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Jack Feller  
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Supervisor, **County of San Diego**

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Gary L. Gallegos  
Executive Director, **SANDAG**



# BOARD OF DIRECTORS AGENDA

**Friday, November 21, 2014**

**9 a.m. to 12 noon**

**SANDAG Board Room  
401 B Street, 7th Floor  
San Diego**

## AGENDA HIGHLIGHTS

- **MID-COAST CORRIDOR TRANSIT PROJECT FINAL SUBSEQUENT ENVIRONMENTAL IMPACT REPORT**
- **ANNUAL REVIEW AND PROPOSED AMENDMENTS TO BOARD POLICIES**
- **ACCELERATED TRANSPORTATION NETWORK**

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In compliance with Government Code §54952.3, the Clerk hereby announces that the compensation for legislative body members attending the following simultaneous or serial meetings is: Executive Committee (EC) \$100, Board of Directors (BOD) \$150, and Regional Transportation Commission (RTC) \$100. Compensation rates for the EC and BOD are set pursuant to the SANDAG Bylaws and the compensation rate for the RTC is set pursuant to state law.

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*The 18 cities and county government are SANDAG serving as the forum for regional decision-making. SANDAG builds consensus, makes strategic plans, obtains and allocates resources, plans, engineers, and builds public transit, and provides information on a broad range of topics pertinent to the region's quality of life.*

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# **BOARD OF DIRECTORS**

Friday, November 21, 2014

<b>ITEM NO.</b>		<b>RECOMMENDATION</b>
+1.	<b>APPROVAL OF MEETING MINUTES</b>  The Board of Directors is asked to review and approve the minutes from its October 24, 2014, Board Business meeting.	<b>APPROVE</b>
2.	<b>PUBLIC COMMENTS/COMMUNICATIONS/MEMBER COMMENTS</b>  Public comments under this agenda item will be limited to five public speakers. Members of the public shall have the opportunity to address the Board on any issue within the jurisdiction of SANDAG that is not on this agenda. Other public comments will be heard during the items under the heading "Reports." Anyone desiring to speak shall reserve time by completing a "Request to Speak" form and giving it to the Clerk of the Board prior to speaking. Public speakers should notify the Clerk of the Board if they have a handout for distribution to Board members. Public speakers are limited to three minutes or less per person. Board members also may provide information and announcements under this agenda item.	
+3.	<b>ACTIONS FROM POLICY ADVISORY COMMITTEES (Robyn Wapner)</b>  This item summarizes the actions taken by the Policy Advisory Committees since the last Board Business Meeting. The Board of Directors is asked to ratify the actions of the Policy Advisory Committees.	<b>APPROVE</b>
<b>CONSENT</b>		
+4.	<b>APPROVAL OF PROPOSED CONTRACTS (Laura Coté)*</b>  The Board of Directors is asked to authorize the Executive Director to execute multiple professional service contracts for environmental legal services.	<b>APPROVE</b>
+5.	<b>PROPOSED ACTIVE TRANSPORTATION PROGRAM AND <i>TransNet</i> PROGRAM FUNDS EXCHANGE (Ariana zur Nieden)*</b>  The Transportation Committee recommends that the Board of Directors: (1) recommend that the California Transportation Commission fund the updated list of San Diego Regional Active Transportation Program (ATP) projects; and (2) adopt Regional Transportation Commission (RTC) Resolution No. RTC 2015-02 to exchange ATP funds for <i>TransNet</i> Program funds.	<b>APPROVE</b>
+6.	<b>OVERVIEW OF DEVELOPMENTS IN THE FINANCIAL MARKETS AND QUARTERLY INVESTMENT REPORT FOR THE PERIOD ENDING SEPTEMBER 30, 2014 (André Douzjian, Lisa Kondrat-Dauphin, and Marney Cox)*</b>  This quarterly report provides various finance-related items to the Board of Directors, including: (1) a quarterly report of investments, including all money under the direction or care of SANDAG; (2) an update on the SANDAG debt portfolio; and (3) information about the latest developments in the financial markets, the economy, and sales tax revenues.	<b>INFORMATION</b>

+7. **QUARTERLY PROGRESS REPORT ON TRANSPORTATION PROJECTS - JULY THROUGH SEPTEMBER 2014 (Michelle Smith)\*** **INFORMATION**

This quarterly report summarizes the current status of major transit, highway, arterial, traffic management, and Transportation Demand Management projects in the SANDAG five-year Regional Transportation Improvement Program for the period July through September 2014.

+8. **REPORT SUMMARIZING DELEGATED ACTIONS TAKEN BY THE EXECUTIVE DIRECTOR (André Douzdjian)\*** **INFORMATION**

In accordance with various SANDAG Board Policies, this report summarizes certain delegated actions taken by the Executive Director since the last Board of Directors meeting.

+9. **REPORT ON MEETINGS AND EVENTS ATTENDED ON BEHALF OF SANDAG (Robyn Wapner)** **INFORMATION**

Board members will provide brief reports orally or in writing on external meetings and events attended on behalf of SANDAG since the last Board of Directors meeting.

**CHAIR’S REPORT**

+10. **REPORT FROM NOMINATING COMMITTEE ON BOARD OFFICERS FOR 2015 (Chula Vista Mayor Cheryl Cox, Nominating Committee Chair)\*** **DISCUSSION/  
POSSIBLE ACTION**

The Nominating Committee will make recommendations regarding 2015 SANDAG Board Officers.

**REPORTS**

+11. **MID-COAST CORRIDOR TRANSIT PROJECT FINAL SUBSEQUENT ENVIRONMENTAL IMPACT REPORT (County of San Diego Supervisor Ron Roberts, Mid-Coast Corridor Transit Project Working Group Chair; Leslie Blanda)\*** **ADOPT**

The Board of Directors is asked to: (1) adopt ~~Regional Transportation Committee (RTC)~~ Resolution No. RTC 2015-03, certifying the Final Subsequent Environmental Impact Report for the Mid-Coast Corridor Transit Project and adopting Findings of Fact, a Statement of Overriding Considerations, and a Mitigation Monitoring and Reporting Program, and; (2) adopt Resolution No. RTC 2015-04, approving the Mid-Coast Corridor Transit Project.

+12. **ANNUAL REVIEW AND PROPOSED AMENDMENTS TO BOARD POLICIES (First Vice Chair Jim Janney; John Kirk)** **APPROVE**

The Executive Committee recommends that the Board of Directors: (1) approve the proposed amendments to the Board Policies; (2) renew the annual delegation of authority to the Executive Director pursuant to Board Policy No. 003: Investment Policy; and (3) renew its approval of Board Policy No. 032: San Diego County Regional Transportation Commission Interest Rate Swap Policy.

+13. **ACCELERATED TRANSPORTATION NETWORK (First Vice Chair Jim Janney; Coleen Clementson)\***

INFORMATION

On September 12, 2014, the Board of Directors requested that staff estimate the cost and model the performance of an accelerated transportation network that would advance public transit and active transportation projects within the first 10 years of San Diego Forward: The Regional Plan, by 2025. This item provides information on the process to conduct the analysis.

+14. **CLOSED SESSION: CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54956.8 - SOUTH BAY BUS RAPID TRANSIT PROJECT (Amberlynn Deaton, Bruce Schmith, SANDAG; Brad Kuhn, Nossaman, LLP)\***

The Board of Directors will be briefed by real property negotiators Amberlynn Deaton, Bruce Schmith, and Brad Kuhn regarding the price and terms of acquisition of temporary and permanent access easements on portions of parcels located in the City of Chula Vista, which are identified by ownership and assessor parcel number below:

- 643-051-49, 643-051-50, 643-051-53 (Monet at Otay Ranch Homeowners Association; Otay Ranch VI-2, LLC)
- 643-052-26, 643-052-27, 643-052-28, 643-052-29 (Treviana at Lomas Verde Homeowners Association)

15. **CONTINUED PUBLIC COMMENTS**

If the five speaker limit for public comments was exceeded at the beginning of this agenda, other public comments will be taken at this time. Subjects of previous agenda items may not again be addressed under public comment.

16. **UPCOMING MEETINGS**

INFORMATION

The next Board Policy meeting is scheduled for Friday, December 5, 2014, at 10 a.m. ***Please note, this meeting will be held at the following location:***

San Ysidro Middle School - Multicultural Complex  
4345 Otay Mesa Road  
San Diego, CA 92173

The next Board Business meeting is scheduled for Friday, December 19, 2014, at 9 a.m. Please note, these meetings are scheduled for the first and third Fridays, respectively, due to the holiday schedule.

17. **ADJOURNMENT**

+ next to an agenda item indicates an attachment

\* next to an agenda item indicates [that the Board of Directors also is acting as the](#) San Diego County Regional Transportation Commission [for that](#) item



**BOARD OF DIRECTORS  
NOVEMBER 21, 2014**

**AGENDA ITEM NO. 14-11-1  
ACTION REQUESTED - APPROVE**

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## **BOARD OF DIRECTORS DISCUSSION AND ACTIONS**

**OCTOBER 24, 2014**

Chair Jack Dale (Santee) called the meeting of the SANDAG Board of Directors to order at 9:02 a.m. The attendance sheet for the meeting is attached.

### **1. APPROVAL OF MEETING MINUTES**

Action: Upon a motion by Councilmember Mike Woiwode (Coronado) and a second by Supervisor Ron Roberts (County of San Diego), the Board of Directors approved the minutes from the September 12, 2014, Board Policy meeting, and the September 26, 2014, Board Business meeting. Yes – 16 (weighted vote, 100%). No – 0 (weighted vote, 0%). Abstain – 0 (weighted vote, 0%). Absent – El Cajon, National City, and Oceanside.

### **2. PUBLIC COMMENTS/COMMUNICATIONS/MEMBER COMMENTS**

Mike Werner, a member of the public, spoke regarding his concerns with security on public transit.

Monique Lopez, Environmental Health Coalition, submitted written comments and requested a transportation justice scenario be developed and modeled as an alternative to the preferred third scenario. Ms. Lopez also spoke about concerns related to affordability and access to transit.

Chair Dale recognized staff for receiving several awards. Anna Lowe, Associate Regional Planner; Susan Freedman, Senior Regional Planner; and Allison Wood, Associate Regional Planner, received the American Planning Association Award of Merit for the San Diego Regional Plug-in Electric Vehicle Readiness Plan. Frank Owsiany, Senior Transportation Engineer, received the Women's Transportation Seminar (WTS) 2014 Alternative Modes and Active Transportation award for the Santa Fe Pedestrian Underpass Project in Encinitas. WTS also awarded Tedi Jackson, Senior Public Outreach Officer; Marisa Guzzardo, Public Outreach Officer; and Joe Britton, Senior Public Information Officer, the WTS 2014 Plans, Programs, and Policies Award for the "Steer Clear" DARMageddon Public Awareness Campaign.

Supervisor Roberts recognized Paul Jablonski, Chief Executive Officer, Metropolitan Transportation System, who was awarded the Public Transit Executive of the Year in North America by the American Public Transportation Association.

### **3. ACTIONS FROM POLICY ADVISORY COMMITTEES (APPROVE)**

This item summarized the actions taken by Policy Advisory Committees since the last Board Business Meeting. The Board of Directors was asked to ratify these actions.

Action: Upon a motion by Mayor Mary Sessom (Lemon Grove) and a second by Council President Todd Gloria (City of San Diego), the Board of Directors approved Item No. 3. Yes – 18 (weighted vote, 100%). No – 0 (weighted vote, 0%). Abstain – 0 (weighted vote, 0%). Absent – El Cajon.

### **CONSENT**

4. AMENDMENT TO THE LOS ANGELES – SAN DIEGO – SAN LUIS OBISPO RAIL CORRIDOR AGENCY JOINT POWERS AGREEMENT (APPROVE)

The Los Angeles – San Diego – San Luis Obispo (LOSSAN) Rail Corridor Agency legal counsel discovered a discrepancy between the official agency name and the name stated on the 2013 Amendment to the Joint Powers Agreement (JPA). On August 14, 2014, the LOSSAN Board of Directors requested that each LOSSAN member agency amend the JPA in order to be statutorily compliant. The Board of Directors was asked to approve the proposed amendment.

5. MASTER AGREEMENT WITH CALTRANS (ADOPT)

SANDAG is required to have a master agreement in order to seek reimbursement from Caltrans for transit capital projects. The Transportation Committee recommended that the Board of Directors adopt Board Resolution No. 2015-08, authorizing the Executive Director to execute the Master Agreement for state-funded transit projects with Caltrans.

6. APPROVAL OF PROFESSIONAL SERVICES SOLICITATIONS (APPROVE)

The Board of Directors was asked to authorize the Executive Director to execute a construction award for the Los Peñasquitos Lagoon Bridge Replacement Project and multiple professional service awards for Transportation Demand Management services.

7. SOUTH BAY BUS RAPID TRANSIT PROJECT: ADDENDUM TO THE ENVIRONMENTAL IMPACT REPORT (ADOPT)

A minor change to an intersection in the South Bay Bus Rapid Transit (BRT) Project is proposed. The change does not worsen any significant effects identified in the Final Environmental Impact Report (EIR) or create any new impacts, and an addendum has been prepared pursuant to the California Environmental Quality Act. The Board of Directors was asked to adopt the Addendum to the Final EIR for the South Bay BRT Project.

8. 2015 BOARD OF DIRECTORS AND POLICY ADVISORY COMMITTEE ANNUAL MEETING CALENDAR (APPROVE)

The Board of Directors was asked to approve the calendar of meetings of the Board and the Policy Advisory Committees for the upcoming year.

9. REPORT SUMMARIZING DELEGATED ACTIONS TAKEN BY THE EXECUTIVE DIRECTOR (INFORMATION)

In accordance with various SANDAG Board Policies, this report summarized certain delegated actions taken by the Executive Director since the last Board of Directors meeting.

## 10. REPORT ON MEETINGS AND EVENTS ATTENDED ON BEHALF OF SANDAG (INFORMATION)

Board members provided brief reports orally or in writing on external meetings and events attended on behalf of SANDAG since the last Board of Directors meeting.

Action: Upon a motion by Mayor Cheryl Cox (Chula Vista) and a second by Councilmember Woiwode, the Board of Directors approved Consent Items Nos. 4 through 10. Yes – 18. No – 0. Abstain – 0. Absent – El Cajon.

## REPORTS

### 11. 2014 TECHNICAL UPDATE OF THE SMART GROWTH CONCEPT MAP OFFICERS (ACCEPT)

SANDAG staff and Regional Planning Technical Working Group members have conducted a technical update of the Smart Growth Concept Map to reflect the most recent Regional Growth Forecast (Series 13). The Regional Planning Committee recommended that the Board of Directors accept the 2014 Smart Growth Concept Map for planning purposes and for use in the next cycle of the *TransNet* Smart Growth Incentive and Active Transportation Grant programs.

Deputy Mayor Lesa Heebner (Solana Beach), Regional Planning Committee Chair, introduced the item.

Sarah Strand, Regional Planner I, presented this item.

Action: Upon a motion by Deputy Mayor Heebner and a second by Deputy Mayor Kristine Alessio (La Mesa), the Board of Directors accepted the 2014 Smart Growth Concept Map for planning purposes and for use in the next cycle of the *TransNet* Smart Growth Incentive and Active Transportation Grant programs. Yes – 18 (weighted vote, 100%). No – 0 (weighted vote, 0%). Abstain – 0 (weighted vote, 0%). Absent – El Cajon.

### 12. REGIONAL ENERGY NETWORK (APPROVE)

The Regional Planning Committee recommended that the Board of Directors approve: (1) becoming a party to the California Public Utilities Commission Energy Efficiency Proceeding; (2) developing a draft Memorandum of Understanding (MOU) with Regional Energy Network (REN) member agencies; (3) authorizing staff to begin the development of an REN application based on the draft MOU with REN member agencies; and (4) directing staff to return to the Regional Planning Committee and Board of Directors to report on key milestones.

Deputy Mayor Heebner introduced the item.

Ms. Lowe presented the item.

Warren Ruis, San Diego Gas & Electric, spoke in support of this item and expressed concerns with funding sources and implementation for the REN.

Mike Evans, San Diego Regional Chamber of Commerce, spoke in support of this item and expressed concerns with planning and implementation.



Ms. Lopez spoke in support of this item and requested additional focus on climate change and low-moderate income programs.

Action: Upon a motion by Councilmember Chris Orlando (San Marcos) and a second by Deputy Mayor Heebner, the Board of Directors approved becoming a party to the California Public Utilities Commission Energy Efficiency Proceeding; developing a draft MOU with REN member agencies; authorized staff to begin the development of an REN application based on the draft MOU with REN member agencies; and directed staff to return to the Regional Planning Committee and Board of Directors to report on key milestones. Yes – 14 (weighted vote, 72.16%). No – Carlsbad, County of San Diego, Oceanside, and Vista (weighted vote, 27.84%). Abstain – 0 (weighted vote, 0%). Absent – El Cajon.

#### 13. PROPOSED FY 2015 BUDGET AMENDMENT: STATE ROUTE 15 COMMUTER BIKE FACILITY PROJECT (APPROVE)

At its September 26, 2014, meeting, the Board of Directors recommended that the California Transportation Commission fund the San Diego Regional Active Transportation Program (ATP) projects, which include the State Route 15 (SR 15) Commuter Bike Facility Project. The Transportation Committee recommended that the Board of Directors approve an amendment to the FY 2015 Program Budget to increase the SR 15 Commuter Bike Facility Project (Capital Improvement Project No. 1223014) by \$1.8 million in ATP funds and \$11.33 million in *TransNet* funding.

Council President Gloria, Transportation Committee Chair, introduced the item.

Gustavo Dallarda, Caltrans Corridor Director, presented the item.

Samantha Ollinger, Bike San Diego, spoke in support of this item.

Action: Upon a motion by Council President Gloria and a second by Mayor Kevin Faulconer (City of San Diego), the Board of Directors approved an amendment to the FY 2015 Program Budget to increase the SR 15 Commuter Bike Facility Project (Capital Improvement Project No. 1223014) by \$1.8 million in ATP funds and \$11.33 million in *TransNet* funding. Yes – 18 (weighted vote, 100%). No – 0 (weighted vote, 0%). Abstain – 0 (weighted vote, 0%). Absent – El Cajon.

#### 14. CONTINUED PUBLIC COMMENTS

There were no continued public comments.

#### 15. UPCOMING MEETINGS

The Board Policy meeting scheduled for Friday, November 7, 2014, has been cancelled. The next Board Business meeting is scheduled for Friday, November 21, 2014, at 9 a.m. (Please note, this meeting is scheduled for the third Friday due to the Thanksgiving holiday.)

#### 16. ADJOURNMENT

Chair Dale adjourned the meeting at 10:46 a.m.

**ATTENDANCE**  
**SANDAG BOARD OF DIRECTORS MEETING**  
**OCTOBER 24, 2014**

JURISDICTION	NAME	ATTEND OPEN SESSION
City of Carlsbad	Matt Hall (Primary)	Yes
City of Chula Vista	Cheryl Cox (Primary)	Yes
City of Coronado	Michael Woiwode (Primary)	Yes
City of Del Mar	Terry Sinnott (Primary)	Yes
City of El Cajon	Bill Wells (Primary)	No
City of Encinitas	Lisa Shaffer (Primary)	Yes
City of Escondido	Sam Abed (Primary)	Yes
City of Imperial Beach	Jim Janney, 1st Vice Chair (Primary)	Yes
City of La Mesa	Kristine Alessio (Primary)	Yes
City of Lemon Grove	Mary Sessom (Primary)	Yes
City of National City	Ron Morrison (Primary)	Yes
City of Oceanside	Jack Feller (Primary)	Yes
City of Poway	Don Higginson, 2nd Vice Chair (Primary)	Yes
City of San Diego - A	Kevin Faulconer (Primary, Seat A)	Yes
City of San Diego - B	Todd Gloria (Primary, Seat B)	Yes
City of San Marcos	Chris Orlando (Primary)	Yes
City of Santee	Jack Dale, Chair (Primary)	Yes
City of Solana Beach	Lesa Heebner (Primary)	Yes
City of Vista	Judy Ritter (Primary)	Yes
County of San Diego - A	Ron Roberts (Primary, Seat A)	Yes
County of San Diego - B	Dianne Jacob (Primary, Seat B)	Yes
<b>ADVISORY MEMBERS</b>		
Caltrans	Laurie Berman (1st. Alt.)	Yes
MTS	Harry Mathis (Primary)	No
NCTD	Bill Horn (Primary)	Yes
Imperial County	Sup. John Renison (Primary)	No
US Department of Defense	CAPT Darius Banaji (Primary)	No
SD Unified Port District	Bob Nelson (Primary)	Yes
SD County Water Authority	Tom Wornham (Primary)	Yes
Mexico	Remedios Gómez-Arnau (Primary)	Yes
Southern California Tribal Chairmen's Association	Allen Lawson (Primary)	Yes



**BOARD OF DIRECTORS  
NOVEMBER 21, 2014**

**AGENDA ITEM NO. 14-11-3**

**ACTION REQUESTED - APPROVE**

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**ACTIONS FROM POLICY ADVISORY COMMITTEES**

File Number 8000100

**Introduction**

The following actions were taken by the Policy Advisory Committees since the last Board of Directors meeting.

**Recommendation**

The Board of Directors is asked to ratify the actions of the Policy Advisory Committees.

**BORDERS COMMITTEE MEETING (October 24, 2014)**

The Borders Committee did not take any actions or make any recommendations at this meeting.

**EXECUTIVE COMMITTEE MEETING (November 7, 2014)**

The Executive Committee took the following actions or recommended the following approvals:

- Approved the November 21, 2014, Board Business Agenda, as amended, and approved the December 5, 2014, Board Policy Agenda.
- Recommended that the Board of Directors approve the proposed amendments, renew the annual delegation of authority to the Executive Director pursuant to Board Policy No. 003: Investment Policy, and renew its approval of Board Policy No. 032: San Diego County Regional Transportation Commission Interest Rate Swap Policy.

**REGIONAL PLANNING COMMITTEE MEETING (November 7, 2014)**

The Regional Planning Committee took the following actions or recommended the following approvals:

- Recommended that the Board of Directors accept the Regional Complete Streets Policy for planning purposes.
- Approved a no-cost, time-only schedule extension for the *TransNet* Smart Growth Incentive Program for the City of National City's Eighth Street Smart Growth Revitalization Project.

**TRANSPORTATION COMMITTEE MEETING (November 14, 2014)**

The Transportation Committee took the following actions or recommended the following approvals:

- Recommended that the Board of Directors recommend that the California Transportation Commission fund the updated list of San Diego Regional Active Transportation Program (ATP) projects, and adopt Resolution No. 2015-12 to exchange ATP funds for *TransNet* Program funds.
- Recommended that the Board of Directors accept the Regional Complete Streets Policy for planning purposes.
- Recommended that the Board of Directors approve the 2014 *TransNet* Plan of Finance update.

**PUBLIC SAFETY COMMITTEE MEETING (November 14, 2014)**

The Public Safety Committee meeting was cancelled.

GARY L. GALLEGOS  
Executive Director

Key Staff Contact: Robyn Wapner, (619) 699-1994, [robyn.wapner@sandag.org](mailto:robyn.wapner@sandag.org)



**BOARD OF DIRECTORS  
NOVEMBER 21, 2014**

**AGENDA ITEM NO. 14-11-4**

**ACTION REQUESTED - APPROVE**

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**APPROVAL OF PROPOSED CONTRACTS**

File Number 8000100

**Introduction**

Pursuant to Board direction, construction and professional services awards associated with an original solicitation valued at \$5 million or more require Board of Directors approval.

**Discussion**

***Environmental Legal Services***

In July 2014, SANDAG conducted a formal procurement to solicit services from qualified law firms or attorneys from which outside counsel will be selected to provide legal services on an as-needed, case-by-case basis or matter-by-matter basis. The solicitation is being utilized to establish a list of qualified law firms or attorneys to support the projects and programs included in the SANDAG Program Budget in multiple categories of law. Although varying issues arise in many areas of the law, staff has identified the following 15 categories of law for which SANDAG has historically utilized outside counsel:

- Environmental Law
- Employment Law
- Federal Transit Labor Law
- Construction
- Condemnation/Eminent Domain
- Real Property Transactions
- Public Finance
- Intellectual Property
- Campaign/Elections/Ethics Law

**Recommendation**

The Board of Directors is asked to authorize the Executive Director to execute multiple professional service contracts for environmental legal services, as detailed in the report.

- Public Entity Contracts and Procurement
- Disadvantaged Business Enterprise and Disparity Study
- Tort Liability and Miscellaneous Litigation Matters
- Insurance
- Public Records, Privacy, and Sensitive Security Information
- Regulatory Oversight

As required by SANDAG Board Policy No. 016: Procurement of Services and federal provisions, an independent cost estimate was prepared by SANDAG resulting in an amount of \$9.2 million over a five-year period. Factors that were considered in developing the estimate included historical use of outside legal counsel consultants and projected expenditures over the next five years.

Twenty-seven proposals were received, including 13 in the environmental law category. Staff is evaluating each category of law separately, as needs arise. Six of the environmental law firms were shortlisted and invited for an interview. Five of those firms are recommended for an award in the environmental category of law, as listed below (a summary of overall evaluation results is included as Attachment 1):

- Best, Best & Krieger, LLP
- Nossaman, LLP
- The Sohagi Law Group, PLC
- Jackson DeMarco Tidus & Peckenpaugh
- Meyers Nave

The proposed contracts allow for a five-year term. The timing and amount of work that will be needed from the five outside counsel firms will depend on the need for environmental legal services to support both OWP and CIP projects in coming years; therefore, the amount of each contract awarded will vary among the firms as project(s) are assigned under each contract. The maximum aggregate value of all of the contracts awarded from the solicitation, including the environmental law category, will not exceed \$9.2 million.

The type of work authorized under each of the resulting contracts would vary depending on the type of project it relates to. The outside counsel firm for each task order will be selected based on its ability to accomplish the scope of work, special expertise of the firm's team, proposed cost or level of effort, availability of firm's staff to complete the work in a timely manner, and performance on prior task orders.

The specific SANDAG projects that are anticipated to utilize the legal services contracts are:

<b>Project Number</b>	<b>Project Title</b>
3100400	Regional Transportation Planning and Implementation
3102000	Regional Plan
3312100	SR 125 Facility Operations
7350200	ARJIS: Project Management and Administration
1051502	SuperLoop
1257001	Mid-Coast Light Rail Transit
1201508	I-15 Bus Rapid Transit
1201509	Downtown BRT Stations
1201511	Mira Mesa Boulevard BRT Priority Treatments
1201514	Downtown BRT Layover Facility
1210000	Blue and Orange Line Improvements
1212501	SR 94/SR 125 South to East Connector
1230000	LOSSAN Corridor Double Track Projects
1201101	SR 11 and Otay Mesa East Port of Entry
1300601	San Ysidro Intermodal Freight Facility
1129900	Bayshore Bikeway: 8B Main Street to Palomar
1223016	Coastal Rail Trail San Diego: Rose Creek
1223017	Coastal Rail Trail Encinitas: Chesterfield Avenue to G Street
1333020	Bicycle Facilities: La Mesa to North Park
1223022	Bicycle Facilities: Old Town to San Diego
1141600	Santa Margarita River Bridge Replacement and Second Track
1142500	Centralized Train Control
1142600	Joint Transportation Operations Center
1144200	San Onofre to Pulgas Double Track
1144700	Beach Sand Replenishment
1144900	North Green Beach Bridge Replacement
1145000	Los Peñasquitos Lagoon Bridge Replacement

GARY L. GALLEGOS  
Executive Director

Attachment: 1. Recommendation for Award of Legal Environmental Services: Summary of Overall Evaluation Ranking Results

Key Staff Contact: Laura Coté, (619) 699-6947, [laura.cote@sandag.org](mailto:laura.cote@sandag.org)

Proposer	Interview Evaluation Criteria	Total Combined Weighted Score	Total Combined Weighted Score Possible	Combined Sum of Ranks	Overall Rank*
Best Best & Krieger	Professionalism of Written SOQ and Presentation	68.00	80	15	1
	Experience & Technical Competence	205.50	240		
	Exceptions to SOQ	75.00	80		
	Proposed Methodology & Approach to Work	133.00	160		
	Knowledge & Understanding of SANDAG and Relevant Laws	67.50	80		
	Interview Questions	142.00	160		
	Cost (Blended Attorney Hourly Rate)	133.36	160		
	References	38.80	40		
	<b>Total Score</b>	<b>863.16</b>	<b>1000</b>		
Sohagi Law Group	Professionalism of Presentation	62.00	80	20	2
	Experience & Technical Competence	213.00	240		
	Exceptions to SOQ	60.00	80		
	Proposed Methodology & Approach to Work	142.00	160		
	Knowledge & Understanding of SANDAG and Relevant Laws	78.00	80		
	Interview Questions	134.00	160		
	Cost (Blended Attorney Hourly Rate)	123.04	160		
	References	40.00	40		
	<b>Total Score</b>	<b>852.04</b>	<b>1000</b>		
Nossaman	Professionalism of Presentation	65.50	80	25	3
	Experience & Technical Competence	205.80	240		
	Exceptions to SOQ	80.00	80		
	Proposed Methodology & Approach to Work	137.00	160		
	Knowledge & Understanding of SANDAG and Relevant Laws	66.50	80		
	Interview Questions	124.00	160		
	Cost (Blended Attorney Hourly Rate)	101.28	160		
	References	37.20	40		
	<b>Total Score</b>	<b>817.28</b>	<b>1000</b>		
Jackson DeMarco Tidus & Peckenpaugh	Professionalism of Presentation	63.50	80	33	4
	Experience & Technical Competence	177.00	240		
	Exceptions to SOQ	80.00	80		
	Proposed Methodology & Approach to Work	122.00	160		
	Knowledge & Understanding of SANDAG and Relevant Laws	62.00	80		
	Interview Questions	122.00	160		
	Cost (Blended Attorney Hourly Rate)	125.04	160		
	References	38.40	40		
	<b>Total Score</b>	<b>789.94</b>	<b>1000</b>		
Meyers Nave	Professionalism of Presentation	67.50	80	37	5
	Experience & Technical Competence	193.50	240		
	Exceptions to SOQ	74.50	80		
	Proposed Methodology & Approach to Work	132.00	160		
	Knowledge & Understanding of SANDAG and Relevant Laws	51.50	80		
	Interview Questions	133.00	160		
	Cost (Blended Attorney Hourly Rate)	109.60	160		
	References	36.80	40		
	<b>Total Score</b>	<b>798.40</b>	<b>1000</b>		
Stutz Artiano Shinoff & Holtz	Professionalism of Presentation	55.00	80	40	6
	Experience & Technical Competence	148.50	240		
	Exceptions to SOQ	80.00	80		
	Proposed Methodology & Approach to Work	115.00	160		
	Knowledge & Understanding of SANDAG and Relevant Laws	49.00	80		
	Interview Questions	86.00	160		
	Cost (Blended Attorney Hourly Rate)	160.00	160		
	References	40.00	40		
	<b>Total Score</b>	<b>733.50</b>	<b>1000</b>		

\*Final Proposer Overall Rank is determined using the Combined Sum of Ranks instead of the Total Combined Weighted Score. Each evaluator's total scores are sorted into individual Proposal ranks. Their individual ranks are then added together for a Combined Sum of Ranks. The Combined Sum of Ranks are ordered into Overall Ranks, with the lowest number indicating which Proposal scored the highest across the evaluators. This measure is more objective, mitigating for and normalizing the evaluators' scoring differentials.





**BOARD OF DIRECTORS  
NOVEMBER 21, 2014**

**ACTION REQUESTED - APPROVE**

**PROPOSED ACTIVE TRANSPORTATION PROGRAM  
AND *TransNet* PROGRAM FUNDS EXCHANGE**

File Number 150000

**Introduction**

On September 26, 2013, the Governor signed legislation creating the Active Transportation Program (ATP) (Senate Bill 99 and Assembly Bill 202) to encourage increased use of active modes of transportation such as bicycling and walking. As a requirement of the new legislation, the California Transportation Commission (CTC) adopted guidelines and project selection criteria for its use in administering the ATP Program. Funding was awarded, beginning with the statewide competition in August 2014. The regional competition funding is scheduled for award at the November 12, 2014, and December 10, 2014, CTC meetings. Given the mix of funds available within the recommended set of projects, there is a unique opportunity to implement a funding exchange for regional projects and reduce the administrative burden associated with federal funding requirements. The proposed funding exchange only would apply to the regional competition; not the statewide competition.

**Recommendation**

The Transportation Committee recommends that the Board of Directors: (1) recommend that the California Transportation Commission fund the updated list of San Diego Regional Active Transportation Program (ATP) projects consistent with Attachment 2; and (2) adopt Regional Transportation Commission (RTC) Resolution No. RTC 2015-02, in substantially the same form as attached, to exchange ATP funds for *TransNet* Program funds (Attachment 4).

SANDAG is both an eligible applicant as a Regional Transportation Planning Agency and has a role as a Metropolitan Planning Organizations (MPO) to administer the regional program. On September 26, 2014, the SANDAG Board of Directors approved the San Diego Regional ATP results for CTC consideration (Attachment 1). SANDAG worked with successful applicants recommended for funding as part of the regional competition to determine their interest in exchanging ATP funding for *TransNet* Program funds. SANDAG staff confirmed with CTC staff that the proposed funding exchange would be acceptable. This action would consolidate the allocation of federal ATP funds in accordance with CTC Guidelines and resulted in an updated list of San Diego Regional ATP projects that would be recommended for CTC adoption (Attachment 2). At its November 12, 2014, meeting, the Independent Taxpayer Oversight Committee (ITOC) strongly supported the proposed fund exchange. On November 14, 2014, the Transportation Committee reviewed the proposed funding exchange and recommended approval by the Board of Directors.

## **Discussion**

### ***ATP Background***

Approximately \$368 million statewide was budgeted for the program over two years, beginning with FY 2014. Fifty percent of the funding was competitively awarded for projects selected by the CTC on a statewide basis and 10 percent of the funding was distributed to small urban and rural regions. The remaining 40 percent of the funding will be allocated for projects selected through competitive regional processes administered by large urban MPOs. The estimated funding available for the San Diego regional competition is about \$9 million in the first year of the program and \$4.4 million for the second year of the program, for a total of \$13.4 million.

### ***Regional ATP Competition***

Consistent with its role as the administrator for the regional competition, in September 2014 the SANDAG Board of Directors approved recommending nine projects for full ATP funding and one project, the State Route 15 (SR 15) Commuter Bike Facility, for partial funding. On October 24, 2014, the Board approved an amendment to the FY 2015 Program Budget to fully fund the SR 15 Commuter Bike Facility Project, with \$1.8 million in Regional ATP funds and \$11.33 million in *TransNet* Bicycle, Pedestrian, and Neighborhood Safety Program funding.

### ***Proposed Exchange of Funds***

Section 7 of the *TransNet* Extension Ordinance includes a provision regarding Cooperative Fund Agreements, which states that SANDAG may exchange revenues for federal, state, or other local funds allocated or granted to any public agency to maximize effectiveness in the use of revenues. On October 30, 2014, SANDAG staff met with regional applicants to determine interest in the proposed exchange of funds and to coordinate next steps in the process. The eight project applicants that would exchange their ATP funding for *TransNet* funding have submitted letters to the CTC stating their intent to withdraw their projects from consideration for ATP funds and to exchange *TransNet* funds in lieu of ATP funding (Attachment 3).

The updated regional ATP project and funding recommendations are shown in Attachment 2. To consolidate the allocation of federal ATP funds, the SR 15 Commuter Bike Facility and Coastal Rail Trail: Chesterfield Drive to G Street projects are proposed for ATP funding. *TransNet* would fund the remaining projects based on the original ATP amount requested. The contingent project list would be used by the CTC to reallocate ATP funding in the event a project recommended for funding is unable to allocate awarded funds or obtain an extension within the timeframe allowed by the CTC. There would be no change to the contingency project listing.

### ***Regional ATP Monitoring and Oversight***

Regional ATP projects would be reviewed on a regular basis consistent with the *TransNet* Active Transportation Grant Program provisions to ensure applicants receiving *TransNet* funding in lieu of regional ATP funds are making timely progress in accordance with SANDAG Board Policy No. 035: Competitive Grant Program Procedures (Attachment 4). Status updates would be presented to the ITOC and the Transportation and Regional Planning Committees on a quarterly basis, which is consistent with the current practice for *TransNet* Active Transportation Grant Program projects.

## **Next Steps**

Pending Board approval of the proposed fund exchange and Resolution No. RTC 2015-02 (Attachment 5), SANDAG will submit its recommendations for adoption at the December 10, 2014, meeting, in lieu of the November 12, 2014, CTC meeting. Deferring CTC adoption to the December meeting would not cause a delay to project programming schedules. An amendment to the Regional Transportation Improvement Program to program *TransNet* and Regional ATP funds would be brought back for Transportation Committee consideration in January 2015. Budget amendments for the Coastal Rail Trail: Chesterfield Drive to G Street and Bayshore Bikeway: Barrio Logan Segment projects would be reflected as part of the upcoming FY 2016 SANDAG Program Budget update, scheduled for Board approval in spring 2015.

GARY L. GALLEGOS  
Executive Director

Attachments: 1. September 2014 Regional Application Rankings and Funding Recommendation  
2. Updated Regional ATP Project and Funding Recommendations  
3. Exchange of Funds Letters  
4. Board Policy No. 035: Competitive Grant Program Procedures  
5. Resolution No. RTC 2015-02

Key Staff Contact: Ariana zur Nieden, (619) 699-6961, [ariana.zurnieden@sandag.org](mailto:ariana.zurnieden@sandag.org)

2014 Active Transportation Program Regional Call for Projects  
Regional Application Rankings and Funding Recommendation

CTC ID #	MPO ID #	Applicant	Project Title	Requested Grant Amount	Funding Recommendation	Fiscal Year 14-15 Allocation	Fiscal Year 15-16 Allocation	Final Sum of Ranks	Overall Rank
<b>Projects Recommended for Funding</b>									
0653	3	City of Chula Vista	F Street Promenade Streetscape Master Plan	\$491,000	\$491,000	\$491,000	\$0	4	1
0685	45	County of San Diego	County of San Diego - Active Transportation Plan	\$500,000	\$500,000	\$330,000	\$170,000	7	2
0691	55	SANDAG	SANDAG Bayshore Bikeway: Barrio Logan Segment	\$1,470,000	\$1,470,000	\$0	\$1,470,000	15	3
0668	18	City of Imperial Beach	Bikeway Village Bayshore Bikeway Access Enhancement Project	\$1,800,000	\$1,800,000	\$1,000,000	\$800,000	16	4
0657	9	City of Del Mar	Pedestrian & Bicycle Facilities Along Camino del Mar, Jimmy Durante and Via de la Valle	\$812,000	\$812,000	\$0	\$812,000	24	5
0692	56	SANDAG	SANDAG Coastal Rail Trail - Chesterfield Drive to G Street	\$4,104,000	\$4,104,000	\$0	\$4,104,000	29	6
0675	25	City of National City	Division Street Road Diet	\$875,000	\$875,000	\$143,000	\$732,000	34	7
0663	15	City of Escondido	Escondido Creek Bikeway Missing Link	\$1,092,000	\$1,092,000	\$172,000	\$920,000	38	8
0674	27	City of National City	Euclid Avenue Bicycle and Pedestrian Enhancements	\$425,000	\$425,000	\$350,000	\$75,000	43	9
0694	58	SANDAG	SANDAG State Route 15 Commuter Bike Facility	\$9,720,000	\$1,841,000	\$1,841,000	\$0	43	9
					<b>\$13,410,000</b>	<b>\$4,327,000</b>	<b>\$9,083,000</b>		
<b>Projects Recommended as Contingency Projects</b>									
0656	8	City of Del Mar	Camino Del Mar Complete Streets: Pedestrian, Bicycle, & Intersection Safety	\$362,000	\$0	\$0	\$0	53	11
0696	38	City of Santee	San Diego River Bike Path Design Project	\$366,000	\$0	\$0	\$0	56	12
0693	57	SANDAG	SANDAG Coastal Rail Trail - Rose Creek Bikeway	\$8,604,000	\$0	\$0	\$0	57	13
0772	41	City of Vista	City of Vista - Pedestrian Master Plan	\$150,000	\$0	\$0	\$0	58	14
0689	35	City of San Marcos	City of San Marcos - Bicycle Detection Enhancement Project	\$531,000	\$0	\$0	\$0	59	15
0690	36	City of San Marcos	City of San Marcos - CSUSM Bike and Pedestrian Urban Trail at Twin Oaks Valley Road	\$614,000	\$0	\$0	\$0	60	16
0661	12	City of Encinitas	City of Encinitas - El Portal Pedestrian and Bike Underpass Project	\$5,401,000	\$0	\$0	\$0	61	17
0667	19	City of Imperial Beach	City of Imperial Beach Complete Streets Plan for Safe Routes to School and Community	\$750,000	\$0	\$0	\$0	64	18
0649	28	City of Oceanside	City of Oceanside Elementary School Bike/Walk Encouragement Project	\$238,120	\$0	\$0	\$0	67	19
0682	34	City of San Diego	Streamview Drive Improvement Project	\$1,592,000	\$0	\$0	\$0	68	20
0671	21	City of La Mesa	Junior High Drive Pedestrian & Bicycle Improvements	\$1,100,000	\$0	\$0	\$0	69	21
0660	13	City of Encinitas	City of Encinitas - Leucadia Boulevard Roundabout Safe Routes to School Project	\$1,375,000	\$0	\$0	\$0	70	22
0686	60	Urban Corps of San Diego County	Chollas Creek, Oak Park Branch Trail	\$963,944	\$0	\$0	\$0	75	23
N/A	7	City of Coronado	Implementing the Coronado Bicycle Master Plan - Bundle of Projects	\$319,552	\$0	\$0	\$0	80	24
0678	31	City of Poway	Midland Road Improvements	\$437,000	\$0	\$0	\$0	80	24
0698	40	City of Solana Beach	City of Solana Beach - Stevens Avenue Safe Routes to School Improvements	\$550,000	\$0	\$0	\$0	81	26
0652	4	City of Chula Vista	Industrial Boulevard Pedestrian and Bicycle Improvements	\$790,000	\$0	\$0	\$0	84	27
0665	50	Escondido Union School District	Escondido Safe Routes to Schools Program	\$1,845,000	\$0	\$0	\$0	86	28
0664	16	City of Escondido	Juniper Elementary School Safe Routes to School	\$1,337,000	\$0	\$0	\$0	88	29
0677	29	City of Oceanside	Nicols Elementary Safe Routes to School Project	\$550,000	\$0	\$0	\$0	90	30
0662	14	City of Encinitas	City of Encinitas - Montgomery Ave Pedestrian and Bike Undercrossing	\$6,641,000	\$0	\$0	\$0	99	31
0701	43	City of Vista	City of Vista- Bobier Elementary Pedestrian Mobility Improvements	\$447,000	\$0	\$0	\$0	101	32
0658	11	City of El Cajon	Chase Avenue Elementary School (City of El Cajon)	\$397,000	\$0	\$0	\$0	114	33
0695	37	City of Santee	Riverwalk Drive Pedestrian Crossing Project	\$217,000	\$0	\$0	\$0	116	34
0679	30	City of Poway	Espola Road Improvements	\$1,201,000	\$0	\$0	\$0	120	35
0651	5	City of Chula Vista	Lauderbach ES Pedestrian Improvements	\$291,000	\$0	\$0	\$0	135	36
0684	46	County of San Diego	Installation of a Traffic Signal at Discovery Street/San Pablo Drive	\$467,000	\$0	\$0	\$0	136	37
0697	39	City of Santee	School Area ADA Pedestrian Ramp Installation Project	\$980,000	\$0	\$0	\$0	140	38
0650	2	City of Chula Vista	Cook Elementary School Safety Pedestrian Improvements	\$407,000	\$0	\$0	\$0	147	39
0683	49	County of San Diego	Valley Vista Elementary - SRTS Sidewalk Improvements	\$364,000	\$0	\$0	\$0	150	40
0687	48	County of San Diego	Tierra del Sol Middle and Lindo Park Elementary - Julian Avenue SRTS Improvements	\$1,313,000	\$0	\$0	\$0	151	41
0699	59	Steele Canyon High School	Pedestrian Safety Enhancements SR94 near Steele Canyon High School	\$1,680,000	\$0	\$0	\$0	156	42

