 2014 TEP to replace the BART to Livermore project with the Valley Link rail project.

The project is an excellent example of mega-regional cooperation to facilitate the construction of key infrastructure improvements and leveraging different funding resources to enable more frequent passenger rail service between the Central Valley, the Tri-Valley, and the San Francisco Bay Area; provide connectivity to other transit providers, provide service between housing and job centers, and facilitate the movement of goods.

- The Stockton Diamond Grade Separation project facilitates the Phase 2 Valley Link connectivity to Stockton, will enable ACE to dispatch more passenger trains, and eliminates a choke point for freight movement on Union Pacific and BNSF rail lines.
- Valley Link will provide local service to several communities in the Tri-Valley and Central Valley while ACE provides express service to transit hubs in Alameda and Santa Clara counties.
- Union City looks forward to ACE providing service to Union City BART and our Station District.
- Greenhouse gas generation and Vehicle Miles Traveled will be reduced when automobile commuters are provided a rail alternative and additional rail capacity becomes available to automobile commuters.
- Transit Oriented Development (TOD) policies along the Valley Link Corridor will mirror MTC Resolution 3434 policies to exceed 2,200 housing units within ½ mile radius of stations.

I look forward to supporting projects that leverage funding sources to benefit multiple rail providers and provide seamless connectivity to transit hubs.

Sincerely,

A handwritten signature in blue ink that reads 'Carol Dutra-Vernaci'.

Carol Dutra-Vernaci
Mayor City of Union City

office of
the mayor

CITY OF UNION CITY

34009 Alvarado-Niles Rd • Union City • CA • 94587
unioncity.org

June 9, 2020

The Honorable Pauline Cutter
Chair
Alameda County Transportation Commission
1111 Broadway
Suite 800
Oakland, California 94607

Re: Measure BB Amendment for Tri-Valley-San Joaquin Valley Regional Rail Authority

Dear Chair Cutter:

Hacienda is located near the geographic center of the San Francisco Bay Area and, at 875 acres, is the largest development of its kind in Northern California. Over 10 million square feet of existing, mixed-use space is occupied by some 700 companies that locally employ approximately 20,000 people. Key tenants include Kaiser Permanente, Oracle, Roche Molecular Systems and Gap who have all made substantive investments in their presence within Hacienda. In addition, Hacienda features homes to some 5,600 residents and is in the active planning and construction phase for as many more. Our facilities thrive because of the state-of-the-art working and living environments that have been developed which are in large part due to an ongoing commitment to providing comprehensive approaches to commute choices and community development.

Hacienda is pleased to provide this letter to strongly support the approval sought by the Tri-Valley-San Joaquin Valley Regional Rail Authority (Authority) to initiate an amendment to the 2014 Measure BB Transportation Expenditure Plan (TEP). The TEP amendment will acknowledge the Authority as a new agency in Alameda County that can be an eligible recipient of Measure BB funds and update the TEP by adding Valley Link for the \$400 million Measure BB funding identified for the BART to Livermore project. With the decision made not to pursue traditional BART rail service beyond its current eastern Alameda County terminus at the East Dublin/Pleasanton station, Valley Link offers a critical opportunity to advance long-held objectives of creating a viable rail connection between Alameda and San Joaquin Counties.

As you are aware, the Authority was created in 2017 by Assembly Bill 758 for the purposes of planning, developing and delivering cost-effective and responsive transit connectivity between BART and the Altamont Corridor Express (ACE) commuter rail service in the Tri-Valley that reflects regional consensus and meets the goals and objectives of the San Joaquin Valley and Tri-Valley communities. Valley Link will benefit the entire Tri-Valley by reducing traffic over the Altamont Pass and through the Interstate 580/680 corridor. An estimated 98,500 Bay Area workers are now living in Northern San Joaquin County, commuting daily through the Altamont in their cars and confronting an average 78-minute commute each way. Critical employment centers, such as Hacienda, need to make sure that all corridors leading into the Tri-Valley provide easy and convenient access for businesses whose labor supply extends into outlying areas. Likewise, residents at Hacienda similarly need the ability to enjoy access to corridors connecting the Tri-Valley with the larger region.

An estimated 28,000 are projected to ride the Valley Link system in 2040. This will result in the reduction of over 99.4 million Vehicle Miles Traveled (VMT) and the reduction of over 33,000 metric tons of greenhouse gas emissions per year. In addition, through the Transit Oriented Development Policy adopted by the Authority's Board, Valley Link will support the advancement of transit-oriented projects, such as Hacienda, adjacent to its stations, which will further reduce VMT and greenhouse emissions within the station environs. The Transit Oriented Development policy mirrors the MTC policy with a corridor average threshold requirement of 2,200 homes within a ½ mile of stations, ensuring that the transportation infrastructure is a catalyst for smart growth that protects open space. Hacienda's existing and proposed development along with the proposed Isabel Neighborhood Plan are examples of how this can happen throughout the system.

The Valley Link project is critical for the equitable and sustainable future of the Tri-Valley and Bay Area. We urge approval of the Authority's Request for a 2014 Measure BB Transportation Expenditure Plan Amendment in support of moving this vital project forward and making a significant improvement to the quality of life and commutes in Hacienda, the Tri-Valley and the region.

Sincerely,

A handwritten signature in black ink, appearing to read 'James Paxson', with a large, stylized initial 'J'.

James Paxson
General Manager, HBPOA

cc: ACTC Commissioners
ACTC Executive Director, Tess Lengyel

fc: Letter_Measure BB Plan Amendment_060920.let
dc: BUS/TRI

From: [Vanessa Lee](#)
To: [Angie Ayers](#)
Subject: FW: Public Comment for item 5.1 at ACTC's PPLC meeting on Monday 5/11
Date: Monday, May 11, 2020 11:26:37 AM
Attachments: [hyperlinked_PPLC_Agenda_20200511.pdf](#)

[Vanessa Lee, Clerk of the Commission](#)
[Alameda County Transportation Commission](#)

From: Tim Sbranti <tsbranti@innovationtrivalley.org>
Sent: Thursday, May 7, 2020 1:42 PM
To: Vanessa Lee <VLee@alamedactc.org>
Cc: Tess Lengyel <tlengyel@alamedactc.org>
Subject: Public Comment for item 5.1 at ACTC's PPLC meeting on Monday 5/11

Hi Vanessa-

I hope you are staying healthy and safe. Considering that I cannot attend next Monday's PPLC meeting in person due to the SIP, please make sure my comments are read into the record for Public Comment as part of agenda item 5.1. Let me know if you have any questions or need anything else. Thanks!

Tim Sbranti
(925) 858-5303

Dear Chair Ortiz and Honorable Commissioners:

On behalf of the Innovation Tri-Valley Leadership Group, I respectfully request for the PPLC to support the Staff recommendation to amend the Measure BB Transportation Expenditure Plan to replace the BART to Livermore project with the Valley Link project.

I served on ACTC's Steering Committee as Mayor of Dublin when Measure BB was drafted. Our Committee worked to ensure that the Expenditure Plan included the fulfillment of plans dating back to the 1960's which envisioned a rail connection heading east from the Dublin/Pleasanton BART Station into Livermore. This vision was part of the plan approved by the voters of Alameda County. Another element of Measure BB gave the Commission the authority to make small modifications to the Plan as the need arose and future conditions warranted it.

Four years later in May of 2018, the BART Board certified the BART to Livermore EIR but transferred the planning and construction of passenger rail in the I-580 corridor of the Tri-Valley to the Tri-Valley - San Joaquin Valley Rail Authority. The Authority has since completed a Feasibility Report for Valley Link, a project proven to be cost effective and efficient, estimated to carry between 26,000 and 28,000 riders a day in the highly congested I-580 corridor.

With congestion on I-580 due to increase 75% by 2040, transportation alternatives for the area are a high priority that will benefit the environment, the economy and the quality of life of residents and

Bay Area workers. Amending the Measure BB Transportation Expenditure Plan to provide \$400 million to the Valley Link project for construction in the Alameda County portion of the project will be extremely important at this time so that the Authority can leverage local funds with State, federal and private funding to complete the project. By transferring the funding in Measure BB to Valley Link, it would also be consistent with the original intent and vision of Measure BB for rail connectivity in the Tri-Valley, and I urge the Committee to approve the item.