2014 Active Transportation Program Regional Call for Projects  
Updated Regional Application Funding Recommendation

CTC ID #	MPO ID #	Applicant	Project Title	Type	ATP Requested Grant Amount	ATP Funding Recommendation	TransNet Funding	Fiscal Year 14-15 ATP Allocation	Fiscal Year 15-16 ATP Allocation	Final Sum of Ranks	Overall Rank
<b>Projects Recommended for Funding</b>											
0653	3	City of Chula Vista	F Street Promenade Streetscape Master Plan	Planning	\$491,000	\$0	\$491,000	\$0	\$0	4	1
0685	45	County of San Diego	County of San Diego - Active Transportation Plan	Planning	\$500,000	\$0	\$500,000	\$0	\$0	7	2
0691	55	SANDAG	SANDAG Bayshore Bikeway: Barrio Logan Segment	Capital	\$1,470,000	\$0	\$1,470,000	\$0	\$0	15	3
0668	18	City of Imperial Beach	Bikeway Village Bayshore Bikeway Access Enhancement Project	Capital	\$1,800,000	\$0	\$1,800,000	\$0	\$0	16	4
0657	9	City of Del Mar	Pedestrian & Bicycle Facilities Along Camino del Mar, Jimmy Durante and Via de la Valle	Capital	\$812,000	\$0	\$812,000	\$0	\$0	24	5
0692	56	SANDAG	SANDAG Coastal Rail Trail - Chesterfield Drive to G Street	Capital	\$4,104,000	\$1,025,000	\$3,079,000	\$0	\$1,025,000	29	6
0675	25	City of National City	Division Street Road Diet	Capital	\$875,000	\$0	\$875,000	\$0	\$0	34	7
0663	15	City of Escondido	Escondido Creek Bikeway Missing Link	Capital	\$1,092,000	\$0	\$1,092,000	\$0	\$0	38	8
0674	27	City of National City	Euclid Avenue Bicycle and Pedestrian Enhancements	Capital	\$425,000	\$0	\$425,000	\$0	\$0	43	9
0694	58	SANDAG	SANDAG State Route 15 Commuter Bike Facility	Capital	\$9,720,000	\$12,385,000	\$786,000	\$12,385,000	\$0	43	9
						<b>\$13,410,000</b>	<b>\$11,330,000</b>	<b>\$12,385,000</b>	<b>\$1,025,000</b>		
<b>Projects Recommended as Contingency Projects</b>											
0656	8	City of Del Mar	Camino Del Mar Complete Streets: Pedestrian, Bicycle, & Intersection Safety	Capital	\$362,000	\$0	\$0	\$0	\$0	53	11
0696	38	City of Santee	San Diego River Bike Path Design Project	Capital	\$366,000	\$0	\$0	\$0	\$0	56	12
0693	57	SANDAG	SANDAG Coastal Rail Trail - Rose Creek Bikeway	Capital	\$8,604,000	\$0	\$0	\$0	\$0	57	13
0772	41	City of Vista	City of Vista - Pedestrian Master Plan	Planning	\$150,000	\$0	\$0	\$0	\$0	58	14
0689	35	City of San Marcos	City of San Marcos - Bicycle Detection Enhancement Project	Capital	\$531,000	\$0	\$0	\$0	\$0	59	15
0690	36	City of San Marcos	City of San Marcos - CSUSM Bike and Pedestrian Urban Trail at Twin Oaks Valley Road	Capital	\$614,000	\$0	\$0	\$0	\$0	60	16
0661	12	City of Encinitas	City of Encinitas - El Portal Pedestrian and Bike Underpass Project	Capital	\$5,401,000	\$0	\$0	\$0	\$0	61	17
0667	19	City of Imperial Beach	City of Imperial Beach Complete Streets Plan for Safe Routes to School and Community	Planning	\$750,000	\$0	\$0	\$0	\$0	64	18
0649	28	City of Oceanside	City of Oceanside Elementary School Bike/Walk Encouragement Project	4Es	\$238,120	\$0	\$0	\$0	\$0	67	19
0682	34	City of San Diego	Streamview Drive Improvement Project	Capital	\$1,592,000	\$0	\$0	\$0	\$0	68	20
0671	21	City of La Mesa	Junior High Drive Pedestrian & Bicycle Improvements	Capital	\$1,100,000	\$0	\$0	\$0	\$0	69	21
0660	13	City of Encinitas	City of Encinitas - Leucadia Boulevard Roundabout Safe Routes to School Project	Capital	\$1,375,000	\$0	\$0	\$0	\$0	70	22
0686	60	Urban Corps of San Diego County	Chollas Creek, Oak Park Branch Trail	Capital	\$963,944	\$0	\$0	\$0	\$0	75	23
N/A	7	City of Coronado	Implementing the Coronado Bicycle Master Plan - Bundle of Projects	Capital	\$319,552	\$0	\$0	\$0	\$0	80	24
0678	31	City of Poway	Midland Road Improvements	Capital	\$437,000	\$0	\$0	\$0	\$0	80	24
0698	40	City of Solana Beach	City of Solana Beach - Stevens Avenue Safe Routes to School Improvements	Capital	\$550,000	\$0	\$0	\$0	\$0	81	26
0652	4	City of Chula Vista	Industrial Boulevard Pedestrian and Bicycle Improvements	Capital	\$790,000	\$0	\$0	\$0	\$0	84	27
0665	50	Escondido Union School District	Escondido Safe Routes to Schools Program	4Es	\$1,845,000	\$0	\$0	\$0	\$0	86	28
0664	16	City of Escondido	Juniper Elementary School Safe Routes to School	Capital	\$1,337,000	\$0	\$0	\$0	\$0	88	29
0677	29	City of Oceanside	Nicols Elementary Safe Routes to School Project	Capital	\$550,000	\$0	\$0	\$0	\$0	90	30
0662	14	City of Encinitas	City of Encinitas - Montgomery Ave Pedestrian and Bike Undercrossing	Capital	\$6,641,000	\$0	\$0	\$0	\$0	99	31
0701	43	City of Vista	City of Vista - Bobier Elementary Pedestrian Mobility Improvements	Capital	\$447,000	\$0	\$0	\$0	\$0	101	32
0658	11	City of El Cajon	Chase Avenue Elementary School (City of El Cajon)	Capital	\$397,000	\$0	\$0	\$0	\$0	114	33
0695	37	City of Santee	Riverwalk Drive Pedestrian Crossing Project	Capital	\$217,000	\$0	\$0	\$0	\$0	116	34
0679	30	City of Poway	Espola Road Improvements	Capital	\$1,201,000	\$0	\$0	\$0	\$0	120	35
0651	5	City of Chula Vista	Lauderbach ES Pedestrian Improvements	Capital	\$291,000	\$0	\$0	\$0	\$0	135	36
0684	46	County of San Diego	Installation of a Traffic Signal at Discovery Street/San Pablo Drive	Capital	\$467,000	\$0	\$0	\$0	\$0	136	37
0697	39	City of Santee	School Area ADA Pedestrian Ramp Installation Project	Capital	\$980,000	\$0	\$0	\$0	\$0	140	38
0650	2	City of Chula Vista	Cook Elementary School Safety Pedestrian Improvements	Capital	\$407,000	\$0	\$0	\$0	\$0	147	39
0683	49	County of San Diego	Valley Vista Elementary - SRTS Sidewalk Improvements	Capital	\$364,000	\$0	\$0	\$0	\$0	150	40
0687	48	County of San Diego	Tierra del Sol Middle and Lindo Park Elementary - Julian Avenue SRTS Improvements	Capital	\$1,313,000	\$0	\$0	\$0	\$0	151	41
0699	59	Steele Canyon High School	Pedestrian Safety Enhancements SR94 near Steele Canyon High School	Capital	\$1,680,000	\$0	\$0	\$0	\$0	156	42



# City of Del Mar

November 5, 2014

Mr. Andre Boutros  
Executive Director  
California Transportation Commission  
1120 N Street, Room 2221 (Mail Stop 52)  
Sacramento, CA 95814

Dear Mr. Boutros:

SUBJECT: San Diego Regional Active Transportation Program Proposed Exchange of Funds

On September 26, 2014, the San Diego Association of Governments (SANDAG) approved the results of the San Diego Regional Active Transportation Program (ATP) competition for California Transportation Commission (CTC) consideration, including the selection of the City of Del Mar's *Pedestrian & Bicycle Facilities Along Camino del Mar, Jimmy Durante and Via de la Valle* project. Consistent with its role as the Metropolitan Planning Organization responsible for overseeing the regional ATP project selection process, SANDAG intends to work with successful applicants previously selected as part of the regional competition to determine their interest in exchanging ATP funding for local *TransNet* funds.

In accordance with CTC Guidelines, this would consolidate the allocation of federal ATP funds to as few projects as practicable, which would include the State Route 15 Commuter Bike Facility and the Coastal Rail Trail: Chesterfield Drive to G Street projects, and may include others depending on final regional applicant participation in the proposed fund exchange.

For the *Pedestrian & Bicycle Facilities Along Camino del Mar, Jimmy Durante and Via de la Valle* project, the City of Del Mar intends to exchange ATP funding for local *TransNet* funds and respectfully requests that the *Pedestrian & Bicycle Facilities Along Camino del Mar, Jimmy Durante and Via de la Valle* project be withdrawn from the ATP. The *Pedestrian & Bicycle Facilities Along Camino del Mar, Jimmy Durante and Via de la Valle* project will be subject to *TransNet* ATP reporting and monitoring requirements.

Please contact Jon Terwilliger, Senior Management Analyst, at [jterwilliger@delmar.ca.us](mailto:jterwilliger@delmar.ca.us) or (858) 755-9313 with any questions.

Sincerely,

 Scott W. Huth  
City Manager

cc: Laurel Janssen, David Giongco, Laurie Waters – CTC  
Ariana zur Nieden, SANDAG





**Department of Public Works**

---

November 5, 2014

Mr. Andre Boutros  
Executive Director  
California Transportation Commission  
1120 N Street, Room 2221 (MS-52)  
Sacramento, CA 95814

Dear Mr. Boutros:

SUBJECT: San Diego Regional Active Transportation Program  
Proposed Exchange of Funds

On September 26, 2014, the San Diego Association of Governments (SANDAG) approved the results of the San Diego Regional Active Transportation Program (ATP) competition for California Transportation Commission (CTC) consideration, including the selection of the F Street Promenade Streetscape Master Plan.

The City of Chula Vista intends to work with SANDAG to exchange ATP funding for local *TransNet* funds and respectfully requests that the F Street Promenade Streetscape Master Plan project be withdrawn from the Active Transportation Program. The F Street Promenade Streetscape Master Plan will be subject to *TransNet* Active Transportation Program reporting and monitoring requirements.

Please contact David Taylor at (619) 691-5098 with any questions.

Sincerely,

RICHARD A. HOPKINS  
Director of Public Works

cc: Ms. Laurel Janssen  
Mr. David Giongco  
Ms. Laurie Waters



# County of San Diego

**MARK WARDLAW**  
DIRECTOR  
PHONE (858) 694-2962  
FAX (858) 694-2555

PLANNING & DEVELOPMENT SERVICES  
5510 OVERLAND AVENUE, SUITE 310, SAN DIEGO, CA 92123  
[www.sdcounty.ca.gov/pds](http://www.sdcounty.ca.gov/pds)

**DARREN GRETLER**  
ASSISTANT DIRECTOR  
PHONE (858) 694-2962  
FAX (858) 694-2555

November 5, 2014

Mr. Andre Boutros  
Executive Director  
California Transportation Commission  
1120 N Street, Room 2221 (MS-52)  
Sacramento, CA 95814

Dear Mr. Boutros:

**SUBJECT:** San Diego Regional Active Transportation Program Proposed Exchange of Funds

On September 26, 2014, the San Diego Association of Governments (SANDAG) approved the results of the San Diego Regional Active Transportation Program (ATP) competition for California Transportation Commission (CTC) consideration, including the selection of the County of San Diego - Active Transportation Plan. On October 30, 2014 SANDAG approached approved local recipients, including the County, to consider exchanging funding sources. Consistent with its role as the Metropolitan Planning Organization (MPO) responsible for overseeing the regional ATP project selection process, SANDAG intends to work with successful applicants previously selected as part of the regional competition to exchange ATP funding for local *TransNet* funds.

In accordance with CTC Guidelines, this would consolidate the allocation of federal ATP funds to as few projects as practicable, which would include the State Route 15 Commuter Bike Facility and the Coastal Rail Trail: Chesterfield Drive to G Street projects, and may include others depending on final regional applicant participation in the proposed fund exchange.

The County of San Diego intends to work with SANDAG to exchange ATP funding for local *TransNet* funds and respectfully requests that the County of San Diego - Active Transportation Plan project be withdrawn from the Active Transportation Program. SANDAG anticipates their BOD considering for approval the funding exchange at their November 21, 2014 meeting. The County will then enter into a grant agreement with SANDAG and the Active Transportation Plan will be subject to *TransNet* ATP reporting and monitoring requirements.

Please contact Project Manager, Everett Hauser at 858-694-2412 or [Everett.Hauser@sdcounty.ca.gov](mailto:Everett.Hauser@sdcounty.ca.gov) with any questions.

Sincerely,

MARK WARDLAW

Director of Planning & Development Services

cc: Laurel Janssen, David Giongco, Laurie Waters, CTC  
Ariana zur Nieden, SANDAG





Edward N. Domingue, P.E.  
Public Works Director/City Engineer  
201 North Broadway, Escondido, CA 92025  
Phone: 760-839-4813 Fax: 760-839-4597

November 3, 2014

Mr. Andre Boutros  
Executive Director  
California Transportation Commission  
1120 N Street, Room 2221 (MS-52)  
Sacramento, CA 95814

Dear Mr. Boutros:

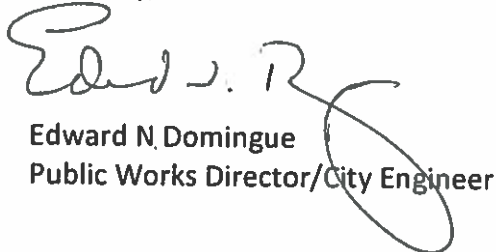
**SUBJECT: San Diego Regional Active Transportation Program  
Proposed Exchange of Funds**

On September 26, 2014, the San Diego Association of Governments (SANDAG) approved the results of the San Diego Regional Active Transportation Program (ATP) competition for California Transportation Commission (CTC) consideration, including the selection of the Escondido Creek Bikeway Missing Link.

The City of Escondido intends to work with SANDAG to exchange ATP funding for local *TransNet* funds and respectfully requests that the Escondido Creek Bikeway Missing Link project be withdrawn from the Active Transportation Program. The Escondido Creek Bikeway Missing Link will be subject to *TransNet* Active Transportation Program reporting and monitoring requirements.

Please contact Julie Procopio at 760-839-4001 or [JProcopio@escondido.org](mailto:JProcopio@escondido.org) with any questions.

Sincerely,



Edward N. Domingue  
Public Works Director/City Engineer

cc: Ms. Laurel Janssen  
Mr. David Giongco  
Ms. Laurie Waters



# City of Imperial Beach, California

OFFICE OF THE CITY MANAGER

825 Imperial Beach Blvd., Imperial Beach, CA 91932 Tel: (619) 423-8303 Fax: (619) 628-1395

November 5, 2014

Mr. Andre Boutros  
Executive Director  
California Transportation Commission  
1120 N Street, Room 2221 (MS-52)  
Sacramento, CA 95814

Dear Mr. Boutros:

**SUBJECT: San Diego Regional Active Transportation Program Exchange of Funds**

On September 26, 2014, the San Diego Association of Governments (SANDAG) approved the results of the San Diego Regional Active Transportation Program (ATP) competition for California Transportation Commission (CTC) consideration, including the selection of the City of Imperial Beach's Bikeway Village Bayshore Bikeway Access Enhancement Project.

The City of Imperial Beach intends to work with SANDAG to exchange ATP funding for local *TransNet* funds. It is our understanding that this funding exchange is subject to approval by the SANDAG Board of Directors and the CTC. Assuming these approvals are granted, Imperial Beach respectfully requests that the Bikeway Village Bayshore Bikeway Access Enhancement Project be withdrawn from the Active Transportation Program. The Bikeway Village Bayshore Bikeway Access Enhancement Project will be subject to *TransNet* Active Transportation Program reporting and monitoring requirements.

If you have any questions regarding this information, Please contact Gregory Wade at (619) 628-1354 or [gwade@imperialbeachca.gov](mailto:gwade@imperialbeachca.gov).

Sincerely,

Gregory Wade  
Assistant City Manager/  
Community Development Director

C: Ms. Laurel Janssen  
Mr. David Giongco  
Ms. Laurie Waters



November 5, 2014

Mr. Andre Boutros  
Executive Director  
California Transportation Commission  
1120 N Street, Room 2221 (Mail Stop 52)  
Sacramento, CA 95814

Dear Mr. Boutros:

SUBJECT: San Diego Regional Active Transportation Program Proposed Exchange of Funds

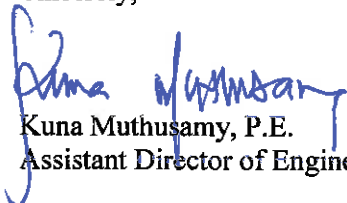
On September 26, 2014, the San Diego Association of Governments (SANDAG) approved the results of the San Diego Regional Active Transportation Program (ATP) competition for California Transportation Commission (CTC) consideration, including the selection of the Division Street Road Diet and Euclid Avenue Bicycle and Pedestrian Enhancements. Consistent with its role as the Metropolitan Planning Organization responsible for overseeing the regional ATP project selection process, SANDAG intends to work with successful applicants previously selected as part of the regional competition to determine their interest in exchanging ATP funding for local *TransNet* funds.

In accordance with CTC Guidelines, this would consolidate the allocation of federal ATP funds to as few projects as practicable, which would include the State Route 15 Commuter Bike Facility and the Coastal Rail Trail: Chesterfield Drive to G Street projects, and may include others depending on final regional applicant participation in the proposed fund exchange.

For the Division Street Road Diet and Euclid Avenue Bicycle and Pedestrian Enhancements, City of National City intends to exchange ATP funding for local *TransNet* funds and respectfully requests that the Division Street Road Diet and Euclid Avenue Bicycle and Pedestrian Enhancements be withdrawn from the ATP. The Division Street Road Diet and Euclid Avenue Bicycle and Pedestrian Enhancements will be subject to *TransNet* ATP reporting and monitoring requirements.

Please contact me at [kmuthusamy@nationalcityca.gov](mailto:kmuthusamy@nationalcityca.gov) or 619-336-4380 with any questions.

Sincerely,



Kuna Muthusamy, P.E.  
Assistant Director of Engineering & Public Works

cc: Laurel Janssen, David Giongco, Laurie Waters – CTC  
Ariana zur Nieden, SANDAG

Engineering Department  
1243 National City Boulevard, National City, CA 91950-4301  
619/336-4380 Fax 619/336-4397 [www.nationalcityca.gov](http://www.nationalcityca.gov)



401 B Street, Suite 800  
San Diego, CA 92101-4231  
(619) 699-1900  
Fax (619) 699-1905  
sandag.org

November 5, 2014

File Number 1223055

Mr. Andre Boutros  
Executive Director  
California Transportation Commission  
1120 N Street, Room 2221 (Mail Stop 52)  
Sacramento, CA 95814

MEMBER AGENCIES

- Cities of
- Carlsbad
- Chula Vista
- Coronado
- Del Mar
- El Cajon
- Encinitas
- Escondido
- Imperial Beach
- La Mesa
- Lemon Grove
- National City
- Oceanside
- Poway
- San Diego
- San Marcos
- Santee
- Solana Beach
- Vista
- and
- County of San Diego

ADVISORY MEMBERS

- Imperial County
- California Department of Transportation
- Metropolitan Transit System
- North County Transit District
- United States Department of Defense
- San Diego Unified Port District
- San Diego County Water Authority
- Southern California Tribal Chairmen's Association
- Mexico

Dear Mr. Boutros:

SUBJECT: San Diego Regional Active Transportation Program Proposed Exchange of Funds

On September 26, 2014, the San Diego Association of Governments (SANDAG) approved the results of the San Diego Regional Active Transportation Program (ATP) competition for California Transportation Commission (CTC) consideration, including the selection of the Bayshore Bikeway: Barrio Logan Segment Project. Consistent with its role as the Metropolitan Planning Organization responsible for overseeing the regional ATP project selection process, SANDAG intends to work with successful applicants previously selected as part of the regional competition to determine their interest in exchanging ATP funding for local *TransNet* funds.

In accordance with CTC Guidelines, this would consolidate the allocation of federal ATP funds to as few projects as practicable, which would include the State Route 15 Commuter Bike Facility and the Coastal Rail Trail: Chesterfield Drive to G Street projects, and may include others depending on final regional applicant participation in the proposed fund exchange.

For the Bayshore Bikeway: Barrio Logan Segment Project, SANDAG intends to exchange ATP funding for local *TransNet* funds and respectfully requests that the Bayshore Bikeway: Barrio Logan Segment Project be withdrawn from the ATP. The Bayshore Bikeway Barrio Logan Segment will be subject to *TransNet* ATP reporting and monitoring requirements.

Please contact Linda Culp, Principal Regional Planner, at linda.culp@sandag.org or (619) 699-6957 with any questions.

Sincerely,

  
GARY L. GALLEGOS  
Executive Director

GGA/LCU/bga

cc: Laurel Janssen, David Giongco, Laurie Waters - CTC



## BOARD POLICY NO. **035**

### **COMPETITIVE GRANT PROGRAM PROCEDURES**

#### **Applicability and Purpose of Policy**

This Policy applies to the following grant programs administered through SANDAG, whether from *TransNet* or another source: Smart Growth Incentive Program, Environmental Mitigation Program, Bike and Pedestrian Program, Senior Mini Grant Program, Job Access Reverse Commute, New Freedom, and Section 5310 Elderly & Persons with Disabilities Transportation Program.

Nothing in this Policy is intended to supersede federal or state grant rules, regulations, statutes, or contract documents that conflict with the requirements in this Policy. There are never enough government grant funds to pay for all of the projects worthy of funding in the San Diego region. For this reason, SANDAG awards grant funds on a competitive basis that takes the grantees' ability to perform their proposed project on a timely basis into account. SANDAG intends to hold grantees accountable to the project schedules they have proposed in order to ensure fairness in the competitive process and encourage grantees to get their projects implemented quickly so that the public can benefit from the project deliverables as soon as possible.

#### **Procedures**

##### 1. Project Milestone and Completion Deadlines

1.1. When signing a grant agreement for a competitive program funded and/or administered by SANDAG, grant recipients must agree to the project delivery objectives and schedules in the agreement. In addition, a grantee's proposal must contain a schedule that falls within the following deadlines. Failure to meet the deadlines below may result in revocation of all grant funds not already expended. The final invoice for capital, planning, or operations grants must be submitted prior to the applicable deadline.

1.1.1. Funding for Capital Projects. If the grant will fund a capital project, the project must be completed according to the schedule provided in the grant agreement, but at the latest, any necessary construction contract must be awarded within two years following execution of the grant agreement, and construction must be completed within eighteen months following award of the construction contract. Completion of construction for purposes of this policy shall be when the prime construction contractor is relieved from its maintenance responsibilities. If no construction contract award is necessary, the construction project must be complete within eighteen months following execution of the grant agreement.

1.1.2. Funding for Planning Grants. If the grant will fund planning, the project must be completed according to the schedule provided in the grant agreement, but at the latest, any necessary consultant contract must be awarded within one year following execution of the grant agreement, and the planning project must be complete within two years following award of the consultant contract. Completion of planning for purposes of this policy shall be when grantee approves the final planning project deliverable. If no consultant contract award is necessary, the

planning project must be complete within two years of execution of the grant agreement.

1.1.3 Funding for Operations Grants. If the grant will fund operations, the project must be completed according to the schedule provided in the grant agreement, but at the latest, any necessary services contract for operations must be awarded within one year following execution of the grant agreement, and the operations must commence within six months following award of the operations contract. If no services contract for operations is necessary, the operations project must commence within one year of execution of the grant agreement.

1.1.4 Funding for Equipment or Vehicles Grants. If the grant will fund equipment or vehicles, the project must be completed according to the schedule provided in the grant agreement, but at the latest, any necessary purchase contracts for equipment or vehicles must be awarded within one year following execution of the grant agreement, and use of the equipment or vehicles for the benefit of the public must commence within six months following award of the purchase contract.

## 2. Project Milestone and Completion Deadline Extensions

2.1. Schedules within grant agreements may include project scopes and schedules that will identify interim milestones in addition to those described in Section 1 of this Policy. Grant recipients may receive extensions on their project schedules of up to six months for good cause. Extensions of up to six months aggregate that would not cause the project to miss a completion deadline in Section 1 may be approved by the SANDAG Executive Director. Extensions beyond six months aggregate or that would cause the project to miss a completion deadline in Section 1 must be approved by the Policy Advisory Committee that has been delegated the necessary authority by the Board. For an extension to be granted under this Section 2, the following conditions must be met:

2.1.1. For extension requests of up to six months, the grantee must request the extension in writing to the SANDAG Program Manager at least two weeks prior to the earliest project schedule milestone deadline for which an extension is being requested. The Executive Director or designee will determine whether the extension should be granted. The Executive Director's action will be reported out to the Board in following month's report of delegated actions.

2.1.2. A grantee seeking an extension must document previous efforts undertaken to maintain the project schedule, explain the reasons for the delay, explain why the delay is unavoidable, and demonstrate an ability to succeed in the extended time frame the grantee proposes.

2.1.3. If the Executive Director denies an extension request under this Section 2, the grantee may appeal within ten business days of receiving the Executive Director's response to the responsible Policy Advisory Committee by sending the appeal to the SANDAG Program Manager.

2.1.4. Extension requests that are rejected by the Policy Advisory Committee will result in termination of the grant agreement and obligation by the grantee to return to SANDAG any unexpended funds within 30 days. Unexpended funds are funds for project costs not incurred prior to rejection of the extension request by the Policy Advisory Committee.

### 3. Project Delays and Extensions in Excess of Six Months

3.1. Requests for extensions in excess of six months, or that will cause a project to miss a completion deadline in Section 1 (including those projects that were already granted extensions by the Executive Director and are again falling behind schedule), will be considered by the Policy Advisory Committee upon request to the SANDAG Program Manager.

3.2 A grantee seeking an extension must document previous efforts undertaken to maintain the project schedule, explain the reasons for the delay, explain why the delay is unavoidable, and demonstrate an ability to succeed in the extended time frame the grantee proposes. The grantee must provide the necessary information to SANDAG staff to place in a report to the Policy Advisory Committee. If sufficient time is available, and the grant utilized *TransNet* funds, the request will first be taken to the Independent Taxpayer Advisory Committee (ITOC) for a recommendation. The grantee should make a representative available at the meeting to present the information to, and/or answer questions from, the ITOC and Policy Advisory Committee.

3.3 The Policy Advisory Committee will only grant an extension under this Section 3 for extenuating circumstances that the grantee could not have reasonably foreseen.

### 4. Resolution and Execution of the Grant Agreement

4.1 Two weeks prior to the review by the Policy Advisory Committee of the proposed grants, prospective grantees must submit a resolution from their authorized governing body that includes the provisions in this Subsection 4.1. Failure to provide a resolution that meets the requirements in this Subsection 4.1 will result in rejection of the application and the application will be dropped from consideration with funding going to the next project as scored by the evaluation committee. In order to assist grantees in meeting this resolution deadline, when SANDAG issues the call for projects it will allow at least 90 days for grant application submission.

4.1.1 Grantee governing body commits to providing the amount of matching funds set forth in the grant application.

4.1.2 Grantee governing body authorizes staff to accept the grant funding and execute a grant agreement if an award is made by SANDAG.

4.2 Grantee's authorized representative must execute the grant agreement within 45 days from the date SANDAG presents the grant agreement to the prospective grantee for execution. Failure to meet the requirements in this Subsection 4.2 may result in revocation of the grant award.

### 5. Increased Availability of Funding Under this Policy

5.1. Grant funds made available as a result of the procedures in this Policy may be awarded to the next project on the recommended project priority list from the most recent project selection process, or may be added to the funds available for the next project funding cycle, at the responsible Policy Advisory Committee's discretion. Any project that loses funding due to failure to meet the deadlines specified in this Policy may be resubmitted to compete for funding in a future call for grant applications.



401 B Street, Suite 800  
San Diego, CA 92101  
Phone (619) 699-1900  
Fax (619) 699-1905  
[www.sandag.org](http://www.sandag.org)

## **RESOLUTION NO. RTC-2015-02**

### **APPROVING THE PROPOSED LIST OF ACTIVE TRANSPORTATION PROGRAM PROJECTS AND FUNDING RECOMMENDATIONS TO THE CALIFORNIA TRANSPORTATION COMMISSION**

WHEREAS, the Legislature and Governor of the State of California have provided funds for the Active Transportation Program (ATP) under Senate Bill 99, Chapter 359, and

Assembly Bill 101, Chapter 354; and

WHEREAS, the California Transportation Commission (CTC) has statutory authority for the administration of this grant program and established necessary procedures; and

WHEREAS, the CTC has required in its ATP Program Guidelines that

Metropolitan Planning Organizations (MPOs) coordinate the competitive selection process to select projects to receive a portion of the ATP funding; and

WHEREAS, the San Diego Association of Governments (SANDAG), as the MPO for the San Diego region, conducted a competitive selection process for the distribution of ATP funds in the San Diego region; and

WHEREAS, the SANDAG competitive selection process has resulted in a list of projects that are deemed to meet the requirements of the ATP Program Guidelines; and

WHEREAS, SANDAG and the successful ATP regional applicants have determined that consolidation of Regional ATP funds to as few projects as practicable in exchange for TransNet funding is consistent with CTC Guidelines; and

WHEREAS, per TransNet Extension Ordinance, Section 7. Cooperative Fund Agreements, SANDAG may exchange revenues for federal, state, or other local funds allocated or granted to any public agency to maximize effectiveness in the use of revenues; and

WHEREAS, SANDAG has worked with project applicants to determine interest in exchanging ATP funds for TransNet funds and eight project applicants have submitted letters to the CTC stating their interest in withdrawing their projects from consideration for ATP funding, and

WHEREAS, the CTC requires the Governing Body of the MPO to approve the proposed ranked list of Regional ATP projects and funding recommendations to the California Transportation Commission; NOW THEREFORE



BE IT RESOLVED that the SANDAG Board of Directors, also acting as ~~its Governing Body~~ the San Diego County Regional Transportation Commission:

1. The San Diego Regional ATP competitive selection process was conducted in accordance with the CTC ATP Program Guidelines, including the use of a multidisciplinary advisory group as application evaluators
2. The projects recommended for ATP and TransNet funding per the San Diego Regional ATP competition include projects benefitting pedestrians and bicyclists, including students walking and cycling to school
3. The proposed list of ATP projects are hereby recommended to the CTC for funding
4. The contingent project list is recommended to be used by the CTC to reallocate ATP funds in the event a project initially recommended for funding is unable to allocate the awarded funds or obtain an extension within the timeframe identified by the CTC

PASSED AND ADOPTED this 21st of November, 2014.

AYES:

NOES:

ABSENT:

---

Chair of the Board of Directors  
of the San Diego County Regional  
Transportation Commission

[Seal]

Attest:

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Secretary of the Board of Directors of the  
San Diego County Regional Transportation  
Commission



**BOARD OF DIRECTORS  
NOVEMBER 21, 2014**

**ACTION REQUESTED – INFORMATION**

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**OVERVIEW OF DEVELOPMENTS IN THE FINANCIAL  
MARKETS AND QUARTERLY INVESTMENT REPORT  
FOR THE PERIOD ENDING SEPTEMBER 30, 2014**

File Number 8000180

**Introduction**

Staff provides quarterly briefings intended to keep the Board of Directors informed about the latest developments in the financial markets, the economy, and sales tax revenues; the strategies being explored and implemented to minimize possible impacts to the *TransNet* Program; and a quarterly report on investments as required per Board Policy No. 003: Investment Policy.

**Discussion**

***Market Review and Update***

*Overview*

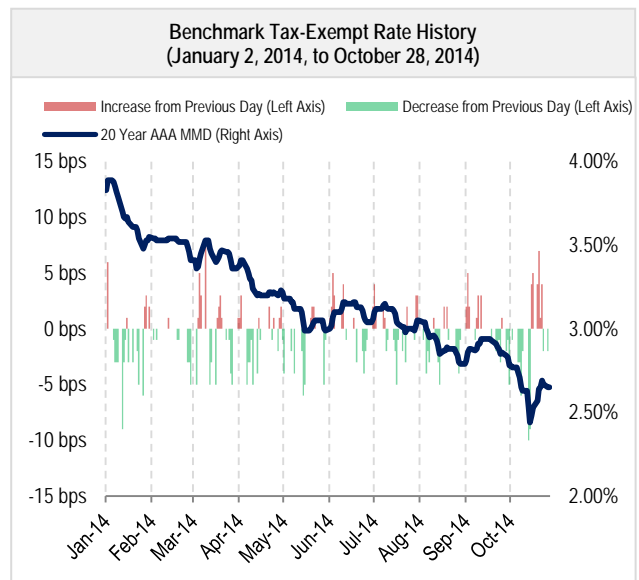
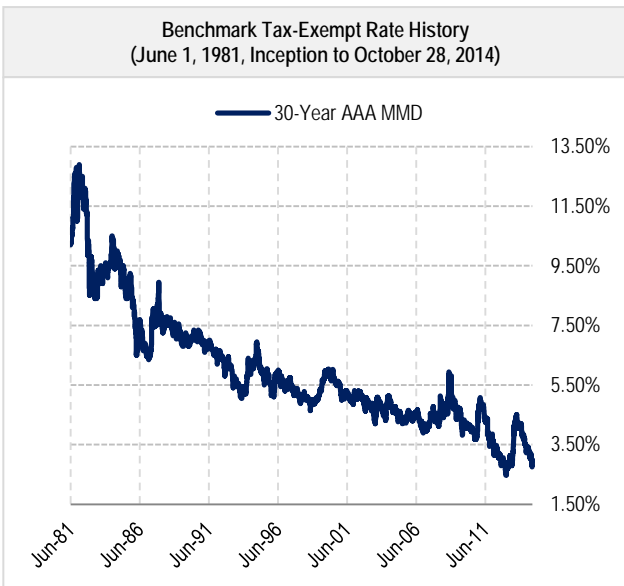
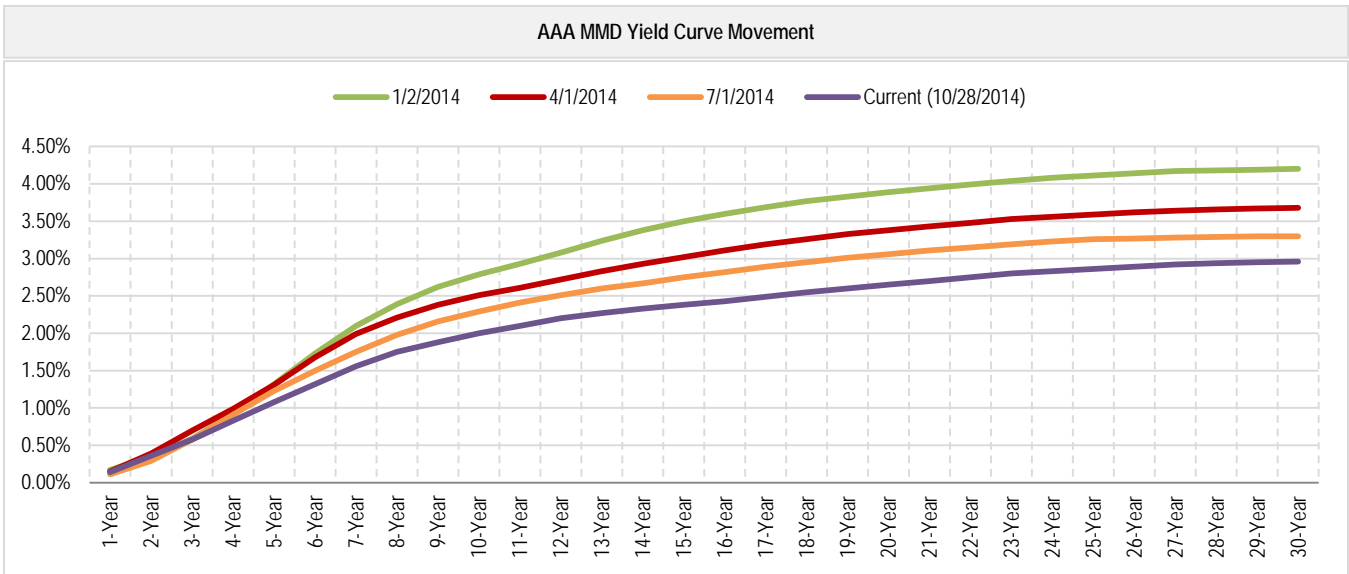
Interest rates continued to move lower throughout the year, with the greatest declines experienced by the longest-maturity securities. Since the start of the year, interest rates have declined by as much as 124 basis points. For the quarter ended March 31, 2014, and the quarter ended September 30, 2014, interest rates for shorter-maturity securities actually increased as market participants began to fear the Federal Reserve (the Fed) normalizing short-term rates.

The U.S. Treasury and municipal interest rates experienced significant volatility during the month of October. Interest rates fell dramatically during the first half of the month, driven by a flight to safety trade on fears of a slowing global economy and significant global unrest. Credit spreads also widened slightly during this period as investors were weary of committing capital during the volatile environment. The second half of the month saw rates back up as supply had difficulty being absorbed by the market at the offering levels and the market felt the decline during the first half of the month was exaggerated.

Overall this year, positive muni market technical factors lent price support to municipal bonds, as strong investor demand continued to surpass supply. As has been the case throughout the year, the positive trend for investors continues to be the result of declining interest rates, limited supply, and tightening risk premiums. The muni market continued to benefit in the third quarter from low, new issue supply as the trend continues into the fourth quarter.

The benchmark AAA Municipal Market Data (MMD) yield curve has flattened substantially; however, the yield curve remains steep. Benchmark tax-exempt rates remain below their long-term averages across the yield curve.

The Fed announced that it is ending its Quantitative Easing Stimulus Program that began in 2008. The Fed said it was confident that the U.S. economic recovery would continue, despite a global economic slowdown and that the targets for inflation and reduction in unemployment were on track.

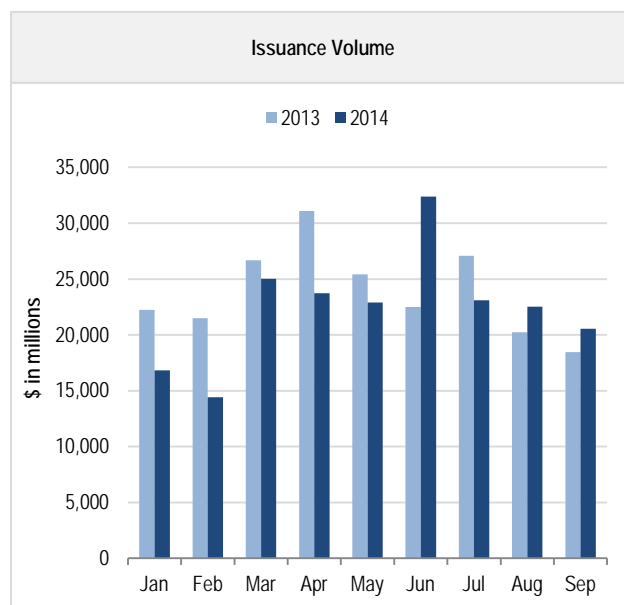


### Municipal Market Supply<sup>1</sup>

In September 2014, municipal bond issuance volume increased by 11.4 percent to \$20.6 billion compared to \$18.4 billion in September 2013.

Long-term municipal bond issuance volume in the third quarter of calendar year 2014 increased slightly by 1.2 percent to \$66.5 billion in 2,241 issues compared to \$65.8 billion in 2,126 issues through the same period in 2013.

In the first ninth months of 2014, refunding volume decreased 7.8 percent to \$70.0 billion from \$75.9 billion and new-money volume also decreased by 4.6 percent to \$91.5 billion from \$95.9 billion, versus in 2013. Refinancings and new financings have slowed for many sectors, with investment in the transportation sector following trend. The transportation sector's issuance volume to date decreased by 9.4 percent in the first nine months of 2014 from a year earlier.



### Interest Rate Forecasts

As mentioned earlier, the Fed has ended its Quantitative Easing Stimulus Program and ceased security purchases. The focus of the discussion now is when the Fed will increase short-term rates. The Federal Open Market Committee suggests that the zero interest rate policy would continue for a considerable time after the asset purchase program ends. However, despite the uncertainty, policy makers suggested that the rate hikes could begin in early/mid 2015.

The table below provides an average of interest rate forecasts by industry professionals. These are surveyed and compiled by Bloomberg. As noted, the 10-year U.S. Treasury rate is forecast to increase to 3.37 percent by the fourth quarter of calendar year 2015. The 30-year U.S. Treasury is forecast to increase to 4.08 percent by the fourth quarter of calendar year 2015. The 2-year U.S. Treasury rate is forecasted to increase to 1.66 percent by the fourth quarter of 2015. Increases to the Fed Funds Target Rate are expected by some industry professionals to begin in the second quarter of 2015. This will continue to support relatively low long-term borrowing rates in the market, of which SANDAG can choose to take advantage, if desired.

The Street's Interest Rate Forecast <sup>2</sup>							
Forecast	10/28/2014	Q4 14	Q1 15	Q2 15	Q3 15	Q4 15	Q1 16
30-Year UST	3.07%	3.36%	3.73%	3.75%	3.90%	4.08%	4.20%
10-Year UST	2.30%	2.67%	2.94%	3.03%	3.21%	3.37%	3.51%
2-Year UST	0.40%	0.70%	0.76%	1.14%	1.41%	1.66%	1.91%
3M LIBOR	0.23%	0.29%	0.32%	0.52%	0.79%	1.12%	1.45%
Fed Funds Target Rate	0.25%	0.25%	0.25%	0.40%	0.65%	0.95%	1.30%

<sup>1</sup> Issuance data from Thomson Reuters, compiled by The Bond Buyer.

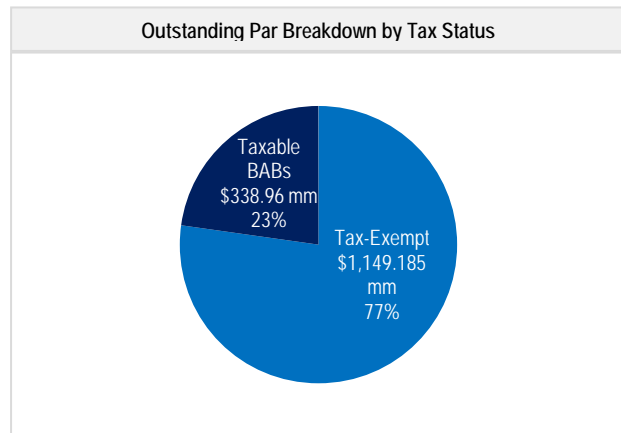
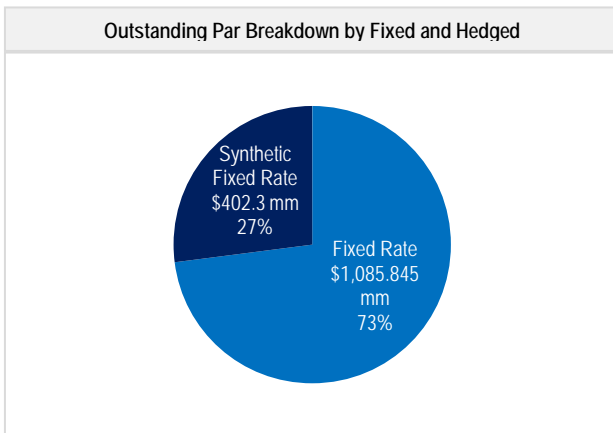
<sup>2</sup> Bloomberg survey compilation as of October 28, 2014

## Debt Portfolio Overview and Update

### Outstanding Debt Overview

Following the recent 2014 bond issuance, SANDAG has \$1.49 billion of outstanding long-term debt, consisting of the Series 2008 variable-rate bonds, the 2010 Series A taxable Build America Bonds, the 2010 Series B tax-exempt fixed-rate bonds, the 2012 Series A tax-exempt fixed-rate bonds, and the recently issued 2014 Series A tax-exempt fixed-rate bonds. Of the total debt portfolio, 27 percent consists of synthetic, fixed-rate bonds (variable-rate bonds hedged with fixed-payer interest rate swaps) and the remaining 73 percent are fixed-rate bonds. A summary of the outstanding bonds is tabulated and graphically presented below.