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Tim Sbranti
Director of Strategic Initiatives
Innovation Tri-Valley Leadership Group
925.858.5303

tsbranti@innovationtrivalley.orgwww.innovationtrivalley.org



[CLICK HERE](#) to sign up for our Newsletter.

From: [Tim Sbranti](#)
To: [Vanessa Lee](#)
Subject: Public Comment for Item 8.1 at ACTC meeting on Thursday 5/28
Date: Tuesday, May 26, 2020 11:26:55 PM

Hi Vanessa-

I hope you are doing well. Please make sure my comments are read into the record for Public Comment as part of agenda item 8.1. Let me know if you have any questions or need anything else. Thanks!

Tim Sbranti

Dear Chair Russo Cutter and Honorable Commissioners:

On behalf of the business and civic leaders who comprise the Innovation Tri-Valley Leadership Group, please support the Staff recommendation and the unanimous decision from PPLC to amend the Measure BB Transportation Expenditure Plan and replace the BART to Livermore project with the Valley Link project.

I served on ACTC's Steering Committee as Mayor of Dublin when Measure BB was drafted. As Commissioner Haggerty pointed out at the PPLC meeting, a deliberate decision was made to ensure that priorities of leaders in each of ACTC's 4 planning areas were included in the measure. The priority in 2014 remains the same as it was 50 years as it is today.....establishing a rail connection heading east from the Dublin/Pleasanton BART Station into Livermore. By transferring the funding in Measure BB to Valley Link, it would also be consistent with the original intent and vision approved by the voters of Alameda County for rail connectivity in the Tri-Valley.

Another element of Measure BB gave the Commission the authority to make small modifications to the Plan as the need arose and future conditions warranted it. Considering that the planning and construction of passenger rail in the I-580 corridor of the Tri-Valley was transferred in 2018 from BART to the Tri-Valley - San Joaquin Valley Rail Authority, now is the time to transfer the funds as well for rail in the Tri-Valley. In recent months, the Authority has completed a Feasibility Report for Valley Link, a project proven to be cost-effective and efficient, estimated to carry between 26,000 and 28,000 riders a day to relieve gridlock in the highly congested I-580 corridor. With congestion on I-580 due to increase 75% by 2040, transportation alternatives for the area are a high priority and the time to act is now.

Amending the Measure BB Transportation Expenditure Plan to provide \$400 million to the Valley Link project for construction in the Alameda County portion of the project will be extremely important at this time so that the Authority can leverage local funds with state, federal and private funding to complete the much-needed project, and we hope that you will

fulfill the original vision and meet present and future needs of the County by approving the item.

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Tim Sbranti
Director of Strategic Initiatives
Innovation Tri-Valley Leadership
Group

www.innovationtrivalley.org



[CLICK HERE](#) to sign up for our Newsletter.

July 15, 2020

Hon. Pauline Russo Cutter, Chair, Commission Members, and Staff
Alameda County Transportation Commission
1111 Broadway, Suite 800
Oakland, CA 94607

**RE: Oppose Reallocating \$400 Million of Measure BB Funds to
Valley Link Rail Project (TVSJVRRA)**

The “Valley Link” rail connector project is an intriguing effort to connect the far-flung San Joaquin Valley and Tri-Valley areas with the San Francisco Bay Region’s urban core. Any project that gets more commuters out of automobiles is usually worthy of the Alameda County Transportation Commission’s (ACTC’s) consideration — but not this one. Not now.

I am a Bay Area native. I grew up in Redwood City with steam-powered Southern Pacific commute trains. I have served on the BART Bicycle Advisory Task Force (BBATF) since 2011 and now serve as its Vice chair — although these comments are mine alone and are not made on behalf of the BBATF. I have been active in City of Alameda transportation and planning issues for 22 years and worked on regional transportation solutions.

INADEQUATE PUBLIC NOTICING FOR THIS COMMENT PERIOD

First, proponents of the relatively new Valley Link rail connector project are asking ACTC to reallocate \$400 million for a project that was never even on the 2014 Measure BB project list — or on any transit funding ballot measure. This alone is troubling to someone like me who worked hard to pass Measure BB.

Secondly, this request is coming before you with very limited public notice or input and almost no publicity — a glaring omission. Had I not stumbled on discussions of this ACTC reallocation and the Valley Rail project — on Twitter — within the past week I would not have known that \$400 million in Measure BB funds were about to be reallocated for a project I had never heard of before. Where did this come from? Frankly, it reminds me of the mid-19th-century promoters who built rail lines across the United States (and across the island of Alameda) in pursuit of real estate profits.

Thirdly, I was unable to find a way to submit public comment on the ACTC website. For that, I had to ask others who knew about the project and the looming close of public comment that opened May 28 — in the midst of the pandemic's shutdown. What happened to the ACTC's once-effective and hard-to-miss public noticing process? And where is the careful consideration of the Valley Link project's potentially massive negative impacts on the region, including sprawl, energy use, and global climate change that should precede major funding?

NO ENVIRONMENTAL IMPACT REPORT, TOO MANY SPRAWL-RELATED RISKS

Valley Link has not undergone a full environmental analysis: there is no Environmental Impact Report (EIR) on the rail project's effects on exurban sprawl, climate change, or its potential harm to open space and agricultural land by stimulating the building of more McMansions on the San Joaquin Valley farmlands. Nor is there any detailed evaluation of other land use, transportation, and economic alternatives, such as extending some form of BART service to Livermore — much less re-focusing on building affordable, high-density housing in the urban core areas where the jobs exist.

Does the Alameda County Transportation Commission (ACTC) want to accelerate exurban sprawl? This project appears to guarantee that much more housing will be built on what is now open space and agricultural land, further diminishing those resources. To significantly improve sustainability and create a greener California while reducing energy use, global warming, and sprawl, we would halt home construction so far from our workplaces and re-establish traditional patterns of living close to work and stop enabling more super-commuting road warriors — or even rail warriors.

Before the Valley Rail project received any public funding, policies must be established to ensure that only higher-density, compact growth will be allowed in these outlying areas: it is fruitless to build a transit system to serve sprawling tracts of McMansions whose low densities do not support transit.

The additional demand on BART and the mechanism for funding BART's added costs should also be detailed ahead of making large expenditures like this.

These broad policy and priority discussions need to take place before public funds are committed to any transit project that promises to blow up what remains of “compact growth” initiatives throughout the Bay Area and the mega-region. The Valley Rail project's overall impacts on growth and additional sprawl in the exurbs and suburbs must be very carefully calculated before, not after, such a project is funded.

A QUESTIONABLE FUNDING STREAM: SALES TAX REVENUE IN THE PANDEMIC AND ONLINE SHOPPING ERA

We are in the middle of a viral pandemic with no end in sight — partly because of federal failures in leadership. This new Valley Link project is asking for \$400 million in sales tax revenue that may never exist because of the pandemic-caused economic crisis on top of a long-term drop in “brick and mortar” retail sales.

With future sales tax revenues in doubt and our existing metropolitan transit systems already in crisis, the \$400 million should remain unspent, be reallocated to support other voter-approved Measure BB projects, or be used to support existing transit agencies and service. For decades, BART pursued an “expansionist” policy to the detriment of maintaining and improving its core system and original infrastructure: ACTC and other transportation stakeholders should learn from BART’s strategic mistake. In conclusion, there are too many questions about the overall costs and environmental effects of the Valley Rail (TVSJVRRA) proposal, especially the great likelihood of sharply increasing exurban sprawl far beyond the nine-county Bay Region. Many more large-scale policy and planning decisions need to be made before we further expand the costly and unsustainable mega-commute. And without a stable local retail economy or stable existing transit agencies, ACTC should not engage in expansionist, sprawl-inducing projects.

Please do not reallocate Measure BB funds to Valley Link/TVSJVRRA at this time.

Respectfully submitted,

Jon M. Spangler

From: [Rafael Gonzalez](#)
To: [Vanessa Lee](#)
Subject: Valley Link
Date: Tuesday, May 26, 2020 10:10:41 AM

Good morning. I am writing to you in support of the Valley Link project and the proposed funding of that project. As a representative of thousands of workers who commute from the Central Valley into the Bay Area, and as someone who does that same commute, I can attest to the importance of the Valley Link Rail System. I moved to Tracy, about 20 years ago and I have seen firsthand the increase in commuter traffic. All the experts agree that this will only continue to increase as time goes on. This will result in more time on the road, which increases the carbon footprint of each individual commuter. Valley Link provides a safe alternative from the Central Valley to the Bay Area, reducing the amount of vehicles on the road, which in turn results in lower commute times, carbon emissions, and stress levels!

Created by AB758 (Baker/Eggman), the Tri-Valley – San Joaquin Valley Regional Rail Authority has since completed a Feasibility Report and selected from alternatives the Valley Link passenger rail project. Phase 1 of Valley Link is a 42 mile, seven station alignment from the Dublin/Pleasanton BART station to the North Lathrop station, with a key connection with BART at the Dublin/Pleasanton BART station and with ACE at the Greenville Station and the planned ACE North Lathrop station. The project is cost effective and efficient in that it uses currently existing transportation rights of way (580 in Tri-Valley, former So Pacific Railroad right of way now owned by County of Alameda in the Altamont and the UP right of way in the San Joaquin Valley). Valley Link will carry between 26,000 and 28,000 rides/day as a transportation option for the nearly 100,000 commuters on the highly congested 580. With congestion in the 580 due to increase 75% by 2040, transportation alternatives are a high priority that will benefit the environment, the economy and the quality of life of residents and Bay Area Workers.

The goal of the Valley Link Board is to be 100% sustainable, with catenary/battery technology being studied and solar/wind energy being planned to power both the O&M facility and the seven stations. Additionally, the Valley Link Board has approved a Transit Oriented Development policy that mirrors MTC policy to mandate 2,200 homes within a ½ mile of stations, ensuring that the transportation infrastructure is a catalyst for smart growth that protects open space and lowers VMT. Valley Link will result in a reduction of 99.4 million vehicles miles travelled per year and a reduction of 33,000 metric tons in greenhouse gas emissions annually.

For these reasons and other, I humbly ask that you consider having the Tri-Valley – San Joaquin Valley Regional Rail Authority recognized as an agency eligible for Measure BB funds (agency hadn't been created when Measure BB was approved). We are also seeking to amend the Measure BB Transportation Expenditure Plan to replace the BART to Livermore project with the Valley Link project. This will put \$400 million in Measure BB funds into the control of the Valley Link Board.

I thank you for your consideration.

Rafael Gonzalez
President/ Field Representative
Laborers' Local 304
(510)581-9600 (office)
(510)432-2827 (mobile)

**Livermore Amador Valley
TRANSIT AUTHORITY**



May 25, 2020

The Honorable Pauline Cutter, Chair
Alameda County Transportation Commission
1111 Broadway, Suite 800
Oakland, CA 94607

Dear Chair Cutter:

Subject: Approval of Tri-Valley-San Joaquin Valley Regional Rail Authority Request for a 2014 Measure BB Transportation Expenditure Plan Amendment

I write to support the approval of the the Tri-Valley-San Joaquin Valley Regional Rail Authority (Authority) request to initiate an amendment to the 2014 Measure BB Transportation Expenditure Plan (TEP). The TEP amendment will acknowledge the Authority as a new agency in Alameda County that can be an eligible recipient of Measure BB funds and update the TEP by adding Valley Link for the \$400 million Measure BB funding identified for the BART to Livermore project. This action will fulfill a commitment made to the Tri-Valley, and particularly Livermore, to advance rail connectivity to Livermore. After many decades of study, it will assure that our residents will finally benefit from the taxes they have paid to BART for many decades.

The Authority was created in 2017 by Assembly Bill 758 for the purposes of planning, developing and delivering cost-effective and responsive transit connectivity between BART and the Altamont Corridor Express (ACE) commuter rail service in the Tri-Valley that reflects regional consensus and meets the goals and objectives of the San Joaquin Valley and Tri-Valley communities. Valley Link will benefit the entire Tri-Valley by reducing traffic over the Altamont Pass and through the 580/680 corridor. An estimated 98,500 Bay Area workers are now living in Northern San Joaquin County, commuting daily through the Altamont in their cars. This includes those delivering our most vital services - firefighters, police, nurses and teachers, many of whom have been priced out of the communities they serve by rising housing costs - who face an average 78-minute commute each way.

An estimated 28,000 are projected to ride the system in 2040. This will result in the reduction of over 99.4 million Vehicle Miles Traveled (VMT) and the reduction of over 33,000 metric tons of greenhouse gas emissions per year. In addition, through the Board-adopted TOD Policy, Valley Link will support the advancement of transit-oriented development adjacent to its stations, which will further reduce VMT and greenhouse emissions within the station environs. The Transit Oriented Development policy mirrors the MTC policy with a corridor average threshold requirement of 2,200 homes within a ½ mile of stations, ensuring that the transportation infrastructure is a catalyst for smart growth that protects open space. The proposed Isabel Neighborhood Plan is an example of how this may happen throughout the system.

We urge approval of the Authority's Request for a 2014 Measure BB Transportation Expenditure Plan Amendment. This action will ensure that this vital project moves forward and that commitments to the Tri-Valley are long last met.

Sincerely,

A handwritten signature in black ink that reads 'David G. Hubert'.

Cc: Alameda County Transportation Commission members
Tess Lengyel, ACTC Executive Director

LAW OFFICES OF JASON A. BEZIS
3661-B Mosswood Drive
Lafayette, CA 94549-3509

May 28, 2020

Alameda County Transportation Commission
1111 Broadway, Suite 800
Oakland, CA 94607
VIA E-MAIL TO contact@alamedactc.org; vlee@alamedactc.org

Re: May 28, 2020 Meeting: Agenda Item 8.1: Opposition to Measure BB TEP Amendent

To Chair Cutter and Commissioners:

This office represents Alameda County citizens opposed to a request by the Tri-Valley-San Joaquin Valley Regional Rail Authority for a 2014 Measure BB Transportation Expenditure Plan Amendment.

This \$400 million revision of the Measure BB TEP would completely change the largest capital expenditure in Measure BB. It is an epic “bait-and-switch” against Alameda County voters while they are distracted by a global state of emergency.

A major amendment of a voter-passed ballot measure is a major decision that should not be made during the COVID-19 emergency. Commissioners should carefully consider the Statement on Government Coronavirus Emergency Transparency by 140-plus organizations:

Government bodies should not opportunistically take advantage of the public’s inability to attend large gatherings to make critical decisions affecting the public’s interest if those decisions can reasonably be postponed. Just as citizens are being asked to defer nonessential travel and errands, so should government agencies defer noncritical policy-making decisions until full and meaningful public involvement can be guaranteed.

The voter-approved text of Measure BB Transportation Expenditure Plan (TEP) states, “BART to Livermore (\$400 M) This project funds the first phase of a BART Extension within the I -580 Corridor freeway alignment to the vicinity of the I-580/Isabel Avenue interchange using the most effective and efficient technology.”

This proposed amendment would substantially revise the TEP to state, “Valley Link Rail in Alameda County (\$400 M) This project funds the first phase of a Valley Link rail extension from the existing Dublin/Pleasanton BART station within the Tri-Valley and Altamont Pass in Alameda County using the most effective and efficient technology.”

“Valley Link Rail” to Altamont Pass is a drastically different project than BART within I-580 to western Livermore. Your Commission is constrained by this implementing guideline: “Under no

circumstances may the proceeds of this transportation sales tax be applied to any purpose other than for transportation improvements benefitting Alameda County.” Alameda County receives little or no benefit by paying for a very costly rail line through Altamont Pass. Very few people live in Altamont Pass. There will be no station in Altamont Pass. A rail line funded by Alameda County taxpayers through Altamont Pass effectively is a gift of Alameda County funds to San Joaquin Valley real estate development interests. This is not what Alameda County voters contemplated in the 2014 election. Valley Link is a much different project than was sold to voters in 2014 – a BART line that ends in western Livermore. As such, it is akin to a “revision” of Measure BB, not a mere “amendment.”