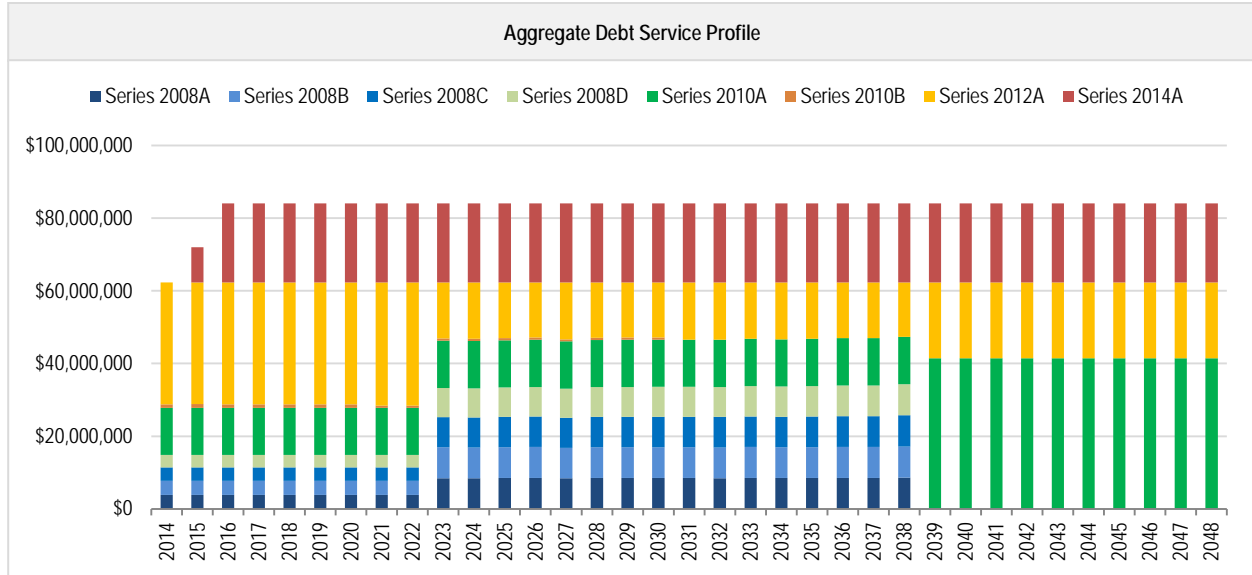
Summary of Outstanding Debt						
Series	Tax Status	Coupon Type	Original Issue Size	Outstanding Par	Call Option	Final Maturity
2008A	Tax-Exempt	Variable-Rate	\$150,000,000	\$100,575,000	Current	4/1/2038
2008B	Tax-Exempt	Variable-Rate	\$150,000,000	\$100,575,000	Current	4/1/2038
2008C	Tax-Exempt	Variable-Rate	\$150,000,000	\$100,575,000	Current	4/1/2038
2008D	Tax-Exempt	Variable-Rate	\$150,000,000	\$100,575,000	Current	4/1/2038
2010A	Taxable BABs	Fixed-Rate	\$338,960,000	\$338,960,000	Make-Whole	4/1/2048
2010B	Tax-Exempt	Fixed-Rate	\$11,040,000	\$8,850,000	4/1/2020	4/1/2030
2012A	Tax-Exempt	Fixed-Rate	\$420,585,000	\$388,035,000	4/1/2022	4/1/2048
2014A	Tax-Exempt	Fixed-Rate	\$350,000,000	\$350,000,000	4/1/2024	4/1/2048
<b>Total</b>				<b>\$1,488,145,000</b>		



### Debt Service and Coverage

As seen in the figure below, SANDAG has an aggregate level debt service profile with approximately \$84.1 million in debt service per year through FY 2048, including the newly issued Series 2014A. Debt service coverage, using sales tax receipts of \$261.8 million for the last 12 months ending October 31, 2014, is 3.11 times. For every \$1.00 of debt service, SANDAG received \$3.11 of sales tax revenue, providing ample coverage.

This high debt service coverage, together with the level annual debt service payment and fairly conservative debt portfolio, are critical factors that supported the SANDAG triple-A ratings from Fitch and S&P.



**Recent Variable-Rate Demand Bond and Swap Mark-to-Market Performance**

SANDAG has \$402.3 million of outstanding variable-rate demand bonds (VRDBs) (Series 2008 A, B, C, and D), as shown below. These VRDBs are backed by Standby Bond Purchase Agreements from certain financial institutions. The interest rate on these bonds resets weekly through a remarketing process. SANDAG VRDBs have been trading well, with their interest rate resets at or below the Securities Industry and Financial Markets Association (SIFMA) Index (the benchmark short-term municipal index) resets. On average, SANDAG VRDBs have reset at a rate of 0.09 percent to 0.10 percent since September 29, 2011.

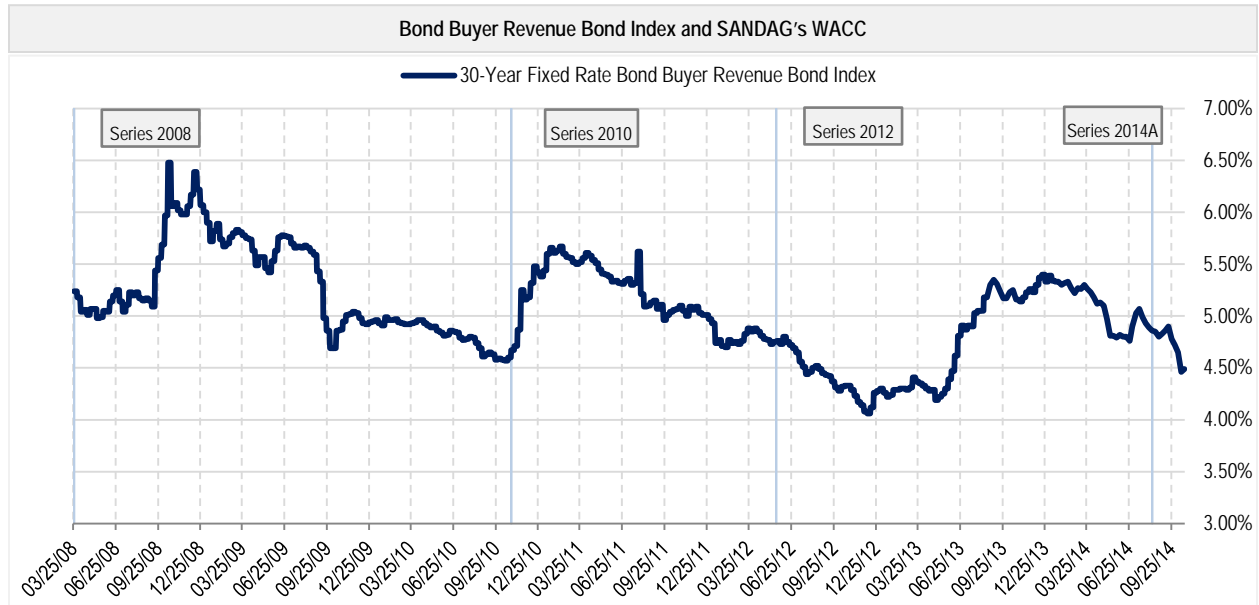
SANDAG Series 2008ABCD VRDB Resets Since September 29, 2011					
Series	SBPA Provider	Remarketing Agent	Reset Average	SIFMA Average	Spread to SIFMA
2008A	JP Morgan Chase Bank NA	Barclays Capital Inc.	0.10%	0.11%	-1 bps
2008B	JP Morgan Chase Bank NA	Goldman Sachs & Company	0.10%	0.11%	-1 bps
2008C	Mizuho Corporate Bank	J.P. Morgan Securities LLC	0.10%	0.11%	-1 bps
2008D	State Street/CALSTRS	E.J. De La Rosa & Company	0.09%	0.11%	-2 bps

SANDAG also has \$402.3 million of fixed-payer interest rate swaps outstanding (listed on the next page), the purpose of which is to hedge the interest rate variability associated with the \$402.3 million of variable-rate bonds. Additionally, SANDAG has \$313.2 million of basis swaps outstanding. Under the basis swaps, which become effective on April 1, 2018, when the existing fixed-payer swaps were originally scheduled to convert from London Interbank Offered Rate (LIBOR) to SIFMA based indices, SANDAG will pay its counterparty a floating interest rate payment based upon the SIFMA Index and will receive a floating payment based upon 107.4 percent of 3-month LIBOR. The market value of the SANDAG swap portfolio changes with interest rate fluctuations. The mark-to-market valuation, as of October 28, 2014, is approximately (\$66,520,223), meaning SANDAG would need to pay approximately \$66.5 million to terminate the entire swap portfolio in the current market. However, the swaps are performing as expected and currently there are no reasons that SANDAG would terminate the swaps. On an annual basis and in accordance with Board Policy No. 032: San Diego County Regional Transportation Commission Interest Rate Swap Policy, an annual written description of the swaps and an evaluation of the risks associated with outstanding interest rate swaps are presented to the Board for review.

Swap Portfolio Overview								
Associated Series	SANDAG Pays	SANDAG Receives	Trade Date	Effective Date	Maturity Date	MTM Value (As of 10/28/14)	Notional Outstanding	Bank Counterparty
Series 2008	3.8165%	65% of USD-LIBOR 'til 04/18; SIFMA Swap Index thereafter	05/23/2012	05/23/2012	04/01/2038	(\$25,931,811)	\$134,100,000	Bank of America, N.A. (A2/A/A)
Series 2008	3.8165%	65% of USD-LIBOR 'til 04/18; SIFMA Swap Index thereafter	05/23/2012	05/23/2012	04/01/2038	(\$25,931,811)	\$134,100,000	Goldman Sachs Mitsui Marine Derivative Products, L.P. (Aa2/AAA/ )
Series 2008	3.4100%	65% of USD-LIBOR	05/23/2012	05/23/2012	04/01/2038	(\$30,371,473)	\$134,100,000	Bank of America, N.A. (A2/A/A)
<b>Total Fixed Payer Swaps</b>						<b>(\$82,235,095)</b>	<b>\$402,300,000</b>	
Series 2008	SIFMA Swap Index	107.4% of 3 Month LIBOR	03/19/2009	04/01/2018	04/01/2038	\$7,857,436	\$156,600,000	Barclays Bank PLC (A2/A/A)
Series 2008	SIFMA Swap Index	107.4% of 3 Month LIBOR	03/19/2009	04/01/2018	04/01/2038	\$7,857,436	\$156,600,000	Barclays Bank PLC (A2/A/A)
<b>Total Index Conversion Swaps</b>						<b>\$15,714,872</b>	<b>\$313,200,000</b>	
<b>Total Combined</b>						<b>(\$66,520,223)</b>	<b>\$715,500,000</b>	

### *Cost of Capital*

SANDAG has a very attractive weighted average cost of capital (WACC) of 3.90 percent. This cost can vary based upon swap performance and the cost of liquidity to support the variable-rate debt.



The 2008A-D bonds with the current swap rate and associated fees provide a cost of capital equal to 4.18 percent. SANDAG staff, with its financial advisors, Public Financial Management (PFM), negotiated lower Standby Bond Purchase Agreement fees on the Series 2008A and Series 2008B Bonds with JP Morgan in February and September - closed on a renewal of the Series 2008C SBPA at a lower fee with Mizuho. The 2010A bonds were issued as taxable Build America Bonds and have a borrowing cost of 3.89 percent. The 2010B tax-exempt bonds have a borrowing cost of 3.14 percent. The 2012A bonds were sold at an all-in cost of 3.72 percent and the most recent Series 2014A were sold at an all-in cost of 3.85 percent. Taken together, SANDAG has issued approximately \$1.52 billion in bonds, to accelerate project delivery, for a weighted average cost of 3.90 percent.

SANDAG's WACC Calculations					
<b><u>Synthetic Fixed Rate:</u></b>					
Series	Par Post '12 Refunding	Swap Rate	SBPA Fee	Remarketing Agent Fee	Cost of Capital
2008A	\$100,575,000	3.8165%	0.390%	0.06%	4.2665%
2008B	\$100,575,000	3.8165%	0.390%	0.06%	4.2665%
2008C1	\$67,050,000	3.8165%	0.320%	0.06%	4.1965%
2008C2	\$33,525,000	3.4100%	0.320%	0.06%	3.7900%
2008D	\$100,575,000	3.4100%	0.650%	0.06%	4.1200%
<b>2008 Weighted Avg.</b>					<b>4.1785%</b>
<b><u>Fixed Rate:</u></b>					
Series	Original Par	-	-	-	All-in TIC
2010A	\$338,960,000	-	-	-	3.8871%
2010B	\$11,040,000	-	-	-	3.1434%
2012A	\$420,585,000	-	-	-	3.7167%
2014A	\$350,000,000	-	-	-	3.8507%
<b>Total Weighted Avg.</b>					<b>3.9033%</b>



## Commercial Paper

In addition to the long-term debt, SANDAG has a short-term Commercial Paper Program supported by a Letter of Credit from Union Bank. The Commercial Paper Program was authorized at \$75 million and has a current outstanding balance of \$30.7 million as of October 31, 2014. The paper was most recently remarketed out 36 days at a rate of seven basis points.

## Looking Ahead

There is no new money bond transaction expected to take place in FY 2014 and FY 2015. SANDAG and its financial advisors, PFM, will continue to monitor the municipal bond market and identify opportunities that best allow SANDAG to meet its financing needs and objectives.

## Quarterly Investment Data

Included with this quarterly finance report through September 30, 2014, are a summary of portfolio balances by institution (Attachment 1); a detail of portfolio balances by account (Attachment 2); and a detail of portfolio balances by investment type (Attachment 3) for all money under the direction or care of SANDAG, including funds of the San Diego County Regional Transportation Commission (RTC), SourcePoint, and the Automated Regional Justice Information System (ARJIS).

As of September 30, 2014, a total of \$903.1 million was held by SANDAG in a number of investment accounts, in comparison to \$558.2 million held in the previous quarter. The \$344.9 million increase during the quarter is primarily due to the issuance of the 2014 bonds, timing of *TransNet* sales tax receipts, *TransNet* debt service payments, *TransNet* allocation payments to other local governmental agencies, and the use of *TransNet* to fund current projects in advance of the 2014 Bond issuance.<sup>3</sup>

Approximately \$3 million was held in eight Bank of America accounts, \$15.4 million in seven U.S. Bank, N.A. accounts, and \$691,891 in two Wells Fargo accounts at the end of the quarter. Funds in these accounts are used for operating purposes. Approximately \$884.0 million was invested in eight institutions, as follows:

1. *State of California Local Agency Investment Fund (LAIF)* – State law allows local agencies (RTC and SANDAG) to invest up to \$50 million per agency in LAIF. These funds hold excess operating funds for the RTC and SANDAG. A total of approximately \$48.1 million was invested in LAIF, of which the RTC held approximately \$47.6 million of sales tax funds and SANDAG held \$464,552. These funds are highly liquid, and funds may be accessed easily for immediate operating needs.
2. *California Asset Management Program (CAMP)* – These are funds administered by one of the two SANDAG financial advisors, PFM Asset Management LLC. The Cash Reserve Portfolio, totaling \$118.5 million, is used for the investment of the 2008, 2010, 2012, and 2014 *TransNet* bond proceeds needed for payment in the short term, and excess operating funds for Interstate 15 FasTrak®, State Route 125 (SR 125), ARJIS, Coronado Bridge Toll Funds, and *TransNet* sales tax funds not yet paid to other local governmental agencies. In addition, CAMP uses the Individual Portfolio, totaling \$308.8 million, for the investment of SR 125 excess

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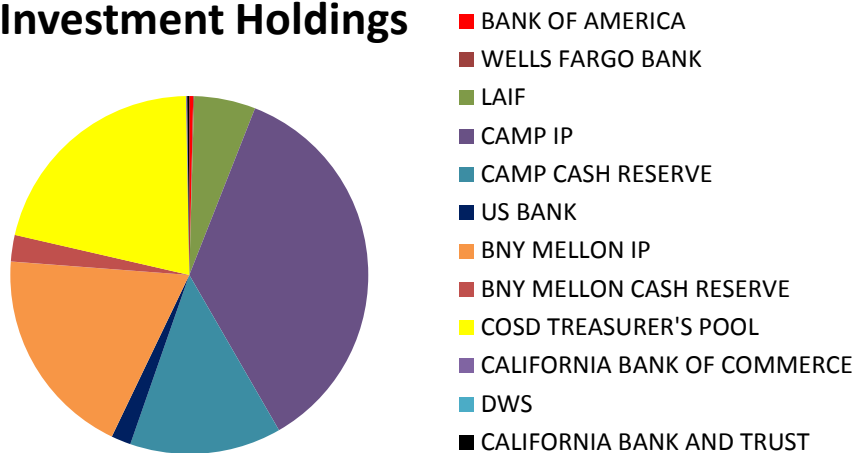
<sup>3</sup> Due to rounding, the numbers below may not tie to the attached detail of investments.

operating funds, the 2008 and 2014 *TransNet* bond proceeds and *TransNet* sales tax funds not yet paid to other local governmental agencies.

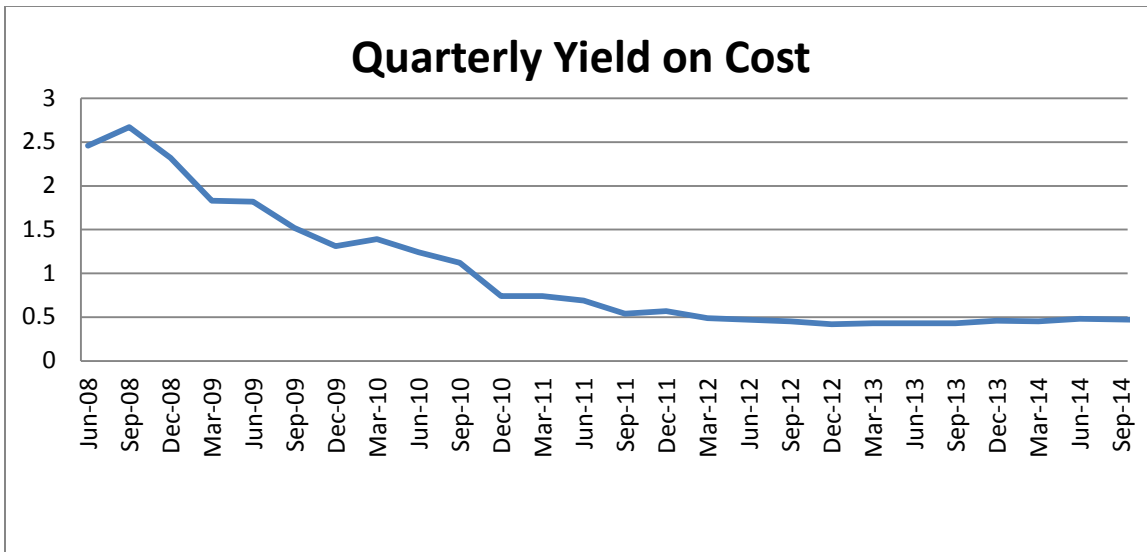
3. *US Bank* – These funds, totaling approximately \$37.3 million, were held by US Bank, Trustee for bond debt service payments and payment of interest on the short-term Commercial Paper Program, as part of the *TransNet* Program, and for the toll revenues of the SR 125 franchise. Of this balance, \$29.4 million of the investments held by US Bank is invested in North County Transit District auction rate securities purchased with commercial paper.
4. *The Bank of New York Mellon* – These are funds administered by one of the two SANDAG financial advisors, Cutwater Asset Management. The Individual Portfolio, totaling \$165.2 million, and the Cash Reserve Portfolio, totaling \$20.6 million, are used for the investment of excess *TransNet* sales tax revenue not yet paid for *TransNet*-approved projects.
5. *San Diego County Treasurer’s Pooled Money Fund* – These funds, totaling \$182.8 million, were held by the San Diego’s County Treasurer’s Pooled Money Fund. The funds consist of the SourcePoint Cash Reserve Fund for the City of Santee, ARJIS, the SANDAG Service Authority for Freeway Emergencies, *TransNet* sales tax revenues, and *TransNet* 2014 bond proceeds.
6. *DWS Money Market Series Institutional Funds* – This institution holds the funds received by SANDAG from the California Department of Boating and Waterways. There was a total of \$268,728 in a mutual fund.
7. *California Bank and Trust* – There was approximately \$1.6 million on deposit with California Bank and Trust pursuant to capital project escrow retention agreements with various contractors.
8. *California Bank of Commerce* – There was \$653,262 on deposit with California Bank of Commerce pursuant to capital project escrow retention agreements with a contractor.

The chart below provides a snapshot of the investment holding locations at September 30, 2014.

## Investment Holdings



As shown in the chart below, as of September 30, 2014, the yield on cost of the portfolio was 0.44 percent, with a weighted average maturity of 399 days, in comparison to 0.48 percent and 430 days in the prior quarter.



The Finance Department has continued to implement Board investment objectives of safety, liquidity, and return on investment for the SANDAG investment portfolio. These will continue to be important investment objectives for the future.

**Certifications**

The Director of Finance reports that this investment portfolio, together with the authorized short-term Commercial Paper Program, will provide the necessary liquidity to meet the expenditure requirements of SANDAG, RTC, ARJIS, and SourcePoint for the next six months. This portfolio is in compliance with state law and Board Policy No. 003.

**National and Local Economic Trends and TransNet Sales Tax Revenues**

The U.S. economy began 2014 by losing ground; Gross Domestic Product (GDP) declined -2.1 percent during the first quarter compared to the previous quarter, according the third and final estimate from the U.S. Department of Commerce Bureau of Economic Analysis. Most economists expected a weak quarter due in part to severe winter weather, but the size of the slowdown surprised everyone. In addition to harsh weather, the fall in net exports knocked 1.7 percentage points off GDP growth and fewer goods produced allowed inventories to decline, subtracting an additional 1.2 percentage points off of GDP. Most economists are expecting the economy to gradually pick up speed as the year progresses, similar to 2013, which also started off with a weak first quarter. However, the size of the first quarter decline will likely keep the GDP growth rate for 2014 at about 2 percent and below both the previous two years. What the U.S. economy has not been able to achieve since the end of the Great Recession is consistent growth at a level equal to or above the historical average growth rate of 3.2 percent annually. Currently, the consensus forecasts expect the U.S. economy to achieve an annual GDP growth rate above 3 percent in 2015.

Unlike GDP, employment growth is slowly increasing and becoming more consistent. Nationwide, payroll job growth for 2013 averaged about 194,000 jobs per month, higher than the previous year's average of 186,000 per month, and through July of 2014 monthly job growth is on track to average 220,000. The additional job growth also helped reduce the unemployment rate. The annual average unemployment rate fell to 7.4 percent in 2013 from 8.1 percent for 2012 and is on track to average 6.2 percent during the second quarter of 2014, a decline from the 6.7 percent recorded during the first quarter. The continued decline in the unemployment rate during the past few years has been a pleasant surprise, both nationwide and locally, considering job growth has continued to be slow with the magnitude of jobs lost during the recession. The decline in the national and local unemployment rate came as a result of both job gains as well as a shrinking labor force. Since the start of the Great Recession (December 2007), the nation's labor force participation rate has declined nearly 4 percentage points, reducing the labor force by nearly six million people – meaning that job growth and people leaving the labor force contributed equally to the decline in the unemployment rate. In addition, the makeup of those unemployed is different for this most recent recovery, for example, the median length of time people remain unemployed continues at a record seven months. Also, more than 30 percent of the people without jobs have been unemployed for one year or longer, leading to growing concerns about their ability to reenter the labor force.

Additional concerns about the recovery include weakness in wage rate growth and the average number of hours worked; these trends, combined with the types of jobs (part-time, temporary with low pay) that have been created since the end of the recession, have contributed to keeping the economy's growth rate below its long-term trend. Through July 2014 the rate of growth in personal spending and personal income are just keeping pace with rates of inflation. This, in turn has led to little to no real growth in consumer spending, which makes up more than 70 percent of the economy and is a primary driver of sales tax revenue. Continued weakness in personal spending and income could result in slower GDP growth, unless consumers increase consumption supported by spending down their savings and/or taking on debt.

Although the national economy continues to display a surge and slow down pattern of growth, locally, the employment growth trends have been more robust and consistent. Over the past two years the Employment Development Department, which is responsible for tracking employment trends in the state, has adjusted its preliminary job growth numbers up significantly; during 2012 and 2013 the local economy added nearly 33,000 payroll jobs each year, yielding an increase of about 2.6 percent each year, far above the 1.6 percent for the nation. In addition, with the added job growth, the local unemployment rate has declined to 6.6 percent as of July 2014, a decline of nearly 1.5 percentage points from July 2013. The pickup in job growth led to a decline in the local unemployment rate (not seasonally adjusted) to 5.8 percent in May 2014, which was the first time the local unemployment rate fell below the nation's since the start of the Great Recession.

The level of job growth also helps determine consumer spending and in turn sales taxes collected. Over the past two years the local job growth has led to a more stable rate of growth in taxable retail sales and sales taxes collected. SANDAG expected sales tax revenue region-wide to increase by 5 percent during FY 2014, close to the actual 5.2 percent increase recorded. However, in addition to the slow growth in personal income and consumption, there are trends under way that have created a heightened level of uncertainty, including the increasing global economic headwinds from slowing economic growth in Europe and Asia, the uptick in civil unrest in multiple places, and the chance that the Fed will push short-term interest rates higher in early 2015. In light of these

trends and uncertainty, SANDAG is forecasting a 4 percent growth in sales tax revenue for FY 2015, about 1 percentage point below FY 2014.

GARY L. GALLEGOS  
Executive Director

Attachments:     1. SANDAG Summary of Portfolio Balances (by Institution) as of September 30, 2014  
                      2. SANDAG Detail of Portfolio Balances (by Account) as of September 30, 2014  
                      3. SANDAG Detail of Portfolio Balances (by Investment Type) as of September 30, 2014

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**SANDAG**  
**Summary of Portfolio Balances (by Institution)**  
**as of September 30, 2014**

Institution	Book Value	Percent of Portfolio	Market Value	Market Price	Unrealized Gain/(Loss)	Yield on Cost	Wtd. Avg. Days to Maturity
BANK OF AMERICA	\$ 3,021,158	0.33%	\$ 3,021,158	100.00%	\$ -	0.15%	1
US BANK, N.A.	15,390,120	1.70%	15,390,120	100.00%	-	N/A	1
WELLS FARGO BANK	691,891	0.08%	691,891	100.00%	-	N/A	1
STATE OF CALIFORNIA LOCAL AGENCY INVESTMENT FUND (LAIF)	48,090,150	5.31%	48,090,150	100.00%	-	0.25%	232 **
CALIFORNIA ASSET MANAGEMENT PROGRAM (CAMP) INDIVIDUAL PORTFOLIO	309,546,491	34.19%	308,824,929	99.77%	(721,563)	0.47%	474
CALIFORNIA ASSET MANAGEMENT PROGRAM (CAMP) CASH RESERVE PORTFOLIO	118,534,038	13.09%	118,534,038	100.00%	-	0.05%	52 **
US BANK	37,303,193	4.12%	37,303,193	100.00%	-	0.08%	51
THE BANK OF NEW YORK (BNY) MELLON INDIVIDUAL PORTFOLIO	166,668,620	18.41%	165,202,631	99.12%	(1,465,989)	0.84%	742
THE BANK OF NEW YORK (BNY) MELLON CASH RESERVE PORTFOLIO	20,671,689	2.28%	20,671,689	100.00%	-	0.01%	1
SAN DIEGO COUNTY TREASURER'S POOLED MONEY FUND	182,816,152	20.19%	182,816,152	100.00%	-	0.47%	397 **
DWS MONEY MARKET SERIES INSTITUTIONAL FUNDS	268,728	0.03%	268,728	100.00%	-	0.04%	46 **
CALIFORNIA BANK AND TRUST	1,617,084	0.18%	1,617,084	100.00%	-	0.10%	1
CALIFORNIA BANK OF COMMERCE	653,262	0.07%	653,262	100.00%	-	0.45%	1
<b>TOTAL</b>	<b>\$ 905,272,575</b>	<b>100.00%</b>	<b>\$ 903,085,023</b>	<b>99.76%</b>	<b>\$ (2,187,552)</b>	<b>0.44%</b>	<b>399</b>

\*\* Although average days to maturity is greater than one day, funds are available at par the same day.

**Summary of Portfolio Balances (by Agency)**

Agency	Book Value	Percent of Portfolio	Market Value	Market Price	Unrealized Gain/(Loss)	Yield on Cost	Wtd. Avg. Days to Maturity
SANDAG FUNDS	\$ 57,489,111	6.35%	\$ 57,432,029	99.90%	\$ (57,082)	0.37%	304
ARJIS FUNDS (Automated Regional Justice Information System)	7,150,159	0.79%	7,150,159	100.00%	-	0.20%	168
SOURCEPOINT FUNDS	814,460	0.09%	814,460	100.00%	-	0.42%	247
CORONADO BRIDGE TOLL FUNDS	277,461	0.03%	277,461	100.00%	-	0.05%	52
RTC FUNDS (San Diego County Regional Transportation Commission)	839,541,383	92.74%	837,410,913	99.75%	(2,130,470)	0.45%	407
<b>TOTAL</b>	<b>\$ 905,272,575</b>	<b>100.00%</b>	<b>\$ 903,085,023</b>	<b>99.76%</b>	<b>\$ (2,187,552)</b>	<b>0.44%</b>	<b>399</b>

Note: In addition to the funds held above, there is \$4,750 petty cash held at SANDAG.

**SANDAG**  
**Detail of Portfolio Balances (by Account)**  
**as of September 30, 2014**

Institution / Account	Book Value	Percent of Portfolio	Market Value	Market Price	Unrealized Gain/(Loss)	Yield on Cost	Wtd. Avg. Days to Maturity
<b>BANK OF AMERICA:</b>							
Checking - <i>TransNet</i> Sales Tax (RTC)	\$ 81,932	0.01%	\$ 81,932	100.00%	\$ -	N/A	1
Checking - SANDAG General	1,783,430	0.20%	1,783,430	100.00%	-	N/A	1
Checking - SANDAG Flexible Spending Acct (FSA)	67,939	0.01%	67,939	100.00%	-	N/A	1
Checking - SANDAG Interstate 15 (I-15) FasTrak®	538,626	0.06%	538,626	100.00%	-	N/A	1
Checking - SANDAG SAFE Program Acct	183,917	0.02%	183,917	100.00%	-	N/A	1
Checking - SourcePoint	42,046	0.00%	42,046	100.00%	-	N/A	1
Checking - ARJIS	205,267	0.02%	205,267	100.00%	-	N/A	1
Money Market - SourcePoint	118,002	0.01%	118,002	100.00%	-	0.15%	1
<b>TOTAL BANK OF AMERICA</b>	<b>\$ 3,021,158</b>	<b>0.33%</b>	<b>\$ 3,021,158</b>	<b>100.00%</b>	<b>\$ -</b>	<b>0.15%</b>	<b>1</b>
<b>US BANK, N.A.</b>							
Checking - <i>TransNet</i> (RTC)	\$ 7,690,145	0.85%	\$ 7,690,145	100.00%	\$ -	N/A	1
Checking - SANDAG General	6,021,500	0.67%	6,021,500	100.00%	-	N/A	1
Checking - SANDAG I-15 FasTrak®	310,584	0.03%	310,584	100.00%	-	N/A	1
Checking - SourcePoint	148,642	0.02%	148,642	100.00%	-	N/A	1
Checking - ARJIS	34,091	0.00%	34,091	100.00%	-	N/A	1
Checking - SR125 Payment Account	957,848	0.11%	957,848	100.00%	-	N/A	1
Checking - SR125 Collection Account	227,309	0.03%	227,309	100.00%	-	N/A	1
<b>TOTAL US BANK, N.A.</b>	<b>\$ 15,390,120</b>	<b>1.70%</b>	<b>\$ 15,390,120</b>	<b>100.00%</b>	<b>\$ -</b>	<b>N/A</b>	<b>1</b>
<b>WELLS FARGO BANK:</b>							
Checking - SR125 Payment Account	\$ 656,311	0.07%	\$ 656,311	100.00%	\$ -	N/A	1
Checking - SR125 Collection Account	35,580	0.00%	35,580	100.00%	-	N/A	1
<b>TOTAL WELLS FARGO BANK</b>	<b>\$ 691,891</b>	<b>0.08%</b>	<b>\$ 691,891</b>	<b>100.00%</b>	<b>\$ -</b>	<b>N/A</b>	<b>1</b>
<b>STATE OF CA LOCAL AGENCY INVESTMENT FUND (LAIF):</b>							
<i>TransNet</i> (RTC)	\$ 47,625,598	5.26%	\$ 47,625,598	100.00%	\$ -	0.25%	232
SANDAG	464,552	0.05%	464,552	100.00%	-	0.25%	232
<b>TOTAL LAIF</b>	<b>\$ 48,090,150</b>	<b>5.31%</b>	<b>\$ 48,090,150</b>	<b>100.00%</b>	<b>\$ -</b>	<b>0.25%</b>	<b>232 **</b>

**SANDAG**  
**Detail of Portfolio Balances (by Account)**  
**as of September 30, 2014**

Institution / Account	Book Value	Percent of Portfolio	Market Value	Market Price	Unrealized Gain/(Loss)	Yield on Cost	Wtd. Avg. Days to Maturity
<b>CALIFORNIA ASSET MANAGEMENT PROGRAM (CAMP):</b>							
<b>INDIVIDUAL PORTFOLIO:</b>							
TransNet Sales Tax (RTC)	\$ 109,752,426	12.12%	\$ 109,188,217	99.49%	\$ (564,209)	0.69%	669
TransNet 2008 Bond Proceeds A/B/C/D Reserve Fund (RTC)	17,145,449	1.89%	17,077,562	99.60%	(67,887)	0.44%	30
Sage Hill Endowment (RTC)	876,169	0.10%	845,139	96.46%	(31,030)	0.41%	380
TransNet 2014 Bond Proceeds Series A Project (RTC)	153,799,680	16.99%	153,798,325	100.00%	(1,355)	0.31%	375
SANDAG Toll Rd Project Major Main Reserve Acct	20,602,570	2.28%	20,567,019	99.83%	(35,551)	0.42%	443
SANDAG Toll Rd Project Extraordinary Reserve Acct	7,370,197	0.81%	7,348,666	99.71%	(21,531)	0.67%	761
<b>TOTAL INDIVIDUAL PORTFOLIO</b>	<b>\$ 309,546,491</b>	<b>34.19%</b>	<b>\$ 308,824,929</b>	<b>99.77%</b>	<b>\$ (721,563)</b>	<b>0.47%</b>	<b>474</b>
<b>CASH RESERVE PORTFOLIO:</b>							
I-15 FasTrak®	\$ 619,297	0.07%	\$ 619,297	100.00%	\$ -	0.05%	52
ARJIS	4,478,336	0.49%	4,478,336	100.00%	-	0.05%	52
California Coastal Commission	1,008,948	0.11%	1,008,948	100.00%	-	0.05%	52
SANDAG SR -125	1,845,875	0.20%	1,845,875	100.00%	-	0.05%	52
SANDAG Toll Road Project Maint	3,054,857	0.34%	3,054,857	100.00%	-	0.05%	52
Coronado Bridge Toll Funds	277,461	0.03%	277,461	100.00%	-	0.05%	52
SANDAG Toll Road Extraordinary Reserve	707,257	0.08%	707,257	100.00%	-	0.05%	52
2008 Bond Series A/B/C/D Reserve Fund (RTC)	85,706	0.01%	85,706	100.00%	-	0.05%	52
2008 Bond Series A - Principal (RTC)	1	0.00%	1	100.00%	-	0.05%	52
2008 Bond Series B - Principal (RTC)	1	0.00%	1	100.00%	-	0.05%	52
2008 Bond Series C - Principal (RTC)	1	0.00%	1	100.00%	-	0.05%	52
2008 Bond Series D - Principal (RTC)	1	0.00%	1	100.00%	-	0.05%	52
2010 Bond Series B - Principal (RTC)	310,065	0.03%	310,065	100.00%	-	0.05%	52
2010 Bond Series B - Interest (RTC)	179,488	0.02%	179,488	100.00%	-	0.05%	52
2010 Bond Series A - Interest (RTC)	10,018,678	1.11%	10,018,678	100.00%	-	0.05%	52
2012 Bond Series A - Interest (RTC)	9,333,441	1.03%	9,333,441	100.00%	-	0.05%	52



**SANDAG**  
**Detail of Portfolio Balances (by Account)**  
**as of September 30, 2014**

Institution / Account	Book Value	Percent of Portfolio	Market Value	Market Price	Unrealized Gain/(Loss)	Yield on Cost	Wtd. Avg. Days to Maturity
2012 Bond Series A - Principal (RTC)	7,436,667	0.82%	7,436,667	100.00%	-	0.05%	52
2008 Sales Tax Account - <i>TransNet</i> Extension (RTC)	69,804,497	7.71%	69,804,497	100.00%	-	0.05%	52
Wetland Mitigation <i>TransNet</i> Sales Tax (RTC)	290,858	0.03%	290,858	100.00%	-	0.05%	52
2014 Bond Series A - Project (RTC)	9,019,025	1.00%	9,019,025	100.00%	-	0.05%	52
Sage Hill Endowment (RTC)	63,576	0.01%	63,576	100.00%	-	0.05%	52
<b>TOTAL CASH RESERVE PORTFOLIO</b>	<b>\$ 118,534,038</b>	<b>13.09%</b>	<b>\$ 118,534,038</b>	<b>100.00%</b>	<b>\$ -</b>	<b>0.05%</b>	<b>52 **</b>
<b>TOTAL CAMP</b>	<b>\$ 428,080,529</b>	<b>47.28%</b>	<b>\$ 427,358,966</b>	<b>99.83%</b>	<b>\$ (721,563)</b>	<b>0.35%</b>	<b>357</b>
<b>US BANK:</b>							
SANDAG - Toll Road Project Revenue	\$ 217,920	0.02%	\$ 217,920	100.00%	\$ -	0.05%	1
SANDAG - Toll Road Project Capital Expenditure Reserve	354,559	0.04%	354,559	100.00%	-	0.05%	1
SANDAG - Toll Road Project Expense Fund - TIFIA Note Expense Acct	10,010	0.00%	10,010	100.00%	-	0.05%	1
SANDAG - Toll Road Project Senior Obligation Debt Service - Interest	882,556	0.10%	882,556	100.00%	-	0.05%	1
SANDAG - Toll Road Project Senior Obligation Debt Service - Principal	261,071	0.03%	261,071	100.00%	-	0.05%	1
SANDAG - Toll Road Proj First Subord Obl <i>TransNet</i> Payment	285	0.00%	285	100.00%	-	0.05%	1
SANDAG - Toll Road Project SANDAG Distribution	1,000,162	0.11%	1,000,162	100.00%	-	0.05%	1
2008 Bond Series A/B/C/D Main Interest (RTC)	1,277,431	0.14%	1,277,431	100.00%	-	0.03%	1
Commercial Paper Series B - NCTD Interest (RTC)	230,299	0.03%	230,299	100.00%	-	0.03%	1
NCTD Certificates of Participation	29,350,000	3.24%	29,350,000	100.00%	-	0.09%	64
2010 Sales Tax Revenue Bonds Series A Interest (RTC)	3,253,834	0.36%	3,253,834	100.00%	-	0.03%	1
2014 Sales Tax Revenue Bonds Series A Cost of Issuance (RTC)	366,745	0.04%	366,745	100.00%	-	0.03%	1
Sales Tax Revenue CP Notes Series B Interest (RTC)	10,607	0.00%	10,607	100.00%	-	0.00%	1
Sales Tax Revenue CP Notes Series B Principal (RTC)	87,715	0.01%	87,715	100.00%	-	0.00%	1
<b>TOTAL US BANK</b>	<b>\$ 37,303,193</b>	<b>4.12%</b>	<b>\$ 37,303,193</b>	<b>100.00%</b>	<b>\$ -</b>	<b>0.08%</b>	<b>51</b>
<b>THE BANK OF NEW YORK MELLON:</b>							
<b>INDIVIDUAL PORTFOLIO:</b>							
<i>TransNet</i> Extension (RTC)	\$ 166,668,620	18.41%	\$ 165,202,631	99.12%	\$ (1,465,989)	0.84%	742
<b>TOTAL INDIVIDUAL PORTFOLIO</b>	<b>\$ 166,668,620</b>	<b>18.41%</b>	<b>\$ 165,202,631</b>	<b>99.12%</b>	<b>\$ (1,465,989)</b>	<b>0.84%</b>	<b>742</b>
<b>CASH RESERVE:</b>							
<i>TransNet</i> Extension (RTC)	\$ 20,671,689	2.28%	\$ 20,671,689	100.00%	\$ -	0.01%	1
<b>TOTAL CASH RESERVE</b>	<b>\$ 20,671,689</b>	<b>2.28%</b>	<b>\$ 20,671,689</b>	<b>100.00%</b>	<b>\$ -</b>	<b>0.01%</b>	<b>1</b>
<b>TOTAL THE BANK OF NEW YORK MELLON</b>	<b>\$ 187,340,309</b>	<b>20.69%</b>	<b>\$ 185,874,320</b>	<b>99.22%</b>	<b>\$ (1,465,989)</b>	<b>0.75%</b>	<b>659</b>

**SANDAG**  
**Detail of Portfolio Balances (by Account)**  
**as of September 30, 2014**

Institution / Account	Book Value	Percent of Portfolio	Market Value	Market Price	Unrealized Gain/(Loss)	Yield on Cost	Wtd. Avg. Days to Maturity
<b>SAN DIEGO COUNTY TREASURER'S POOLED MONEY FUND:</b>							
SourcePoint Cash Reserve Fund	\$ 505,770	0.06%	\$ 505,770	100.00%	\$ -	0.47%	397
TransNet Extension (RTC)	49,111,040	5.43%	49,111,040	100.00%	-	0.47%	397
2014 Sales Tax Bonds Project (RTC)	125,000,000	13.81%	125,000,000	100.00%	-	0.47%	397
ARJIS	2,432,465	0.27%	2,432,465	100.00%	-	0.47%	397
SANDAG SAFE Program	5,766,877	0.64%	5,766,877	100.00%	-	0.47%	397
<b>TOTAL SAN DIEGO COUNTY TREASURER'S POOLED MONEY FUND</b>	<b>\$ 182,816,152</b>	<b>20.19%</b>	<b>\$ 182,816,152</b>	<b>100.00%</b>	<b>\$ -</b>	<b>0.47%</b>	<b>397 **</b>
<b>DWS MONEY MARKET SERIES INSTITUTIONAL FUNDS:</b>							
California Boating & Waterways	\$ 268,728	0.03%	\$ 268,728	100.00%	\$ -	0.04%	46 **
<b>TOTAL DWS MONEY MARKET SERIES INSTITUTIONAL FUNDS</b>	<b>\$ 268,728</b>	<b>0.03%</b>	<b>\$ 268,728</b>	<b>100.00%</b>	<b>\$ -</b>	<b>0.04%</b>	<b>46</b>
<b>CALIFORNIA BANK AND TRUST</b>							
Capital Project Retention Accounts	\$ 1,617,084	0.18%	\$ 1,617,084	100.00%	\$ -	0.10%	1
<b>TOTAL CALIFORNIA BANK AND TRUST</b>	<b>\$ 1,617,084</b>	<b>0.18%</b>	<b>\$ 1,617,084</b>	<b>100.00%</b>	<b>\$ -</b>	<b>0.10%</b>	<b>1</b>
<b>CALIFORNIA BANK OF COMMERCE</b>							
Capital Project Retention Account	\$ 653,262	0.07%	\$ 653,262	100.00%	\$ -	0.45%	1
<b>TOTAL CALIFORNIA BANK OF COMMERCE</b>	<b>\$ 653,262</b>	<b>0.07%</b>	<b>\$ 653,262</b>	<b>100.00%</b>	<b>\$ -</b>	<b>0.45%</b>	<b>1</b>
<b>TOTAL</b>	<b>\$ 905,272,575</b>	<b>100.00%</b>	<b>\$ 903,085,023</b>	<b>99.76%</b>	<b>\$ (2,187,552)</b>	<b>0.44%</b>	<b>399</b>

*Legend:*

- Automated Regional Justice Information System (ARJIS)
- Commercial Paper (CP)
- State of California Local Agency Investment Fund (LAIF)
- North County Transit District (NCTD)
- San Diego County Regional Transportation Commission (RTC)

\*\* Although average days to maturity is greater than one day, funds are available at par the same day.