Moreover, this proposed \$400 million amendment upsets the “overall geographic equity” consensus that underpins the Measure BB TEP. Measure BB spending on Valley Link in Altamont Pass does not “benefit” the Tri-Valley to the same extent that BART to Isabel Avenue would. Measure BB claims to distribute local street and road funding based on population and road miles, but ACTC manipulates the formula to reward certain cities and punish others based on other parts of the TEP. This \$400 million amendment affects other funding formulas in the TEP and effectively revises them. The “geographic equity” is thrown off. To ensure “overall geographic equity,” local street and road funding and other formulas need to be re-visited as part of this amendment process, pursuant to Implementing Guideline Nos. 12 and 13 and other authorities.

Your Commission would acting prematurely if it were to undertake this drastic revision of the Measure BB TEP today. “Valley Link” is an unproven and unknown project in many respects. Too little is known about it. A much-anticipated environmental impact report is not yet released. A 2003 Caltrans I-580 widening analysis stated that there is insufficient existing right-of-way to accommodate both a rail line and HOV lanes. Even if more freeway right-of-way were obtained, the new HOT lanes would need to be destroyed. The financing of Valley Link is questionable, which likely is why Valley Link wants to use this \$400 million for construction in the Altamont Pass, which would not benefit Alameda County.

Before approving the TEP amendment, careful consideration also must be made about the impacts on BART. Before the COVID-19 emergency, the Dublin/Pleasanton BART line trains had been packed during commute hours. During the morning commute, many passengers board at West Dublin/Pleasanton, ride backwards to (East) Dublin/Pleasanton, and then jockey for space in the crowded trains.

Your Commission first should consider alternatives to Valley Link. The 2003 Caltrans I-580 widening study included an express bus alternative that deserves careful consideration. That 2003 analysis considered an express bus connection directly from I-580’s HOV lanes to and from (East) Dublin/Pleasanton BART station. That likely would be the most cost-effective solution and could be implemented many years before an I-580 rail concept.

Your Commission also should re-consider the “t-BART” proposals that were much discussed in the early 2000s (sister project to “e-BART” in eastern Contra Costa County). There was a “t-BART” proposal that utilized the existing rail corridor in the Tri-Valley with a link to (East) Dublin/Pleasanton BART via Hacienda Business Park and the former Southern Pacific (Iron

Horse Trail) corridor, with a possible extension to Bishop Ranch in San Ramon. The “t-BART” proposals could be less costly and more effective to solving Tri-Valley transportation challenges than Valley Link. Your Commission should not rush into giving \$400 million to Valley Link.

Voters in the Tri-Valley communities of Livermore, Pleasanton and Dublin did not support the Measure BB sales tax increase in the November 2014. Attached please find a map generated by the County Registrar of Voters that illustrates the depth of disapproval of Measure BB in eastern and southern Alameda County. The Tri-Valley is a sea of red. Measure BB won in just one precinct in Livermore, one precinct in Pleasanton, and maybe one or two precincts in Dublin. Measure BB won just 49 percent of the vote in Livermore. One solution could be for voters in the Tri-Valley to vote on whether or not the \$400 million should be reallocated.

This major \$400 million revision should not be decided by “lame duck” ACTC commissioners. A new county supervisor will be elected in November in eastern Alameda County. All three Tri-Valley cities could have new mayors after November. Let this controversial issue be publicly debated during these campaigns.

Livermore voters should feel especially betrayed. They have paid BART property taxes since circa 1962. They have paid the BART sales tax since circa 1970. They have paid a special Alameda County transportation sales tax since 1987. In 2014, after all those years of paying for BART service everywhere else, they were promised \$400 million for BART to Livermore through Measure BB. Livermore got stuck with yet another ½ percent sales tax increase through Measure BB. Then ACTC manipulated the Measure BB local street and road funding formula to give Livermore much less than its “fair share” of funds based on population and road miles. Now Livermore would be stuck with higher taxes, no BART, diminished local street and road funding, and a forced subsidy of a costly and ineffective railroad through Altamont Pass.

Alameda County Transportation Commission and Measure BB beneficiaries jointly engaged in one of the most sordid political campaigns in county history to persuade voters – especially Tri-Valley voters – to support the Measure BB in 2014:

- The “Yes on BB” campaign literally was headquartered out of your general counsel’s law office. ACTC more than doubled the size of your general counsel’s contract after the “BB” passed.
- Another ACTC attorney was married to the Yes on BB campaign manager, who had earlier received a special ACTC consulting contract to develop Measure BB.
- Tess Lengyel, ACTC’s current executive director, managed ACTC’s supposedly neutral “public information” efforts concerning Measure BB. Ms. Lengyel was unavailable during the final weeks of the Measure BB campaign to fulfill her official duties. She failed to answer Public Records Act and other inquiries about Measure BB before the election. It was later revealed that Ms. Lengyel had been preoccupied with engaging in partisan, pro-BB propaganda. Video of a “Yes on BB” campaign fundraiser shows Ms. Lengyel openly participating in pro-BB election activities. The video shows Ms. Lengyel leading “Yes on BB” campaign donors in a pro-BB cheer. See: <https://www.youtube.com/watch?v=GdjuU6DrURs>

- With ACTC’s legal advisors and ACTC’s “Public Information” officer (Ms. Lengyel) working for the “Yes on BB” campaign, ACTC effectively (and illegally) became an arm of the “Yes on BB” campaign.
- ACTC used public funds to hire the Bay Area Council Economic Institute to conduct a supposedly “independent” economic analysis of Measure BB benefits. The Bay Area Council endorsed Measure BB.
- In August 2014, an official dedication ceremony for the ACTC Iron Horse Trail project in Pleasanton was inappropriately transformed into a “Yes on BB” campaign rally. Speeches expressly advocated for passage of Measure BB. A “Yes on BB” campaign sign was hung prominently behind the dais and at the ribbon cutting location.
- In October 2014, just a few days before the Measure BB election, ACTC’s official dedication ceremony for the State Route 84 widening project in Livermore was inappropriately transformed into a “Yes on BB” campaign rally. As the ribbon was cut, the backdrop was a crowd of Building and Construction Trades union members waving “Yes on BB” campaign signs.
- Any semblance of a “firewall” between ACTC and the “Yes on BB” campaign was demolished. Just before election day, “Yes on BB” transferred thousands of dollars to arms of the Democratic Party to aid distribution of “slate cards” that not only boosted Measure BB, but also “picked winners” in mayoral and city council races around the county. This raises the concern the ACTC staff and contractors engaged in partisan political activities that altered the composition of ACTC itself.

Many of these same parties, including the Bay Area Council and Building and Construction Trades unions, are today advocating for amendment of Measure BB.