**SANDAG**  
**Detail of Portfolio Balances (by Investment Type)**  
**as of September 30, 2014**

Investment	Purchase Date	Maturity Date	Book Value	Market Value	Unrealized Gain / (Loss)	Par Value	S&P Rating	Moody's Rating	Yield on Cost	Wtd. Avg. Days to Maturity
<b>Cash and cash equivalents:</b>										
<b>Demand deposits:</b>										
Checking - TransNet Sales Tax (RTC)	N/A	N/A	\$ 81,932	\$ 81,932	\$ -	N/A	NR	NR	N/A	1
Checking - SANDAG General	N/A	N/A	1,783,430	1,783,430	-	N/A	NR	NR	N/A	1
Checking - SANDAG Flexible Spending Acct (FSA)	N/A	N/A	67,939	67,939	-	N/A	NR	NR	N/A	1
Checking - SANDAG Interstate 15 (I-15) FasTrak®	N/A	N/A	538,626	538,626	-	N/A	NR	NR	N/A	1
Checking - SANDAG SAFE Program Acct	N/A	N/A	183,917	183,917	-	N/A	NR	NR	N/A	1
Checking - SR125 Payment Account	N/A	N/A	656,311	656,311	-	N/A	NR	NR	N/A	1
Checking - SR125 Collection Account	N/A	N/A	35,580	35,580	-	N/A	NR	NR	N/A	1
Checking - SourcePoint	N/A	N/A	42,046	42,046	-	N/A	NR	NR	N/A	1
Checking - ARJIS	N/A	N/A	205,267	205,267	-	N/A	NR	NR	N/A	1
Checking - TransNet Sales Tax (RTC)	N/A	N/A	7,690,145	7,690,145	-	N/A	NR	NR	N/A	1
Checking - SANDAG General	N/A	N/A	6,021,500	6,021,500	-	N/A	NR	NR	N/A	1
Checking - SANDAG Interstate 15 (I-15) FasTrak®	N/A	N/A	310,584	310,584	-	N/A	NR	NR	N/A	1
Checking - SR125 Payment Account	N/A	N/A	957,848	957,848	-	N/A	NR	NR	N/A	1
Checking - SR125 Collection Account	N/A	N/A	227,309	227,309	-	N/A	NR	NR	N/A	1
Checking - SourcePoint	N/A	N/A	148,642	148,642	-	N/A	NR	NR	N/A	1
Checking - ARJIS	N/A	N/A	34,091	34,091	-	N/A	NR	NR	N/A	1
<b>Total demand deposits</b>			<b>\$ 18,985,166</b>	<b>\$ 18,985,166</b>	<b>\$ -</b>	N/A			N/A	1
<b>Money market accounts and funds:</b>										
Money Market - Capital Project Retention Account	N/A	N/A	\$ 1,617,084	\$ 1,617,084	\$ -	N/A	NR	NR	0.10%	1
Money Market - Capital Project Retention Account	N/A	N/A	653,262	653,262	-	N/A	NR	NR	0.45%	1
Money Market - SANDAG Toll Road Project Revenue Fund	N/A	N/A	217,920	217,920	-	N/A	NR	NR	0.05%	1
Money Market - SANDAG Toll Road Project Cap Exp Reserve	N/A	N/A	354,559	354,559	-	N/A	NR	NR	0.05%	1
Money Market - SANDAG Toll Road Project TIFIA Note Expense	N/A	N/A	10,010	10,010	-	N/A	NR	NR	0.05%	1
Money Market - SANDAG Toll Road Project Sr. Oblig. D/S - Interest	N/A	N/A	882,556	882,556	-	N/A	NR	NR	0.05%	1
Money Market - SANDAG Toll Road Project Sr. Oblig. D/S - Princ.	N/A	N/A	261,071	261,071	-	N/A	NR	NR	0.05%	1
Money Market - SANDAG Toll Road Project 1st Sub Obl TNet Pymt	N/A	N/A	285	285	-	N/A	NR	NR	0.05%	1
Money Market - SANDAG Toll Road Project SANDAG Distribution	N/A	N/A	1,000,162	1,000,162	-	N/A	NR	NR	0.05%	1
San Diego County Treasurer's Pooled Money Fund (SourcePoint)	N/A	N/A	505,770	505,770	-	N/A	AAAf / S1	NR	0.47%	397
San Diego County Treasurer's Pooled Money Fund (RTC)	N/A	N/A	49,111,040	49,111,040	-	N/A	AAAf / S1	NR	0.47%	397
San Diego County Treasurer's Pooled Money Fund (RTC)	N/A	N/A	125,000,000	125,000,000	-	N/A	AAAf / S1	NR	0.47%	397
San Diego County Treasurer's Pooled Money Fund (ARJIS)	N/A	N/A	2,432,465	2,432,465	-	N/A	AAAf / S1	NR	0.47%	397
San Diego County Treasurer's Pooled Money Fund (SAFE)	N/A	N/A	5,766,877	5,766,877	-	N/A	AAAf / S1	NR	0.47%	397
Money Market - RTC (2008 Bond - Main Interest)	N/A	N/A	1,277,431	1,277,431	-	N/A	NR	NR	0.03%	1
Money Market - RTC (CP Series B - NCTD)	N/A	N/A	230,299	230,299	-	N/A	NR	NR	0.03%	1
Money Market - RTC (2010 Tax Revenue - Ser A Interest)	N/A	N/A	3,253,834	3,253,834	-	N/A	NR	NR	0.03%	1
Money Market - RTC (2014 Bond - Ser A Cost of Issuance)	N/A	N/A	366,745	366,745	-	N/A	NR	NR	0.03%	1
Money Market - RTC (CP Interest Payment)	N/A	N/A	10,607	10,607	-	N/A	NR	NR	0.00%	1
Money Market - RTC (CP Principal Payment)	N/A	N/A	87,715	87,715	-	N/A	NR	NR	0.00%	1
Money Market - SourcePoint	N/A	N/A	118,002	118,002	-	N/A	NR	NR	0.15%	1
DWS Money Mkt Srs Institution - CA Boating & Waterways	N/A	N/A	268,728	268,728	-	N/A	AAAm	Aaa-mf	0.04%	46
CAMP Cash Reserve Portfolio (ARJIS)	N/A	N/A	4,478,336	4,478,336	-	N/A	AAAm	NR	0.05%	52

**SANDAG**  
**Detail of Portfolio Balances (by Investment Type)**  
**as of September 30, 2014**

Investment	Purchase	Maturity	Book Value	Market Value	Unrealized	Par Value	S&P	Moody's	Yield	Wtd. Avg.
	Date	Date			Gain / (Loss)		Rating	Rating	on Cost	Days to Maturity
CAMP Cash Reserve Portfolio - CA Coastal Commission	N/A	N/A	1,008,948	1,008,948	-	N/A	AAAm	NR	0.05%	52
CAMP Cash Reserve Portfolio (SANDAG SR-125)	N/A	N/A	1,845,875	1,845,875	-	N/A	AAAm	NR	0.05%	52
CAMP Cash Reserve Portfolio (SANDAG SR-125) - Project Maint	N/A	N/A	3,054,857	3,054,857	-	N/A	AAAm	NR	0.05%	52
CAMP Cash Reserve Portfolio - Coronado Bridge Toll Funds	N/A	N/A	277,461	277,461	-	N/A	AAAm	NR	0.05%	52
CAMP Cash Reserve Portfolio (SANDAG SR-125) - Extraordinary Reserve	N/A	N/A	707,257	707,257	-	N/A	AAAm	NR	0.05%	52
CAMP Cash Reserve Portfolio (I-15 FasTrak®)	N/A	N/A	619,297	619,297	-	N/A	AAAm	NR	0.05%	52
CAMP Cash Reserve Portfolio (RTC) - 2008 Bond Reserve	N/A	N/A	85,706	85,706	-	N/A	AAAm	NR	0.05%	52
CAMP Cash Reserve Portfolio (RTC) - 2008 Bond Ser A Principal	N/A	N/A	1	1	-	N/A	AAAm	NR	0.05%	52
CAMP Cash Reserve Portfolio (RTC) - 2008 Bond Ser B Principal	N/A	N/A	1	1	-	N/A	AAAm	NR	0.05%	52
CAMP Cash Reserve Portfolio (RTC) - 2008 Bond Ser C Principal	N/A	N/A	1	1	-	N/A	AAAm	NR	0.05%	52
CAMP Cash Reserve Portfolio (RTC) - 2008 Bond Ser D Principal	N/A	N/A	1	1	-	N/A	AAAm	NR	0.05%	52
CAMP Cash Reserve Portfolio (RTC) - 2010 Bond Ser B Principal	N/A	N/A	310,065	310,065	-	N/A	AAAm	NR	0.05%	52
CAMP Cash Reserve Portfolio (RTC) - 2010 Bond Ser B Interest	N/A	N/A	179,488	179,488	-	N/A	AAAm	NR	0.05%	52
CAMP Cash Reserve Portfolio (RTC) - 2010 Bond Ser A Interest	N/A	N/A	10,018,678	10,018,678	-	N/A	AAAm	NR	0.05%	52
CAMP Cash Reserve Portfolio (RTC) - 2012 Bond Interest	N/A	N/A	9,333,441	9,333,441	-	N/A	AAAm	NR	0.05%	52
CAMP Cash Reserve Portfolio (RTC) - 2012 Bond Principal	N/A	N/A	7,436,667	7,436,667	-	N/A	AAAm	NR	0.05%	52
CAMP Cash Reserve Portfolio (RTC) - Sales Tax	N/A	N/A	69,804,497	69,804,497	-	N/A	AAAm	NR	0.05%	52
CAMP Cash Reserve Portfolio - Wetland Mitigation (RTC)	N/A	N/A	290,858	290,858	-	N/A	AAAm	NR	0.05%	52
CAMP Cash Reserve Portfolio - Sage Hill Endowment (RTC)	N/A	N/A	63,576	63,576	-	N/A	AAAm	NR	0.05%	52
CAMP Cash Reserve Portfolio (RTC) - 2014 Bond Ser A Project	N/A	N/A	9,019,025	9,019,025	-	N/A	AAAm	NR	0.05%	52
BNY Mellon Cash Reserve <i>TransNet</i> Extension (RTC)	N/A	N/A	20,671,689	20,671,689	-	N/A	NR	NR	0.01%	1
<b>Total money market accounts and funds</b>			<b>\$ 332,632,148</b>	<b>\$ 332,632,148</b>	<b>\$ -</b>	<b>N/A</b>			<b>0.28%</b>	<b>237</b>
<b>Total cash and cash equivalents</b>			<b>\$ 351,617,314</b>	<b>\$ 351,617,314</b>	<b>\$ -</b>	<b>N/A</b>			<b>N/A</b>	<b>224</b>

**SANDAG**  
**Detail of Portfolio Balances (by Investment Type)**  
**as of September 30, 2014**

Investment	Purchase Date	Maturity Date	Book Value	Market Value	Unrealized Gain / (Loss)	Par Value	S&P Rating	Moody's Rating	Yield on Cost	Wtd. Avg. Days to Maturity
<b>Investments:</b>										
<b>State of CA Local Agency Investment Fund:</b>										
LAIF - TransNet (RTC)	N/A	N/A	\$ 47,625,598	\$ 47,625,598	\$ -	N/A	NR	NR	0.25%	232
LAIF - SANDAG	N/A	N/A	464,552	464,552	-	N/A	NR	NR	0.25%	232
<b>Total State of CA Local Agency Investment Fund</b>			<b>\$ 48,090,150</b>	<b>\$ 48,090,150</b>	<b>\$ -</b>	<b>N/A</b>			<b>0.25%</b>	<b>232</b>
<b>U.S. Agencies:</b>										
Fannie Mae Global Notes	06/13/2012	10/30/2014	\$ 17,145,449	\$ 17,077,562	\$ (67,887)	\$ 17,070,000	AA+	Aaa	0.44%	30
US Treasury Notes	09/10/2014	09/30/2015	9,878,671	9,872,190	(6,480)	9,765,000	AA+	Aaa	0.15%	365
US Treasury Notes	09/10/2014	01/31/2016	8,079,644	8,071,633	(8,011)	7,891,000	AA+	Aaa	0.27%	488
US Treasury Notes	09/11/2014	07/31/2016	4,132,569	4,128,112	(4,457)	3,933,000	AA+	Aaa	0.54%	670
US Treasury Notes	09/10/2014	12/31/2016	2,970,292	2,970,870	578	2,963,000	AA+	Aaa	0.77%	823
US Treasury Notes	09/10/2014	03/31/2017	3,109,324	3,109,445	121	3,100,000	AA+	Aaa	0.88%	912
Fannie Mae Global Notes	09/10/2014	07/02/2015	7,004,443	7,002,256	(2,187)	6,986,000	AA+	Aaa	0.17%	275
FHCB Notes	09/10/2014	10/19/2015	15,100,000	15,099,381	(619)	15,100,000	AA+	Aaa	0.24%	384
FHLB Notes	09/10/2014	11/30/2015	25,655,882	25,651,364	(4,518)	25,670,000	AA+	Aaa	0.27%	426
Federal Home Loan Bank Global Notes	09/10/2014	02/19/2016	7,984,441	7,988,090	3,649	7,985,000	AA+	Aaa	0.38%	507
Fannie Mae Global Notes	09/10/2014	03/30/2016	3,829,329	3,828,927	(402)	3,826,000	AA+	Aaa	0.44%	547
FHLB Notes	09/10/2014	09/28/2016	3,088,220	3,090,920	2,700	3,100,000	AA+	Aaa	0.69%	729
Federal Home Loan Bank Global Notes	09/10/2014	06/21/2017	3,065,242	3,070,021	4,780	3,070,000	AA+	Aaa	1.06%	995
US Treasury Notes	07/15/2014	01/31/2016	1,981,567	1,974,180	(7,388)	1,930,000	AA+	Aaa	0.27%	488
US Treasury Notes	07/15/2014	04/30/2016	1,994,766	1,994,220	(546)	1,995,000	AA+	Aaa	0.38%	578
FNMA Notes	07/15/2014	10/26/2015	1,990,229	1,984,423	(5,806)	1,955,000	AA+	Aaa	0.22%	391
FHLMC Notes	07/15/2014	10/14/2016	1,991,068	1,988,328	(2,740)	1,980,000	AA+	Aaa	0.62%	745
Fannie Mae Global Notes	07/15/2014	01/30/2017	2,673,845	2,664,412	(9,433)	2,640,000	AA+	Aaa	0.74%	853
US Treasury Notes	07/15/2014	06/30/2016	1,999,736	1,994,682	(5,054)	1,960,000	AA+	Aaa	0.46%	639
US Treasury Notes	07/15/2014	06/30/2017	1,254,143	1,251,632	(2,511)	1,260,000	AA+	Aaa	0.91%	1,004
Fannie Mae Global Notes	07/15/2014	01/30/2017	2,638,136	2,629,088	(9,047)	2,605,000	AA+	Aaa	0.74%	853
US Treasury Notes	02/07/2014	07/31/2015	4,194,012	4,156,055	(37,957)	4,100,000	AA+	Aaa	0.20%	304
US Treasury Notes	11/30/2012	11/15/2015	1,262,329	1,179,272	(83,057)	1,125,000	AA+	Aaa	0.35%	411
US Treasury Notes	04/11/2013	04/30/2016	598,678	584,272	(14,406)	570,000	AA+	Aaa	0.34%	578
US Treasury Notes	04/11/2014	05/31/2016	359,434	357,574	(1,859)	350,000	AA+	Aaa	0.48%	609
US Treasury Notes	05/31/2013	05/31/2016	777,393	766,231	(11,162)	750,000	AA+	Aaa	0.52%	609
US Treasury Notes	05/15/2013	06/30/2016	1,278,960	1,231,409	(47,551)	1,175,000	AA+	Aaa	0.40%	639
US Treasury Notes	06/05/2014	07/31/2016	4,090,625	4,071,092	(19,533)	4,000,000	AA+	Aaa	0.44%	670
US Treasury Notes	02/07/2014	07/31/2016	4,203,301	4,172,869	(30,431)	4,100,000	AA+	Aaa	0.48%	670
US Treasury Notes	08/30/2013	08/31/2016	1,649,033	1,653,325	4,292	1,640,000	AA+	Aaa	0.81%	701
US Treasury Notes	02/28/2014	09/30/2016	957,023	942,610	(14,414)	900,000	AA+	Aaa	0.53%	731
US Treasury Notes	06/05/2014	10/31/2016	4,043,281	4,028,436	(14,845)	4,000,000	AA+	Aaa	0.55%	762
US Treasury Notes	12/03/2013	11/30/2016	2,734,030	2,719,951	(14,079)	2,710,000	AA+	Aaa	0.58%	792
US Treasury Notes	11/01/2013	11/30/2016	5,636,486	5,528,308	(108,178)	5,295,000	AA+	Aaa	0.63%	792
US Treasury Notes	07/31/2014	01/31/2017	2,805,359	2,805,250	(109)	2,800,000	AA+	Aaa	0.63%	854
US Treasury Notes	06/05/2014	05/31/2017	1,725,105	1,719,954	(5,151)	1,735,000	AA+	Aaa	0.82%	974
Federal Home Loan Bank Global Notes	08/09/2013	08/28/2015	1,384,945	1,387,748	2,803	1,385,000	AA+	Aaa	0.38%	332

**SANDAG**  
**Detail of Portfolio Balances (by Investment Type)**  
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Investment	Purchase	Maturity	Book Value	Market Value	Unrealized	Par Value	S&P	Moody's	Yield	Wtd. Avg.
	Date	Date			Gain / (Loss)		Rating	Rating	on Cost	Days to Maturity
Freddie Mac Global Notes	07/31/2012	08/28/2015	2,402,784	2,407,099	4,315	2,400,000	AA+	Aaa	0.46%	332
FHLB (Callable) Global Notes	12/30/2013	12/30/2015	3,348,995	3,353,055	4,060	3,350,000	AA+	Aaa	0.39%	456
Federal Home Loan Bank Global Notes	03/18/2014	02/19/2016	2,800,028	2,801,084	1,056	2,800,000	AA+	Aaa	0.37%	507
Federal Home Loan Bank Global Notes	02/07/2014	02/19/2016	4,100,246	4,101,587	1,341	4,100,000	AA+	Aaa	0.37%	507
Fannie Mae Global Notes	08/30/2013	03/30/2016	3,729,750	3,752,869	23,119	3,750,000	AA+	Aaa	0.71%	547
FNMA Notes	10/03/2013	09/28/2016	1,451,459	1,446,913	(4,546)	1,430,000	AA+	Aaa	0.74%	729
FNMA Notes	10/03/2013	09/28/2016	1,542,466	1,537,977	(4,489)	1,520,000	AA+	Aaa	0.75%	729
FHLB Notes	08/07/2014	09/28/2016	2,224,983	2,223,468	(1,514)	2,230,000	AA+	Aaa	0.61%	729
Federal Home Loan Banks (Callable)	04/04/2014	03/27/2017	2,107,914	2,098,901	(9,013)	2,085,000	AA+	Aaa	1.25%	909
FHLB Global Note (Callable)	04/28/2014	04/28/2017	621,827	620,124	(1,702)	615,000	AA+	Aaa	1.25%	941
Freddie Mac Global Notes	08/14/2014	07/28/2017	1,269,929	1,264,779	(5,150)	1,270,000	AA+	Aaa	1.00%	1,033
Freddie Mac Global Notes	08/14/2014	07/28/2017	2,579,827	2,569,394	(10,434)	2,580,000	AA+	Aaa	1.00%	1,033
FNMA Notes	08/25/2014	09/27/2017	1,818,485	1,817,309	(1,175)	1,825,000	AA+	Aaa	1.12%	1,093
Fannie Mae Global Notes	09/20/2013	10/15/2015	876,169	845,139	(31,029)	810,000	AA+	Aaa	0.41%	380
US Treasury	08/26/2011	10/31/2015	1,788,965	1,770,372	(18,593)	1,750,000	AA+	Aaa	0.71%	396
US Treasury	04/22/2014	05/31/2016	5,647,813	5,618,811	(29,002)	5,500,000	AA+	Aaa	0.47%	548
US Treasury	08/12/2011	07/31/2016	3,078,750	3,053,085	(25,665)	3,000,000	AA+	Aaa	0.96%	670
US Treasury	05/23/2014	11/15/2016	3,003,281	2,996,250	(7,031)	3,000,000	AA+	Aaa	0.58%	776
US Treasury	06/03/2014	11/15/2016	1,401,094	1,398,250	(2,844)	1,400,000	AA+	Aaa	0.59%	776
US Treasury	06/06/2014	03/31/2017	3,020,625	3,009,375	(11,250)	3,000,000	AA+	Aaa	0.75%	913
Private Expt Fdg Corp (PEFCO)	09/18/2013	05/15/2015	10,692	10,271	(421)	10,000	AA+	Aaa	0.36%	227
FHLB	08/11/2011	06/12/2015	2,156,240	2,038,080	(118,160)	2,000,000	AA+	Aaa	0.80%	255
FNMA	03/19/2012	10/26/2015	1,282,750	1,268,781	(13,969)	1,250,000	AA+	Aaa	0.88%	391
FNMA	08/26/2014	05/26/2016	6,001,500	5,992,338	(9,162)	6,000,000	AA+	Aaa	0.38%	604
FNMA	03/28/2014	07/05/2016	2,986,530	2,992,776	6,246	3,000,000	AA+	Aaa	0.57%	644
FHLB	08/26/2014	08/26/2016	5,001,250	4,989,625	(11,625)	5,000,000	AA+	Aaa	0.55%	696
FHLMC	09/19/2014	09/19/2016	4,499,550	4,485,906	(13,644)	4,500,000	AA+	Aaa	0.71%	720
FFCB	03/14/2014	09/23/2016	2,005,300	1,999,406	(5,894)	2,000,000	AA-	Aaa	0.58%	724
FHLB	08/01/2014	09/28/2016	4,032,520	4,022,832	(9,688)	4,000,000	AA+	Aaa	0.42%	729
FNMA	05/14/2013	11/14/2016	7,750,000	7,713,939	(36,061)	7,750,000	AA+	Aaa	0.55%	776
FHLB	04/22/2014	12/09/2016	5,625,180	5,605,721	(19,459)	5,500,000	AA+	Aaa	0.75%	801
FHLMC	01/27/2012	12/19/2016	1,521,150	1,502,538	(18,612)	1,500,000	AA+	Aaa	1.00%	811
FHLMC	08/28/2014	02/28/2017	4,505,625	4,494,362	(11,264)	4,500,000	AA+	Aaa	0.50%	882
FHLB	10/15/2013	03/10/2017	3,183,360	3,197,229	13,869	3,200,000	AA+	Aaa	1.03%	892
FHLMC	08/06/2012	05/12/2017	511,200	503,457	(7,744)	500,000	AA+	Aaa	0.77%	955
FHLB	08/26/2014	05/26/2017	4,000,000	3,997,772	(2,228)	4,000,000	AA+	Aaa	1.10%	969
FHLMC	07/31/2012	06/29/2017	3,025,650	2,995,401	(30,249)	3,000,000	AA+	Aaa	0.82%	1,003
FHLB	03/31/2014	09/13/2017	1,999,400	2,000,868	1,468	2,000,000	AA+	Aaa	1.36%	1,079
FNMA	11/30/2012	09/20/2017	3,508,400	3,476,235	(32,165)	3,500,000	AA+	Aaa	1.00%	1,086
FNMA	12/05/2012	09/20/2017	1,002,750	993,210	(9,540)	1,000,000	AA+	Aaa	1.00%	1,086
FNMA	02/26/2013	09/20/2017	4,004,000	3,972,840	(31,160)	4,000,000	AA+	Aaa	1.00%	1,086
FHLMC	03/27/2014	09/27/2017	2,000,000	1,990,816	(9,184)	2,000,000	AA+	Aaa	1.15%	1,093
FHLMC	01/30/2013	01/12/2018	4,931,800	4,903,110	(28,690)	5,000,000	AA+	Aaa	1.03%	1,200
FAMCA	01/25/2013	01/24/2018	2,499,375	2,479,780	(19,595)	2,500,000	AA+	Aaa	0.94%	1,212

**SANDAG**  
**Detail of Portfolio Balances (by Investment Type)**  
as of September 30, 2014

Investment	Purchase Date	Maturity Date	Book Value	Market Value	Unrealized Gain / (Loss)	Par Value	S&P Rating	Moody's Rating	Yield on Cost	Wtd. Avg.
										Days to Maturity
FHLMC	02/26/2013	02/07/2018	2,470,712	2,454,730	(15,982)	2,455,000	AA+	Aaa	1.35%	1,226
FNMA	02/22/2013	02/08/2018	1,989,480	1,969,856	(19,624)	2,000,000	AA+	Aaa	0.98%	1,227
FHLB	03/18/2013	03/09/2018	254,980	249,886	(5,094)	250,000	AA+	Aaa	0.96%	1,256
FNMA	05/29/2013	03/13/2018	3,033,720	3,007,227	(26,493)	3,000,000	AA+	Aaa	0.87%	1,260
FNMA	07/22/2013	03/13/2018	400,760	400,964	204	400,000	AA+	Aaa	1.38%	1,260
FNMA	08/09/2013	03/13/2018	600,300	601,445	1,145	600,000	AA+	Aaa	1.47%	1,260
FNMA	06/14/2013	04/03/2018	2,968,800	2,968,572	(228)	3,000,000	AA+	Aaa	1.35%	1,280
<b>Total U.S. Agencies</b>			<b>\$ 303,845,350</b>	<b>\$ 302,711,907</b>	<b>\$ (1,133,443)</b>	<b>\$ 301,249,000</b>			<b>0.57%</b>	<b>646</b>
<b>Corporate Medium Term Notes:</b>										
General Elec Cap Corp Global Notes	07/15/2014	07/02/2015	\$ 2,000,122	\$ 1,993,782	\$ (6,340)	\$ 1,975,000	AA+	A1	0.30%	275
Bank of New York Mellon	07/15/2014	07/28/2016	1,978,982	1,971,107	(7,876)	1,920,000	A+	A1	0.78%	667
General Electric Co Corporate Notes	07/15/2014	12/11/2015	730,546	728,965	(1,581)	725,000	AA+	Aa3	0.45%	437
Bank of New York Mellon	07/15/2014	07/28/2016	211,298	210,457	(841)	205,000	A+	A1	0.78%	667
Bank of New York Mellon	07/15/2014	07/28/2016	536,338	533,841	(2,497)	520,000	A+	A1	0.74%	667
Walt Disney Co Global Notes	11/30/2012	12/01/2015	382,132	384,752	2,621	385,000	A	A2	0.70%	427
Cisco Systems Inc Global Notes	11/08/2013	02/22/2016	2,304,806	2,209,661	(95,145)	2,075,000	AA-	A1	0.62%	510
Cisco Systems Inc Global Notes	12/20/2013	02/22/2016	2,309,868	2,225,635	(84,233)	2,090,000	AA-	A1	0.62%	510
Caterpillar Financial SE Notes	02/28/2013	02/26/2016	649,194	650,720	1,526	650,000	A	A2	0.74%	514
PepsiCo Inc Global Notes	02/28/2013	02/26/2016	709,752	711,529	1,777	710,000	A-	A1	0.71%	514
JPMorgan Chase & Co Global Notes	02/26/2013	02/26/2016	1,997,580	2,008,238	10,658	2,000,000	A	A3	1.17%	514
Apple Inc Global Notes	05/03/2013	05/03/2016	638,842	638,662	(179)	640,000	AA+	Aa1	0.51%	581
IBM Corp Global Notes (Ex-Callable)	05/07/2013	05/06/2016	2,742,245	2,742,141	(105)	2,750,000	AA-	Aa3	0.55%	584
Toyota Motor Credit Corp	05/17/2013	05/17/2016	1,099,549	1,102,565	3,016	1,100,000	AA-	Aa3	0.81%	595
Chevron Corp Global Notes	11/21/2013	06/24/2016	3,529,410	3,521,786	(7,624)	3,507,000	AA	Aa1	0.64%	633
General Electric Capital Corp (Floating)	07/12/2013	07/12/2016	2,240,000	2,259,423	19,423	2,240,000	AA+	A1	0.93%	743
Wells Fargo and Company	07/29/2013	07/20/2016	769,261	774,478	5,218	770,000	A+	A2	1.28%	659
Berkshire Hathaway Fin Global Notes	10/15/2013	08/15/2016	499,050	501,824	2,774	500,000	AA	Aa2	1.02%	685
Berkshire Hathaway Fin Global Notes	08/15/2013	08/15/2016	1,419,247	1,425,180	5,933	1,420,000	AA	Aa2	0.97%	685
American Honda Finance Global Notes	10/10/2013	10/07/2016	1,165,928	1,174,005	8,077	1,170,000	A+	A1	1.24%	738
Coca-Cola Co/The Global Notes	11/01/2013	11/01/2016	524,396	524,376	(20)	525,000	AA	Aa3	0.79%	763
Berkshire Hathaway Fin (FLT) Global Notes	01/10/2014	01/10/2017	900,000	900,001	1	900,000	AA	Aa2	0.39%	833
Pfizer Inc Global Notes	06/03/2013	01/15/2017	2,695,680	2,691,862	(3,818)	2,700,000	AA	A1	0.95%	838
PepsiCo Corp Notes	02/28/2014	02/22/2017	1,493,296	1,488,896	(4,400)	1,495,000	A-	A1	0.99%	876
Wal-Mart Stores Inc Corp Notes	04/22/2014	04/21/2017	524,921	524,554	(367)	525,000	AA	Aa2	1.01%	934
Apple Inc Corp Note	05/06/2014	05/05/2017	2,098,887	2,092,852	(6,035)	2,100,000	AA+	Aa1	1.07%	948
Toyota Motor Credit Corp Note	05/16/2014	05/16/2017	779,587	777,017	(2,570)	780,000	AA-	Aa3	1.14%	959
The Walt Disney Corporation Corp Note	06/02/2014	05/30/2017	1,192,849	1,184,748	(8,101)	1,195,000	A	A2	0.94%	973
GE Capital	10/16/2012	01/09/2015	1,029,240	1,005,032	(24,208)	1,000,000	AA+	A1	0.82%	101
Berkshire Hathaway Fin Corp	01/26/2012	01/15/2015	4,474,400	4,051,768	(422,632)	4,000,000	AA	Aa2	0.80%	107
IBM Corp	02/07/2012	02/06/2015	3,002,220	3,002,970	750	3,000,000	AA-	Aa3	0.53%	129
Pfizer, Inc.	12/06/2013	03/15/2015	1,062,320	1,022,063	(40,257)	1,000,000	AA	A1	0.44%	166
GE Capital	12/23/2011	06/29/2015	1,053,750	1,023,780	(29,970)	1,000,000	AA+	A1	1.91%	272
Wells Fargo	01/24/2014	07/01/2015	2,029,400	2,016,222	(13,178)	2,000,000	A+	A2	0.47%	274

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**Detail of Portfolio Balances (by Investment Type)**  
**as of September 30, 2014**

Investment	Purchase Date	Maturity Date	Book Value	Market Value	Unrealized Gain / (Loss)	Par Value	S&P Rating	Moody's Rating	Yield on Cost	Wtd. Avg.
										Days to Maturity
Wal-Mart	01/19/2012	07/08/2015	1,049,330	1,014,681	(34,649)	1,000,000	AA	Aa2	0.81%	281
US Bancorp	10/29/2010	07/27/2015	3,082,440	3,050,601	(31,839)	3,000,000	A+	A1	1.84%	300
GE Capital	12/23/2011	09/21/2015	1,472,581	1,411,647	(60,933)	1,360,000	AA+	A1	2.07%	356
Procter & Gamble	09/20/2011	11/15/2015	2,055,280	2,030,014	(25,266)	2,000,000	AA-	Aa3	1.12%	411
Google Inc.	10/16/2012	05/19/2016	1,053,370	1,024,060	(29,310)	1,000,000	AA	Aa2	0.62%	597
Wells Fargo	04/29/2014	07/20/2016	3,030,540	3,017,238	(13,302)	3,000,000	A+	A2	0.79%	659
Procter & Gamble	12/23/2011	08/15/2016	1,145,143	1,146,095	952	1,132,000	AA-	Aa3	1.19%	685
Procter & Gamble	12/23/2011	08/15/2016	734,429	735,039	611	726,000	AA-	Aa3	1.19%	685
The Coca-Cola Company	03/04/2014	09/01/2016	2,519,948	2,501,457	(18,490)	2,450,000	AA	Aa3	0.64%	701
Toyota Motor Credit	10/04/2013	01/12/2017	5,420,085	5,404,536	(15,549)	5,285,000	AA-	Aa3	1.25%	835
Apple Inc.	05/28/2014	05/05/2017	3,011,340	2,989,995	(21,345)	3,000,000	AA+	Aa1	0.92%	948
PepsiCo Inc	02/19/2013	08/13/2017	3,004,200	2,991,504	(12,696)	3,000,000	A-	A1	1.22%	1,048
Philip Morris Int'l	12/18/2012	08/21/2017	999,720	993,624	(6,096)	1,000,000	A	A2	1.13%	1,056
IBM Corp	02/03/2014	09/14/2017	3,107,673	3,025,623	(82,050)	2,700,000	AA-	Aa3	1.40%	1,080
Wal-Mart	05/31/2013	02/15/2018	720,498	681,565	(38,933)	600,000	AA	Aa2	1.38%	1,234
Wal-Mart	04/16/2013	04/11/2018	500,215	493,299	(6,917)	500,000	AA	Aa2	1.12%	1,289
Apple Inc.	08/05/2013	05/03/2018	1,925,040	1,950,980	25,940	2,000,000	AA+	Aa1	1.83%	1,311
<b>Total Corporate Medium Notes</b>			<b>\$ 85,606,926</b>	<b>\$ 84,536,849</b>	<b>\$ (1,070,077)</b>	<b>\$ 83,325,000</b>			<b>0.96%</b>	<b>640</b>



**SANDAG**  
**Detail of Portfolio Balances (by Investment Type)**  
**as of September 30, 2014**

Investment	Purchase Date	Maturity Date	Book Value	Market Value	Unrealized Gain / (Loss)	Par Value	S&P Rating	Moody's Rating	Yield on Cost	Wtd. Avg. Days to Maturity
<b>Commercial Paper:</b>										
Bank of Tokyo Mitsubishi Comm Paper	09/10/2014	01/08/2015	\$ 7,494,750	\$ 7,495,770	\$ 1,020	\$ 7,500,000	A-1	P-1	0.21%	100
BNP Paribas Finance Inc Comm Paper	09/10/2014	03/09/2015	7,488,750	7,490,903	2,153	7,500,000	A-1	P-1	0.30%	160
Rabobank USA Fin Corp Comm Paper	09/10/2014	03/09/2015	7,491,758	7,492,793	1,035	7,500,000	A-1	P-1	0.22%	160
Toyota Motor Credit Corp Comm Paper	09/10/2014	05/08/2015	7,487,000	7,490,528	3,528	7,500,000	A-1	P-1	0.26%	220
General Elec Cap Corp Comm Paper	09/10/2014	05/08/2015	7,488,500	7,490,378	1,878	7,500,000	A-1	P-1	0.23%	220
JP Morgan Securities LLC Comm Paper	09/10/2014	06/05/2015	7,481,575	7,489,013	7,438	7,500,000	A-1	P-1	0.33%	248
UBS Finance Delaware LLC Comm Paper	09/10/2014	06/05/2015	7,483,808	7,484,228	419	7,500,000	A-1	P-1	0.29%	248
Canadian Imperial Holding Comm Paper	09/10/2014	06/05/2015	7,485,483	7,481,505	(3,978)	7,500,000	A-1	P-1	0.26%	248
BNP Paribas Finance Inc Comm Paper	07/14/2014	10/14/2014	1,998,876	1,999,916	1,040	2,000,000	A-1	P-1	0.22%	14
Bank of Tokyo Mitsubishi Comm Paper	07/14/2014	01/09/2015	1,997,713	1,998,856	1,143	2,000,000	A-1	P-1	0.23%	101
JP Morgan Securities LLC Comm Paper	07/14/2014	04/07/2015	1,995,402	1,997,796	2,394	2,000,000	A-1	P-1	0.31%	189
JP Morgan Securities LLC Comm Paper	05/06/2014	11/03/2014	2,796,762	2,799,524	2,762	2,800,000	A-1	P-1	0.23%	34
ING Funding Comm Paper	04/22/2014	10/22/2014	2,995,425	2,999,778	4,353	3,000,000	A-1	P-1	0.30%	22
ING Funding Comm Paper	05/02/2014	11/03/2014	2,995,529	2,999,619	4,090	3,000,000	A-1	P-1	0.29%	34
Abbey National Comm Paper	09/11/2014	03/09/2015	2,995,674	2,996,271	597	3,000,000	A-1	P-1	0.29%	160
UBS Finance Comm Paper	07/01/2014	03/27/2015	2,495,330	2,497,055	1,725	2,500,000	A-1	P-1	0.25%	178
<b>Total Commercial Paper</b>			<b>\$ 80,172,334</b>	<b>\$ 80,203,930</b>	<b>\$ 31,596</b>	<b>\$ 80,300,000</b>			<b>0.26%</b>	<b>172</b>
<b>Municipal Bonds/Notes:</b>										
University of Cal Txbl Revenue Bonds	10/02/2013	05/15/2015	\$ 620,000	\$ 621,023	\$ 1,023	\$ 620,000	AA	Aa2	0.53%	227
CA ST Dept of Water Rev Bonds	09/27/2012	12/01/2015	620,000	621,593	1,593	620,000	AAA	Aa1	0.65%	427
<b>Total Municipal Bonds/Notes</b>			<b>\$ 1,240,000</b>	<b>\$ 1,242,616</b>	<b>\$ 2,616</b>	<b>\$ 1,240,000</b>			<b>0.59%</b>	<b>327</b>
<b>Certificates of Deposits</b>										
Toronto Dominion Bank NY CD	09/29/2014	09/29/2016	\$ 2,560,000	\$ 2,560,000	\$ -	\$ 2,560,000	AA-	Aa1	0.90%	729
US Bank NA Cincinnati (Callable) CD	09/11/2014	09/11/2017	2,790,500	2,772,257	(18,243)	2,795,000	AA-	Aa3	1.41%	1,077
<b>Total Certificates of Deposits</b>			<b>\$ 5,350,500</b>	<b>\$ 5,332,257</b>	<b>(18,243)</b>	<b>\$ 5,355,000</b>			<b>1.17%</b>	<b>910</b>

**SANDAG**  
**Detail of Portfolio Balances (by Investment Type)**  
**as of September 30, 2014**

Investment	Purchase Date	Maturity Date	Book Value	Market Value	Unrealized Gain / (Loss)	Par Value	S&P Rating	Moody's Rating	Yield on Cost	Wtd. Avg. Days to Maturity
<b>Certificates of Participation:</b>										
North County Transit District Certificates of Participation	09/02/2014	12/03/2014	\$ 29,350,000	\$ 29,350,000	\$ -	\$ 29,350,000	N/R	A1,A2	0.09%	64
<b>Total Certificates of Participation</b>			<b>\$ 29,350,000</b>	<b>\$ 29,350,000</b>	<b>\$ -</b>	<b>\$ 29,350,000</b>			<b>0.09%</b>	<b>64</b>
<b>Total investments</b>			<b>\$ 553,655,261</b>	<b>\$ 551,467,709</b>	<b>\$ (2,187,552)</b>	<b>N/A</b>			<b>0.54%</b>	<b>511</b>
<b>Total Portfolio:</b>			<b>\$ 905,272,575</b>	<b>\$ 903,085,023</b>	<b>\$ (2,187,552)</b>	<b>N/A</b>			<b>0.44%</b>	<b>399</b>

*Legend:*

- Automated Regional Justice Information System (ARJIS)
- Commercial Paper (CP)
- State of California Local Agency Investment Fund (LAIF)
- North County Transit District (NCTD)
- San Diego County Regional Transportation Commission (RTC)



**BOARD OF DIRECTORS  
NOVEMBER 21, 2014**

**ACTION REQUESTED – INFORMATION**

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**QUARTERLY PROGRESS REPORT ON TRANSPORTATION  
PROJECTS – JULY THROUGH SEPTEMBER 2014**

File Number 1500000

**Introduction**

This quarterly report summarizes the current status of major transit, highway, traffic management, and Transportation Demand Management (TDM) projects in the SANDAG five-year Regional Transportation Improvement Program. The *TransNet* one-half cent local sales tax and other local, state, and federal revenue sources fund these projects. The projects contained in this report previously have been prioritized and are included in the 2050 Regional Transportation Plan. All information shown in bold has changed from the previous quarter; this report will highlight some of those changes. This item is presented to the Board of Directors for information.

**Discussion**

***TransNet Program***

Attachment 1 – *TransNet* Extension Quarterly Report – indicates sales tax revenue available for allocation was approximately \$67.1 million in the first quarter of FY 2015. Revenue for the first quarter of the fiscal year was 7 percent higher compared to the fourth quarter of FY 2014 (\$62.8 million); in parallel, it was approximately 2.6 percent higher than the first quarter of last fiscal year (\$65.4 million).

***Transit Projects***

Attachment 2 – Transit Projects – provides cost and schedule information on the major transit and rail projects in the San Diego region. The accompanying map (Attachment 3 – Major Transit Projects) locates these projects.

**State Route 15 Bus Rapid Transit Mid-City Centerline Stations (Project No. 2):** This project was advertised on October 20, 2014, and the construction contract is expected to be awarded by March 2015. This project will construct two Bus Rapid Transit stations in the median of State Route 15 (SR 15) at University Avenue and El Cajon Boulevard and will connect pedestrians to the freeway-level transit stations. These stations will connect riders to the *Rapid* and *Rapid Express* services along the Interstate 15 corridor and will include elevators, pedestrian walkways, shelters, next bus arrival signs, and other architectural amenities. These stations are expected to be open to users by winter 2016.

**Mid-City Rapid Bus: Downtown to SDSU (Project No. 4):** On October 12, 2014, *Rapid 215* began service and was opened to users. Free rides were provided all day for opening day. This project is a limited-stop transit service between San Diego State University and downtown San Diego along El Cajon and Park Boulevards. This project includes new stations with customized shelters; dedicated bus lanes; a signal priority system; and low-floor, natural gas-powered vehicles. It travels from Santa Fe Depot east to City College, north past Naval Hospital San Diego along Park Boulevard, and east along El Cajon Boulevard, ultimately ending at San Diego State University's Transit Plaza.

**Los Peñasquitos Lagoon Bridge Replacement (Project No. 11):** Although the construction contract for this project was awarded in October 2014, all bids received were above engineer's estimates. Construction currently is scheduled to begin in December 2014 and the North County Transit District (NCTD) contributed \$5.6 million in additional funds to increase the budget and ensure that replacement of all four bridges can be completed. This project will replace four timber trestle bridges in order to support reliability of intercity, commuter, and freight rail services. The bridges are expected to be open to traffic by spring 2017.

### ***Active Transportation Projects***

Attachment 4 – Active Transportation Projects (includes projects related to bicycle, pedestrian, and access to transit infrastructure) – provides cost and schedule information on the active transportation projects in the San Diego region. The accompanying map (Attachment 5 – Major Active Transportation Projects) locates these projects.

**Bayshore Bikeway – Segment 4 (Project No. 34):** The construction contract for Segment 4 of the Bayshore Bikeway was awarded on August 22, 2014. This segment will construct approximately 0.6-miles of new bike path from 32nd Street and Harbor Drive to Vesta Street in the City of San Diego. Although Segments 4 and 5 are funded together in the FY 2015 Budget, these two segments will be constructed separately due to schedule differences. Segment 5, which will construct the remaining 2.2-miles of bike path, requires further negotiations with Burlington Northern and Santa Fe Railway for locations where the bike path crosses over rail right-of-way. Segment 4 is scheduled to open to users by spring 2015.

**Sweetwater Bikeway – Plaza Bonita Segment (Project No. 38):** The construction contract for this project was awarded on October 10, 2014, which will construct 0.5-miles of Class I bike path on Plaza Bonita Road from Bonita Mesa Road to south of Sweetwater Road. This \$1.9 million project is funded with a combination of federal Transportation Enhancement and *TransNet* Bicycle, Pedestrian, and Neighborhood Safety (BPNS) funding and is anticipated to be open to users by winter 2015.

**State Route 15 Commuter Bike Facility (Project No. 41):** In September 2014, the Board of Directors recommended that the California Transportation Commission fund this project with \$1.8 million in Regional Active Transportation Program (ATP) funds for the construction phase. Subsequently, on October 24, 2014, the Board of Directors approved a budget amendment to completely fund the construction phase with *TransNet* BPNS funds of \$11.33 million. A proposal to swap *TransNet* BPNS with ATP funds for the construction phase of this project will be presented to the Board of Directors for its consideration in November 2014. This project will construct a one-mile bike path along the east side of SR 15, from Adams Avenue to Camino Del Rio South and will include a concrete barrier to separate

cyclists from motorized vehicles on the freeway. This project is currently scheduled to be open to users by early 2017.

### ***Express/High Occupancy Vehicle Lanes and Direct Access Ramp Projects***

Attachment 6 – Express/High Occupancy Vehicle (HOV) Lanes and Direct Access Ramp (DAR) Projects – provides cost and schedule information on the major highway projects in the San Diego region. The accompanying map (Attachment 7 – Express/HOV lanes and DAR Projects) locates these projects.

#### **Interstate 5 North Coast Corridor: La Jolla Village Drive to Harbor Drive (Project No. 50):**

On August 13, 2014, the California Coastal Commission voted to approve the North Coast Corridor (NCC) Program’s Federal Consistency Certification, Local Coastal Program amendments for the four affected corridor cities – San Diego, Encinitas, Carlsbad and Oceanside – and the Public Works Plan/Transportation and Resource Enhancement Program (PWP/TREP). The PWP/TREP includes a package of highway, rail, transit, bike/pedestrian, environmental, and coastal access improvements along San Diego’s North Coast Corridor—a 27-mile stretch from La Jolla to Oceanside—over the next 30 years. The document serves as the master permit and implementation blueprint for the NCC Program.

#### **Interstate 15 Mira Mesa Direct Access Ramp (Project No. 52):**

A ribbon cutting ceremony was held on October 1, 2014, for this project, which officially opened for service on October 6, 2014. The Mira Mesa DAR will link the Interstate 15 (I-15) Express Lanes to Hillery Drive, adjacent to the Miramar College Transit Station. The new Miramar College Transit Station will include enhanced bus staging areas, shelters, and next bus notification signage. *Rapid 235* (Escondido Transit Center to Downtown San Diego via I-15) and *Rapid 237* (Rancho Bernardo Transit Station and University of California, San Diego via I-15) are the express services that will be utilizing the DAR to improve speed and reliability, which further connects transit service along the I-15 corridor.

### ***Highway Projects***

Attachment 8 – Highway Projects – provides cost and schedule information on the major highway projects in the San Diego region. The accompanying map (Attachment 9 – Major Highway Projects) locates these projects.

#### **Interstate 5/State Route 56 Interchange (Project No. 62):**

The date of the approval of the final environmental document has been revised to June 2015 in order to respond to comments and continue review of the draft Environmental Impact Report/Environmental Impact Statement (EIR/EIS). This project proposes to improve the traffic operations on Interstate 5 (I-5) between Del Mar Heights Road and Carmel Valley Road, and on State Route 56 between I-5 and Carmel Country Road. Caltrans is currently studying the project alternatives and expects to release the Final EIR/EIS in spring 2015. At that time, the Locally Preferred Alternative also will be announced and documented in the Final EIR/EIS.

### ***Traffic Demand Management and Intelligent Transportation System***

Attachment 10 – TDM and Intelligent Transportation System Projects (ITS) – provides cost and schedule information on the major traffic management and ITS projects in the San Diego region.

**iCommute Program:** iCommute is the TDM Program of SANDAG. The iCommute Program provides convenient transportation choices that reduce auto dependency, vehicle energy consumption, and polluting emissions, while saving commuters time and money by providing free ride-matching services, the Regional Vanpool Program, transit solutions, bicycle encouragement programs, the Guaranteed Ride Home Program, SchoolPool, and support for teleworking. During the first quarter of FY 2015, iCommute programs contributed to reducing approximately 32 million pounds of carbon dioxide and saving an estimated 1.5 million gallons of fuel by reducing approximately 35 million vehicle miles traveled.

**Community Outreach:** iCommute actively promotes TDM programs to employers, schools, and commuters region wide. The employer outreach team met with 77 employers last quarter for outreach events and meetings to offer support for implementing or expanding commuter programs for their employees.

A total of 70 schools enrolled in SchoolPool this quarter, bringing the total to 93 schools in the program. Of those schools, 53 signed up for the Walk, Ride, and Roll to School Day event. Registration drives and parent meetings were held with 13 schools.

**SANDAG Regional Vanpool Program:** The number of vanpools remained steady from last quarter, remaining at 709 vans this quarter, with more than 5,400 passengers. The Vanpool Program reduced nearly 90,000 single occupant vehicle trips and over 34 million vehicle miles traveled this quarter.

**511 Services:** The 511 application provides real-time access to traveler information supplied by Caltrans and the Metropolitan Transit System, along with roadway information from the cities of San Diego, Escondido, and Poway, which include maps with current traffic conditions, latest incident information, current toll rates for the I-15 Express Lanes, estimated travel times, congestion information, and special event information. Future updates to the application will include transit arrival times, NCTD transit information, and a “my commute” feature, which will allow users to program their route(s) to receive customized alerts at their chosen travel time.

During the first quarter of FY 2015, 511 received approximately 127,000 calls. The most requested option continues to be “Traffic Conditions,” which accounted for approximately 33 percent of total calls this quarter. The 511 service continues to be utilized as a one-stop resource that consolidates San Diego regional transportation information into easily accessible phone and website systems.

The 511 web portal page views averaged 1,690 per day; the 511 traffic page averaged 1,300 page views per day. The transit page continues to be the most heavily visited 511-related page, amounting to 47 percent of total visits for the quarter.

### ***Freeway Service Patrol***

Attachment 11 – Freeway Service Patrol (FSP) Assists Map – summarizes the number of assists by the FSP. The FSP trucks patrol approximately 242 miles of San Diego freeways, as shown in Attachment 11. The FSP trucks operate during weekday peak periods from 5:30 to 9:30 a.m. and from 3 to 7 p.m., excluding holidays. A pilot expansion, which began in 2012, increased FSP operations beyond peak periods to help stranded motorists during midday from 10 a.m. to 2 p.m. along Interstates 5, 8, 15, and 805.

In addition, weekend FSP service is available in most of the region from 10 a.m. to 6 p.m. The pilot expansion will continue as long as funds are available. Findings from the pilot program will enable SANDAG to further fine-tune the program to improve efficiency. During the first quarter of FY 2015, this program assisted approximately 25,500 motorists, a decrease of 2 percent over last quarter (26,000 assists), which includes approximately 3,300 motorists during weekend beats – a 6.5 percent increase from last quarter (3,100 motorists) in the San Diego region.

GARY L. GALLEGOS  
Executive Director

- Attachments:
1. *TransNet* Extension Quarterly Report
  2. Transit Projects
  3. Major Transit Projects (map)
  4. Active Transportation Projects
  5. Major Active Transportation Projects (map)
  6. Express/HOV lanes and DAR Projects
  7. Major Express/HOV Lanes and DAR Projects (map)
  8. Highway Projects
  9. Major Highway Projects (map)
  10. Traffic Demand Management and Intelligent Transportation System Projects
  11. Freeway Service Patrol Assists (map)

Key Staff Contact: Michelle Smith, (619) 595-5608, michelle.smith@sandag.org

# TransNet EXTENSION QUARTERLY REPORT

FISCAL YEAR: FY 2015      QUARTER: 1												
PROGRAM & RECIPIENT	TransNet Allocations					Fund Disbursements						
	Sales Tax Allocations			Other Income <sup>1</sup>	Total Allocation	Program Disbursements <sup>2</sup>			Debt Service <sup>3</sup>			Total Disbursements
	This Quarter	FY to Date	Program to Date	Program to Date	Program to Date	This Quarter	FY to Date	Program to Date	This Quarter	FY to Date	Program to Date	Program to Date
SANDAG Admin	\$670,899	\$670,899	\$14,588,602	\$138,099	\$14,726,701	\$(840,000)	\$(840,000)	\$(14,382,255)	\$0	\$0	\$0	\$(14,382,255)
ITOC	\$95,509	\$95,509	\$1,444,351	\$17,870	\$1,462,221	\$(43,431)	\$(43,431)	\$(1,051,008)	\$0	\$0	\$0	\$(1,051,008)
Bicycle/Pedestrian/Neighborhood Safety	\$1,341,798	\$1,341,798	\$29,177,205	\$3,481,891	\$32,659,096	\$(409)	\$(409)	\$(17,906,889)	\$0	\$0	\$0	\$(17,906,889)
Major Corridor Capital Projects	\$24,693,045	\$24,693,045	\$537,187,028	\$(44,558,506)	\$492,628,522	\$(9,725,248)	\$(9,725,248)	\$(1,449,162,901)	\$(45,434,523)	\$(45,434,523)	\$(408,106,785)	\$(1,857,269,686)
Major Corridor Project EMP	\$2,859,195	\$2,859,195	\$62,200,603	\$(49,584)	\$62,151,019	\$(1,585,290)	\$(1,585,290)	\$(146,813,890)	\$(15,221,536)	\$(15,221,536)	\$(102,838,145)	\$(249,652,035)
Local Project EMP	\$1,169,671	\$1,169,671	\$25,445,701	\$552,285	\$25,997,986	\$(361)	\$(361)	\$(8,429,709)	\$0	\$0	\$0	\$(8,429,709)
Smart Growth Incentive Program	\$1,364,616	\$1,364,616	\$29,686,652	\$584,323	\$30,270,975	\$(421)	\$(421)	\$(8,568,801)	\$0	\$0	\$0	\$(8,568,801)
Local Streets and Roads												
City of Carlsbad	\$665,466	\$665,466	\$14,217,934	\$7,917,290	\$22,135,224	\$(204)	\$(204)	\$(6,133,644)	\$0	\$0	\$0	\$(6,133,644)
City of Chula Vista	\$1,372,337	\$1,372,337	\$28,182,371	\$4,030,505	\$32,212,876	\$(2,740,424)	\$(2,740,424)	\$(19,119,763)	\$0	\$0	\$0	\$(19,119,763)
City of Coronado	\$138,800	\$138,800	\$3,063,519	\$805,852	\$3,869,371	\$(100,040)	\$(100,040)	\$(2,709,252)	\$0	\$0	\$0	\$(2,709,252)
City of Del Mar	\$52,374	\$52,374	\$1,122,147	\$161,876	\$1,284,023	\$(1,013)	\$(1,013)	\$(1,935,985)	\$(720,693)	\$(720,693)	\$(720,899)	\$(2,656,884)
City of El Cajon	\$565,996	\$565,996	\$12,182,080	\$2,242,404	\$14,424,484	\$(173)	\$(173)	\$(11,068,150)	\$0	\$0	\$0	\$(11,068,150)
City of Encinitas	\$384,167	\$384,167	\$8,624,589	\$3,494,936	\$12,119,525	\$(116)	\$(116)	\$(6,236,865)	\$0	\$0	\$0	\$(6,236,865)
City of Escondido	\$829,893	\$829,893	\$17,962,041	\$4,694,193	\$22,656,234	\$(256)	\$(256)	\$(9,455,471)	\$0	\$0	\$0	\$(9,455,471)
City of Imperial Beach	\$163,520	\$163,520	\$3,706,332	\$549,631	\$4,255,963	\$(47)	\$(47)	\$(3,570,518)	\$0	\$0	\$0	\$(3,570,518)
City of La Mesa	\$364,784	\$364,784	\$7,917,353	\$3,226,916	\$11,144,269	\$(450,110)	\$(450,110)	\$(9,531,184)	\$(176,859)	\$(176,859)	\$(1,230,360)	\$(10,761,544)
City of Lemon Grove	\$168,784	\$168,784	\$3,671,770	\$540,131	\$4,211,901	\$(49)	\$(49)	\$(2,285,448)	\$0	\$0	\$0	\$(2,285,448)
City of National City	\$328,001	\$328,001	\$7,134,947	\$1,079,638	\$8,214,585	\$(99)	\$(99)	\$(9,536,294)	\$(96,191)	\$(96,191)	\$(6,138,378)	\$(15,674,672)
City of Oceanside	\$1,071,043	\$1,071,043	\$23,700,703	\$8,212,797	\$31,913,500	\$(330)	\$(330)	\$(19,268,580)	\$0	\$0	\$0	\$(19,268,580)
City of Poway	\$352,083	\$352,083	\$7,869,662	\$1,141,599	\$9,011,261	\$(121,106)	\$(121,106)	\$(8,607,127)	\$0	\$0	\$0	\$(8,607,127)
City of San Diego	\$7,457,268	\$7,457,268	\$163,290,780	\$24,297,423	\$187,588,203	\$(312,980)	\$(312,980)	\$(126,827,917)	\$0	\$0	\$0	\$(126,827,917)
City of San Marcos	\$495,893	\$495,893	\$10,517,727	\$3,695,668	\$14,213,395	\$(46,095)	\$(46,095)	\$(22,304,418)	\$(519,720)	\$(519,720)	\$(2,623,260)	\$(24,927,678)
City of Santee	\$334,369	\$334,369	\$7,435,483	\$1,056,387	\$8,491,870	\$(100)	\$(100)	\$(12,396,681)	\$(171,738)	\$(171,738)	\$(6,495,376)	\$(18,892,057)
City of Solana Beach	\$102,950	\$102,950	\$2,317,333	\$427,217	\$2,744,550	\$(28)	\$(28)	\$(6,710,989)	\$(81,243)	\$(81,243)	\$(918,378)	\$(7,629,367)



PROGRAM & RECIPIENT	TransNet Allocations					Fund Disbursements						
	Sales Tax Allocations			Other Income <sup>1</sup>	Total Allocation	Program Disbursements <sup>2</sup>			Debt Service <sup>3</sup>			Total Disbursements
	This Quarter	FY to Date	Program to Date	Program to Date	Program to Date	This Quarter	FY to Date	Program to Date	This Quarter	FY to Date	Program to Date	Program to Date
City of Vista	\$532,311	\$532,311	\$11,631,463	\$3,503,980	\$15,135,443	\$(163)	\$(163)	\$(8,327,876)	\$0	\$0	\$0	\$(8,327,876)
San Diego County	\$3,529,633	\$3,529,633	\$76,823,937	\$12,825,052	\$89,648,989	\$(1,251,099)	\$(1,251,099)	\$(72,260,979)	\$(336,825)	\$(336,825)	\$(8,459,037)	\$(80,720,016)
<b>Total Local Streets and Roads</b>	<b>\$18,909,672</b>	<b>\$18,909,672</b>	<b>\$411,372,171</b>	<b>\$83,903,495</b>	<b>\$495,275,666</b>	<b>\$(5,024,432)</b>	<b>\$(5,024,432)</b>	<b>\$(358,287,141)</b>	<b>\$(2,103,269)</b>	<b>\$(2,103,269)</b>	<b>\$(26,585,688)</b>	<b>\$(384,872,829)</b>
Transit Services												
MTS	\$7,360,657	\$7,360,657	\$160,041,475	\$242,707	\$160,284,182	\$(2,671,242)	\$(2,671,242)	\$(153,205,157)	\$0	\$0	\$0	\$(153,205,157)
NCTD	\$3,012,859	\$3,012,859	\$65,630,090	\$121,221	\$65,751,311	\$(1,093,428)	\$(1,093,428)	\$(63,042,091)	\$(52,053)	\$(52,053)	\$(806,460)	\$(63,848,551)
Senior Grant Program	\$348,464	\$348,464	\$7,580,699	\$76,325	\$7,657,024	\$(107)	\$(107)	\$(5,955,973)	\$0	\$0	\$0	\$(5,955,973)
<b>Total Transit Services</b>	<b>\$10,721,980</b>	<b>\$10,721,980</b>	<b>\$233,252,264</b>	<b>\$440,253</b>	<b>\$233,692,517</b>	<b>\$(3,764,777)</b>	<b>\$(3,764,777)</b>	<b>\$(222,203,221)</b>	<b>\$(52,053)</b>	<b>\$(52,053)</b>	<b>\$(806,460)</b>	<b>\$(223,009,681)</b>
New Major Corridor Transit Operations	\$5,263,518	\$5,263,518	\$114,505,656	\$2,382,054	\$116,887,710	\$(1,623)	\$(1,623)	\$(12,111,301)	\$0	\$0	\$0	\$(12,111,301)
<b>TOTAL TRANSNET EXTENSION</b>	<b>\$67,089,903</b>	<b>\$67,089,903</b>	<b>\$1,458,860,233</b>	<b>\$46,892,180</b>	<b>\$1,505,752,413</b>	<b>\$(20,985,992)</b>	<b>\$(20,985,992)</b>	<b>\$(2,238,917,116)</b>	<b>\$(62,811,381)</b>	<b>\$(62,811,381)</b>	<b>\$(538,337,078)</b>	<b>\$(2,777,254,194)</b>

**Commercial Paper Program Activity**

PROGRAM & RECIPIENT	Commercial Paper Disbursements	
	FY to Date	Program to Date
City of National City	\$0	\$(4,500,000)
City of Santee	\$0	\$(3,950,000)
NCTD	\$0	\$(34,000,000)
City of La Mesa	\$0	\$(2,500,000)
City of Del Mar	\$0	\$(704,000)
Major Corridor Capital Projects	\$(1,999,000)	\$(31,317,000)
Major Corridor Project EMP	\$0	\$(10,704,000)
<b>Total CP Disbursements</b>	<b>\$(1,999,000)</b>	<b>\$(87,675,000)</b>

PROGRAM & RECIPIENT	Commercial Paper Program Availability			
	Prior Years	Current Repayment	FY to Date	Program to Date
CP Program	\$75,000,000	\$0	\$0	\$75,000,000
NCTD	\$(30,575,000)	\$1,225,000	\$1,225,000	\$(29,350,000)
City of La Mesa	\$(1,700,000)	\$305,000	\$305,000	\$(1,395,000)
City of Del Mar	\$(1,200,000)	\$704,000	\$704,000	\$0
Major Corridor Capital Projects	\$(29,318,000)	\$29,318,000	\$29,318,000	\$0
Major Corridor Project EMP	\$(10,704,000)	\$10,704,000	\$10,704,000	\$0
<b>CP AVAILABLE FOR ISSUANCE</b>	<b>\$1,503,000</b>	<b>\$42,256,000</b>	<b>\$42,256,000</b>	<b>\$44,255,000</b>

**Other Activity**

PROGRAM & RECIPIENT	Sales Tax Revenue Transfers for EMP Debt Service Payments			
	Prior Years	This Quarter	FY to Date	Program to Date
Major Corridor Capital Projects	\$3,190,725	\$(357,080)	\$(357,080)	\$2,833,645
Major Corridor Project EMP	\$(3,190,275)	\$357,080	\$357,080	\$(2,833,645)
<b>Total Other Activity</b>	<b>\$450</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>2008 ABCD Sales Tax Revenue Bond Activity - \$600,000,000</b>				
PROGRAM & RECIPIENT	Bond Proceeds Disbursements <sup>4,5</sup>			
	Prior Years	This Quarter	FY to Date	Program to Date
San Diego County	\$16,893,500	\$0	\$0	\$16,893,500
Major Corridor Capital Projects	\$392,721,119	\$0	\$0	\$392,721,119
Major Corridor Project EMP	\$45,517,182	\$0	\$0	\$45,517,182
<i>Total 2008 Bond Disbursement</i>	\$455,131,801	\$0	\$0	\$455,131,801

<b>2010 A Sales Tax Revenue Bond Activity - \$338,960,000</b>				
PROGRAM & RECIPIENT	Bond Proceeds Disbursements			
	Prior Years	This Quarter	FY to Date	Program to Date
City of San Marcos	\$15,253,813	\$0	\$0	\$15,253,813
City of Solana Beach	\$5,515,065	\$0	\$0	\$5,515,065
Major Corridor Capital Projects	\$275,632,526	\$0	\$0	\$275,632,526
Major Corridor Project EMP	\$43,956,923	\$0	\$0	\$43,956,923
<i>Total 2010 A Bond Disbursement</i>	\$340,358,327	\$0	\$0	\$340,358,327

<b>2012 A Sales Tax Revenue Bond Activity - \$420,585,000</b>				
PROGRAM & RECIPIENT	Bond Proceeds Disbursements <sup>5</sup>			
	Prior Years	This Quarter	FY to Date	Program to Date
San Diego County	\$5,525,913	\$0	\$0	\$5,525,913
Major Corridor Capital Projects	\$323,753,377	\$2,815	\$2,815	\$323,756,192
Major Corridor Project EMP	\$5,750,169	\$0	\$0	\$5,750,169
<i>Total 2012 A Bond Disbursement</i>	\$335,029,459	\$2,815	\$2,815	\$335,032,274

<b>2010 B Sales Tax Revenue Bond Activity - \$11,040,000</b>				
PROGRAM & RECIPIENT	Bond Proceeds Disbursements			
	Prior Years	This Quarter	FY to Date	Program to Date
City of National City	\$3,383,956	\$0	\$0	\$3,383,956
City of Santee	\$8,519,844	\$0	\$0	\$8,519,844
<i>Total 2010 B Bond Disbursement</i>	\$11,903,800	\$0	\$0	\$11,903,800

<b>2014 A Sales Tax Revenue Bond Activity - \$350,000,000</b>				
PROGRAM & RECIPIENT	Bond Proceeds Disbursements			
	Prior Years	This Quarter	FY to Date	Program to Date
City of Del Mar	\$0	\$711,940	\$711,940	\$711,940
City of San Marcos	\$0	\$1,180,583	\$1,180,583	\$1,180,583
City of Santee	\$0	\$11,911	\$11,911	\$11,911
Major Corridor Capital Projects	\$0	\$77,847,442	\$77,847,442	\$77,847,442
Major Corridor Project EMP	\$0	\$13,590,552	\$13,590,552	\$13,590,552
TOTAL TRANSNET EXTENSION	\$0	\$93,342,428	\$93,342,428	\$93,342,428

FOOTNOTES:

1. Other income includes interest revenue, transfers from TransNet I, other non-sales tax revenue, and the one-time swap of Major Corridor Sales Tax Revenue (to LSI Cities and County) for ARRA funds.
2. Program Disbursements include payments to TransNet recipient agencies and program costs, including payments made for Early Action Projects in prior years, and return of funds.
3. Debt Service includes principal and interest payments, including debt payments beginning in March 2008 upon issuance of the 2008 ABCD Sales Tax Revenue Bonds, and other debt service costs net of interest earnings.
4. 2008 Bond Proceeds have been fully disbursed, net of Reserve Requirement of \$17.1 million. The Program to Date total includes interest earnings. The 2008 Bonds were partially defeased with the issuance of the 2012 Bonds on June 14, 2012, thereby reducing the 2008 Bond Proceed Disbursement.
5. 2012 Bond Proceeds have been fully disbursed and the Program to Date includes interest earnings.

## Transit Projects

Project Title			Current Status		Total Project				
Project No.	CIP/ MPO ID	Description/Limits	Phase	Estimated Completion Date	Cost and Budget		Schedule		<i>TransNet</i> Funded?
					Approved Budget (\$1,000's)	Cost to Complete (\$1,000's)	Est. Open to Traffic Date	On Schedule?	
1	1041502/ SAN46	SuperLoop Phase 2	<b>Complete</b>	<b>Complete</b>	\$2,185	\$2,185	<b>Complete</b>	Yes	Yes
2	1201507/ SAN26C	SR-15 BRT Mid-City Centerline Stations	<b>Award Contract</b>	<b>Mar-15</b>	\$56,255	\$56,255	2017	Yes	Yes
3	1201514/ SAN129	I-15 Downtown BRT Layover Facility	Draft Environmental	<b>Dec-15</b>	\$15,975	\$15,975	<b>2019</b>	Yes	Yes
4	1240001/ SAN78	Mid-City Rapid Bus Downtown to SDSU	<b>Complete</b>	<b>Complete</b>	\$44,526	\$44,526	<b>Complete</b>	Yes	Yes
5	1280504/ SAN47	South Bay BRT Otay Mesa to Downtown Bus Rapid Transit Guideway	Design	Nov-14	\$99,908	\$99,908	2016	Behind	Yes
6	1049600/ SAN52	East County Maintenance Facility Maintenance and Operation Facility	Construction	Sep-16	\$44,957	\$44,957	2016	Behind	No
7	1300601/ SAN27	San Ysidro Intermodal Facility Freight Facility and Mainline	Construction	Jul-15	\$40,460	\$40,460	2015	Yes	Yes
8	1210030/ SAN172	Orange/Blue Line Station Rehabilitation	Construction	Mar-15	\$133,928	\$133,928	2015	Yes	Yes
9	1257001/ SAN23	Mid-Coast Light Rail Transit (LRT) Old Town to University Towne Centre	Final SEIS/SEIR	Nov-14	\$1,687,723	\$1,687,723	2019	Yes	Yes
10	1144200/ SAN115	<i>North Coast Corridor</i> San Onofre to Pulgas Double Tracking (Phase 1)	Construction	Nov-15	\$37,696	\$37,696	2015	Yes	No
11	1145000/ SAN163	<i>North Coast Corridor</i> Los Peñasquitos Lagoon 4 Bridge Replacements	<b>Construction</b>	<b>May-17</b>	\$25,000	\$25,000	2017	Yes	No

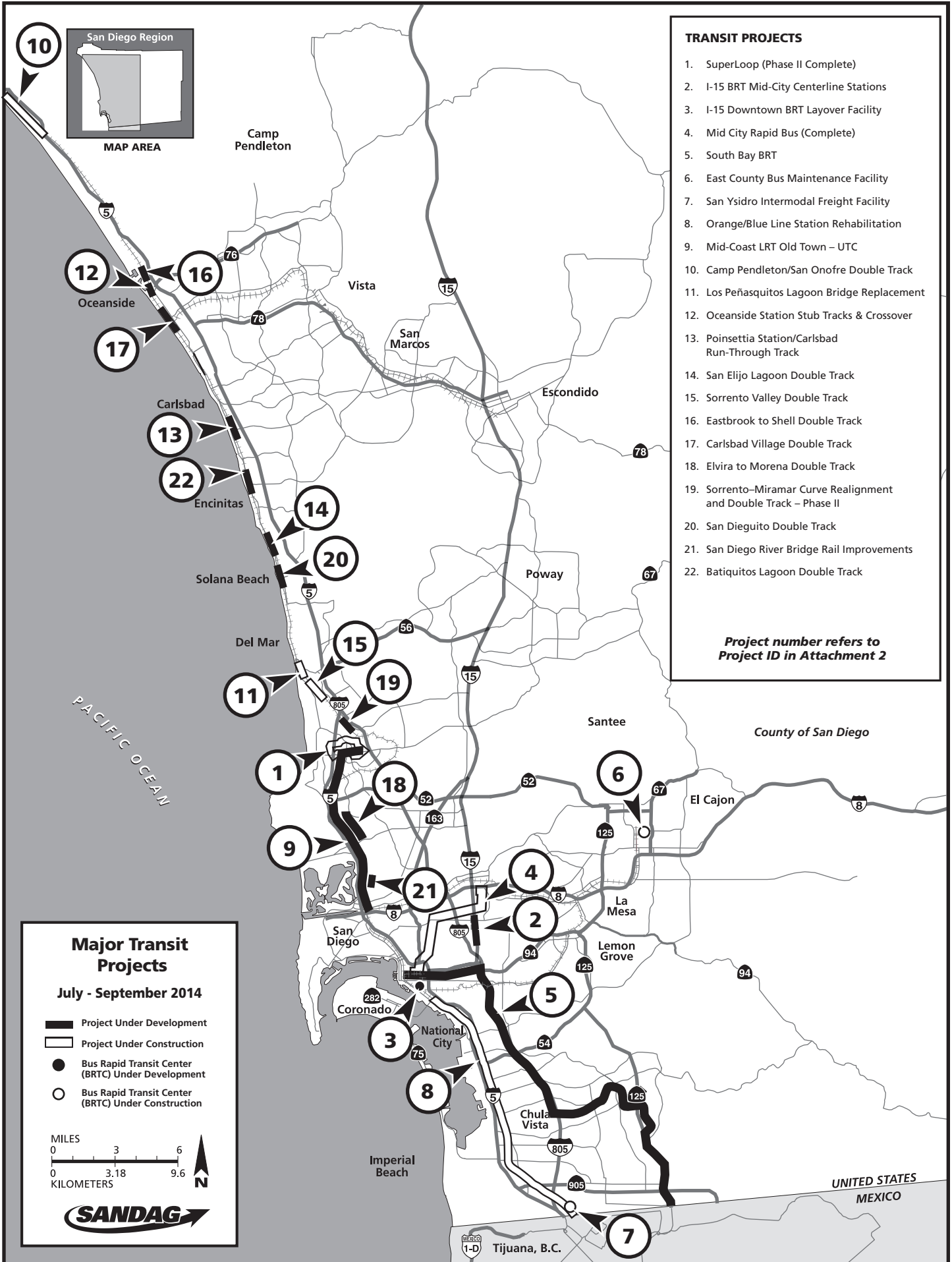
## Transit Projects

Project Title			Current Status		Total Project				
Project No.	CIP/ MPO ID	Description/Limits	Phase	Estimated Completion Date	Cost and Budget		Schedule		TransNet Funded?
					Approved Budget (\$1,000's)	Cost to Complete (\$1,000's)	Est. Open to Traffic Date	On Schedule?	
12	1239803/ SAN116	<i>North Coast Corridor</i> Oceanside Station Stub Tracks and Crossover	Design	Feb-15	\$21,800	\$21,800	2016	Behind	Yes
13	1239805/ SAN117	<i>North Coast Corridor</i> Poinsettia Station/Carlsbad Run-Through Track	Design	Jun-15	\$14,501	\$14,501	2017	Yes	Yes
14	1239806/ SAN73	<i>North Coast Corridor</i> San Elijo Lagoon Double Tracking	Design	Jul-15	\$76,700	\$76,700	2018	Yes	Yes
15	1239807/ SAN119	<i>North Coast Corridor</i> Sorrento Valley Double Tracking	Construction	Sep-15	\$30,789	\$30,789	2015	Yes	Yes
16	1239809/ SAN64	<i>North Coast Corridor</i> Eastbrook to Shell Double Tracking	<b>Design</b>	<b>Jun-15</b>	\$6,920	\$74,600	TBD	TBD	Yes
17	1239810/ SAN130	<i>North Coast Corridor</i> Carlsbad Village Double Tracking	Final Environmental	Mar-15	\$5,980	\$50,622	TBD	TBD	Yes
18	1239811/ SAN132	<i>North Coast Corridor</i> Elvira to Morena Double Tracking	Final Environmental	Dec-14	\$95,000	\$95,000	2018	Yes	Yes
19	1239812/ SAN29	<i>North Coast Corridor</i> Sorrento-Miramar Curve Realignment & 2nd Track - Phase II	Final Environmental	Dec-14	\$11,000	\$98,071	TBD	TBD	Yes
20	1239813/ SAN30	<i>North Coast Corridor</i> San Dieguito Double Tracking Event Platform at Del Mar Fairgrounds	Final Environmental	Jan-15	\$9,470	\$178,355	TBD	TBD	Yes

### Transit Projects

Project Title			Current Status		Total Project				
Project No.	CIP/ MPO ID	Description/Limits	Phase	Estimated Completion Date	Cost and Budget		Schedule		<i>TransNet</i> Funded?
					Approved Budget (\$1,000's)	Cost to Complete (\$1,000's)	Est. Open to Traffic Date	On Schedule?	
21	1239815/ SAN182	<i>North Coast Corridor</i> San Diego River Bridge Rail Improvements	Design	Jul-15	\$82,400	\$82,400	2018	Yes	Yes
22	1239816/ SAN183	<i>North Coast Corridor</i> Batiqitos Lagoon Double Track	Design	Dec-16	\$61,400	\$61,400	2019	Yes	Yes
<i>Total for Transit Projects</i>					<u>\$2,604,573</u>	<u>\$2,972,851</u>			

Project changes from previous report are in bold



## Active Transportation Projects

Project Title			Current Status		Total Project				
Project No.	CIP/ MPO ID	Description/Limits	Phase	Estimated Completion Date	Cost and Budget		Schedule		<i>TransNet</i> Funded?
					Approved Budget (\$1,000's)	Cost to Complete (\$1,000's)	Est. Open to Traffic Date	On Schedule?	
30	1223016/ SAN155	Coastal Rail Trail South of SR 52 to Mission Bay Along Rose Creek	Draft Environmental	Mar-15	\$2,673	\$20,636	2017	Yes	Yes
31	1223017/ SAN156	Coastal Rail Trail Encinitas – G St to Chesterfield Dr.	Draft Environmental	Jun-15	\$1,289	\$6,885	2017	Yes	Yes
32	1223018/ SAN207	Coastal Rail Trail Encinitas - Chesterfield Dr. to Solana Beach	Draft Environmental	TBD	\$102	TBD	TBD	Yes	Yes
33	1223023/ SAN153	Inland Rail Trail Phases IIA, IIB, IIIA and IIIB Melrose Drive to N. Pacific Street	Design	Dec-14	\$34,257	\$34,257	2017	Yes	Yes
34*	1143700/ SAN144	Bayshore Bikeway - Segment 4 32nd St. and Harbor to Civic Center Dr.	<b>Construction</b>	<b>Apr-15</b>	\$5,350	\$5,350	2015	Yes	Yes
35*	1143700/ SAN144	Bayshore Bikeway - Segment 5 Civic Center Dr. to Sweetwater Channel	Design	Jun-15	-	-	2016	Yes	Yes
36	1129900/ SAN154	Bayshore Bikeway Segment 8B Main St. to Palomar	Environmental	<b>Dec-15</b>	\$3,410	\$3,410	2017	Yes	Yes
37	1223055/ SAN195	Bayshore Bikeway Barrio Logan	Draft Environmental	Jun-16	\$2,095	\$18,196	TBD	Yes	Yes
38	1144500/ SAN161	Sweetwater Bikeway Plaza Bonita Segment	<b>Construction</b>	<b>Dec-15</b>	\$1,946	\$1,946	2015	Yes	Yes
39	1223020/ SAN158	Bicycle Facilities La Mesa to North Park	Draft Environmental	Jun-15	\$6,083	TBD	TBD	TBD	Yes
40	1223022/ SAN160	Bicycle Facilities Old Town to San Diego	Draft Environmental	<b>Jan-15</b>	\$7,593	TBD	TBD	TBD	Yes
41	1223014/ CAL330	SR 15 Commuter Bike Facility Camino del Rio South to Adams Ave	Design	Apr-15	<b>\$14,465</b>	<b>\$14,465</b>	<b>2017</b>	Yes	Yes

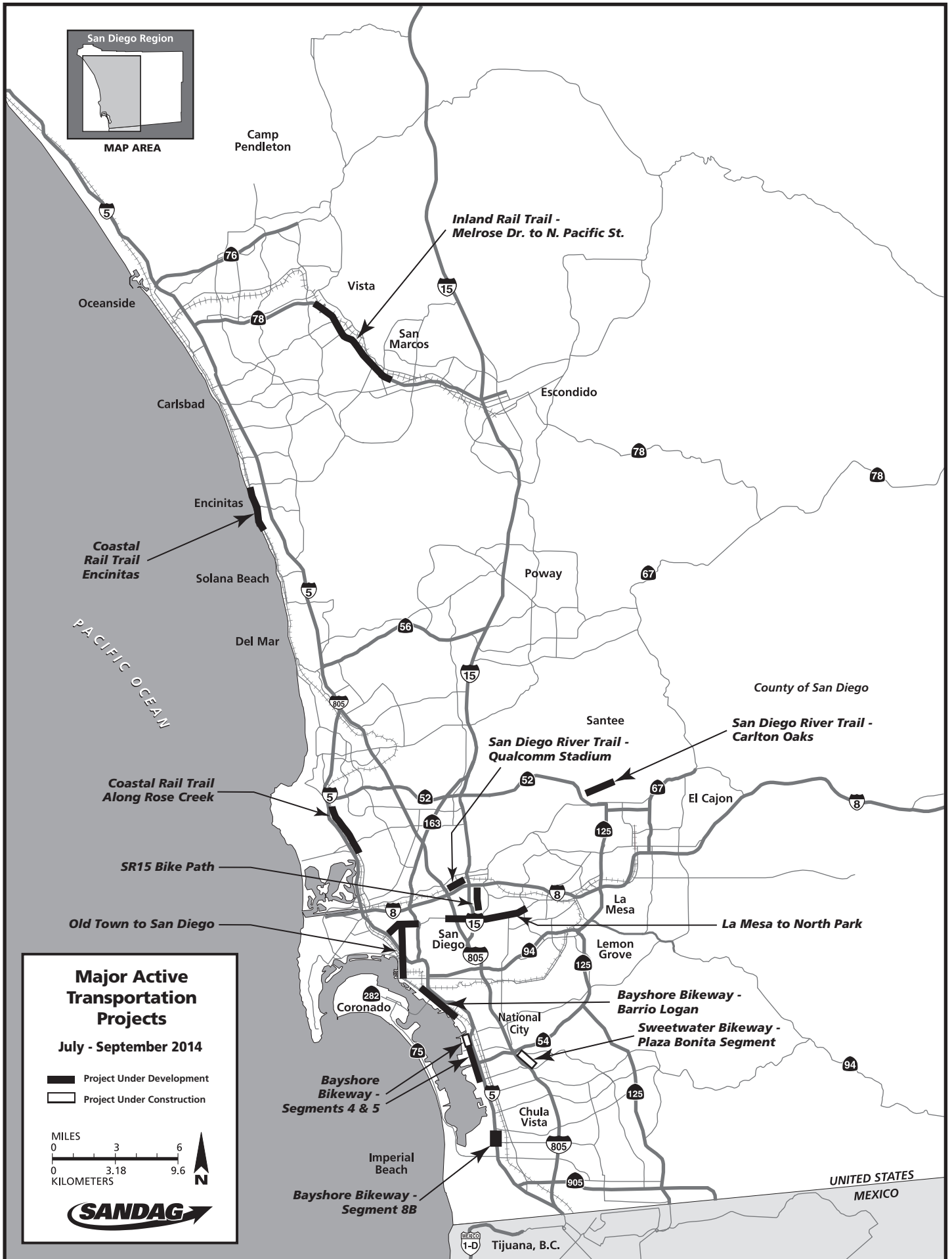
Project changes from previous report are in bold

## Active Transportation Projects

Project Title			Current Status		Total Project					
Project No.	CIP/ MPO ID	Description/Limits	Phase	Estimated Completion Date	Cost and Budget		Schedule		<i>TransNet</i> Funded?	
					Approved Budget (\$1,000's)	Cost to Complete (\$1,000's)	Est. Open to Traffic Date	On Schedule?		
42	1223054/ SAN204	SR 15 Bike Path Adams Ave to Landis Street	Draft Environmental	Jun-15	\$283	TBD	TBD	TBD	Yes	
43	1223052/ SAN197	San Diego River Trail Qualcomm Stadium	Final Environmental	Apr-15	\$595	\$829	TBD	TBD	Yes	
44	1223053/ SAN198	San Diego River Trail Carlton Oaks Segment	Final Environmental	Jan-16	\$1,325	\$10,228	TBD	TBD	Yes	
45	1223056/ SAN203	San Ysidro-Imperial Beach Parkway Bike Lanes along W. San Ysidro Blvd to Imperial Beach Blvd.	Draft Environmental	Apr-16	\$1,282	TBD	TBD	TBD	Yes	
46	1223057/ SAN205	Balboa Park Bikeway North Park to Downtown	Draft Environmental	Apr-16	\$1,245	TBD	TBD	TBD	Yes	
47	1223058/ SAN206	Downtown Bikeway Imperial Ave from 47th St to Park Blvd	Draft Environmental	Jun-16	\$2,745	TBD	TBD	TBD	Yes	
					<u>Approved Budget</u>	<u>Cost to Complete</u>				
<i>Total for Active Transportation Projects</i>					<i>\$86,738</i>	<i>\$116,202</i>				

*\*Project funding shown in Segment 4 is combination of both Segments 4 and 5 as shown in CIP 1143700*





**Major Active Transportation Projects**  
**July - September 2014**

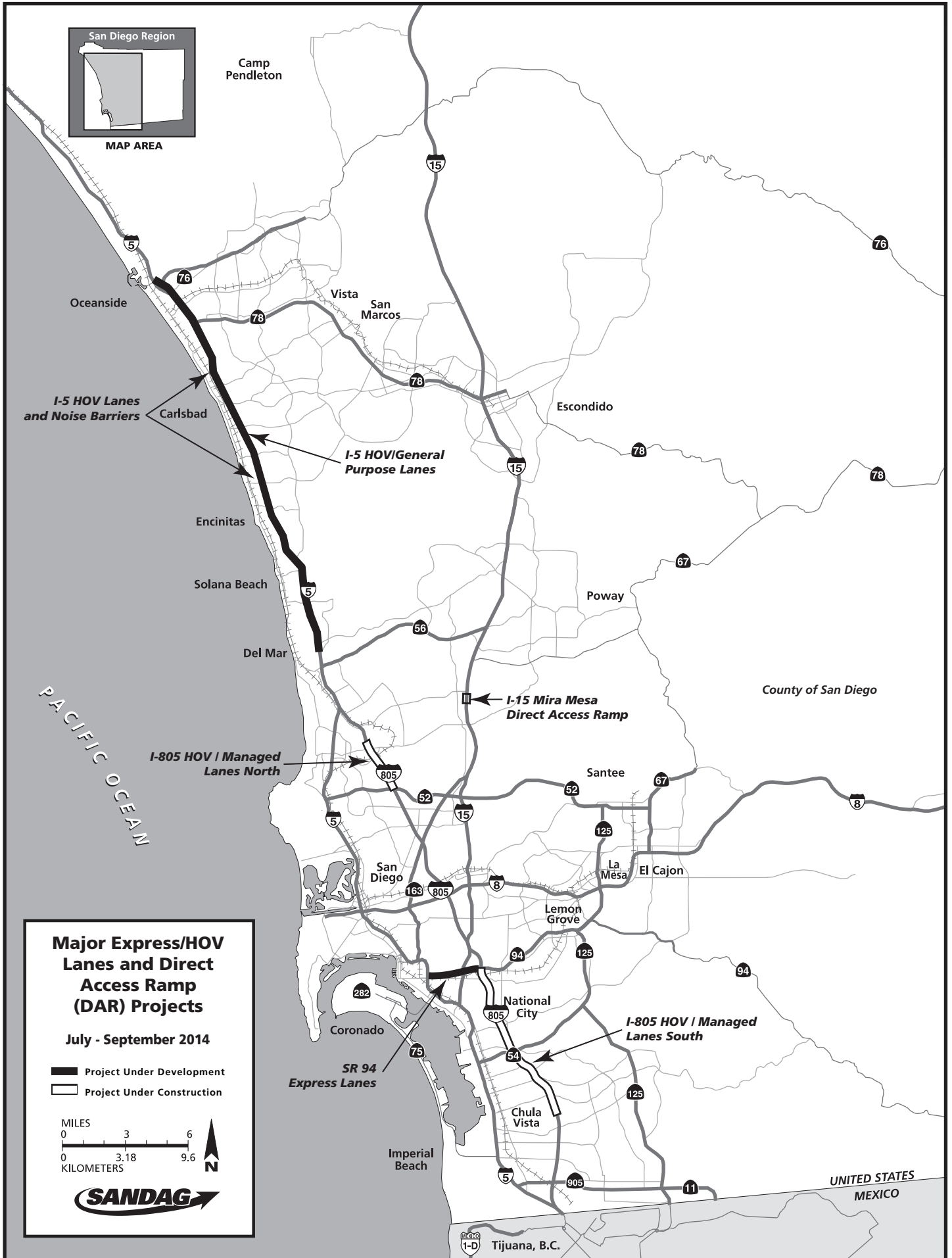
- Project Under Development
- Project Under Construction

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**SANDAG**

**Express/HOV Lanes and Direct Access Ramp (DAR) Projects**

Project Title			Current Status		Total Project				
Project No.	CIP/MPO ID	Description/Limits	Phase	Estimated Completion Date	Cost and Budget		Schedule		TransNet Funded?
					Approved Budget (\$1,000's)	Cost to Complete (\$1,000's)	Est. Open to Traffic Date	On Schedule?	
50	1200501/ CAL09	<i>I-5 North Coast Corridor</i> La Jolla Village Drive to Harbor Drive Environmental Document Only - NEPA	Final Environmental	Dec-14	\$72,695	\$72,695	N/A	Ahead	Yes
51	1200504/ CAL09	<i>I-5 North Coast Corridor</i> Manchester Road to SR 78 2 HOV Lanes/Noise Barriers	Design	May-15	\$482,300	\$482,300	2019	Yes	Yes
52	1201506/ CAL18B	I-15 Mira Mesa Direct Access Ramp	<b>Complete</b>	<b>Complete</b>	\$70,304	\$70,304	<b>Complete</b>	Yes	Yes
53	1207801/ CAL278	SR 78 HOV/Managed Lanes SR 78 from I-5 to I-15	Project Study	Jun-15	\$1,650	TBD	TBD	TBD	Yes
54	1207802/ CAL277	I-15/SR 78 HOV Connectors Nordahl Road to West Valley Parkway	Project Study	Jun-15	\$850	TBD	TBD	TBD	Yes
55	1280508/ CAL67	SR 94 Express Lanes I-5 to I-805 2 HOV Lanes & Connectors at SR 94/I-805	Draft Environmental	<b>Apr-15</b>	\$22,600	\$109,627	TBD	TBD	Yes
56	1280511/ CAL78B	I-805 HOV Lanes - North SR 52 to Mira Mesa Blvd	Construction	<b>Apr-16</b>	\$121,500	\$121,500	<b>2016</b>	Yes	Yes
57	1280510/ CAL78C	I-805 Managed Lanes - South Palomar Street to SR 94 Direct Access Ramps	Construction	<b>Feb-15</b>	\$182,216	\$182,216	<b>2015</b>	Yes	Yes
58	1280514/ CAL78C	I-805/SR 15 Interchange 2 HOV Lanes on I-805 from SR 94 to SR 15	Design	<b>Jul-15</b>	\$17,926	\$17,926	TBD	TBD	Yes
					<u>Approved Budget</u>		<u>Cost to Complete</u>		
					<i>Total for HOV/DAR Projects</i>		\$972,041	\$1,056,568	

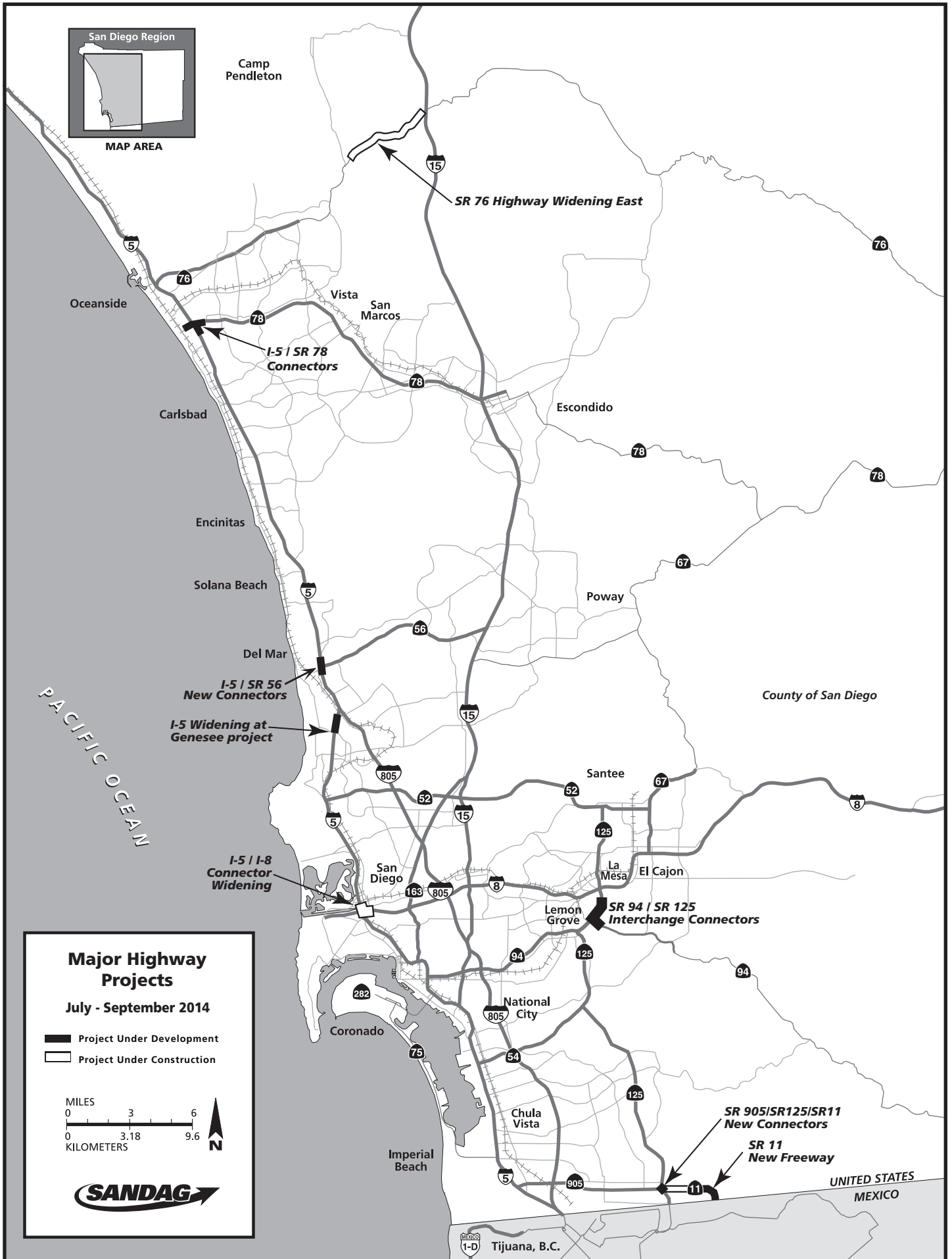


## Highway Projects

Project Title			Current Status		Total Project					
Project No.	CIP/ MPO ID	Description/Limits	Phase	Estimated Completion Date	Cost and Budget		Schedule		<i>TransNet Funded?</i>	
					Approved Budget (\$1,000's)	Cost to Complete (\$1,000's)	Est. Open to Traffic Date	On Schedule?		
<i>North Coast Corridor</i>										
60	1200506/ CAL75	I-5/Genesee Avenue Interchange Interchange and South Bound Aux Lane	Award Contract	Nov-14	\$105,190	\$105,190	2017	Yes	Yes	
61	1200505/ CAL77	I-5/I-8 Interchange West to North Connector Widening	Construction	<b>Sep-16</b>	\$20,900	\$20,900	2016	Yes	Yes	
62	1200503/ CAL114	I-5/ SR 56 Interchange West-North and South-East Interchanges	Final Environmental	<b>Jun-15</b>	<b>\$17,872</b>	<b>\$17,872</b>	TBD	TBD	Yes	
63	CAL71	I-5/ SR 78 Connectors South to East Connector and West to South	Draft Environmental	Aug-17	\$5,000	\$200,000	2021	Yes	No	
64	1201101/ V11	SR 11 4-Lane Freeway and East Otay Mesa Border Crossing SR 905 to Enrico Fermi Freeway Access to New Border Crossing	Construction	Dec-15	\$704,000	\$704,000	2015	Yes	No	
65*	1207606/ CAL29B	SR 76 East Widening ( <i>Phase 2</i> )* South Mission Road to Old Highway 395	Construction	Dec-17	<b>\$201,549</b>	<b>\$201,549</b>	2017	Yes	Yes	
66	1212501/ CAL68	SR 94/ SR 125 Interchange Add North to East and West to South Connectors Widen SR 125 from SR 94 to Lemon Avenue	Draft Environmental	Feb-15	\$10,654	\$60,862	TBD	TBD	Yes	
67	1390504/ CAL325	SR 905/125/11 Connectors Westbound SR 905-Northbound SR 125 Eastbound SR 905-Northbound SR 125 Westbound SR 11-Northbound SR 125	Advertisement	Apr-15	\$3,500	\$24,380	2017	Yes	Yes	
					<u>Approved Budget</u>		<u>Cost to Complete</u>			
<i>Total for Highway Projects</i>					<i>\$1,068,665</i>	<i>\$1,334,753</i>				

Project changes from previous report are in bold

\*Budget/Funding amount inclusive of Phases 1 and 2



Traffic Demand Management and Intelligent Transportation System Projects

Project Title			Current Status		Total Project				
Project No.	CIP/ MPO ID	Description/Limits	Phase	Estimated Completion Date	Cost and Budget		Schedule		TransNet Funded?
					Approved Budget (\$1,000's)	Cost to Complete (\$1,000's)	Est. Implem. Date	On Schedule?	
70*	1142500/ SAN79	Centralized Train Control - Phase 3 -Blue Line	Implementation	Dec-14	\$14,933	\$14,933	2014	Yes	No
71*	1142500/ SAN79	Centralized Train Control - Phase 4 -Orange Line	Implementation	Jun-15	-	-	2015	Yes	No
72	1144601/ SAN94	I-15 Integrated Corridor Management ICM Initiative 1	Test Implementation	Dec-14	\$9,559	\$9,559	2015	Yes	Yes
73	1144800/ SAN54	Regional Arterial Detection Plan Phase 1	Implementation	Jun-16	\$2,280	\$2,280	2016	Yes	No
<i>Total for ITS Projects</i>					<u>Approved Budget</u>	<u>Cost to Complete</u>			
					\$26,772	\$26,772			

\* Project funding inclusive of both phases





**BOARD OF DIRECTORS  
NOVEMBER 21, 2014**

**ACTION REQUESTED – INFORMATION**

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**REPORT SUMMARIZING DELEGATED ACTIONS  
TAKEN BY THE EXECUTIVE DIRECTOR**

File Number 8000100

**Introduction**

Various Board Policies require the Executive Director to report certain actions to the Board of Directors on a monthly basis or upon taking specified actions.