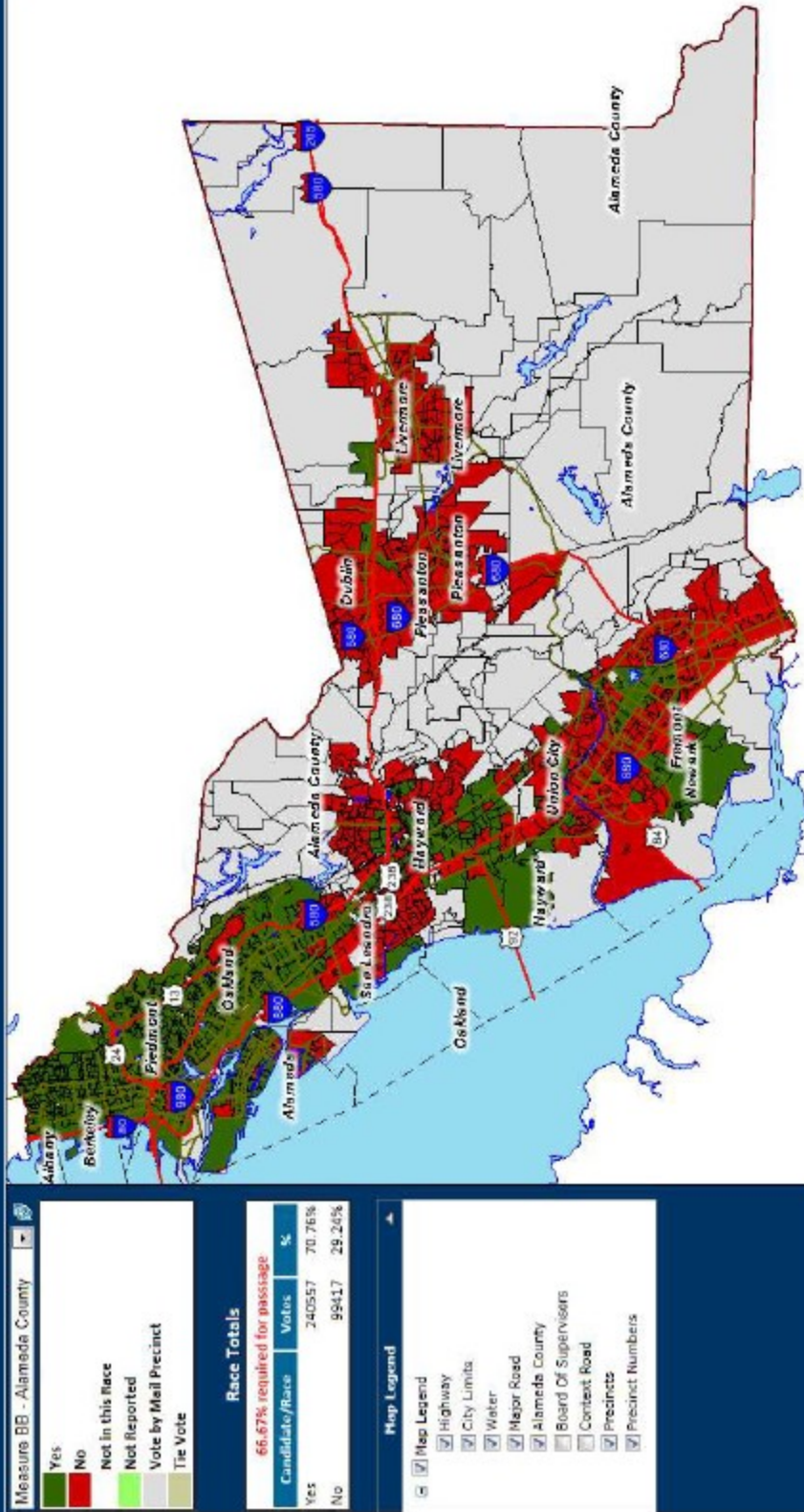
For these reasons, your Commission should not take this major action today to reallocate \$400 million to a controversial, unproven project that voters have not approved.

Sincerely,



JASON A. BEZIS

11/4/2014 – General Election Measure BB – Alameda County





May 8, 2020

Elsa Ortiz, Chair
Planning, Policy and Legislation Committee
Alameda County Transportation Commission
1111 Broadway, Suite 800
Oakland, CA 94607

Re: PPLC Agenda Item 5.1 – Tri-Valley-San Joaquin Valley Regional Rail Authority Request for
2014 Measure BB Transportation Expenditure Plan Amendment – **SUPPORT**

Dear Chair Ortiz:

I am writing on behalf of the Livermore Valley Chamber of Commerce (LVCC), a business membership organization with nearly 500 members from a cross-section of private/public and non-profit industry sectors that employ nearly 20,000 workers. Ensuring that public dollars are wisely spent and that taxpayers receive a good return on their investment, while responsibly planning, funding, and maintaining and operating our transportation system is a key policy priority for LVCC.

LVCC supports the above referenced item, advancing the efforts to close the gap in the I-580 corridor for an urgently needed and long-awaited, effective rail connection between Livermore and the Dublin/Pleasanton East BART station. I reiterate the support formerly expressed by LVCC over many years for planning and funding support for such a project. LVCC appreciates the wisdom of the leaders of the Alameda County Transportation Commission in designating significant funding in Measure BB (which was supported by LVCC) to provide for a future rail connection in this corridor. In light of events that have transpired since the approval of BB, your prudent actions necessary to amend the expenditure plan to accommodate the request by the Tri-Valley-San Joaquin Valley Regional Rail Authority is welcomed and appreciated. LVCC recognizes and strongly supports the efforts of the TVSJRRRA to effectively deliver a rail connection project in this corridor within the next few years.

We look forward to moving forward with this initiative and this project, and stand ready to support you in this action.

Respectfully,
Dawn P. Argula
Dawn P. Argula
CEO/President

C: Scott Haggerty, First District Supervisor, Alameda County BOS
Tess Lengyel, Executive Director, Alameda County Transportation Commission
Michael Tree, Executive Director, Valley Link
John Marchand, Mayor, City of Livermore

Livermore Valley Chamber of Commerce
2157 First Street Livermore CA 94550
925.447.1606

www.livermorechamber.org

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May 27, 2020

The Honorable Pauline Cutter, Chair
Alameda County Transportation Commission
1111 Broadway, Suite 800
Oakland, CA 94607

Dear Chair Cutter:

Subject: Approval of Tri-Valley-San Joaquin Valley Regional Rail Authority Request for a 2014 Measure BB Transportation Expenditure Plan Amendment

I am writing to support the approval of the Tri-Valley-San Joaquin Valley Regional Rail Authority (Authority) request to initiate an amendment to the 2014 Measure BB Transportation Expenditure Plan (TEP). The TEP amendment will acknowledge the Authority as a new agency in Alameda County that can be an eligible recipient of Measure BB funds and update the TEP by adding Valley Link for the \$400 million Measure BB funding identified for the BART to Livermore project. This action will fulfill a commitment made to the Tri-Valley, and particularly Livermore, to eventually advance rail connectivity to the San Joaquin Valley. After many decades of study, it will assure that our residents will finally benefit from the taxes they have paid to BART for many decades.

The Authority was created in 2017 by Assembly Bill 758 for the purposes of planning, developing and delivering cost-effective and responsive transit connectivity between BART and the Altamont Corridor Express (ACE) commuter rail service in the Tri-Valley that reflects regional consensus and meets the goals and objectives of the San Joaquin Valley and Tri-Valley communities. Valley Link will benefit the entire Tri-Valley by reducing traffic over the Altamont Pass and through the 580/680 corridor. An estimated 98,500 Bay Area workers are now living in Northern San Joaquin County, commuting daily through the Altamont in their cars. This includes those delivering our most vital services - firefighters, police, nurses and teachers, many of whom have been priced out of the communities they serve by rising housing costs – who face an average 78-minute commute each way.

An estimated 28,000 are projected to ride the system in 2040. This will result in the reduction of over 99.4 million Vehicle Miles Traveled (VMT) and the reduction of over 33,000 metric tons of greenhouse gas emissions per year. In addition, through the Board-adopted TOD Policy, Valley Link will support the advancement of transit-oriented development adjacent to its stations, which will further reduce VMT and greenhouse emissions within the station environs. The Transit Oriented Development policy mirrors the MTC policy with a corridor average threshold requirement of 2,200 homes within a ½ mile of stations, ensuring that the transportation infrastructure is a catalyst for smart growth that protects open space. The proposed Isabel Neighborhood Plan is an example of how this may happen throughout the system.

We urge approval of the Authority's Request for a 2014 Measure BB Transportation Expenditure Plan Amendment. This action will ensure that this vital project moves forward and that commitments to the Tri-Valley are finally met.

Sincerely,

A handwritten signature in blue ink, appearing to read "Steve Van Dorn".

Steve Van Dorn
President & CEO

Cc: Alameda County Transportation Commission members
Tess Lengyel, ACTC Executive Director

www.pleasanton.org

777 Peters Avenue • Pleasanton, CA 94566 • Phone: (925) 846-5858 • Fax: (925) 846-9697



Serving Alameda, Contra Costa, Marin and San Francisco counties

May 11, 2020

Via email to: vlee@alamedactc.org

Hon. Elsa Ortiz, Chair, and Members of the Planning, Policy and Legislation (PP&L) Committee
Alameda County Transportation Commission (ACTC)
1111 Broadway, Suite 800
Oakland, CA 94607

RE: PP&L Agenda item #5.1 – Approve Tri-Valley- San Joaquin Valley Regional Rail Authority (TVSJVRRA, aka Valley Link) Request for a 2014 Measure BB Transportation Plan Expenditure (TEP) Amendment

Dear Chair Ortiz and Members of the PP&L Committee:

On behalf of our more than 13,500 members in Alameda County, the Sierra Club writes to respectfully express great concern about Item #5.1 on your Agenda for Monday May 11, 2020. We believe that there are far too many issues and questions that should be addressed before the recommended actions move forward.

We recognize that the proposed actions before your Committee are just the beginning of a process to reprogram the sales tax funds that were approved by voters for “BART to Livermore.” But as set forth in the staff memo, the proposed actions, and their timing, would establish dangerous precedents for lack of planning and financial responsibility. There is simply no need to rush into the proposed actions, particularly in the context of the current health and financial crises being faced by the State and local communities. Why not first take time for responsible analysis and an opportunity to see if-how-and-when recovery is able to occur, before committing funds that may not materialize for years to come?

Every responsible forecast is anticipating that “the future of work” will be different, post-pandemic, than we have ever been experiencing previously. Why base such a massive investment of public funds on what is already and at best “old data?”

The first Agenda request is that the TVSJVRRA be acknowledged as a new agency in Alameda County that can be an eligible recipient of Measure BB funds. While this

2

should be the least controversial element of the requests, nothing in the staff memo identifies the potential magnitude of impacts on other Measure BB transit recipients. There is no operating budget provided in the Committee materials. Can taxpayers and pre-pandemic passengers be assured that this new system will not become a drain on other, voter-approved transit agencies in the County?

The second and third requests would remove “BART to Livermore” from the TEP and substitute Valley Link with no consideration of possible alternatives – why? The project list for Measure BB was the result of years of input and deliberation by Community and Technical Working Groups. Why not have a full and fair competition for alternative uses of these funds, throughout the full list of “BART, Bus, Senior, and Youth Transit” options identified as the relevant “Type” on page 3 of the TEP (page 24 of the Committee packet), especially with the enormous uncertainties facing projections for both traffic and funding revenues?

Implementing Guideline 22 of the Measure BB TEP is surprisingly omitted from the staff memo, but supports this broadened approach, stating:

22. Fund Allocations: Should a planned project become undeliverable, infeasible, or unfundable due to circumstances unforeseen at the time this Plan was created, or should a project not require all funds programmed for that project or have excess funding, funding for that project will be allocated to another project or program of the same type, such as Transit, Streets, Highways, Community Development Investments, or Bicycle and Pedestrian Safety, at the discretion of Alameda CTC.

Even the language from AB 758 (Eggman/Baker, PUC section 132658) that is quoted in the “superseded” request dated September 11, 2019, recognized that there was no entitlement to the “local funds controlled by the Alameda County Transportation Commission.”

It should also be noted that the proposed description and conditions regarding Valley Link delete and/or change significant descriptive and cautionary language (which was carefully negotiated and voter-approved) before funds may actually be “used.” The text below sets forth full “before and after” language in a single view for the information of Commissioners and the public:

~~BART to Livermore (\$400 M)~~
Valley Link rail in Alameda County (\$400 M)

~~This project funds the first phase of a BART Extension within the I-580 Corridor freeway alignment to the vicinity of the I-580/Isabel Avenue interchange~~
Valley Link rail extension from the existing Dublin/Pleasanton BART station within the Tri-Valley and Altamont Pass in Alameda County using the most effective and efficient technology.

Funds are for construction for any element of this first phase project and shall not be used until full funding commitments are identified and approved for the initial operating segment that most effectively meets the adopted project goals, and a project-specific environmental clearance is obtained. The project-specific environmental process will include an ~~detailed~~ alternative assessment of ~~all~~ fundable and feasible alternatives, and be consistent with mandates, policies and guidance of federal, state, and regional agencies that have jurisdiction over the environmental and project development process.

Why are voter and environmental protections proposed to be removed for this new project? Do Commissioners really think this is wise and appropriate? Why not, at a minimum, wait until the requisite Environmental Review is both released in draft form and then completed? – This critical document is already a year behind the previous schedule.

Where is the San Joaquin County commitment to support their own residents who are likely to be the primary beneficiaries of this project? The proposed resolution merely states that:

SJCOG: In April 2020, the SJCOG Board approved an amendment to its 2018 Regional Transportation Plan to include the Valley Link project, including identification of \$163.9 million for the project in the plan from ***future*** measures and state funds. **(emphasis added)**

Any ACTC action should be conditioned on a firm commitment of adequate funds for both capital and operations for this multi-county project. “Leveraging” of other funds should, at a minimum, be based on full and fair participation from designated “partners.”

Several places in the proposed “amendments” describe Valley link as “Commuter Rail,” despite the fact that it is proposed to operate throughout the day. Subsection 49 CFR 37.3 in relevant part defines “commuter rail” as

Commuter rail transportation means short-haul rail passenger service operating in metropolitan and suburban areas, whether within or across the geographical boundaries of a state, usually characterized by reduced fare, multiple ride, and commutation tickets and by morning and evening peak period operations. This term does not include light or rapid rail transportation.

Is this an attempt to obviate or avoid an obligation for ADA complementary paratransit service for passengers, or attempted passengers, who may have difficulty using the train service?

We must also ask if ACTC or Valley Link have informed MTC and ABAG that the proposed project will facilitate inter-regional commuting, contrary to the intent of SB 375 and the Bay Area's Sustainable Communities Strategy.

This message sets forth only some of the most obvious concerns about the proposed Measure BB actions. There are certain to be more, but disclosure by ACTC and Valley Link should not be delayed until the end of the requisite "public comment" period. The Sierra Club respectfully requests, and urges at a minimum, that the questions and issues noted above be addressed before any Commission action to consider Valley Link's requests. To do any less would call into question Commissioners' significant public service obligations to Alameda County voters, taxpayers, and residents. We look forward to working with you and ACTC staff to consider a full range of responsible uses of Measure BB funds. If you have any questions, or desire further information, please do not hesitate to contact Matt Williams at mwillia@mac.com.

Sincerely,

ss/

Matt Williams

Chair, Chapter Transportation and Compact Growth Committee

ss/

Dick Schneider

Chair, Chapter Tri-Valley Group Executive Committee

ss/

Eric Parfrey

Volunteer Leader, Mother Lode Chapter

Cc: Sierra Club California Director Phillips
San Francisco Bay Chapter Executive Committee Chair Bolotina
San Francisco Bay Chapter Director Berbeco



Serving Alameda, Contra Costa, Marin and San Francisco counties

July 13, 2020

6 pages via email to:
tepamendment@alamedactc.org
and vlee@alamedactc.org

Hon. Pauline Russo Cutter, Chair, and Members
Alameda County Transportation Commission (ACTC)
1111 Broadway, Suite 800
Oakland, CA 94607

RE: Sierra Club Comments in Opposition to Proposed ACTC TEP Amendment and
Actions regarding "Valley Link" Rail

Dear Chair Cutter and Commissioners:

Based on the reasons outlined in this letter and in our previous correspondence and public comments, the Sierra Club opposes the actions proposed by the Alameda County Transportation Commission (hereinafter ACTC or Commission) at your meeting of May 28, 2020, regarding the "Valley Link" rail project. We further recommend that no action be taken on these matters for the foreseeable future, at least until after completion of a full Environmental Impact Report (EIR) process and other related documentation, and until there is a return to financial stability for Measure BB sales tax funds.