**Discussion**

***Board Policy No. 003***

Board Policy No. 003: Investment Policy, states that a monthly report of all investment transactions shall be submitted to the Board of Directors. Attachment 1 contains the reportable investment transactions for September 2014.

***Board Policy No. 017***

Board Policy No. 017: Delegation of Authority, authorizes the Executive Director to take specified actions and requires those actions to be reported to the Board of Directors at the next regular meeting.

Section 4.1 of the Policy authorizes the Executive Director to enter into agreements not currently incorporated in the budget and to make other modifications to the budget in an amount up to \$100,000 per transaction, so long as the overall budget remains in balance. Attachment 2 contains the actions for October 2014.

Section 4.3 authorizes the Executive Director to execute all right-of-way property transfer documents, including rights of entry, licenses, leases, deeds, easements, escrow instructions, and certificates of acceptance. Attachment 3 reflects the approved documents for this reporting period.

Section 4.4 authorizes the Executive Director to establish an offer of just compensation for the purchase of real property based upon specified conditions. Attachment 4 reflects the approved documents for this reporting period.

***Board Policy No. 024***

Board Policy No. 024: Procurement and Contracting – Construction Policy, Section 5.2, states that the Executive Director is delegated the authority to accept contracts on behalf of the Board of Directors



and shall report to the Board all contract acceptances over \$25,000. The following construction projects were accepted.

- In a letter dated October 31, 2014, ABC Construction Company, Inc. was granted Acceptance for the Stacco Timeout Mitigation Project – (JOC4054-02, CIP 1200249, Contract No. 5004054). The contract value was \$185,175.
- In a letter dated October 31, 2014, ABC Construction Company, Inc. was granted Acceptance for the State Route 76/Interstate 15 – Chain and Mow Project – (JOC4054-10, Capital Improvement Project No. 1207606, Contract No. 5004054). The contract value was \$789,650.

GARY L. GALLEGOS  
Executive Director

- Attachments:
1. Monthly Activity for Investment Securities Transactions for September 1 through September 30, 2014
  2. Budget Transfers and Amendments for October 2014
  3. Execution of Right-of-Way Property Transfer Documents: Approvals for October 2014
  4. Establishment of Just Compensation: Approvals for October 2014

Key Staff Contact: André Douzdjian, (619) 699-6931, [andre.douzdjian@sandag.org](mailto:andre.douzdjian@sandag.org)

## MONTHLY ACTIVITY FOR INVESTMENT SECURITIES TRANSACTIONS FOR SEPTEMBER 1 TROUGH SEPTEMBER 30, 2014

Transaction Date	Maturity Date	Security	Par Value	Original Cost	Yield to Maturity at Cost
<b>BOUGHT</b>					
09/02/2014	08/31/2017	US TREASURY NOTES	\$ 2,800,000.00	\$ 2,768,062.50	1.01%
09/09/2014	09/11/2017	US BANK NA CINCINNATI (CALLABLE) CD	2,795,000.00	2,790,500.05	1.41%
09/10/2014	01/08/2015	BANK OF TOKYO MITSUBISHI COMM PAPER	7,500,000.00	7,494,750.00	0.21%
09/10/2014	03/09/2015	RABOBANK USA FIN CORP COMM PAPER	7,500,000.00	7,491,757.50	0.22%
09/10/2014	03/09/2015	BNP PARIBAS FINANCE INC COMM PAPER	7,500,000.00	7,488,750.00	0.30%
09/10/2014	05/08/2015	GENERAL ELEC CAP CORP COMM PAPER	7,500,000.00	7,488,500.00	0.23%
09/10/2014	05/08/2015	TOYOTA MOTOR CREDIT CORP COMM	7,500,000.00	7,487,000.00	0.26%
09/10/2014	06/05/2015	CANADIAN IMPERIAL HOLDING COMM PAPER	7,500,000.00	7,485,483.33	0.26%
09/10/2014	06/05/2015	UBS FINANCE DELAWARE LLC COMM PAPER	7,500,000.00	7,483,808.33	0.29%
09/10/2014	06/05/2015	JP MORGAN SECURITIES LLC COMM	7,500,000.00	7,481,574.98	0.33%
09/10/2014	07/02/2015	FANNIE MAE GLOBAL NOTES	6,986,000.00	7,004,443.04	0.17%
09/10/2014	09/30/2015	US TREASURY NOTES	9,765,000.00	9,878,670.70	0.15%
09/10/2014	10/19/2015	FFCB NOTES	15,100,000.00	15,100,000.00	0.24%
09/10/2014	11/30/2015	FHLB NOTES	25,670,000.00	25,655,881.50	0.27%
09/10/2014	01/31/2016	US TREASURY NOTES	7,891,000.00	8,079,644.22	0.27%
09/10/2014	02/19/2016	FEDERAL HOME LOAN BANK GLOBAL NOTES	7,985,000.00	7,984,441.05	0.38%
09/10/2014	03/30/2016	FANNIE MAE GLOBAL NOTES	3,826,000.00	3,829,328.62	0.44%
09/10/2014	07/31/2016	US TREASURY NOTES	3,933,000.00	4,132,569.02	0.54%
09/10/2014	09/28/2016	FHLB NOTES	3,100,000.00	3,088,220.00	0.69%
09/10/2014	12/31/2016	US TREASURY NOTES	2,963,000.00	2,970,291.76	0.77%
09/10/2014	03/31/2017	US TREASURY NOTES	3,100,000.00	3,109,324.22	0.88%
09/10/2014	06/21/2017	FEDERAL HOME LOAN BANK GLOBAL	3,070,000.00	3,065,241.50	1.06%
09/11/2014	03/09/2015	ABBEY NATIONAL COMMERCIAL PAPER	3,000,000.00	2,995,674.17	0.29%
09/19/2014	09/19/2016	FHLMC	4,500,000.00	4,499,550.00	0.71%
09/25/2014	09/29/2016	TORONTO DOMINION BANK NY CD	2,560,000.00	2,560,000.00	0.90%
<b>TOTAL BOUGHT:</b>			<b>\$ 169,044,000.00</b>	<b>\$ 169,413,466.49</b>	<b>0.36%</b>
<b>MATURED</b>					
09/08/2014	09/08/2014	FNMA	\$ 2,000,000.00	\$ 2,030,524.00	1.00%
09/08/2014	09/08/2014	FNMA	2,000,000.00	2,041,940.00	0.81%
<b>TOTAL MATURED:</b>			<b>\$ 4,000,000.00</b>	<b>\$ 4,072,464.00</b>	<b>0.90%</b>
<b>SOLD</b>					
09/03/2014	11/03/2014	BNP PARIBAS FINANCE INC COMM PAPER	\$ 2,800,000.00	\$ 2,790,585.00	0.45% **
09/09/2014	08/31/2017	US TREASURY NOTES	2,800,000.00	2,768,062.50	1.01% ***
09/11/2014	03/11/2016	FNMA	3,000,000.00	3,016,770.00	0.38% *
09/25/2014	09/30/2016	US TREASURY NOTES	2,560,000.00	2,760,390.16	0.53% ***
<b>TOTAL SOLD:</b>			<b>\$ 11,160,000.00</b>	<b>\$ 11,335,807.66</b>	<b>0.59%</b>

\* This security was called by the issuer.

\*\* Proceeds from this sale were used to purchase new securities that would provide higher returns over a longer holding period.

\*\*\* Proceeds from this sale were used to purchase new securities that would provide higher returns with a comparable maturity.

**OCTOBER 2014 BUDGET TRANSFERS AND AMENDMENTS**

in '000s

PROJECT NUMBER	PROJECT NAME	CURRENT BUDGET	NEW BUDGET	CHANGE
7500000	Service Bureau - Main Project FY 2014	\$290.7	\$243.3	(\$47.4) Transferred funds from the Main Service Bureau project (7500000) to establish new projects.
7512300	Feasibility Study for Aerial Gondola Linking Downtown to Balboa Park	\$0.0	\$5.1	\$5.1 Establish new Service Bureau project for Feasibility Study for Aerial Gondola Linking Downtown to Balboa Park. This project includes \$69,000 of professional services that does not impact project 7500000.
7512400	Feasibility Study: San Diego-Coronado Bridge Bicycle and Pedestrian Tube	\$0.0	\$5.3	\$5.3 Establish new Service Bureau project for Feasibility Study: San Diego-Coronado Bridge Bicycle and Pedestrian Tube. This project includes \$68,803 of professional services that does not impact project 7500000.
7512500	County Water Authority Alternative Forecast	\$0.0	\$15.8	\$15.8 Establish new Service Bureau project for County Water Authority Alternative Forecast.
7512600	Oceanside Coastal Corridor Study	\$0.0	\$21.2	\$21.2 Establish new Service Bureau project for Oceanside Coastal Corridor Study.

**Execution of All Right-of-Way Property Transfer Documents:****Approvals for October 2014**

- Inland Rail Trail Bikeway Project, Capital Improvement Project (CIP) No. 1223023

No.	Address	Nature of Activity (4.3)	Date
1.	173-310-03-00 (864 and 888 Phillips Street, Vista, Ca 92083)	Escrow instructions	10/2/14
2.	180-141-46-00 (1158 Nancy Way, Vista, CA 92083)	Memorandum of Agreement/temporary construction easement, permanent easement/drainage/slope/deed	10/2/14
3.	180-141-69-00 (1258 Jessie Lane, Vista, CA 92083)	Memorandum of Agreement/temporary construction easement, permanent easement/drainage/slope/deed	10/2/14
4.	179-185-16-00 (No street address, View Place, Vista, CA 92083)	Memorandum of Agreement/temporary construction easement, permanent easement/drainage/slope/deed	10/2/14
5.	Assessor's Parcel Number not applicable (1430 Phillips Street, Vista, CA 92083)	Possession and Use Agreement, Lease Agreement	10/24/14

- Interstate 15 Mid-City Bus Rapid Transit Stations, CIP No. 1201507; Interstate 805/Plaza Boulevard Ramp Improvements, CIP No. 1280510

No.	Address	Nature of Activity (4.3)	Date
1.	Lease of construction field office (4001 El Cajon Boulevard, Suites 208 and 209, San Diego, CA 92105)	Possession and Use Agreement, Lease Agreement	10/24/14

**This relates to Agenda Item No. 8  
Board of Directors  
November 21, 2014**

**Establishment of Just Compensation:**

**Approvals for October 2014**

- Inland Rail Trail Bikeway Project, CIP No. 1223023

No.	Address	Nature of Action (4.4)	Date, Offer ( <u>initial</u> appraised value)
1.	180-141-46-00 (1158 Nancy Way, Vista, CA 92083)	<del>Increased or changed offer</del> <u>Scope of acquisition was reduced per negotiations with property owners</u>	10/2/14, \$6,000 (\$6,400)
2.	180-141-69-00 (1258 Jessie Lane, Vista, CA 92083)	<del>Final offer modified per negotiations with property owner</del> <del>Increased or changed offer</del>	10/2/14, \$6,000 (\$1,500)
3.	179-185-16-00 (No street address, View Place, Vista, CA 92083)	<del>Increased or changed offer</del> <u>Scope of acquisition was reduced per negotiations with property owners</u>	10/2/14, \$4,200 (\$7,500)



**BOARD OF DIRECTORS  
NOVEMBER 21, 2014**

**ACTION REQUESTED – INFORMATION**

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**REPORT ON MEETINGS AND EVENTS ATTENDED  
ON BEHALF OF SANDAG**

File Number 8000100

Since the last Board of Directors meeting, Board members participated in the following meetings and events on behalf of SANDAG. Key topics of discussion also are summarized.

**October 31, 2014: Joint Meeting with Orange County Transportation Authority**  
Oceanside, CA

Chairman Jack Dale, First Vice Chair Jim Janney, and Second Vice Chair Don Higginson participated as the SANDAG representatives in a joint meeting with Board members and the Executive Director of the Orange County Transportation Authority. They discussed the Interstate 5 Corridor Project development efforts, the development of San Diego Forward: The Regional Plan, Senate Bill 375 (Steinberg, 2008) and Senate Bill 743 (Steinberg, 2013) implementation challenges, and shared lessons learned and best practices for Managed Lanes projects.

**November 7-8, 2014: California Association of Councils of Governments Board Retreat**  
San Jose, CA

National City Mayor Ron Morrison attended the California Association of Councils of Governments Board Retreat as the SANDAG representative. He participated in sessions with the Board members and member agency Executive Directors to discuss issues in the areas of advocacy, transportation, financing, and state and federal policy.

**November 13, 2014: Joint Meeting with Southern California Association of Governments**  
San Juan Capistrano, CA

Chairman Dale and First Vice Chair Janney participated as the SANDAG representatives in a joint meeting with Board members, the Executive Director, and staff of the Southern California Association of Governments. They discussed state and federal legislative priorities and state and regional issues that impact Metropolitan Planning Organizations.

GARY L. GALLEGOS  
Executive Director

Key Staff Contact: Robyn Wapner, (619) 699-1994, robyn.wapner@sandag.org



**BOARD OF DIRECTORS**

**NOVEMBER 21, 2014**

**ACTION REQUESTED – DISCUSSION/POSSIBLE ACTION**

**REPORT FROM NOMINATING COMMITTEE ON BOARD OFFICERS FOR 2015**

File Number 8000100

**Introduction**

Consistent with SANDAG Bylaws, in September 2014, Chairman Jack Dale appointed the following Nominating Committee for SANDAG Board Officers: Chula Vista Mayor Cheryl Cox (South County), Nominating Committee Chair; Del Mar City Councilmember Terry Sinnott (North County Coastal); Lemon Grove Mayor Mary Sessom (East County); Vista Mayor Judy Ritter (North County Inland); San Diego Council President Todd Gloria; and San Diego County Supervisor Ron Roberts.

The SANDAG Bylaws set forth the annual nomination and election process for SANDAG Board Officers. The Nominating Committee received applications from Imperial Beach Mayor Jim Janney for the Chair position and from Poway Mayor Don Higginson for the Vice Chair position for calendar year 2015. Based on current information, it appears the applicants will be ineligible to serve in these positions.

**Discussion**

On November 14, 2014, the Nominating Committee met to discuss the nomination and election process for the 2015 Chair and Vice Chair positions. Current SANDAG Bylaws state that only candidates who submit applications by the deadline or who are nominated from the floor on the day of elections may be considered for office. Because of the expected unavailability of current applicants, pursuant to the existing Bylaws, only nominations from the floor on the day of elections could be considered in the current cycle for selection of Board Chair and Vice Chair.

***Proposed Supplemental Process***

In an effort to provide for continuity when considering candidates for 2015 leadership positions, the Nominating Committee discussed implementing a Supplemental Process. The Committee recommends that the Board of Directors consider amending SANDAG Bylaws (Attachment 1) to allow for implementing a Supplemental Process when applicant ineligibility does not allow the Nominating Committee to recommend any applicant for a leadership position. Proposed Bylaws amendments

**Recommendation**

The Nominating Committee recommends that the Board of Directors discuss and consider approving the proposed SANDAG Bylaws amendments to provide for a Supplemental Process (Attachment 1).

If the proposed Bylaws amendments are approved, the Nominating Committee further recommends that the Board approve the Supplemental Process for consideration of 2015 Board Officer positions described in the report, including: (1) nominating Santee Councilmember Jack Dale to serve as SANDAG Board Chair to December 2015 and conducting election for 2015 Board Chair; and (2) reopening applications for the 2015 Vice Chair position for consideration by the Nominating Committee.

would provide an opportunity for interested Board members to submit applications for consideration by the Nominating Committee and would provide a framework for the Nominating Committee to vet and recommend a candidate for consideration by the Board of Directors.

The Nominating Committee also discussed whether to recommend reinstating the Second Vice Chair position either for a temporary or a continuing basis, but was not prepared to take action at this time. Some members noted that adding a Second Vice Chair would provide additional depth for succession of leadership. Others were less supportive of reinstating the position, noting the length of time it would take to ascend through the SANDAG leadership hierarchy (a possible six-year commitment), and the impediment that term limits would present for candidates from several jurisdictions.

If the Board of Directors approves the proposed amendments to the Bylaws, the Nominating Committee proposes the following Supplemental Process for consideration of 2015 Board Officer positions:

- |                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|-------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| November 21, 2014,<br>Board meeting       | Nomination of the current Chair to serve an additional one-year term until the next election of Board leadership in December 2015 in order to provide leadership continuity and allow for the Vice Chair to benefit from the additional experience gained from succeeding the Chair. Pursuant to the Bylaws, additional nominations from the floor also would be accepted at the Board meeting. Conduct election for 2015 Chair. |
| November 21, 2014, to<br>December 1, 2014 | Application period for primary Board members interested in serving as 2015 Vice Chair. Applications are proposed to be due by 5 p.m. on Monday, December 1, 2014.                                                                                                                                                                                                                                                                |
| December 5, 2014,<br>Board meeting        | SANDAG Board Chair reports changes to the Nominating Committee should any Nominating Committee members apply for Vice Chair (and thus be precluded from serving on the Nominating Committee).                                                                                                                                                                                                                                    |
| December 6, 2014, to<br>December 16, 2014 | Nominating Committee meets to consider and/or interview applicants.                                                                                                                                                                                                                                                                                                                                                              |
| December 19, 2014,<br>Board meeting       | Nominating Committee recommends a candidate for 2015 Vice Chair position. Pursuant to the Bylaws, additional nominations from the floor also would be accepted at the Board meeting. Conduct election for 2015 Vice Chair.                                                                                                                                                                                                       |

CHERYL COX  
Mayor, Chula Vista  
Nominating Committee Chair

Attachment: 1. SANDAG Bylaws

Key Staff Contact: Kim Kawada, (619) 699-6994, kim.kawada@sandag.org  
John Kirk, (619) 699-1997, john.kirk@sandag.org



SAN DIEGO ASSOCIATION OF GOVERNMENTS

BYLAWS

ARTICLE I

NAME AND PURPOSE

Section 1

The name of this Organization shall be the San Diego Association of Governments (hereinafter referred to as SANDAG).

Section 2

The purposes of this Organization are as set forth in SB 1703 (Chapter 743 of the Statutes of 2002), as established by state and federal law, and as approved by the Board of Directors. The primary purpose for which this organization is created is to engage in regional cooperative comprehensive planning, programming and where authorized, implementation thereof, and to assist the Member Agencies.

ARTICLE II

DEFINITIONS

The following terms shall have the meanings ascribed to them within this section unless the content of their use dictates otherwise:

- a. "Region" shall mean that territory physically lying within the boundaries of San Diego County.
- b. "Population" of any Member Agency shall mean that population as defined in SB 1703.
- c. "Fiscal Year" shall mean that year beginning July 1, and ending June 30.
- d. "Member Agencies" shall mean the cities within San Diego County and the County of San Diego collectively.
- e. "Subregion" shall mean one of the five following portions of San Diego County: "North county coastal," which includes the Cities of Del Mar, Solana Beach, Encinitas, Carlsbad, and Oceanside; "North county inland," which included the Cities of Vista, San Marcos, Escondido, and Poway; "South county," which includes the Cities of Chula Vista, National City, Imperial Beach, and Coronado; "East county," which includes the Cities of El Cajon, Santee, La Mesa, and Lemon Grove; and "San Diego region," which includes the territory located within the boundaries of San Diego County.

## ARTICLE III

### MEMBERSHIP AND ORGANIZATION

#### Section 1

Membership in this Organization shall be as provided in state law, Board Policies, and these Bylaws.

#### Section 2

- a. All powers of this Organization shall be exercised by the Board of Directors. The Board of Directors may choose to delegate several of its responsibilities from time to time in accordance with Board policy.
- b. Only the duly selected official representative(s), or in his or her absence, his or her duly selected alternate or alternates, shall be entitled to represent his or her Member Agency in the deliberations of the Board of Directors.
- c. When changes occur, names of the official representatives and alternates shall be communicated in writing to the Organization by each participating Member Agency.

#### Section 3

There shall be at least five standing committees which shall be known as policy advisory committees with the membership set forth in SB 1703 or Board Policy.

- a. The procedure for City and County of San Diego and subregional appointments to the policy advisory committees shall be established by Board policy. In the case of the subregional appointments, the policy shall ensure a noticed, formal process wherein all Board members (including alternates) from each subregion are provided an opportunity to participate in the selection process. Each subregion shall ensure that SANDAG staff is notified of the date, time, and location for that subregion's meeting. After the meeting for each subregion is set by the primary Board members, SANDAG staff shall provide Board alternates from each subregion advance notice of the meeting. A majority of the primary members present at the subregion meeting shall make a selection by January 31. An alternate member may vote in the absence of the primary member. In appointing persons to the Transportation Committee, to the extent possible, the subregions and other agencies should avoid duplication of representation from any city other than the City of San Diego.
- b. Procedures for policy advisory committee attendance and voting shall be established by Board policy. The policy shall ensure the formal delineation of the voting membership at each meeting.
- c. The Board Chair and Vice Chair may serve as ex-officio, non-voting members of the policy advisory committees.
- d. The Board Chair shall select the chair and vice chair of all policy advisory committees except the Executive Committee, annually in February. When serving on the Executive Committee, the Board Chair and Vice Chair shall serve as the Chair and Vice Chair of the Executive Committee.

The Vice Chair of the Board shall serve as a voting member of the Executive Committee if the Vice Chair represents an area of the region that is different from the area of the region represented by the Chair. If such an overlap occurs, the Vice Chair shall be the alternate for that subregion, and the Chair shall select a non-overlapping member of the Executive Committee as its Vice Chair.

#### Section 4

The Board of Directors or a policy advisory committee with delegated authority shall have the authority to appoint all additional committees or working groups and may provide for the appointment of alternates to these committees.

- a. Additional policy advisory committees may be appointed by the Board of Directors as may be required to carry out general and continuing functions and may be abolished only upon specific action by the Board of Directors.
- b. Ad hoc specialized subcommittees or working groups may be appointed by the Board of Directors as the need arises to accomplish specific tasks. The policy advisory committees may appoint working groups to advise them. Upon completion of its assignment, each ad hoc subcommittee or working group shall disband.

#### Section 5

In addition to any compensation mandated by state law for Board meetings, the rates below shall apply. Persons must be present for at least 1/2 of the time set for the meeting or the duration of the meeting, whichever is less, in order to be eligible for compensation.

- a. For attendance by Board members, or alternates in their absence, at Board meetings, \$150 per meeting.
- b. For meetings or events attended by Board members, other than committee meetings of SANDAG, where the members are officially representing the Board, \$150 per meeting or event. The Board may adopt and amend from time to time a list of such meetings and events. Ethics training and similar classes of an educational nature shall not constitute an event for which compensation will be paid.
- c. For members and alternates of policy advisory committees, \$100 per meeting.
- d. The limit on the total number of paid meetings for Board and policy advisory committee members or alternates per individual is six meetings per month.
- e. The Chair of the Board shall receive additional monthly compensation of \$500 per month.
- f. The Vice Chair of the Board shall receive additional monthly compensation of \$250 per month.

## ARTICLE IV

### MEETINGS

#### Section 1

- a. A quorum for a meeting of the Board of Directors shall be as provided for in Section 5 of this Article.
- b. A quorum shall be required for the conduct of any business of a committee. No business shall be conducted by a committee without a quorum. A simple majority of the appointed members of a committee shall constitute a quorum. All decisions by a committee shall be by simple majority of the quorum.

#### Section 2

Parliamentary procedure at all meetings shall be governed by Roberts Rules of Order except as otherwise modified by state law, Board policy, or these Bylaws. The Secretary shall forward written notice of the meetings of the Board of Directors and each policy advisory committee, stating the time, location, and the agenda of business to each member's agency and to the respective members and alternates of the Board of Directors or the policy advisory committees, at the earliest time possible, but in no event less than 72 hours prior to meetings, except that such written notice of regular Board of Directors' meetings may be forwarded by first class mail or other appropriate means not less than seven days prior to such meeting.

#### Section 3

All meetings of a SANDAG legislative body, including without limitation regular, adjourned regular, and special meetings of the Board of Directors, shall be called, noticed, held and conducted in accordance with the provisions of the Ralph M. Brown Act (commencing with Section 54950 of the California Government Code). Closed session items should be heard by the Board of Directors unless timeliness requires consideration by the Executive Committee or, for transportation matters the Transportation Committee. In any event, the Transportation Committee is authorized to convene closed sessions and make final decisions with regard to real property transactions related to transportation projects, however, this delegation does not include the authority to make a Resolution of Necessity or to commence litigation. The Transportation Committee will report real property transaction purchase amounts at the next regular meeting of the Board occurring after final execution of the purchase documents.

#### Section 4

The Board and committees shall meet according to the following schedule:

- a. The Board of Directors and policy advisory committees shall hold their regular meetings on Fridays unless otherwise determined from time to time by the Board of Directors or policy advisory committee. Regular meetings of the Board of Directors shall be held on the second and fourth Friday mornings of the month at the offices of the Organization or at other locations within San Diego County, unless otherwise provided by the Board. Special meetings of the Board of Directors or policy advisory committees may be called from time to time by their

respective Chair.

- b. Other committees shall meet whenever called by their respective Chair.

Section 5 (Section 132351.2 of the Public Utilities Code)

- a. A majority of the Member Agencies constitute a quorum for the transaction of business. In order to take final action on any item, except consent items which only require the vote specified in paragraph (1), the following voting formula in both paragraphs (1) and (2) shall apply:

- (1) A majority vote of the members present on the basis of one vote per agency.

- (2) A majority of the weighted vote of the Member Agencies present.

- b. In the event a majority vote pursuant to Section 5(a) cannot be obtained to allow final action on an item, one or more preliminary votes may be taken using the method in Section 5 (a)(1) in order to narrow the options sufficiently to obtain a majority vote on the final action as required by Public Utilities Code Section 132351.2.

- c. The City and County of San Diego shall determine how to allocate their single agency vote and weighted votes between their two members.

- d. For the weighted vote, there shall be a total of 100 votes, except additional votes shall be allowed pursuant to subdivision (g). Each representative shall have that number of votes determined by the following apportionment formula, provided that each agency shall have at least one vote, no agency shall have more than 40 votes, and there shall be no fractional votes:

- (1) If any agency has 40 percent or more of the total population of the San Diego County region, allocate 40 votes to that agency and follow paragraph (2), if not, follow paragraph (3).

- (2) Total the population of the remaining agencies determined in paragraph (1) and compute the percentage of this total that each agency has.

- (A) Multiply each percentage derived above by 60 to determine fractional shares.

- (B) Boost fractions that are less than one, to one and add the whole numbers.

- (C) If the answer to subparagraph (B) is 60, drop all fractions and the whole numbers are the votes for each agency.

- (D) If the answer to subparagraph (B) is less than 60, the remaining vote(s) is allocated one each to that agency(s) having the highest fraction(s) excepting those whose vote was increased to one in subparagraph (B) above.

- (E) If the answer to subparagraph (B) is more than 60, the excess vote(s) is taken one each from the agency(s) with the lowest fraction(s). In no case shall a vote be reduced to less than one.

(3) Total the population determined in paragraph (1) and compute the percentage of this total that each agency has.

(A) Boost fractions that are less than one, to one and add the whole numbers.

(B) If the answer to subparagraph (A) is 100, drop all fractions and the whole numbers are the votes for each agency.

(C) If the answer to subparagraph (A) is less than 100, the remaining vote(s) is allocated one each to that agency(s) having the highest fraction(s) excepting those whose vote was increased to one in subparagraph (A) above.

(D) If the answer to subparagraph (A) is more than 100, the excess vote(s) is taken one each from that agency(s) with the lowest fraction(s). In no case shall a vote be reduced to less than one.

- e. When a weighted vote is taken on any item that requires more than a majority vote of the board, it shall also require the supermajority percentage of the weighted vote.
- f. The weighted vote shall be recomputed in the above manner every July 1.
- g. Any other newly incorporated city shall receive one vote under the single vote procedure and one vote under the weighted vote procedure specified above until the next recomputation of the weighted vote, at which time the new agency shall receive votes in accordance with the formula specified in subdivision (b). Until this recomputation, the total weighted vote may exceed 100.

## ARTICLE V

### OFFICERS AND THEIR DUTIES

#### Section 1

The Board of Directors shall have as officers a Chair and Vice Chair, who are primary members of the Board. Policy advisory committees shall have as officers a Chair and Vice Chair, who are primary or alternate members of the Board and primary members of their respective committees. The Executive Director shall be the Secretary of the Board and each policy advisory committee.

- a. The Chair shall preside over Board and committee meetings, and have general supervision of Board and committee affairs. The Chair shall sign all official documents when directed to do so by the Board and committees respectively.
- b. The Vice Chair shall perform the duties of the Chair in his or her absence and perform any duties that the Chair may require.
- c. In the event of the absence of both officers of the Board of Directors or both officers of a policy advisory committee, the Immediate past Chair may preside or the quorum of members present shall elect a Chair Pro Tempore to preside for that meeting. The Secretary, with a quorum present, shall call the meeting to order and preside during such election of a Chair Pro Tempore;

he or she shall immediately relinquish the chair upon completion of the election.

## Section 2

The Board may delegate authority to the Board Chair for action consistent with Board approved criteria on categories of items.

## Section 3

Election of officers of the Board of Directors shall be held annually during a regular meeting in or around December ~~meeting~~. Officers for the Board of Directors shall be elected in the following manner:

- a. In or around July of each year, application forms will be made available on the Board of Directors page of the SANDAG Web site for persons interested in applying for the Chair or Vice Chair position on the Board of Directors. Applications shall be structured to screen for the best regional leaders from among the primary members and shall include questions concerning the candidate's vision statement for SANDAG and his/her qualifications. Applications shall be due within 30 days after the application forms are posted. Only candidates who submit an application by the deadline or who are primary members nominated from the floor on the day of election will be considered for office.
- b. The Chair shall appoint up to a six-person nominating committee, who shall be members of the Board from each of the subregions and a Board member from the City and the County of San Diego. The nominating committee appointments shall be announced at a regular meeting in or around September of each year. The nominating committee shall not, however, include Board members from jurisdictions that have applicants for the Chair or Vice Chair position on the Board of Directors. If more than one candidate has applied for a particular office, the nominating committee shall interview the candidates. The nominating committee shall submit a slate of nominees for the two Board offices in writing for mailing to Board members in or around November. Additional nominations for any office may be made by Board members at the election meeting.
- c. In the event that the nominating committee is unable to recommend any of the applicants for any or all chair positions, either because an applicant is or is reasonably expected to be unavailable to serve, or for any other reason, the nominating committee may recommend a supplemental process, subject to Board approval. The constraints set forth in the normal nomination process, apart from the prohibition of a jurisdiction of a candidate for office serving on the nominating committee, shall not be mandated to apply to the supplemental process.
- ~~c.d.~~ In choosing the nominees from the Board membership, the nominating committee shall take into account the nominee's availability, experience, skills, geographic diversity, and the benefits associated with having the Vice Chair succeed the outgoing Chair.
- ~~d.e.~~ The officers shall be elected by a majority of the votes including weighted votes of those Board members present.
- ~~e.f.~~ All officers shall be elected for a term(s) of one year and shall serve until their successors are elected. They shall begin their term of office on January 1.

- fg. In the event that the Board member who has been elected Chair or Vice Chair is no longer a primary member of the Board of Directors, the office shall be considered vacant.
- gh. Any vacated office of Chair or Vice Chair shall be filled at the next regular Board meeting by nominations from the floor, and a majority of votes from the members present. A member must be a primary member to be nominated from the floor.

#### Section 4

- a. The Board of Directors shall appoint an Executive Director who shall hold office until he or she resigns or is removed by the Board of Directors. The Executive Director shall be the chief executive officer of SANDAG. The Executive Director shall have charge of all projects and property of the Organization and shall file with the Director of Finance of SANDAG an official bond in the minimum amount of \$100,000 or such larger amount as the Board of Directors specifies, guaranteeing faithful performance of his or her duties. The Executive Director will be responsible to the SANDAG Board of Directors as set out in Board Policies and administrative policies and manuals for the administration of SANDAG's business, including: (1) development of program objectives, definition, directions and priorities; (2) management of SANDAG programs and coordination of staff and support services; (3) the development of financial support programs for SANDAG activities; (4) the recommendation and submission of an annual SANDAG program budget to the Board of Directors; and (5) execution of the adopted personnel, purchasing, and budgetary systems. The Executive Director shall perform such other and additional duties as is necessary to carry out the objectives and function of SANDAG and as directed by the Board of Directors.
- b. Any additional staff support services provided by Member Agencies or others shall be coordinated by the Executive Director.
- c. The Executive Director is hereby enabled to promulgate an employee manual, as well as all other administrative policies governing the administrative procedures of the Organization.

### ARTICLE VI

#### FINANCIAL

#### Section 1

The Board of Directors shall approve a preliminary budget no later than April 1 of each year. The Board of Directors shall adopt a final budget no later than June 30 of each year. A copy of the preliminary budget when approved and a copy of the final budget when adopted shall be filed with each Member Agency.

#### Section 2

Responsibility for supplying funds for that portion of the budget for SANDAG, which is to be supplied by the Member Agencies, as adopted by the Board of Directors, shall be divided among the Member Agencies based on their population with each Member Agency including within its budget as funds to be supplied to SANDAG that sum of money determined by taking the ratio its population bears to the total population of the region and multiplying it by that portion of the



approved budget to be supplied by the Member Agencies. Payment of this determined sum of money shall be made by each Member Agency by July 15 of each year. If payment by a Member Agency has not been made by September 1 of each year, that Member Agency shall no longer vote as a member of the Board of Directors. A delinquent Member Agency will be allowed to vote when full payment has been made, including interest computed from July 15 at the established legal rate.

### Section 3

The Director of Finance of SANDAG shall establish and maintain such funds and accounts as may be required by good accounting practice, state and federal law, and these Bylaws. The books and records of SANDAG in the hands of the Director of Finance shall be open to inspection at all reasonable times by representatives of the Member Agencies. The Director of Finance of SANDAG shall issue a Comprehensive Annual Financial Report (CAFR) by December 31 after the close of each fiscal year and a copy shall be provided to each of the Member Agencies.

### Section 4

The Director of Finance of SANDAG shall receive, have the custody of, and disburse SANDAG funds upon the warrant or check-warrant of the Finance Manager pursuant to the accounting procedures developed under Section 3 above, and shall make the disbursements required to carry out any of the provisions or purposes of the Organization. The Director of Finance of SANDAG may invest

SANDAG funds in accordance with state and federal law. All interest collected on SANDAG funds shall be accounted for and posted to the account of such funds.

### Section 5

Delegation of authority from the Board of Directors for final financial/contracting approvals, including selection of vendors, acceptance of funding, stipulations of any nature, and any resulting budget amendment to serve as a limitation applicable to a particular job or program (not to be exceeded on a serial basis), shall be as follows:

- a. Up to \$100,000 to the Executive Director, subject to increase by Board action, or as may be modified in Board Policy No. 017 concerning delegation of authority to the Executive Director.
- b. Up to \$500,000 to the Executive Committee for any item, subject to increase by Board action.
- c. Up to \$500,000 to the Transportation Committee for transportation items, subject to increase by Board action.
- d. Up to \$500,000 to the Public Safety Committee for ARJIS and Criminal Justice Division items, subject to increase by Board action.
- e. The Executive Director, Executive Committee, Public Safety Committee, and Transportation Committee shall report approvals under this section to the Board of Directors at least quarterly.

### Section 6

The amount budgeted for Member Assessments related to Criminal Justice database access shall be

as adopted by the Board of Directors, and divided among the Member Agencies using a formula based on population. Payment of this determined sum of money shall be made by each Member Agency by July 15 of each year. If payment by a Member Agency has not been made by September 1 of each year, that Member Agency shall no longer vote as a member of the Board of Directors. A delinquent Member Agency will be allowed to vote when full payment has been made, including interest computed from July 15 at the established legal rate.

## ARTICLE VII

### RELATIONSHIPS AND RULES OF PROCEDURE

#### Section 1

The functions of the Board of Directors and policy advisory committees shall be established by Board policy. The Board of Directors may delegate functions to the policy advisory committees as it deems appropriate.

#### Section 2

The Board of Directors shall provide guidance to committees and working groups. The Board may advise Member Agencies on the coordination of general plans, or on the resolution of conflicts between the general plans of agencies in the San Diego region.

#### Section 3

Conflicts between governmental agencies should be resolved among the affected agencies. In matters affecting more than one local government, and where requested by the affected agencies, the Organization shall have the authority to hear and make recommendations if the conflicts are not resolved to the satisfaction of each affected agency. Regional plans should serve as the guideline for the resolution of conflicts.

#### Section 4

Each action taken by the Organization which requires implementation should include designation of the agency or agencies directly responsible for such implementation.

#### Section 5

The general and specific references to the construction authority of SANDAG in SB 1703 shall be interpreted as applicable solely to its responsibilities for project development and construction of transit projects which were previously within the purview of the transit development boards and are consolidated under the authority of SANDAG.

## ARTICLE VIII

### INFORMATION AND EVALUATION

#### Section 1

- a. The Organization shall disseminate information concerning its work program and activities. The required information system should be organized and categorized so that it will continue to allow full and efficient use of information by the public and private sectors.
- b. Adequate provision for public participation shall be provided as required by law and as directed by the Board of Directors.
- c. The Board shall perform an annual evaluation of the Organization's goals, purpose, structure, and performance, directed toward continually improving the planning, coordination, and implementation process.

## ARTICLE IX

### AMENDMENTS

#### Section 1

The Board of Directors shall be responsible for making all amendments to these Bylaws.

- a. Proposed amendments may be originated by the Board of Directors, the Executive Committee, or any member of the Board of Directors.
- b. Prior to being taken to the Board of Directors for approval, proposed amendments should be taken to the Executive Committee preliminarily for review and discussion and then brought to the Executive Committee at a subsequent meeting for a recommendation for approval to the Board.
- c. A copy of any proposed amendments shall be forwarded by the Secretary to the official representative of each Member Agency, his or her alternate and the Agency itself, at the same time as the proposed amendments are mailed as a report attachment to the agenda for the preliminary Executive Committee meeting referred to in subsection b of this section.
- d. Amendments to these Bylaws (except those provisions mandated by state law) shall require the vote of a majority of the Member Agencies which also represents at least 51 percent of the weighted vote of Member Agencies.

Adopted July 2003 by the SANDAG Board of Directors  
Revised November 2003 by the SANDAG Board of Directors  
Amended November 2004 by the SANDAG Board of Directors  
Amended January 2006 by the SANDAG Board of Directors  
Amended July 2007 by the SANDAG Board of Directors  
Amended December 2008 by the SANDAG Board of Directors  
Amended January 2010 by the SANDAG Board of Directors  
Amended March 2014 by the SANDAG Board of Directors



**BOARD OF DIRECTORS  
NOVEMBER 21, 2014**

**ACTION REQUESTED - ADOPT**

**MID-COAST CORRIDOR TRANSIT PROJECT  
FINAL SUBSEQUENT ENVIRONMENTAL IMPACT REPORT**

File Number 1257001

**Introduction**

The Mid-Coast Corridor Transit Project (Mid-Coast Project) is a *TransNet* Early Action Program Project that will extend the Metropolitan Transit System Blue Line Trolley from the Santa Fe Depot in Downtown San Diego to Westfield UTC (formerly University Town Center) through the UC San Diego campus. A map of the Mid-Coast Project is included as Attachment 1.