Given the dearth of substantive information on the proposed project itself, and the uncertainty regarding local, regional, and state financial revenues, the Sierra Club does not currently express a position regarding the actual project, since that would be objectively premature pending much more documentation and analysis for both decisionmakers and the public. We urge the Commission to follow this example. In the meantime, on behalf of our more than 13,500 members in Alameda County, we offer the questions and concerns below.

How can there be a "comment period" without published public notice, especially given the critical information that ACTC has omitted from sharing with its Commissioners?

Implementing Guideline #4 of the 2014 Transportation Expenditure Plan (TEP) for Measure BB states in part "All jurisdictions within the county will be given a minimum of 45 days to comment on any proposed Plan amendment." We understand that

information regarding the proposed amendments and process was sent to Alameda County jurisdictions, but we have been unable to find any notice, anywhere on the ACTC website, notifying the public of this voter-approved opportunity, or of its parameters. How are members of the public supposed to know how to communicate with their elected representatives so that timely and informed comments by the jurisdictions can be submitted?”

This appears to be a serious breach of the intent of proper government procedure, even during the current pandemic circumstances. Such an apparent opposition to public transparency is not likely to engender taxpayer support for any future requests by ACTC to voters. We have tried in this letter to identify several key issues that are not addressed adequately, if at all, in the ACTC correspondence, so that Commissioners can have a more informed basis for their consideration when they are requested to act.

Further, we request that all comments by jurisdictions be posted on the ACTC website by the end of July 2020, so that the public can communicate on this matter with their elected officials.

What is the potential/expected impact on other transit recipients in Alameda County if Valley Link is approved as a new agency that is eligible for Measure BB funds, including for operations?

We have previously asked this question, but received no response. It must be answered with regard to the “Direct Local Distribution” (DLD) formula, as well as for the capital request. Director Joel Young of the AC Transit Board asked a similar question during an ACTC presentation to their agency, but unfortunately, a direct response was not provided then either. Does the selective omission of Valley Link in the “redlined” Appendix C of the May 28 materials mean that Valley Link will not be an eligible recipient under the Category of “Transit: Operations, Maintenance, and Safety Program”? Please respond directly to this question.

The entire package of proposed actions is premature before completion of a full Environmental Review process, which is necessary to determine the viability, appropriateness, and environmental impact of the proposed project.

This essential analysis is already a year delayed in its schedule, so neither the public nor regulatory agencies can identify the potential impacts of the proposed project, any mitigations needed, or any potential benefits or harms.

The 2019 “Feasibility Report” required by AB 758 (Eggman/Baker) was little more than a compilation of previous presentations to the Valley Link Board, with no independent analysis, and seriously lacking in objectivity. The “Feasibility Report” is not a “Viability Report.” We note that current financial reports and projections for two of the most recent new rail systems in the country (SMART and Sound Transit), which were implemented with assistance of Valley Link’s consultants, have identified significant shortfalls into the foreseeable future. What reason is there to believe that Valley Link will fare any differently?

There is no valid reason for ACTC Commissioners to rush into the proposed actions until the project is better understood and documented for the County's voters, and for ACTC itself.

Current financial projections and analyses identify significant shortfalls in sales tax revenues at all levels for the foreseeable future – How can ACTC responsibly commit \$400 million under these circumstances?

ACTC's Finance and Administration Committee most recently met on May 11th, with sales tax revenue data as of March and thereby not reflecting coronavirus and related "shutdown" conditions and impacts. Presentation materials from that meeting project only modest reductions in sales tax revenues, and clearly need updating.

Please identify your responses below both with, and without, the impact of ACTC approval of the proposed Valley Link actions:

- What are the current estimates and projections for Measures B and BB revenues (for at least the next 5 years), and as compared to previous actuals?
- How will these changes in revenues affect DLD formulas, as well as other anticipated payments to jurisdictions and/or projects or programs?

Recently "60 Minutes" reported that the non-partisan Congressional Budget Office is predicting that it will take up to 9 years for a full recovery from the financial effects of the Coronavirus pandemic. MTC staff reports are a bit more optimistic, but still do not predict financial recovery until approximately 2024 or 2025. Any current revenue predictions are speculative at best. If ACTC finds itself short of funds, how will decisions be made, and what will be cut? Please identify how impacts on social equity will be addressed.

What is the rush to commit \$400 million in hypothetical revenues from the public trust? This is more than a rhetorical question – Why now, given the magnitude of current revenue uncertainties?

There is no "entitlement" for Measure BB funds from the cancelled "BART to Livermore" project for either the Tri-Valley planning area or even for a rail project, and the voters who actually approved Measure BB, with the "BART to Livermore" project, were, in large part, not primarily from the Tri-Valley. There should be an open, full and fair competitive assessment to determine any re-programming of that project's successor.

Documentation from ACTC has notably failed to mention even the existence of Implementing Guideline #22 from the TEP:

22. Fund Allocations: Should a planned project become undeliverable, infeasible, or unfundable due to circumstances unforeseen at the time this Plan was created, or should a project not require all funds programmed for that project or have excess funding, funding for that project will be allocated to another project or program of the same type, such as Transit, Streets,

Highways, Community Development Investments, or Bicycle and Pedestrian Safety, at the discretion of Alameda CTC.

This policy clearly identifies that there is no entitlement or guarantee, for either a rail project or for the Tri-Valley area, of the money that is no longer needed for BART-to-Livermore. Rather the money can – when it is actually available – be used for any transit project anywhere throughout the County. Why not act as responsible stewards of the public trust, and study what might be the highest and best use of the funds? Examples might include funding BART faregates and the enclosing of cross-paid-area elevators throughout Alameda County stations, and/or providing a strong down-payment for vehicles and infrastructure for a large portion of the CARB-required Zero Emission Bus fleets for all of the public transit bus systems in the County. Another option would be to help backfill the loss of fare revenues for all transit agencies. How might BART “development” projects on their property help to achieve other ACTC and Sierra Club goals, such as enhancing success of Priority Development Areas (PDAs) for Plan Bay Area?

Valley Link violates the “inter-regional commuting” policy of SB 375 and Plan Bay Area.

According to MTC’s *Frequently Asked Questions* | *Plan Bay Area*:

“Regions also must demonstrate that their plans accommodate all future projected households without further growth in in-commuting, or the amount of people traveling from neighboring areas to the region (i.e. from outside of the Bay Area to the Bay Area).” (*emphasis added*)⁴

Not only does Valley Link violate the premise of discouraging inter-regional commutes – and reliance on a “Mega-Region” is not relevant or applicable under current law -- but the public descriptions indicate that Valley Link would disadvantage Alameda County residents, taxpayers, and transit riders to the benefit of inter-regional travelers from San Joaquin County. In a return to pre-pandemic BART service and ridership, trains arriving at Bayfair station on the Blue Line are often full already – will local passengers have any chance of a seat after Valley Link passengers get first choice? ACTC officials should not approve such a disservice to your constituents without much more explanation.

ACTC should not act until there is at least a matching financial commitment from San Joaquin County.

The proposed resolution provided by Valley Link does not present adequate commitment from San Joaquin County as a funding partner for this potentially massive proposal to benefit their commuters. It merely states that

“SJCOG: In April 2020, the SJCOG Board approved an amendment to its 2018 Regional Transportation Plan to include the Valley Link project, including identification of \$163.9 million for the project in the plan from **future** measures

and state funds.” (*emphasis added*)

Any ACTC action should be conditioned on a firm commitment of adequate funds for both capital and continuing operations for this multi-county project. A one-sided “leveraging” of funds is not prudent public policy.

The “technical amendment” to the Valley Link project description is disingenuous if not misleading, and changes the conditions approved by voters.

The ACTC meeting materials from May 28th show the proposed project description only as it would be amended, without including the carefully negotiated original terms – approved by the voters – that are proposed for omission or change now. The excerpt below tries to more transparently and concurrently portray the full language under consideration (with additions underlined and deletions ~~crossed out~~). Commissioners are urged to please seriously consider what is intended by the changes, and what might be unintended consequences.

~~“BART to Livermore (\$400 M)-~~
Valley Link rail in Alameda County (\$400 M)

This project funds the first phase of a ~~BART Extension within the I-580 Corridor freeway alignment to the vicinity of the I-580/Isabel Avenue interchange~~ Valley Link rail extension from the existing Dublin/ Pleasanton BART station within the Tri-Valley and Altamont Pass in Alameda County using the most effective and efficient technology.

Funds are for construction for any element of this first phase project and shall not be used until full funding commitments are identified and approved for the initial operating segment that most effectively meets the adopted project goals, and a project-specific environmental clearance is obtained. The project-specific environmental process will include an ~~detailed~~ alternative assessment of ~~all~~ fundable and feasible alternatives, and be consistent with mandates, policies and guidance of federal, state, and regional agencies that have jurisdiction over the environmental and project development process.”

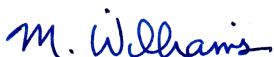
Among other questions, what difference does the “initial operating segment” make to the proposal’s potential draw on Alameda County funds? What criteria will be used to assess whether the initial operating segment “most effectively meets” the adopted project goals, and which agency will make that determination? When will “full funding commitments” be identified and approved for the full project? Please also explain why the references to “detailed” analysis and “all” alternatives are being deleted.

In conclusion --

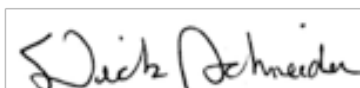
For these reasons, the Sierra Club strongly opposes all of the proposed actions laid out in your Commission materials of May 28, 2020. We further urge no further consideration on these matters until our concerns have been resolved.

If you have any questions regarding these comments, or wish further information, please do not hesitate to contact Matt Williams at mwillia@mac.com.

Sincerely,



Matt Williams
Chair, Chapter Transportation and Compact Growth Committee



Dick Schneider
Chair, Chapter Tri-Valley Group Executive Committee



Volunteer Leader, Mother Lode Chapter

cc: San Francisco Bay Chapter Executive Committee Chair Bolotina
San Francisco Bay Chapter Director Berbeco
Sierra Club California
Mother Lode Chapter
Metropolitan Transportation Commission (MTC)
California Air Resources Board (CARB)



SAN JOAQUIN
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RAIL COMMISSION

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Commissioner, **Nancy Young**, City of Tracy

Executive Director, **Stacey Mortensen**

July 2, 2020

The Honorable Pauline Cutter, Chair
Alameda County Transportation Commission (ACTC)
1111 Broadway, Suite 800
Oakland, CA 94607

Dear Chair Cutter:

Subject: Support for ACTC Action to allocate \$400 million in Measure BB funds to the Tri-Valley-San Joaquin Valley Regional Rail Authority for the Valley Link Project

San Joaquin Regional Rail Commission (SJRRRC) is a project partner and member of the Tri-Valley – San Joaquin Valley Regional Rail Authority (Authority). The Authority is requesting that the Alameda County Transportation Commission (ACTC) take action to allocate \$400 million Measure BB funding to the Valley Link Project that is currently identified for the BART to Livermore Project. This action is consistent with Assembly Bill 758 (AB 758), the Authority's enabling legislation. This action will fulfill a commitment made to the Tri-Valley to advance rail connectivity to Livermore. It will also support an intermodal connection between ACE and the BART system and the advancement of the Altamont Corridor Vision.

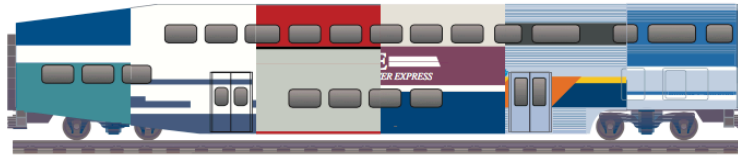
The Authority was created in 2017 by AB 758 for the purpose of planning, developing and delivering cost-effective and responsive transit connectivity between BART and the ACE commuter rail service in the Tri-Valley that reflects regional consensus and meets the goals and objectives of the San Joaquin Valley and Tri-Valley communities. Valley Link will benefit the entire Tri-Valley by reducing traffic over the Altamont Pass and through the 580/680 corridor. An estimated 98,500 Bay Area workers are now living in Northern San Joaquin County, commuting daily through the Altamont in their cars. An estimated 28,000 are projected to ride the Valley Link system in 2040. This will result in the reduction of over 99.4 million Vehicle Miles Traveled (VMT) and the reduction of over 33,000 metric tons of greenhouse gas emissions per year.

SJRRRC urges approval of the ACTC Action to allocate \$400 million in Measure BB funds to the Tri-Valley-San Joaquin Valley Regional Rail Authority for the Valley Link Project. This action will ensure that the Valley Link project moves forward and it supports the Altamont Corridor Vision that SJRRRC and the Authority are diligently working jointly to advance.

Sincerely,

Christina Fugazi, Chair
San Joaquin Regional Rail Commission

Cc: Alameda County Transportation Commission members
Tess Lengyel, ACTC Executive Director
Stacey Mortensen, SJRRRC Executive Director
Michael Tree, Authority Executive Director



Officers

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Los Angeles County

William F. McGeehan III
Contra Contra County

Pauline Cutter, Chair
Alameda County Transportation Commission
1111 Broadway, Suite 800
Oakland, CA 94607

Re: Agenda Item # 8.1, May 28 Meeting
Measure BB Exp. Plan Amendment

Dear Chair Cutter:

The Train Riders Association of California ("TRAC") is a statewide rail advocacy organization that has worked since 1984 to improve passenger rail service in California. TRAC has been involved in passenger rail planning for the Altamont Corridor for at least two decades. We have made presentations to the Valley Link Board and participated in their public meetings.

We write today to urge your Board to defer action on amending the Expenditure Plan for Measure BB until you receive an environmental impact report for Valley Link, which is nearing completion. The Administrative Draft was under review last October, and the Draft EIR is now scheduled for public review in September 2020. TRAC suggests the following reasons for deferral of this agenda item:

1. Without a certified EIR, there is no evidence to support the claim that the proposed Valley Link project will provide meaningful benefits to Alameda County taxpayers. The Commission has a special duty to taxpayers to make an affirmative finding of benefit, under Section 14 of the Expenditure Plan Guidelines:

No Expenditures Outside of Alameda County: Under no circumstances may the proceeds of this transportation sales tax be applied to any purpose other than for transportation improvements benefitting Alameda County. (emphasis added.)

2. From its inception, this project raised serious questions as to whether BART would be able to handle the additional passengers that Valley Link would transport from the Central Valley. The EIR

May 26, 2020

Submitted to:
contact@alamedactc.org

should resolve that question. If Valley Link were projected to make overcrowding on BART even worse, that would have serious implications as to whether the project could reasonably be judged as benefitting Alameda County residents.

3. An EIR would determine whether Valley Link would result in the construction of any infrastructure or station that would be inconsistent with the land use-constraining provisions of Alameda County year 2000 Measure D. On a related topic, an EIR will provide information on the Valley Link project's compliance with the County's Gateway Policy.

4. As the largest single capital project in Measure BB, BART to Livermore was the marquee project. Because of that special status, it demands special treatment above and beyond the 2/3 majority required for an amendment. This is not some minor project. Amending the Plan to include this project changes the entire profile of the measure, because the voters never gave their support to the Valley Link project. There is no evidence that the voters of the Tri-Valley, which did not support Measure BB, would support Valley Link.

5. Because Measure BB resulted in financial trade-offs between the Tri-Valley and the North County cities through a reweighting of the basic allocation formula for local streets and roads, the entire Expenditure Plan would need to be reopened to assure fairness for all jurisdictions.

6. Other alternative projects, including several that TRAC has advocated for, would potentially be far more cost-effective in providing the service that Valley Link seeks to offer. In particular, the \$1+ billion dollar cost of the I-580 relocation is merely a utility relocation, offering no transportation benefit to taxpayers.

Thank you for considering these comments.

Sincerely yours,

/s/ DAVID SCHONBRUNN

David Schonbrunn, President, TRAC