SANDAG and the Federal Transit Administration (FTA) recently completed the Mid-Coast Project Final Supplemental Environmental Impact Statement/Subsequent Environmental Impact Report (SEIS/SEIR). The Final SEIS/SEIR is a joint National Environmental Policy Act (NEPA) and California Environmental Quality Act (CEQA) document. SANDAG serves as the lead agency for compliance with CEQA, and FTA serves as the lead agency for compliance with NEPA. The FTA issued a Record of Decision on the Final SEIS on October 15, 2014, thus completing NEPA review of the project. The SANDAG Board of Directors is asked to consider the Final SEIR and the actions necessary to complete the CEQA review process and approve the project.

**Discussion**

***Final SEIS/SEIR***

The Final SEIS/SEIR evaluates the Refined Build Alternative and responds to all comments received on the Draft SEIS/SEIR. Additionally, the Final SEIS/SEIR responds to all comments received on the Supplemental Environmental Impact Statement/Supplement to the Environmental Impact Report (Supplement). The Draft SEIS/SEIR for the Mid-Coast Project was available for a 60-day review and comment period, which concluded on July 17, 2013. More than 300 individuals, organizations, and agencies submitted approximately 1,420 comments. On November 15, 2013, following consideration of comments received on the Draft SEIS/SEIR and further analysis, the SANDAG Board of Directors approved the Refined Build Alternative as the final project to be evaluated in the Final SEIS/SEIR. On

**Recommendation**

The Board of Directors is asked to: (1) adopt ~~Regional Transportation Committee (RTC)~~ Resolution No. RTC 2015-03, certifying the Final Subsequent Environmental Impact Report for the Mid-Coast Corridor Transit Project and adopting Findings of Fact, a Statement of Overriding Considerations, and a Mitigation Monitoring and Reporting Program, and; (2) adopt Resolution No. RTC 2015-04, approving the Mid-Coast Corridor Transit Project.

May 9, 2014, the SANDAG Board of Directors approved amending the Refined Build Alternative for the Mid-Coast Project to return the Interstate 5 crossing south of Nobel Drive to the location designated in the Draft SEIS/SEIR.

The Supplement was available for a 45-day review and comment period, which concluded on September 2, 2014. The Supplement evaluated the potential impacts of the project on a federally listed Endangered Species, the San Diego fairy shrimp, which was discovered in a small depression of the railroad right-of-way during pre-construction surveys requested by the United States Fish and Wildlife Service. Six comments were received on the Supplement.

The Final SEIS/SEIR includes a detailed analysis of the environmental impacts that would result from construction and operation of the Refined Build Alternative and the No-Build Alternative. The analysis determined that all refinements included in the Refined Build Alternative after circulation of the Draft SEIS/SEIR are either beneficial (i.e., impacts are reduced or eliminated) or impact-neutral (i.e., no new impacts would occur or no previously identified impacts would become more severe). The Final SEIS/SEIR finds that impacts resulting from construction and operation of the Refined Build Alternative would be avoided, minimized, or mitigated to a level below significance, with the exception of transportation impacts on one roadway segment and two intersections, and construction-related impacts on transportation, air quality, and noise and vibration. Construction also would make a cumulatively considerable contribution to significant cumulative transportation, air quality, paleontological, socioeconomic, and community impacts.

SANDAG filed the Notice of Completion of the Final SEIS/SEIR with the State Clearinghouse on October 29, 2014, and distributed copies of the document to every agency, organization, and individual that commented on the Draft SEIS/SEIR or Supplement, affected property owners, and all others that were included on the distribution list for the Draft SEIS/SEIR and Supplement. The Notice of Availability was published in the Federal Register on November 7, 2014, and in area newspapers during the first week of November. Copies of the Final SEIS/SEIR are available for review at the SANDAG offices on the 8th floor and at local and regional libraries throughout the Mid-Coast Corridor. The Final SEIS/SEIR and supporting technical studies also are available on the Mid-Coast Project website at [www.SANDAG.org/Midcoast](http://www.SANDAG.org/Midcoast).

The Final SEIR consists of three volumes, supported by technical studies and reports. Volume 1 is the Mid-Coast Corridor Transit Project Final Supplemental Environmental Impact Statement/Subsequent Environmental Impact Report and Appendices; Volume 2 is the Final SEIS/SEIR Plan Set; and Volume 3 is the Comments and Responses, which addresses comments on the Draft SEIS/SEIR and the Supplement.

Attachment 2 is Regional Transportation Committee (RTC) Resolution No. RTC 2015-03, certifying the Final SEIR prepared for the Mid-Coast Corridor Transit Project and adopting the CEQA Findings (Attachment 2A), Statement of Overriding Considerations (Attachment 2B), and Mitigation Monitoring and Reporting Program (Attachment 2C). Pursuant to Public Resources Code §21081 and CEQA Guidelines §15091, SANDAG has prepared findings for every significant impact identified in the SEIR as well as alternatives and mitigation measures proposed in comments on the Draft SEIR that were not adopted. The CEQA Findings are set forth in Attachment 2A to the resolution certifying the Final SEIR.

After adoption of all feasible mitigation measures, the Mid-Coast Corridor Transit Project will have significant impacts that cannot be fully mitigated to less than significant. SANDAG has prepared a Statement of Overriding Considerations in compliance with Public Resources Code §21081 and CEQA Guidelines §15093, which concludes that the specific economic, legal, social, technological, and other benefits of the Mid-Coast Corridor Transit Project outweigh the significant and unavoidable impacts identified in the SEIR. The Statement of Overriding Considerations is set forth in Attachment 2B to the resolution certifying the Final SEIR.

Additionally, SANDAG has prepared a Mitigation Monitoring and Reporting Program in compliance with Public Resources Code §21081.6 and CEQA Guidelines §15097 to ensure compliance with the mitigation measures identified in the SEIR during project implementation and operation. The Mitigation Monitoring and Reporting Program is set forth in Attachment 2C to the resolution certifying the Final SEIR.

### **Next Steps**

Should the Board approve Resolution No. RTC 2015-03 (Attachment 2), a Notice of Determination would be filed with the San Diego County Clerk, which would complete the environmental review process under CEQA.

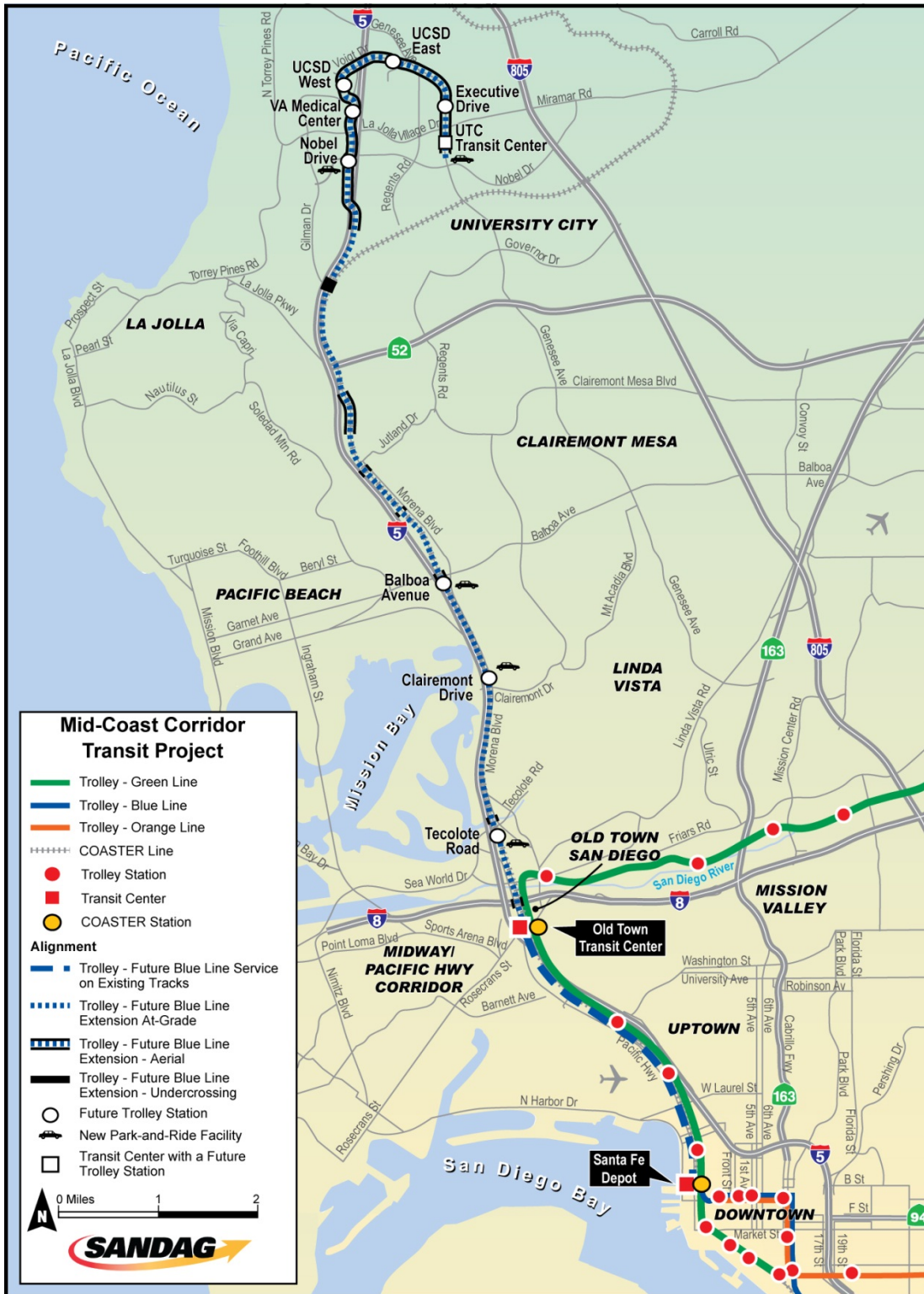
Board approval of Resolution No. RTC 2015-04 (Attachment 3) constitutes approval of the Refined Build Alternative for implementation.

GARY L. GALLEGOS  
Executive Director

- Attachments:
1. Mid-Coast Corridor Transit Project Map
  2. Resolution No. RTC 2015-03
    - 2a. CEQA Findings
    - 2b. Statement of Overriding Considerations
    - 2c. Mitigation Monitoring and Reporting Program
  3. Resolution No. RTC 2015-04

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Leslie Blanda, (619) 699-6907, leslie.blanda@sandag.org

### Mid-Coast Corridor Transit Project: Refined Build Alternative



Source: SANDAG, 2014

**This relates to Agenda Item No. 11, BOD, November 21, 2014**



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## **RESOLUTION NO. RTC-2015-03**

### **A RESOLUTION OF THE SANDAG BOARD OF DIRECTORS CERTIFYING THE FINAL SUBSEQUENT ENVIRONMENTAL IMPACT REPORT PREPARED FOR THE MID-COAST CORRIDOR TRANSIT PROJECT (SCH# 2010051001) AND ADOPTING ENVIRONMENTAL FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; A STATEMENT OF OVERRIDING CONSIDERATIONS; AND A MITIGATION MONITORING AND REPORTING PROGRAM**

WHEREAS, the Mid-Coast Corridor Transit Project (Project) proposes to extend the San Diego Trolley Blue Line from the Santa Fe Depot in Downtown San Diego to the University Town Center Transit Center in University City, providing continuous service from the San Ysidro Transit Center at the U.S.–Mexico international border to University City; and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA) (Public Res. Code, §21000 et seq.) and the State CEQA Guidelines (14 Cal. Code Regs. §15000 et seq.), SANDAG is the lead agency for the Project; and

WHEREAS, SANDAG prepared a Final SEIR for the Project (SCH# 2010051001), which supplements the following environmental documents: the *Mid-Coast Corridor Alternatives Analysis/Draft Environmental Impact Statement/Draft Environmental Impact Report* (1995); the *Final Environmental Impact Report for the Mid-Coast Corridor* (1995) (Reference SCH #1990011025); and the *Mid-Coast Corridor Project Balboa Extension and Nobel Drive Coaster Station Final Environmental Impact Statement* (2001); and

WHEREAS, the Final SEIR is part of a joint environmental document that combines the Supplemental Environmental Impact Statement prepared pursuant to the National Environmental Policy Act and SEIR prepared pursuant to CEQA; and

WHEREAS, the Final SEIR provided full disclosure and analysis of the potential and significant environmental effects of the Project, as refined since completion of the 1995 and 2001 environmental documents being supplemented; and

WHEREAS, SANDAG issued a Notice of Preparation (NOP) of a Draft SEIR on May 3, 2010, and circulated the NOP for a period of 30 days pursuant to State CEQA Guidelines §§15082(a), 15103 and 15375; and

WHEREAS, pursuant to State CEQA Guidelines §15206 and §15082, SANDAG publicly noticed and held a series of five scoping meetings throughout the San Diego region for the purpose of soliciting comments from the public and potential responsible and trustee agencies, including details about the scope and content of the environmental information related to the responsible



and trustee agencies' areas of statutory responsibility as well as the significant environmental issues, reasonable alternatives, and mitigation measures that the responsible and trustee agencies would need to have analyzed in the Draft SEIR; and

WHEREAS, SANDAG also implemented a comprehensive public outreach and involvement program to support participation in the environmental review process; and

WHEREAS, SANDAG filed the Notice of Completion (NOC) of the Draft SEIR with the State Clearinghouse on May 14, 2013, for a 60-day comment and review period from May 17, 2013, through July 17, 2013; and

WHEREAS, pursuant to Public Resources Code §20192, SANDAG provided a Notice of Availability (NOA) to all organizations and individuals who had previously requested such notice and published a NOA for the Draft SEIR on or about May 8, 2013, in newspapers of general circulation. In addition, SANDAG placed copies of the Draft SEIR at the offices of SANDAG and public libraries throughout the Mid-Coast Corridor, and on its website; and

WHEREAS, during the 60-day comment period, SANDAG publicly noticed and held four public meetings and one public hearing, and SANDAG consulted with and requested comments from responsible and trustee agencies, other regulatory agencies, and others pursuant to State CEQA Guidelines §15086; and

WHEREAS, during the official public review period for the Draft SEIR more than 350 people attended the four public meetings and 20 people provided oral comments during the public hearing. In total, SANDAG received 309 comment submissions (e.g., comment cards, e-mails, and letters) containing 1,417 individual comments; and

WHEREAS, on July 11, 2014, SANDAG filed an NOC for the *Mid-Coast Corridor Transit Project Supplemental Environmental Impact Statement/Supplement to the Subsequent Environmental Impact Report* (Supplement) with the State Clearinghouse, inviting comments on environmental analysis and proposed mitigation measures that addressed newly discovered impacts to the San Diego fairy shrimp. The Supplement was distributed in the same manner used for the Draft SEIS and made available for its own independent 45-day review and comment period from July 18 to September 2, 2014, and included consultation pursuant to State CEQA Guidelines §15086; and

WHEREAS, SANDAG evaluated all comments on environmental issues received during the comment periods on the Draft SEIR and the Supplement and prepared written responses to these comments, which are included in Volume 3 of the Final SEIR; and

WHEREAS, on October 29, 2014, SANDAG filed an NOA for the Final SEIR with the State Clearinghouse; and

WHEREAS, SANDAG prepared the Final SEIR, consisting of: (1) the *Mid-Coast Corridor Transit Project Final Supplemental Environmental Impact Statement/Subsequent Environmental Impact Report Volume 1, including Appendices*; (2) the *Mid-Coast Corridor Transit Project Final Supplemental Environmental Impact Statement/Subsequent Environmental Impact Report Volume 2: Plan Set*; (3) the *Mid-Coast Corridor Transit Project Final Supplemental Environmental Impact Statement/Subsequent Environmental Impact Report Volume 3: Comments and Responses, which includes comments received on the Draft SEIR and Supplement, a list of persons, organizations, and*

*public agencies that commented, SANDAG responses to significant environmental points raised in the comments, and Master Responses to comments; and (4) all technical studies and reports listed in Appendix A of the Final SEIR or referenced in the above documents; and*

WHEREAS, pursuant to Public Resources Code §21092.5 and State CEQA Guidelines §15088, SANDAG provided written responses to all agencies, organizations, and individuals that submitted comments on the Draft SEIR and Supplement at least 10 days prior to certification of the Final SEIR; and

WHEREAS, SANDAG made the Final SEIR publically available on its website on October 29, 2014; and

WHEREAS, the Final SEIR satisfies all the requirements of CEQA and the State CEQA Guidelines; and

WHEREAS, the Draft and Final SEIR sufficiently analyze both the feasible mitigation measures necessary to avoid or substantially lessen the project's significant environmental impacts and a reasonable range of alternatives capable of eliminating or reducing these effects in accordance with CEQA and the State CEQA Guidelines; and

WHEREAS, all of the findings and conclusions made by SANDAG pursuant to this Resolution are based upon the oral and written evidence presented to it as a whole and are not based solely on the information provided in this Resolution; and

WHEREAS, the SANDAG Board of Directors, at a regular session assembled on November 21, 2014, considered evidence regarding the significant environmental impacts of the Mid-Coast Corridor Transit Project, including but not limited to the Final SEIR, written and oral testimony given at meetings and hearings, and submission of testimony from the public, organizations, and regulatory agencies; and

WHEREAS, no comments submitted to SANDAG either in written or electronic form, or in the public hearings conducted by SANDAG, or any other information submitted to SANDAG, have produced significant new information requiring recirculation or additional environmental review under State CEQA Guidelines §15088.5; and

WHEREAS, SANDAG has prepared CEQA findings in compliance with Public Resources Code §§21081 and 21081.5 and State CEQA Guidelines Section §15091 for every significant impact of the project identified in the Final SEIR and for each alternative evaluated in the Draft and Final SEIR, including an explanation of the rationale for each finding (attached hereto as Attachment A); and

WHEREAS, the Project will have significant impacts that cannot be fully mitigated to less than significant, and SANDAG has prepared a Statement of Overriding Considerations in compliance with Public Resources Code §21081 and State CEQA Guidelines §15093 (attached hereto as Attachment B), which concludes that specific economic, legal, social, technological, and other benefits of the Project outweigh the significant and unavoidable impacts identified in the Final SEIR; and

WHEREAS, SANDAG has prepared a Mitigation Monitoring and Reporting Program in compliance with Public Resources Code §21081.6 and State CEQA Guidelines §15097 (attached hereto as Attachment C) to ensure compliance with the mitigation measures identified in the Final SEIR during project implementation and operation; and

WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred; and

WHEREAS, the Board of Directors takes this action on behalf of SANDAG and as the Regional Transportation Commission; and

WHEREAS, prior to taking action on the Project, the SANDAG Board of Directors has heard, been presented with, reviewed, and considered all of the information and data in the administrative record, including the Final SEIR, and all oral and written evidence presented to it during all meetings and hearings;

NOW THEREFORE BE IT RESOLVED by the SANDAG Board of Directors that the foregoing recitals are true and correct and incorporated by this reference; and

BE IT FURTHER RESOLVED that the SANDAG Board of Directors finds that the Final SEIR consists of: (1) *the Mid-Coast Corridor Transit Project Final Supplemental Environmental Impact Statement/Subsequent Environmental Impact Report Volume 1, including Appendices*; (2) *the Mid-Coast Corridor Transit Project Final Supplemental Environmental Impact Statement/Subsequent Environmental Impact Report Volume 2: Plan Set*; (3) *the Mid-Coast Corridor Transit Project Final Supplemental Environmental Impact Statement/Subsequent Environmental Impact Report Volume 3: Comments and Responses, which includes comments received on the Draft SEIR and Supplement, a list of persons, organizations, and public agencies that commented, SANDAG responses to significant environmental points raised in the comments, and Master Responses to comments*; and (4) *all technical studies and reports listed in Appendix A of the Final SEIR or referenced in the above documents*; and

BE IT FURTHER RESOLVED that, pursuant to State CEQA Guidelines § 15090, the SANDAG Board of Directors certifies that the Final SEIR (SCH# 2010051001) has been completed in compliance with CEQA (Public Resource Code §21000 et seq.), that the Final SEIR was presented to and reviewed and considered by the SANDAG Board of Directors prior to approving the Project, and that the Final SEIR represents the independent judgment and analysis of SANDAG; and

BE IT FURTHER RESOLVED that the SANDAG Board of Directors makes and adopts the findings required in State CEQA Guidelines §15091, which are attached hereto as Attachment A and incorporated fully by this reference; and

BE IT FURTHER RESOLVED that the SANDAG Board of Directors adopts the Statement of Overriding Considerations as required by State CEQA Guidelines §15093, which is attached hereto as Attachment B and incorporated fully by this reference; and

BE IT FURTHER RESOLVED that the SANDAG Board of Directors adopts the Mitigation Monitoring and Reporting Program as required by State CEQA Guidelines §15097, which is attached hereto as Attachment C and incorporated fully by this reference.

PASSED AND ADOPTED this 21st of November, 2014.

AYES:

NOES:

ABSENT:

[Seal]

Attest:

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Chair of the Board of Directors  
~~of the San Diego County Regional  
Transportation Commission~~

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Secretary of the Board of Directors ~~of the  
San Diego County Regional Transportation  
Commission~~

# **ATTACHMENT A**

## **MID-COAST CORRIDOR TRANSIT PROJECT**

### **CEQA FINDINGS OF FACT**

## **I INTRODUCTION**

These findings are made pursuant to the California Environmental Quality Act (CEQA) (Pub. Res. Code (PRC) §21000 et seq.) and the CEQA Guidelines (Cal. Code Regs. title 14, §15000 et seq.) by the Board of Directors of the San Diego Association of Governments (SANDAG) as the lead agency for the project under CEQA. These findings pertain to the Supplemental Environmental Impact Statement/Subsequent Environmental Impact Report (SEIS/SEIR) SCH #2010051001 (Original Environmental Impact Report (EIR) SCH #90011025) for the Mid-Coast Corridor Transit Project.

### **A. PROJECT DESCRIPTION SUMMARY**

The Mid-Coast Corridor is located in Southern California and lies within the County of San Diego. The Mid-Coast Corridor is centered on Interstate (I-) 5 and extends from Downtown San Diego on the south to the University of California, San Diego (UCSD) and University City on the north. Located entirely within the City of San Diego, the Mid-Coast Corridor is bounded by the Pacific Ocean on the west and by I-805 and State Route (SR) 163 on the east.

The Mid-Coast Corridor Transit Project (also referred to as the “project,” or the “Refined Build Alternative”) would extend the San Diego Trolley Blue Line from the Santa Fe Depot in Downtown San Diego to the University Towne Centre (UTC) Transit Center in University City, providing continuous service from the San Ysidro Transit Center at the U.S.–Mexico international border to University City. The project would use the existing Trolley tracks for approximately 3.5 miles, from Santa Fe Depot to north of the Old Town Transit Center (OTTC) and south of the San Diego River. The Trolley Blue Line trains would share the tracks with the Trolley Green Line trains in this area. The project also would include construction of 10.9 miles of new double track that would extend from south of the San Diego River to the terminus at the UTC Transit Center. It would include 9 new stations (4 at grade and 5 elevated); 5 park-and-ride facilities with 1,170 parking spaces; 14 new and 2 upgraded traction power substations (TPSS); and 36 new low-floor light rail transit (LRT) vehicles. The new LRT stations would be located at Tecolote Road, Clairemont Drive, Balboa Avenue, Nobel Drive, the Veterans Administration (VA) Medical Center, UCSD West, UCSD East, Executive Drive, and the UTC Transit Center.

### **B. PROJECT OBJECTIVES**

The purpose of the proposed project is to provide for the implementation of transit service improvements in the Mid-Coast Corridor between Downtown San Diego, Old Town, and University City. As detailed in Chapter 1.0 of the SEIS/SEIR, the objectives of the Mid-Coast Corridor Transit Project are to:

- Increase transit speed and reliability in the corridor. Provide direct transit routes with dedicated transit facilities and treatments for faster and more reliable transit service that can better compete with automobile travel and attract new transit riders.
- Reduce the number of transfers required to complete a trip. Transit improvements should seek to provide a one-seat ride between the most significant origins and destinations of travel.
- Make transfers more convenient where they do occur.
- Expand transit capacity in the corridor to accommodate existing and future travel demand.

### **C. TYPE OF ENVIRONMENTAL IMPACT REPORT**

The SEIS/SEIR is a joint supplemental environmental impact statement under the National Environmental Policy Act (NEPA) and a subsequent EIR under CEQA that supplements the following environmental documents: the *Mid-Coast Corridor Alternatives Analysis/Draft Environmental Impact Statement/Draft Environmental Impact Report* (Metropolitan Transit Development Board [MTDB], 1995); the *Final Environmental Impact Report for the Mid-Coast Corridor* (MTDB, 1995); and the *Mid-Coast Corridor Project Balboa Extension and Nobel Drive Coaster Station Final Environmental Impact Statement* (MTDB, 2001). These documents provide a programmatic level of review for the Mid-Coast Corridor Transit Project based on information available at the time of preparation. The SEIS/SEIR and the documents it supplements are Project EIRs.

### **D. PROCEDURAL COMPLIANCE WITH CEQA**

SANDAG published the *Mid-Coast Corridor Transit Project Draft SEIS/SEIR* on May 17, 2013, the *Mid-Coast Corridor Transit Project SEIS/Supplement to the SEIR* (Supplement) regarding new impacts to the federally endangered San Diego fairy shrimp on July 18, 2014, and the *Mid-Coast Corridor Transit Project Final SEIS/SEIR* on October 29, 2014. The Final SEIS/SEIR has been prepared for SANDAG in accordance with CEQA and the CEQA Guidelines, as amended. As allowed for in CEQA Guidelines Section 15084(d)(2), SANDAG retained a consultant to assist with the preparation of the environmental documents. SANDAG, acting as the lead agency under CEQA, has directed, reviewed, and edited as necessary all materials prepared by the consultant, and such materials reflect SANDAG's independent judgment. The key milestones associated with the environmental documentation and public notification for the Mid-Coast Corridor Transit Project are summarized below.

- The Mid-Coast Corridor Transit Project was identified as a transit project in Proposition A, the county's half-cent transportation sales tax measure (*TransNet*), approved by voters in 1987.
- The Notice of Intent to prepare an environmental impact statement (EIS) was issued by the Federal Transit Administration (FTA) in 1990.
- The *Mid-Coast Corridor Alternatives Analysis/Draft Environmental Impact Statement/Draft Environmental Impact Report* was completed in February 1995.

- MTDB certified the *Final Environmental Impact Report for the Mid-Coast Corridor* and adopted a Locally Preferred Alternative (LPA) to extend the existing San Diego Trolley LRT system from the OTTC north to University City in December 1995.
- MTDB prepared a Final EIS (MTDB, 2001) for an initial phase of the project, from just south of the San Diego River to Balboa Avenue, in 2001.
- FTA issued the Record of Decision (ROD) for the initial phase in August 2001.
- The SANDAG Board of Directors approved an update to the 1995 LPA alignment to better serve the UCSD campus on both the east and west sides of I-5 and to improve connections with existing and planned transit services at the UTC Transit Center in December 2003.
- The Mid-Coast Corridor Transit Project was included in the re-authorization of *TransNet*, approved by voters in November 2004.
- The SANDAG Transportation Committee approved re-combining the Balboa Extension with the University City Extension into a single project extending from the OTTC to University City and approved initiating supplemental environmental review for the project in April 2005.
- The Mid-Coast Corridor Transit Project was included in the 2030 Regional Transportation Plan (RTP) adopted by the SANDAG Board of Directors in November 2007.
- SANDAG issued a Notice of Preparation for the Draft SEIS/SEIR on May 3, 2010.
- SANDAG held five scoping meetings throughout the San Diego region regarding the scope and content of the Draft SEIS/SEIR.
- SANDAG implemented a comprehensive public outreach and involvement program for the Mid-Coast Corridor Transit Project, prepared with input from the general public, the Regional Planning Stakeholders Working Group, the Policy Advisory Committees, and the Board of Directors.
- The SANDAG Board of Directors, after considering input received during scoping, reconfirmed the previously adopted LPA, refined to include direct service to UCSD and UTC, and the No-Build Alternative for evaluation in the Draft SEIS/SEIR on July 23, 2010. They also approved evaluation of a station at the VA Medical Center in the draft environmental document.
- FTA issued a Notice of Intent in the *Federal Register* on July 12, 2011.
- All comments from both the NEPA and CEQA scoping processes were considered in the preparation of the Draft SEIS/SEIR.
- SANDAG conducted additional studies and coordinated with project stakeholders, including the California Department of Transportation (Caltrans), the City of San Diego, the Metropolitan Transit System (MTS), and UCSD, which resulted in a number of refinements to the project. SANDAG also coordinated with Scripps Memorial Hospital La Jolla (Scripps Hospital) and the VA Medical

Center. The refinements to the LPA were incorporated into the Build Alternative that was evaluated in the Draft SEIS/SEIR.

- The Draft SEIS/SEIR evaluated the Build Alternative against the No-Build Alternative and existing conditions in 2010, which was when SANDAG issued the CEQA Notice of Preparation.
- SANDAG filed the Notice of Completion of the Draft SEIS/SEIR with the State Clearinghouse on May 14, 2013.
- FTA issued a Notice of Availability of the Draft SEIS/SEIR in the *Federal Register* on May 17, 2013.
- Comments were accepted during the 60-day comment and review period from May 17, 2013 through July 17, 2013.
- Four public meetings and one public hearing were held during the comment and review period on the Draft SEIS/SEIR. All comments and responses are included in the *Mid-Coast Corridor Transit Project Final SEIS/SEIR Volume 3: Comments and Responses*.
- The Build Alternative evaluated in the Draft SEIS/SEIR included two options: the VA Medical Center Station Option, which evaluated an additional station at the VA Medical Center, and the Genesee Avenue Design Option, which proposed straddle bents instead of center columns for the aerial alignment along Genesee Avenue in University City.
- SANDAG prepared a limited-scope environmental document as a supplement to the Draft SEIS/SEIR to address a new impact to the federally listed endangered San Diego fairy shrimp (*Branchinecta sandiegonensis*).
- SANDAG filed the Notice of Completion of the Supplement with the State Clearinghouse on July 11, 2014.
- The FTA issued a Notice of Availability for the Supplement in the *Federal Register* on July 18, 2014.
- Comments were accepted during the 45-day review and comment period from July 18 to September 2, 2014.
- All comments, along with responses to the comments, are included in the *Mid-Coast Corridor Transit Project Final SEIS/SEIR Volume 3: Comments and Responses*.
- Consideration of comments, coordination with agencies and stakeholders, and the evaluation of the Build Alternative and options in the Draft SEIS/SEIR provided the basis for refinements to the Build Alternative, which led to the Refined Build Alternative evaluated in the Final SEIS/SEIR.
- The SANDAG Board of Directors voted to approve the Refined Build Alternative for evaluation in the Final SEIS/SEIR on November 15, 2013, and to amend the Refined Build Alternative on May 9, 2014.



- The Refined Build Alternative generally reflects the Build Alternative with the addition of the VA Medical Center Station Option evaluated in the Draft SEIS/SEIR and some additional refinements to the LRT alignment, stations, TPSSs, and construction staging areas, as well as further engineering refinements. The Genesee Avenue Design Option was eliminated from further consideration.
- The Refined Build Alternative is the locally preferred alternative under NEPA.
- The FTA issued the ROD for the Final SEIS/SEIR on October 15, 2014.
- SANDAG published the Final SEIS/SEIR on October 29, 2014, in compliance with CEQA. SANDAG provided written responses to all public agencies that commented on the Draft SEIS/SEIR and/or the Supplement to the Draft SEIS/SEIR at least 10 days prior to certifying the Final SEIS/SEIR.
- The FTA issued the Notice of Availability in the *Federal Register* on November 7, 2014.
- The SANDAG Board of Directors held a public hearing on November 21, 2014, to consider certification of the Final SEIS/SEIR and project approval.

## **E. INCORPORATION OF FINAL SEIS/SEIR BY REFERENCE**

The Final SEIR, consisting of the following:

1. *Mid-Coast Corridor Transit Project Final SEIS/SEIR Volume 1*, including Appendices,
2. *Mid-Coast Corridor Transit Project Final SEIS/SEIR Volume 2: Plan Set*,
3. *Mid-Coast Corridor Transit Project Final SEIS/SEIR Volume 3: Comments and Responses*, and
4. All technical studies and reports listed in Appendix A of the Final SEIR or referenced in the above documents

are all hereby incorporated by reference into these Findings.

## **II FINDINGS REGARDING ENVIRONMENTAL IMPACTS**

Pursuant to California PRC §21081 and CEQA Guidelines §15091, no public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant effects on the environment that would occur if the project is approved or carried out unless the public agency makes one or more of the following findings with respect to each significant impact:

1. Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.
2. Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.

3. Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental Impact report. (The concept of infeasibility also encompasses whether a particular alternative or mitigation measure promotes the Project's underlying goals and objectives, and whether an alternative or mitigation measure is impractical or undesirable from a policy standpoint. See *City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 410; *California Native Plant Society v. City of Santa Cruz* (2009) 177 Cal.App.4th 957.)

SANDAG has made one or more of these specific written findings regarding each significant impact associated with the project. Those findings are presented below, along with a presentation of facts in support of the findings. These findings are based on the discussion of impacts in the detailed issue area analyses in Chapters 3.0 and 4.0 in the Final SEIS/SEIR, as well as relevant technical reports and responses to comments in the Final SEIS/SEIR. The SANDAG Board of Directors adopts and incorporates by reference the responses to comments as part of these findings. The SANDAG Board of Directors certifies these findings are based on full appraisal of all viewpoints, including all comments received up to the date of adoption of these findings, concerning the environmental issues identified and discussed.

The SEIS/SEIR evaluation included a detailed analysis of environmental impacts, analyzing the Project (referred to as the Refined Build Alternative) and the No Project Alternative (referred to as the No-Build Alternative). The SEIR disclosed the environmental impacts expected to result from construction and operation of the Mid-Coast Corridor Transit Project. Feasible mitigation measures were identified to avoid or minimize significant environmental effects.

These findings do not attempt to describe the full analysis of each environmental impact contained in the Final SEIS/SEIR. Instead, a full explanation of these environmental findings and conclusions can be found in the Final SEIS/SEIR. In making these findings, the SANDAG Board of Directors ratifies, adopts, and incorporates in these findings the determinations and conclusions of the SEIS/SEIR relating to environmental impacts and mitigation measures, except to the extent any such determinations are specifically and expressly modified by these findings.

### **III FINDINGS REGARDING ENVIRONMENTAL IMPACTS FOUND NOT TO BE SIGNIFICANT**

CEQA does not require findings of facts for impacts that are not significant. Nevertheless, for the sake of completeness, the SANDAG Board of Directors hereby finds that the following impacts either have no impact or are less than significant. The SANDAG Board of Directors further finds that project measures identified below and in Appendix E of the Final SEIS/SEIR will avoid and minimize potential project impacts. These findings are based on the discussion of impacts in the detailed issue area analyses in Chapters 3.0 and 4.0 of the Final SEIS/SEIR, as well as relevant technical reports and responses to comments.

## A. TRANSPORTATION (FINAL SEIS/SEIR CHAPTER 3.0)

***TR 3-1: Would the project conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the transit system and relevant components of the transit system?***

### Findings and Rationale

The SANDAG Board of Directors finds that the Refined Build Alternative would be consistent with all applicable plans, ordinances, or policies establishing measures of effectiveness for the performance of the transit system.

Performance of the transit system would improve under the Refined Build Alternative in 2030, reducing transit travel time and transfer rates and increasing reliability—all important measures of effectiveness. These benefits were reflected by increases in transit ridership and user benefits. The performance of the transit system under the Refined Build Alternative in 2010 would achieve similar results to its performance in 2030. Consequently, there would be long-term beneficial impacts from the Refined Build Alternative.

Based on results from the SANDAG Series 11 model, an 8 percent increase in systemwide transit boardings is projected with the Refined Build Alternative in 2010 compared to existing conditions, which is slightly higher than the increase in systemwide boardings with the Refined Build Alternative in 2030 (a 5 percent increase).

Trolley boardings with the Refined Build Alternative would increase by 24 percent over existing conditions (compared to 20 percent in 2030). As a result, the Refined Build Alternative in 2010 and 2030 would comply with measures of effectiveness from adopted policies and plans and would result in a beneficial impact.

For a more detailed description of project impacts, refer to Section 3.4.1 of the Final SEIS/SEIR, and the *Mid-Coast Corridor Transit Project Transportation Impacts and Mitigation Report* (SANDAG, 2014).

***TR 3-2: Would the project conflict with adopted policies, plans, or programs regarding public transit or otherwise decrease the performance of such facilities?***

### Findings and Rationale

The SANDAG Board of Directors finds that the Refined Build Alternative would be consistent with all adopted policies, plans, or programs regarding public transit and would not otherwise decrease the performance of such facilities. The 2030 RTP includes policy objectives and goals related to the regional transportation system. The Refined Build Alternative in 2010 and 2030 would support these objectives and goals, particularly in regard to efficiency, accessibility, and reliability. The 2030 RTP also identifies the Mid-Coast Corridor Transit Project as one of 11 major capital improvement projects for transit facilities.

Additional plans and policies adopted by SANDAG (e.g., the 2030 RTP and *Regional Comprehensive Plan for the San Diego Region* [RCP]), the City of San Diego (e.g., General Plan

and community plans), and UCSD (e.g., Master Plan, Long-Range Development Plan, and neighborhood planning studies) support transit projects, including LRT.

For a more detailed description of project impacts, refer to Section 3.4.1 of the Final SEIS/SEIR, the *Mid-Coast Corridor Transit Project Transportation Impacts and Mitigation Report* (SANDAG, 2014), and the *Mid-Coast Corridor Transit Project Land Use Impacts Technical Report* (SANDAG, 2014).

***TR 3-3: Would the project conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways?***

#### Findings and Rationale

The SANDAG Board of Directors finds that the Refined Build Alternative would be consistent with all applicable plans, ordinances, or policies related to the performance of the circulation system. Specifically, the Refined Build Alternative supports the goals and policies from the 2030 RTP and the *City of San Diego General Plan* Mobility Element. Therefore, the Refined Build Alternative would result in less-than-significant impacts.

For a more detailed description of project impacts, refer to Section 3.4.2 of the Final SEIS/SEIR, and the *Mid-Coast Corridor Transit Project Transportation Impacts and Mitigation Report* (SANDAG, 2014).

***TR 3-4: Would the project result in any intersection, roadway segment, or freeway segment operating at LOS D or better, to operate at LOS E or F or cause any ramp meter delays to exceed 15 minutes?***

***TR 3-5: Would the project impact any intersection, roadway segment, or freeway segment operating at LOS E or F under existing or cumulative conditions? If yes, then the impact would be significant if it exceeds the thresholds in Table 7-3-28 [of the Final SEIS/SEIR].***

#### Findings and Rationale

##### *Freeway Segments and Freeway Interchanges*

The SANDAG Board of Directors finds that the Refined Build Alternative would have a less-than-significant impact to freeway segments and freeway interchanges. The Refined Build Alternative would neither affect any freeway segments nor generate enough trips to require freeway ramp analysis per Caltrans or city criteria; consequently, no analysis was performed, and any impacts that could occur would be less than significant. Two freeway interchanges were analyzed and both would continue to operate under capacity with the project.

For a more detailed description of project impacts, refer to Section 3.4.2 of the Final SEIS/SEIR, and the *Mid-Coast Corridor Transit Project Transportation Impacts and Mitigation Report* (SANDAG, 2014).

***TR 3-6: Would the project result in a substantial restriction in access to publicly or privately owned land?***

Findings and Rationale

The SANDAG Board of Directors finds that the Refined Build Alternative would not result in a restriction in access to publicly or privately owned land because roadways would not be closed as part of the project. Further, the Refined Build Alternative would not require removal of any parking spaces in any manner that restricts access. The Refined Build Alternative would provide improved transit service between University City and the OTTC, thus improving access to San Diego State Historic Park near the OTTC and publicly and privately owned lands in University City. Therefore, the Refined Build Alternative would result in less-than-significant impacts.

For a more detailed description of project impacts, refer to Section 3.4.2 of the Final SEIS/SEIR and the *Mid-Coast Corridor Transit Project Transportation Impacts and Mitigation Report* (SANDAG, 2014).

***TR 3-7: Would the project increase traffic hazards to motor vehicles, bicyclists or pedestrians due to proposed non-standard design features (e.g., poor sight distance, proposed driveway onto an access-restricted roadway)?***

Findings and Rationale

The SANDAG Board of Directors finds that the Refined Build Alternative would not increase traffic hazards to motor vehicles, bicyclists, or pedestrians due to proposed non-standard design features. While the Refined Build Alternative would include features that may be non-standard (e.g., reduced lane and median widths and setback from right-of-way), these features would not result in poor sight distance or result in hazards to motorists, bicyclists, or pedestrians. Additionally, all non-standard design features would be approved by the governing agency ensuring the features meet the safety requirements of that agency. Therefore, the Refined Build Alternative would result in less-than-significant impacts.

For a more detailed discussion of project impacts, refer to Section 3.4.2 of the Final SEIS/SEIR and the *Mid-Coast Corridor Transit Project Transportation Impacts and Mitigation Report* (SANDAG, 2014).

***TR 3-8: Would the project result in inadequate emergency access?***

Finding and Rationale

The SANDAG Board of Directors finds that the Refined Build Alternative would not result in inadequate emergency access. All roadway modifications required for the Refined Build Alternative would be designed so as not to restrict the movement of any emergency vehicles. Therefore, the Refined Build Alternative would result in less-than-significant impacts.

For a more detailed discussion of project impacts, refer to Section 3.4.2 of the Final SEIS/SEIR, and the *Mid-Coast Corridor Transit Project Transportation Impacts and Mitigation Report* (SANDAG, 2014).

***TR 3-9: Would the project conflict with adopted policies, plans, or programs regarding bicycle or pedestrian facilities, or otherwise decrease the performance of such facilities?***

Findings and Rationale

The SANDAG Board of Directors finds that the Refined Build Alternative would be consistent with plans, policies, or programs regarding bicycle and pedestrian facilities, and would not decrease the performance of such facilities. The Refined Build Alternative would provide reliable, efficient transit service connecting University City to downtown and areas west and south of downtown, thus improving access to major employment and activity centers. Bicycle parking facilities would be included at all Refined Build Alternative transit stations, and bicycles would be allowed onboard Trolley vehicles. The Refined Build Alternative would not result in the loss of bicycle and pedestrian facilities; facilities in conflict with the project would be realigned or reconfigured as part of the project and continue to function at the same level. Therefore, the Refined Build Alternative would result in less-than-significant impacts.

For a more detailed discussion of project impacts, refer to Section 3.4.3 of the Final SEIS/SEIR, and the *Mid-Coast Corridor Transit Project Transportation Impacts and Mitigation Report* (SANDAG, 2014).

***TR 3-10: Would the project substantially affect parking supply?***

Findings and Rationale

The SANDAG Board of Directors finds that the Refined Build Alternative would not substantially affect parking supply. The Refined Build Alternative would reduce parking demand at the OTTC and provide additional parking supply at new station locations. Some parking spaces would be physically removed; however, on balance, there would be no substantial impact on parking supply. The Refined Build Alternative includes 1,170 dedicated transit parking spaces.

The Refined Build Alternative would result in the permanent loss of 587 parking spaces at various locations within the corridor. The off-street spaces at some locations could be replaced by restriping or by relocating the spaces in a joint-use park-and-ride facility constructed by the project. In these instances, there would be no net loss of parking. Where parking cannot be replaced, compensation would be provided to private property owners for the loss of off-street spaces in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Uniform Act), the California Relocation Assistance Act of 1970 (California Act), and SANDAG Board Policy No. 21. The Final SEIS/SEIR provides specific information regarding the locations where parking spaces would be lost. At each location, the loss of off-street parking spaces would be less than significant for one or more of the following reasons: parking demand would be reduced; the remaining spaces are sufficient to accommodate demand; and/or the property owner has plans to increase parking supply.

The SANDAG Board of Directors finds that spillover parking near transit stations would be limited to a small number of vehicles and would not result in any significant impacts. A spillover parking analysis was conducted for the Tecolote Road, Clairemont Drive, Nobel Drive, OTTC, and Balboa Avenue Stations and the UTC Transit Center. The analysis revealed that

sufficient transit parking would be provided at the Tecolote Road, Clairemont Drive, and Nobel Drive Stations and at the UTC Transit Center. Consequently, spillover parking is not expected to occur at these stations, and impacts would be less than significant at these locations. However, excess demand for parking is projected for the OTTC and Balboa Avenue Stations.

Under existing conditions, the demand for parking at the OTTC (638 spaces) is substantially higher than existing supply (397 spaces). However, with the project, the projected parking demand at the OTTC would decrease to 442 spaces compared to existing conditions, of which 256 spaces would be required by passengers accessing the Trolley Blue Line. Demand would decrease at this station under the Refined Build Alternative because additional parking would be provided at the new Trolley stations north of the OTTC. Consequently, some passengers who previously drove to the OTTC and parked at that station would park at the new Trolley stations instead. Therefore, the project would reduce the demand for parking at the OTTC, reducing any potential for spillover parking impacts.

The projected demand for parking at the Balboa Avenue Station in 2030 would be approximately 160 spaces in excess of the planned capacity of the parking facility (the projected demand in 2010 would be approximately 260 spaces in excess of the planned capacity). Additional capacity is not proposed because a structured parking facility is prohibited due to an active earthquake fault on the station site. If the park-and-ride is at capacity, it is anticipated that drivers will go to different stations rather than park in adjacent streets near the Balboa Avenue Station. There is limited on-street parking available near the Balboa Avenue Station; distance and topography, particularly the grade differential between the Balboa Avenue Station and the residential streets with on-street parking to the east of Morena Boulevard, could discourage transit patrons from parking on residential streets farther from the station.

Additional surveys were conducted for a one-half-mile area around the Balboa Avenue Station to assess available on-street parking supply. The analysis identified 100 available spaces within a one-quarter-mile walk of the station and approximately 800 additional available spaces within a one-half-mile walk of the station during the midday period when parking at the Balboa Avenue Station could likely be full. Therefore, in the unlikely situation that transit patrons do park on-street, they are anticipated to find an adequate number of on-street spaces within one-half mile of the station (approximately a 10-minute walk) without substantially displacing parking for existing residents. Therefore, the Refined Build Alternative would result in less-than-significant impacts.

For a more detailed discussion of project impacts, refer to Section 3.4.4 of the Final SEIS/SEIR, and the *Mid-Coast Corridor Transit Project Transportation Impacts and Mitigation Report* (SANDAG, 2014).

### ***TR 3-11: Would the project impede or slow the transport of freight?***

#### Findings and Rationale

The SANDAG Board of Directors finds that the Refined Build Alternative would not significantly impede or slow the transport of freight. A minor decrease in vehicle hours of

delay (0.6 percent) is projected with the project; while this decrease is minor, it could provide some benefit to vehicular freight movement.

In the southern subarea of the corridor, the project would not result in additional preemptions at the eight grade crossings between Santa Fe Depot and Noell Street as the same number of trains would travel through these crossings with the project in 2010 compared to existing conditions. However, gate down time would be optimized as part of the project, which would result in gates being down for a shorter period, thus resulting in a beneficial impact for freight movement in that area. Consequently, there would be less-than-significant impacts on vehicular freight movement through these crossings.

In the northern subarea, the Refined Build Alternative would contribute to a significant traffic impact condition at Mission Bay Drive and Garnet Avenue during the p.m. peak period and on Balboa Avenue from the I-5 southbound on-ramp to the I-5 northbound off-ramp during the p.m. peak period. Although these intersections would continue to operate at an unacceptable level of service in 2030 during p.m. peak periods, vehicular freight primarily operates outside peak periods resulting in less than significant impacts to vehicular freight movement traveling through these areas.

The SANDAG Board of Directors finds that impacts would be less than significant to rail freight. Improvements and modifications to approximately 1.3 miles of the Los Angeles–San Diego–San Luis Obispo Rail Corridor Agency (LOSSAN) tracks in the vicinity of SR 52 would be required under the Refined Build Alternative, but these modifications would not affect freight movement. The transition of the project from the east to the west side of the LOSSAN track would have 24 feet or more vertical clearance and would have a minimal impact to freight operations. Access to the LOSSAN tracks would continue to be provided; however, future maintenance work on the Trolley tracks may require slow orders for all traffic on the LOSSAN tracks. As maintenance work is expected to occur infrequently, this would have a minor impact on freight operations.

Because of the separation of the Trolley and LOSSAN tracks, the provision of access to the freight tracks, and the infrequent need for slow orders, operation of the new Trolley tracks in the LOSSAN corridor would have less-than-significant impacts for rail freight.

For a more detailed discussion of project impacts, refer to Section 3.4.5 of the Final SEIS/SEIR, and the *Mid-Coast Corridor Transit Project Transportation Impacts and Mitigation Report* (SANDAG, 2014).

### ***TR 3-12: Cumulative Transportation Impacts from Operation of the Project***

#### Transit, Bicycle, Pedestrian, Parking, and Freight

The SANDAG Board of Directors finds that the Refined Build Alternative would not result in any cumulatively significant transportation impacts with regard to transit, bicycle, pedestrian, parking, and freight.

The Refined Build Alternative would increase the capacity and expand the reach of the Trolley system in a congested corridor; therefore, the overall effect of the Refined Build Alternative on the transit system would be beneficial. The Refined Build Alternative would decrease travel



time and improve system reliability. When combined with other planned transit projects and improvements assumed in the 2030 RTP, a beneficial cumulative effect would accrue to the entire San Diego region, and, in particular, to the Mid-Coast Corridor.

No cumulatively significant impacts to bicycle and pedestrian facilities, parking, or freight were identified. The Refined Build Alternative would not result in significant impacts on the parking supply. Parking demand at the OTTC would decrease, resulting in a beneficial impact at this location. In addition, the Refined Build Alternative may have an indirect beneficial impact on parking demand, particularly in Downtown San Diego and University City, as travelers switch from automobiles to transit and use the transit parking provided as part of the project. Consequently, the project would not cause or contribute to any cumulatively significant transit, bicycle, pedestrian, parking, or freight impacts.

## **B. LAND USE PLANS AND POLICIES (FINAL SEIS/SEIR SECTION 4.1)**

***LU 3-1: Would the project conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?***

### Findings and Rationale

The SANDAG Board of Directors finds that the Refined Build Alternative would be consistent with applicable land use plans, policies, or regulations of agencies with jurisdiction over the project (including, but not limited to, the general plan, specific plan, or local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect.

Many plans have been adopted by SANDAG (e.g., the 2030 RTP and RCP), the City of San Diego, and UCSD (e.g., Master Plan, Long-Range Development Plan, and neighborhood planning studies) that support transit projects, including LRT. The Refined Build Alternative would support the objectives and goals contained in those plans, particularly with respect to transportation efficiency, accessibility, and reliability. The RCP (SANDAG, 2004) contains goals to improve connections between land use and transportation plans using smart growth principles and to develop a well-integrated transportation system that moves people and goods, not just vehicles. A key implementation tool for local jurisdictions of the RCP is the SANDAG *Smart Growth Concept Map* (SANDAG, 2008), which identifies Smart Growth Opportunity Areas in the region as potential locations for future growth that are tied to existing transit facilities or could be in the future. All nine of the proposed new project stations are located within Smart Growth Opportunity Areas.

Similarly, the *City of San Diego General Plan* (City of San Diego, 2008) incorporates the *Strategic Framework Element* (City of San Diego, 2002) "City of Villages" smart growth strategy to focus growth into pedestrian-friendly, mixed-use villages that are linked to the transit system. Additionally, the *University Center and Sixth College Neighborhood Planning Study* (UCSD, 2004) and the *UCSD East Campus Health Sciences Neighborhood Planning Study* (UCSD, 2000) anticipate LRT to support future growth and outline plans for increased

development and improved pedestrian connectivity within the campus. As a result, the Refined Build Alternative would result in less-than-significant impacts.

The Refined Build Alternative would be consistent with community plans for areas adjacent to the project alignment because the Refined Build Alternative would reduce automobile use, provide transit stations in areas supportive of transit-oriented development, enhance regional connectivity, minimize environmental impacts, and maximize transit ridership.

The Refined Build Alternative would be consistent with the policies of the California Coastal Act (Coastal Act) that provide for preservation and enhancement of visual resources, water quality, air quality, energy conservation, reductions in vehicle miles traveled (VMT), public access, and public transit. The project has been designed to minimize wetland impacts to the maximum extent practicable, and would include off-site restoration, creation, and enhancement activities that mitigate the project's impacts and result in an overall increase in wetland habitat.

Therefore, the Refined Build Alternative would result in less-than-significant impacts.

For a more detailed discussion of project impacts, refer to Section 4.1 of the Final SEIS/SEIR and the *Mid-Coast Corridor Transit Project Land Use Impacts Technical Report* (SANDAG, 2014).

***LU 3-2: Would the project conflict with any applicable habitat conservation plan or natural community conservation plan?***

Findings and Rationale

The SANDAG Board of Directors finds that the Refined Build Alternative would be consistent with the City of San Diego Multiple Species Conservation Program (MSCP). Impacts from the Refined Build Alternative on biological resources would occur primarily within the existing MTS right-of-way, as well as the I-5 right-of-way, the UCSD campus, public street rights-of-way, and other previously disturbed areas. The Refined Build Alternative would not expand existing or introduce new land uses within or adjacent to the Multi-Habitat Planning Area (MHPA). Impacts to MHPA would be limited to small areas within the MTS right-of-way. To the extent the project would impact wetlands or sensitive vegetation communities, mitigation consistent with the goals and objectives of the MSCP is provided. Therefore, the Refined Build Alternative would result in less-than-significant impacts.

For a more detailed discussion of project impacts, refer to Sections 4.1 and 4.8 of the Final SEIS/SEIR, the *Mid-Coast Corridor Transit Project Biological Resources Technical Report* (SANDAG, 2014), and the *Mid-Coast Corridor Transit Project Land Use Impacts Technical Report* (SANDAG, 2014).

***LU 3-3: Would the project result in incompatible land use?***

Findings and Rationale

The SANDAG Board of Directors finds that the Refined Build Alternative would be compatible with surrounding land uses.

Within the areas surrounding the LRT alignment, the Refined Build Alternative would be located primarily within existing rights-of-way, and in some locations, within close proximity to residential, commercial, and institutional land uses. The Refined Build Alternative would not result in changes to land use in these areas and would not introduce a land use that is incompatible with existing or planned uses within the areas surrounding the LRT alignment. As such, within these areas, the Refined Build Alternative would be compatible with existing land use and zoning.

The existing station areas for the Refined Build Alternative have been and would continue to be compatible with land use because these stations have been supporting the existing Trolley system since 1996. The proposed station areas for the Refined Build Alternative would also be compatible with land use because the transportation system would support the mix of land uses and the stations will be designed to be compatible with the community and would support existing land use. Therefore, the Refined Build Alternative would result in less-than-significant impacts.

For a more detailed discussion of project impacts, refer to Section 4.1 of the Final SEIS/SEIR, and the *Mid-Coast Corridor Transit Project Land Use Impacts Technical Report* (SANDAG, 2014).

***LU 3-4: Would the project convert prime farmland, unique farmland, or farmland of statewide importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to a non-agricultural use, or conflict with existing zoning for agricultural use?***

#### Findings and Rationale

The SANDAG Board of Directors finds that the Refined Build Alternative would not convert any prime farmland, unique farmland, or farmland of statewide importance to a non-agricultural use, or conflict with existing zoning for agricultural use. Therefore, the Refined Build Alternative would result in less-than-significant impacts.

For a more detailed discussion of project impacts, refer to Section 4.1 of the Final SEIS/SEIR, and the *Mid-Coast Corridor Transit Project Land Use Impacts Technical Report* (SANDAG, 2014).

#### ***LU 3-5: Cumulative Land Use Impacts***

The SANDAG Board of Directors finds that the Refined Build Alternative would not result in any cumulatively significant land use impacts. Regional growth is presumed to occur consistent with existing planning and zoning. The land use analysis also assumed the construction of other transportation projects in the corridor. These other projects are consistent with adopted regional and local land use and transportation plans. As such, they also are compatible with existing zoning and land use. Therefore, the project would not cause or contribute to a cumulatively significant land use impact.

## C. COMMUNITY AND NEIGHBORHOODS (FINAL SEIS/SEIR SECTION 4.2)

### ***CN 3-1: Would the project physically divide an established community?***

#### Findings and Rationale

The SANDAG Board of Directors finds that the Refined Build Alternative would not physically divide an established community. The Mid-Coast Corridor Transit Project would be located primarily within an existing railroad right-of-way or along roadway and highway rights-of-way. The portion of the project that would not be in an existing rail or along a highway right-of-way would be placed on an elevated structure primarily adjacent to or within existing surface streets. While the project north of the OTTC would introduce an elevated structure, which would be a new feature to the community, the elevated structure would be designed and situated so as not to create a barrier that would divide the community. South of the OTTC, the project would reinforce the perception of an existing intermittent barrier (i.e., the railroad right-of-way) from the increased Trolley service; however, the incremental effect would not result in division of a community. Therefore, the Refined Build Alternative would result in less-than-significant impacts.

For a more detailed discussion of project impacts and a description of project measures to avoid or minimize impacts, refer to Section 4.2 of the Final SEIS/SEIR and the *Mid-Coast Corridor Transit Project Social, Community, and Neighborhood Impacts Technical Report* (SANDAG, 2014).

### ***CN 3-2: Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which would cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: Fire Protection? Police Protection? Schools? Parks? Other Public Facilities?***

#### Findings and Rationale

The SANDAG Board of Directors finds that the Refined Build Alternative would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities; it also would not result in the need for new or physically altered governmental facilities, the construction of which would cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for public services.

The Refined Build Alternative would not affect the total population in the corridor, and thus would not change the demand for schools, parks, and other public facilities. The project would not substantially alter the levels of demand for or use of community and recreational facilities or increase the demand for or accessibility of parks, schools, hospitals/medical facilities, libraries, fire, ambulance, or police services in the Mid-Coast Corridor; it also would not require the provision of new or physically altered facilities. The Refined Build Alternative would introduce new facilities (nine new stations) that would require police and fire protection;

however, the project would not significantly affect response times or exceed the capacity of existing service providers. Therefore, the Refined Build Alternative would result in less-than-significant impacts.

For a more detailed discussion of project impacts and a description of project measures to avoid or minimize impacts, refer to Section 4.2 of the Final SEIS/SEIR, and the *Mid-Coast Corridor Transit Project Social, Community, and Neighborhood Impacts Technical Report* (SANDAG, 2014).

***CN 3-3: Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?***

Findings and Rationale

The SANDAG Board of Directors finds that the Refined Build Alternative would not increase the demand for neighborhood or regional parks or other recreational facilities such that substantial physical deterioration would occur or be accelerated. The project would not affect the total population in the corridor, but it may redistribute a portion of existing travel and attract some transit users to major nearby community and recreational facilities. The Mid-Coast Corridor is primarily an urban environment and has many community facilities, and any minor redistribution in facility use associated with the more convenient transit access resulting from the project is not expected to substantially increase or change the overall use of facilities in the Mid-Coast Corridor or accelerate the physical deterioration of recreational facilities within the corridor. Therefore, the Refined Build Alternative would result in less-than-significant impacts.

For a more detailed discussion of project impacts and a description of project measures to avoid or minimize impacts, refer to Section 4.2 of the Final SEIS/SEIR, and the *Mid-Coast Corridor Transit Project Social, Community, and Neighborhood Impacts Technical Report* (SANDAG, 2014).

***CN 3-4: Would the project significantly impact a vulnerable population?***

Findings and Rationale

The SANDAG Board of Directors finds that the Refined Build Alternative would not significantly impact a vulnerable population. Pedestrian crossings would still function for all users, including individuals with mobility impairments, and the increased frequency of crossing trains traveling through the grade crossings would not impact overall pedestrian access to community services and facilities, or result in impacts to vulnerable populations. The increased regional connectivity may benefit individuals of some vulnerable populations by providing a means of transportation and access to community facilities other than the automobile. Therefore, the Refined Build Alternative would result in less-than-significant impacts.

For a more detailed discussion of project impacts and a description of project measures to avoid or minimize impacts, refer to Section 4.2 of the Final SEIS/SEIR, and the *Mid-Coast Corridor Transit Project Social, Community, and Neighborhood Impacts Technical Report* (SANDAG, 2014).

**CN 3-5: Would the project adversely impact existing religious or sacred uses?**Findings and Rationale

The SANDAG Board of Directors finds that the Refined Build Alternative is not anticipated to result in significant impacts to religious facilities (e.g., churches, temples). Further, the Refined Build Alternative would not impede access to religious facilities or require property acquisition that would alter the use of any land by a religious institution. No sacred sites have been identified within the study area. Therefore, the Refined Build Alternative would result in less-than-significant impacts.

For a more detailed discussion of project impacts and a description of project measures to avoid or minimize impacts, refer to Section 4.2 of the Final SEIS/SEIR, and the *Mid-Coast Corridor Transit Project Social, Community, and Neighborhood Impacts Technical Report* (SANDAG, 2014).

**CN 3-6: Cumulative Community and Neighborhoods Impacts**

The SANDAG Board of Directors finds that the Refined Build Alternative would not result in substantial physical changes within or change the character of a community or neighborhood within the Mid-Coast Corridor. The Refined Build Alternative, along with the anticipated transportation projects identified in the 2030 RTP, would reduce traffic congestion in the region and improve air quality, thus benefitting the region. The Refined Build Alternative would contribute to these beneficial community and neighborhood impacts. As a result, the Refined Build Alternative would not cause or contribute to a cumulatively significant community and neighborhood impact.

**D. SOCIOECONOMIC AND FISCAL IMPACTS (FINAL SEIS/SEIR SECTION 4.3)****SF 3-1: Would the project displace substantial numbers of people or dwelling units necessitating the construction of replacement housing elsewhere?**Findings and Rationale

The SANDAG Board of Directors finds that the Refined Build Alternative would not displace substantial numbers of people or dwelling units necessitating the construction of replacement housing elsewhere. The Refined Build Alternative would require full and partial acquisitions of approximately 20.6 acres of property. A majority of these acquisitions consist of vacant land, unoccupied property, or publicly owned land; no dwelling units would be displaced. Therefore, the project would not displace a substantial number of people or dwelling units, or necessitate the construction of replacement housing. The Refined Build Alternative would require the displacement of one business that employs approximately 25 people. The property and business owners affected by such displacement would be compensated by adherence with the Uniform Act, the California Act, and SANDAG Board Policy No. 021. Therefore, the Refined Build Alternative would result in less-than-significant impacts.

For a more detailed discussion of project impacts and a description of project measures to avoid or minimize impacts, refer to Section 4.3 of the Final SEIS/SEIR and the *Mid-Coast Corridor Transit Project Property Acquisitions Impacts Technical Report* (SANDAG, 2014).

### **SF 3-2: Cumulative Socioeconomic and Fiscal Impacts**

The SANDAG Board of Directors finds that the Refined Build Alternative would not create or add to significant socioeconomic or fiscal impacts. Because the project alignment is largely within existing right-of-way, property acquisitions would be minimal and property acquisitions from other projects or developments are not anticipated to combine to create significant impacts. As a result, the Refined Build Alternative would not cause or contribute to a cumulatively significant socioeconomic or fiscal impact.

## **E. VISUAL RESOURCES AND AESTHETICS (FINAL SEIS/SEIR SECTION 4.4)**

### **V 3-1: Would the project substantially block a view of the coast and from the coast through a designated public view corridor as shown in an adopted community plan, the General Plan, or the Local Coastal Program?**

#### Findings and Rationale

The SANDAG Board of Directors finds that the Refined Build Alternative would not substantially block views of the coast and from the coast through a designated public view corridor, as shown in an adopted community plan, the General Plan, or the Local Coastal Program.

A portion of the Refined Build Alternative is located adjacent to Mission Bay and would include new rail lines, ballast, retaining walls, grading, and catenaries in this location. The Balboa Avenue Station and associated improvements also are located near Mission Bay. Although these facilities would be visible from Morena Boulevard, the view would not be dramatically altered with respect to the visual character or quality of the viewing scene. The facilities would not obstruct views of the bay from the existing residential areas along the east side of Morena Boulevard. In addition, the Balboa Avenue Station and associated improvements would not block existing views of Mission Bay from the surrounding area.

At UCSD, the elevated structure would introduce a new visual element that would affect the physical and visual character of the adjacent Matthews Apartments and would obstruct west-facing views; however, as these views are not of the coast or of public view corridors, the impact is not significant. Therefore, the Refined Build Alternative would result in less-than-significant impacts.

For a more detailed discussion of project impacts and a description of project measures to avoid or minimize impacts, refer to Section 4.4 of the Final SEIS/SEIR and the *Mid-Coast Corridor Transit Project Visual Impacts Technical Report* (SANDAG, 2014).

***V 3-2: Would the project substantially block a view from a public viewing area of a public resource (such as the ocean) that is considered significant by the applicable community plan?***

Findings and Rationale

The SANDAG Board of Directors finds that the Refined Build Alternative would not substantially block a view from a public viewing area of a public resource that is considered significant by the applicable community plan.

The Refined Build Alternative would not block views to the ocean or other public resources. The project would partially obstruct views of local landmarks (the Church of Jesus Christ Latter Day Saints San Diego Temple [Mormon Temple] and the Hyatt Regency Aventine Hotel) from I-5, the La Jolla Village Square surface parking lots, adjacent roads, walkways, and outdoor dining areas. However, these landmarks are not identified as significant public visual resources by the local community plan and would still be visible from the affected areas. Therefore, the Refined Build Alternative would result in less-than-significant impacts.

For a more detailed discussion of project impacts and a description of project measures to avoid or minimize impacts, refer to Section 4.4 of the Final SEIS/SEIR and the *Mid-Coast Corridor Transit Project Visual Impacts Technical Report* (SANDAG, 2014).

***V 3-3: Would the project strongly contrast with the surrounding development or natural topography through excessive height, bulk, signage, or architectural projections?***

Findings and Rationale

*Aerial Structure over Interstate 5*

The SANDAG Board of Directors finds that the aerial structure over I-5 south of Nobel Drive would not strongly contrast with the surrounding development or natural topography through excessive height, bulk, signage, or architectural projections. Visual impacts related to the aerial structure as it crosses I-5 are considered less than significant because of the expected low level of view contrast, low sensitivity to change, the location of the impact within the I-5 corridor, the presence of bridges and similar structures throughout the I-5 corridor, and the limited duration of viewer exposure. Therefore, the Refined Build Alternative would have a less-than-significant impact.

*Smaller Retaining and Sound Walls and Walls that are Only Partially Visible*

The SANDAG Board of Directors finds that with the exception of the seven retaining walls and one sound wall discussed in Section IV.B of these Findings, the project retaining and sound walls would not strongly contrast with the surrounding development or natural topography through excessive height, bulk, signage, or architectural projections. Visual impacts related to these retaining and sound walls are considered less than significant because they would be partially visible, would have relatively few viewers, and/or would result in a lower view contrast than the extensive landform changes that would otherwise be required. Therefore, the Refined Build Alternative would have a less-than-significant impact.



For a more detailed discussion of project impacts and a description of project measures to avoid or minimize impacts, refer to Sections 4.4 of the Final SEIS/SEIR and the *Mid-Coast Corridor Transit Project Visual Impacts Technical Report* (SANDAG, 2014).

***V 3-4: Would the project significantly alter the natural landform in a manner that substantially degrades the visual character of the surrounding area?***

Findings and Rationale

The SANDAG Board of Directors finds that the Refined Build Alternative would not significantly alter the natural landform in a manner that substantially degrades the visual character of the surrounding area. The Refined Build Alternative would not disturb steep hillsides and would not result in major topographic changes. The project design does not include mass terracing of natural slopes with cut or fill slopes to construct flat-pad structures. Therefore, the Refined Build Alternative would result in less-than-significant impacts.

For a more detailed description of project impacts and a description of project measures to avoid or minimize impacts, refer to Section 4.4 of the Final SEIS/SEIR and the *Mid-Coast Corridor Transit Project Visual Impacts Technical Report* (SANDAG, 2014).

***V 3-5: Would the project substantially degrade the existing visual character or quality of the site and its surroundings?***

Findings and Rationale

The SANDAG Board of Directors finds that the Refined Build Alternative would not substantially degrade the existing visual character or quality of the site and its surroundings (with the exception of the loss of trees and vegetation discussed in Section IV.B of these Findings). The Refined Build Alternative is generally located within a transportation corridor and would not create a disorganized appearance. The project elements are visually well organized, consisting generally of very simple and well-designed forms and surface treatments. The project has and will be designed, engineered, and planned by engineers, architects, landscape architects, and planners, all with the intent to provide a positive design aesthetic while minimizing impacts to the environment and meeting the project's purpose and need. Therefore, the Refined Build Alternative would result in less-than-significant impacts.

Refer to Section IV.B of these Findings for a discussion of the impacts related to the loss of trees and vegetation under this threshold.

For a more detailed discussion of project impacts and a description of project measures to avoid or minimize impacts, refer to Section 4.4 of the Final SEIS/SEIR and the *Mid-Coast Corridor Transit Project Visual Impacts Technical Report* (SANDAG, 2014).

***V 3-6: Would the project emit or reflect a significant amount of light and glare that would adversely affect day or nighttime views in the area?***

Findings and Rationale

The SANDAG Board of Directors finds that the Refined Build Alternative would not emit or reflect a significant amount of light and glare that would adversely affect day or nighttime views in the area. At project stations and station areas, the Refined Build Alternative would adhere to design standards and project measures such that exterior lighting would be directed down and would minimize light trespass or spillover into sensitive areas. The low level of lighting that would be visible from off-site locations would blend with the overall ambient glow that is associated with the immediate urban environment. Therefore, the Refined Build Alternative would result in less-than-significant impacts.

For a more detailed discussion of project impacts and a description of project measures to avoid or minimize impacts, refer to Section 4.4 of the Final SEIS/SEIR and the *Mid-Coast Corridor Transit Project Visual Impacts Technical Report* (SANDAG, 2014).

***V 3-7: Cumulative Visual Resources and Aesthetics Impacts***

The SANDAG Board of Directors finds that the Refined Build Alternative would not result in any significant cumulative visual impacts.

Visual impacts associated with the Refined Build Alternative could contribute to the cumulative visual impacts of several proposed projects, including the I-5 high occupancy vehicle lanes, the Voigt Drive direct-access ramps (DARs), the Gilman Drive Bridge north of the VA Medical Center, and the expansion of the Westfield UTC shopping center. The projects within the I-5 corridor (HOV lanes, Voigt Drive DARs, and Gilman Drive Bridge) would include design treatments that would be comparable to the Mid-Coast Corridor Transit Project. Combined, these projects would not change the overall character of the area. Expansion of the Westfield UTC shopping center would include new residential, employment, and commercial spaces. Impacts from the Westfield UTC shopping center expansion, in conjunction with impacts from the Mid-Coast Corridor Transit Project, would not cumulatively affect the visual environment given the urban and heavily developed context of the area. Therefore, the Refined Build Alternative would not cause or contribute to a cumulatively significant visual or aesthetic impact.

**F. AIR QUALITY (FINAL SEIS/SEIR SECTION 4.5)**

***AQ 3-1: Would the project conflict with or obstruct implementation of the applicable air quality plan?***

Findings and Rationale

The SANDAG Board of Directors finds that the Refined Build Alternative for the Mid-Coast Corridor Transit Project would be consistent with, and would not obstruct implementation of, the applicable air quality plan.

The Mid-Coast Corridor Transit Project is included in the 2030 RTP (SANDAG, 2007), and this plan has been approved by the Federal Highway Administration (FHWA)/FTA as conforming to the State Implementation Plan (SIP), which regulates levels of air quality under the Clean Air Act. The project also is included in the *2010 Regional Transportation Improvement Program* (SANDAG, 2010) as Metropolitan Planning Organization ID# SAN23 and SANDAG ID# 1041501, with the following project description: *"From Old Town Transit Center to University City—11-mile Trolley line with new transit stations proposed at Tecolote Road, Clairemont Drive, Balboa Avenue, University Center Lanes, UCSD West, UCSD East, Executive Drive, and the UTC."* As such, the Refined Build Alternative is a conforming project with the SIP on a regional level. Therefore, the Refined Build Alternative would result in less-than-significant impacts.

For a more detailed discussion of project impacts, refer to Section 4.5 of the Final SEIS/SEIR, and the *Mid-Coast Corridor Transit Project Air Quality Impacts Technical Report* (SANDAG, 2014).

***AQ 3-2: Would the project violate any air quality standard or contribute substantially to an existing or projected air quality violation?***

Findings and Rationale

The SANDAG Board of Directors finds that the Refined Build Alternative would not violate any air quality standard or contribute substantially to any existing or projected air quality violation. The Refined Build Alternative would provide an air quality benefit as it would reduce or have no significant effect on pollutants. Overall, the project is expected to reduce most regional VMT and emissions and, therefore, would have a beneficial impact. On a regional basis, all pollutants except for particulate matter smaller than or equal to 10 microns in diameter (PM<sub>10</sub>) would decrease under the project, as compared to the existing conditions in 2010 and the No-Build Alternative in 2030. PM<sub>10</sub> levels are forecast to increase by approximately 0.4 percent on a regional basis under the Refined Build Alternative. However, Trolley operations in general do not generate PM<sub>10</sub> because they run on electricity and therefore do not generate particulate emissions. Pollutant emission burden calculations are sensitive to small changes in forecast VMT and average speeds. As a result, calculated changes of less than 1 percent fall within the uncertainty of the calculation and are considered to be the same at a regional level. The increase in PM<sub>10</sub> from the Refined Build Alternative is therefore considered negligible.

Currently, air quality in the San Diego region does not meet the following air quality standards: ozone (federal and state standards), PM<sub>10</sub> (state standards), and particulate matter smaller than or equal to 2.5 microns in diameter (PM<sub>2.5</sub>) (state standards). Compared to existing conditions within the study area, the Refined Build Alternative in 2010 would have lower emissions burdens for all pollutants except nitrogen oxides (NO<sub>x</sub>), which is a major contributor to the formation of ozone. The NO<sub>x</sub> pollutant levels would increase by approximately 0.5 percent within the study area; however, the NO<sub>x</sub> pollutant levels would decrease by 0.2 percent within the region. The effect within the study area would decrease over time, with 2030 levels below those of the No-Build Alternative. However, the NO<sub>x</sub> pollutant levels would decrease by 0.2 percent within the region. When compared to existing conditions, all pollutants would decrease under the Refined Build Alternative in 2010 on a regional basis. Moreover, the San Diego Air Basin's latest federal ozone attainment plan (San Diego Air Pollution Control District (SDAPCD), 2007) continues commitments to reducing ozone emissions. Operation of the project would not violate any air quality standards or contribute

substantially to an existing or projected air quality violation. Therefore, the Refined Build Alternative would result in less-than-significant impacts.

For a more detailed discussion of project impacts, refer to Section 4.5 of the Final SEIS/SEIR, and the *Mid-Coast Corridor Transit Project Air Quality Impacts Technical Report* (SANDAG, 2014).

**AQ 3-3: Would the project expose sensitive receptors to substantial pollutant concentrations?**

Findings and Rationale

The SANDAG Board of Directors finds that the Refined Build Alternative would not expose sensitive receptors to substantial pollutant concentrations. Congested intersections could expose sensitive receptors to substantial pollutant concentrations if carbon monoxide (CO) concentrations exceed National Ambient Air Quality Standards (NAAQS), resulting in a CO Hotspot. A CO Hotspot analysis was conducted, and no NAAQS violations are predicted at the intersections representing the maximum project impact level for the Refined Build Alternative. The finding is the same whether the project is considered as an addition to the existing transportation system in 2010 or as it would operate in 2030. Therefore, the Refined Build Alternative would result in less-than-significant impacts.

For a more detailed discussion of project impacts, refer to Section 4.5 of the Final SEIS/SEIR, and the *Mid-Coast Corridor Transit Project Air Quality Impacts Technical Report* (SANDAG, 2014).

**AQ 3-4: Would the project create objectionable odors affecting a substantial number of people?**

Findings and Rationale

The SANDAG Board of Directors finds that the Refined Build Alternative would not result in objectionable odors affecting a substantial number of people. The Trolley system would operate on electric power and would not produce odors. Therefore, the Refined Build Alternative would result in less-than-significant impacts.

For a more detailed discussion of project impacts, refer to Section 4.5 of the Final SEIS/SEIR, and the *Mid-Coast Corridor Transit Project Air Quality Impacts Technical Report* (SANDAG, 2014).

**AQ 3-5: Cumulative Air Quality Impacts**

The SANDAG Board of Directors finds that the Refined Build Alternative would not result in cumulatively significant air quality impacts. The analysis for the Refined Build Alternative included forecasts for future growth in population, employment, and travel within the region. The analysis, therefore, assumed the future air quality impacts from all past, present, and reasonably foreseeable future projects. Operational activity associated with the Refined Build Alternative is not predicted to measurably increase regional emissions. The Refined Build Alternative would have lower emissions burdens for all pollutants in 2030. Therefore, air quality would be better in 2030 with the Refined Build Alternative than without. On a regional basis, all pollutants would decrease under the Refined Build Alternative as compared to the No-Build Alternative, except for PM<sub>10</sub>, which would increase by less than 1 percent. This

increase in PM<sub>10</sub> is extremely small and within the uncertainty of the calculation; therefore, it is not considered to be substantial or significant on a cumulative basis. San Diego County is a state non-attainment area for ozone, PM<sub>10</sub>, and PM<sub>2.5</sub>. Therefore, because the project is in a non-attainment area, operation of the project would contribute to cumulative non-attainment of PM<sub>10</sub>, but the project's contribution is not cumulatively considerable because the long-term contribution is negligible on a regional basis. Operational activity would result in cumulative beneficial air quality impacts for all criteria pollutants except PM<sub>10</sub>, and would not cause or contribute to cumulatively significant air impacts.

## **G. CLIMATE CHANGE (FINAL SEIS/SEIR SECTION 4.6)**

### ***CC 3-1: Would the project generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment?***

#### Findings and Rationale

The SANDAG Board of Directors finds that the Refined Build Alternative would not generate greenhouse gas (GHG) emissions, either directly or indirectly, that may have a significant impact on the environment. The Refined Build Alternative would have lower roadway-related GHG emissions on a regional level as a result of projected decreases in VMT with the project, either compared to existing conditions or the No-Build Alternative in 2030. GHG emissions due to the increased energy requirements of the Trolley would increase GHG emissions at both the study area and regional levels, as compared to existing conditions. This increase is offset by the decrease in roadway-related GHG emissions, resulting in a net overall decrease in total GHG emissions for the project. This would be a beneficial effect on GHG emissions in both the near-term and long-term. Therefore, the Refined Build Alternative would result in less-than-significant impacts.

For a more detailed discussion of project impacts, refer to Sections 4.5 and 4.6 of the Final SEIS/SEIR, and the *Mid-Coast Corridor Transit Project Air Quality Impacts Technical Report* (SANDAG, 2014).

### ***CC 3-2: Would the project conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions?***

#### Findings and Rationale

The SANDAG Board of Directors finds that the Refined Build Alternative would be consistent with the applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions, including the policies in the 2030 RTP and 2050 RTP that are designed to reduce GHG emissions. Both the 2030 RTP and the 2050 RTP have been found to be consistent with the SIP. The EIRs for the 2030 RTP and 2050 RTP both identified cumulative climate change impacts due to future growth in the region, which would increase GHG emissions. However, the Refined Build Alternative would be beneficial because it would reduce GHG emissions and associated climate change impacts.

For a more detailed discussion of project impacts, refer to Sections 4.5 and 4.6 of the Final SEIS/SEIR, and the *Mid-Coast Corridor Transit Project Air Quality Impacts Technical Report* (SANDAG, 2014).

### **CC 3-3: Cumulative Climate Change Impacts**

The SANDAG Board of Directors finds that the Refined Build Alternative would not result in cumulatively significant GHG impacts. The analysis for the Refined Build Alternative included forecasts for future growth in population, employment, and travel within the region. The analysis, therefore, assumed the future GHG impacts from all past, present, and reasonably foreseeable future projects. Although GHG emissions are forecast to increase in the region by 2030 due to growth in the region, GHG emissions would be less in 2030 with the Refined Build Alternative than without. The projected GHG emissions are predicted to decrease compared to the No-Build Alternative due to decreases in VMT associated with the project, resulting in beneficial climate change effects. Therefore, the Refined Build Alternative would not cause or contribute to a cumulatively significant GHG impact.

## **H. NOISE AND VIBRATION (FINAL SEIS/SEIR SECTION 4.7)**

### ***N 3-1: Would the project expose people to noise levels that exceed the city's adopted noise ordinance or expose existing land uses to noise levels that are considered incompatible under the city's Noise Land Use Compatibility Chart?***

#### Findings and Rationale

The SANDAG Board of Directors finds that the Refined Build Alternative for the Mid-Coast Corridor Transit Project would not expose people to noise levels that exceed the city's adopted noise ordinance or expose existing land uses to noise levels that are considered incompatible under the city's Noise Land Use Compatibility Chart. A noise analysis was conducted for each sensitive receiver in the vicinity of the planned TPSS units. No stationary source noise impacts caused by TPSS units would occur with the Refined Build Alternative. As a result, stationary source noise levels would be consistent with the applicable noise ordinance or and the Noise Land Use Compatibility Chart, and the Refined Build Alternative would result in less-than-significant impacts.

For a more detailed discussion of project impacts and a description of project measures to avoid or minimize impacts, refer to Section 4.7 of the Final SEIS/SEIR, and the *Mid-Coast Corridor Transit Project Noise and Vibration Impacts Technical Report* (SANDAG, 2014).

### ***N 3-2: Would the project expose people to future transportation noise levels that exceed FTA Guidance Manual definition of severe impacts?***

#### Findings and Rationale

The SANDAG Board of Directors finds that the Refined Build Alternative would not exceed the FTA Guidance Manual definition of severe noise impacts at any location in the project corridor between the Santa Fe Depot and the OTTC. Therefore, the Refined Build Alternative would result in less-than-significant impacts at these locations. For a more detailed discussion of project impacts and a description of project measures to avoid or minimize impacts, refer to

Section 4.7 of the Final SEIS/SEIR, and the *Mid-Coast Corridor Transit Project Noise and Vibration Impacts Technical Report* (SANDAG, 2014).

***N 3-3: Would the project expose people to future transportation noise levels that exceed the Caltrans Noise Protocol definition of a substantial noise increase, which is at least 12 dBA over existing conditions?***

Findings and Rationale

The SANDAG Board of Directors finds that the Refined Build Alternative would not increase noise levels by 12 or more A-weighted decibels (dBA) over existing conditions at any location and the Mid-Coast Corridor Transit Project would not exceed the Caltrans Noise Protocol definition of a substantial noise increase. Therefore, the Refined Build Alternative would result in less-than-significant impacts.

For a more detailed discussion of project impacts and a description of project measures to avoid or minimize impacts, refer to Section 4.7 of the Final SEIS/SEIR, and the *Mid-Coast Corridor Transit Project Noise and Vibration Impacts Technical Report* (SANDAG, 2014).

***N 3-4: Cumulative Noise and Vibration Impacts***

The SANDAG Board of Directors finds that the Refined Build Alternative would not result in any significant cumulative noise or vibration impacts.

Noise levels decrease as the distance from the noise source to the receiver increases. Therefore, only noise sources in the immediate vicinity of the alignment would have the potential to combine with the Refined Build Alternative to cause a cumulative noise impact. Other foreseeable development that could contribute to cumulative noise levels would be more distant and attenuated from the project, and as such, less likely to result in combined noise impacts. Although the 2030 RTP EIR found that implementation of future transportation networks described in the 2030 RTP would result in significant cumulative noise impacts, the project's contribution to this cumulative contribution is not cumulatively considerable, as the major source of future noise impacts is roadway vehicle noise, not LRT noise. Double-tracking of the LOSSAN tracks would result in an increase in the frequency of train passbys, which could increase noise near sensitive receivers; however, the Refined Build Alternative would not result in a potentially significant noise impact in this area and thus would not contribute to a cumulative noise impact.

All impacts from the Mid-Coast Corridor Transit Project would be mitigated to below significance. Furthermore, other projects would be required to undergo appropriate approval processes to minimize the potential for incompatible noise and vibration environments. Therefore, to the extent that any cumulatively significant noise impact would occur, the Refined Build Alternative's contribution would not be cumulatively considerable.

Vibration levels also dissipate quickly as the distance from the source to the receiver increases. Foreseeable future projects that could add to the vibration events caused by the Refined Build Alternative are located adjacent to the alignment. Double tracking of the LOSSAN tracks would increase the frequency of service of the COASTER and, therefore, increase the number of vibration events within the corridor. According to the FTA *Transit Noise and Vibration*

*Impact Assessment* guidance, locomotive powered passenger or freight activity generates substantially greater vibration levels than light rail vehicles. Thus, if locomotive-powered trains and light rail trains were to pass each other, the vibration level associated with the locomotive trains would mask the lesser vibration level generated by the project rather than create additional vibration. Therefore, the project would not result in a cumulative contribution to a vibration impact.

In addition, a long-term source of vibration in the immediate project area under the cumulative scenario would be traffic. However, rubber-tired vehicles typically do not generate perceptible vibration levels, and cumulative traffic vibration levels would not measurably add to rail vibration and generate an impact.

Therefore, the Refined Build Alternative would not cause or considerably contribute to a cumulatively significant noise or vibration impact.

## **I. ECOSYSTEMS AND BIOLOGICAL RESOURCES (FINAL SEIS/SEIR SECTION 4.8)**

***Bio 3-1: Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as being a candidate, sensitive, or special-status species in the MSCP or other local or regional plans, policies, or regulations, or by the CDFW or the USFWS?***

### Findings and Rationale

#### *Special Status Plants*

The SANDAG Board of Directors finds that the Refined Build Alternative would not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as being a candidate, sensitive, or special-status species in the MSCP or other local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife (CDFW) or U.S. Fish and Wildlife Service (USFWS).

No plant species listed or proposed as federally threatened or endangered were found during the focused surveys, and none are expected to occur in the study area. In addition, no critical habitat for plant species listed as federally threatened or endangered occurs in the study area.

The Refined Build Alternative would result in impacts to four special-status plant species. However, long-term impacts would be less than significant because of one of the following reasons: the species has a low level of rarity, impacts to the species would be minimal, and/or potentially suitable habitat that would be affected is of marginal quality to support the species. Therefore, the Refined Build Alternative would result in less-than-significant impacts regarding special-status plants.

For a more detailed discussion of project impacts and a description of project measures to avoid or minimize impacts, refer to Section 4.8 of the Final SEIS/SEIR and the *Mid-Coast Corridor Transit Project Biological Resources Technical Report* (SANDAG, 2014).



***Bio 3-2: Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, including linkages identified in the MSCP, or impede the use of native wildlife nursery sites?***

Findings and Rationale

The SANDAG Board of Directors finds that the Refined Build Alternative would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, including linkages identified in the MSCP, or impede the use of native wildlife nursery sites.

Rose Creek and the San Diego River are identified as Biological Cores and Linkages in the city's MSCP Subarea Plan. Within the project area, Rose Creek functions as a local, but not regional, wildlife corridor. The San Diego River area functions as a regional wildlife corridor and habitat linkage. The portions of the Refined Build Alternative that are parallel to or that traverse these resources are primarily within the existing MTS right-of-way. Impacts of the Refined Build Alternative along portions of Rose Creek would be limited to the loss of narrow slivers of riparian habitat within and immediately adjacent to the existing MTS right-of-way. Although a concrete-lined open channel portion of Rose Creek would be replaced with a narrower version, it would be designed so as to continue to provide for local wildlife movement; therefore, the long-term function of Rose Creek as a local wildlife corridor would not be significantly affected. Impacts from the project within the San Diego River would be limited to the loss of not more than 0.01 acre of native riparian habitat associated with the installation of concrete piers for the proposed bridge crossing. As a result, the function of the San Diego River as a local wildlife corridor is unlikely to be significantly affected in the long-term. Therefore, the Refined Build Alternative would result in less-than-significant impacts.

For a more detailed discussion of project impacts and a description of project measures to avoid or minimize impacts, refer to Section 4.8 of the Final SEIS/SEIR and the *Mid-Coast Corridor Transit Project Biological Resources Technical Report* (SANDAG, 2014).

***Bio 3-3: Would the project conflict with the provisions of an adopted habitat conservation plan, natural conservation community plan, or other approved local, regional, or state habitat conservation plan, either within the MSCP area or in the surrounding region?***

Findings and Rationale

The SANDAG Board of Directors finds that the Refined Build Alternative would be consistent with the provisions of an adopted habitat conservation plan, natural conservation community plan, or other approved local, regional, or state habitat conservation plan within the MSCP area or in the surrounding region.

The Refined Build Alternative would not represent the expansion of existing—or the introduction of new—land uses within the MHPA. In addition, the Refined Build Alternative would comply with the applicable management guidelines provided in the *Marian Bear Memorial Park Natural Resources Management Plan* (NRMP) (City of San Diego, 1994) and the *Draft Final San Diego River NRMP* (City of San Diego, 2006), to be consistent with the regional conservation

objectives of the MSCP. Project mitigation measures are also consistent with the MSCP. Therefore, the Refined Build Alternative would result in less-than-significant impacts.

For a more detailed discussion of project impacts and a description of project measures to avoid or minimize impacts, refer to Section 4.8 of the Final SEIS/SEIR and the *Mid-Coast Corridor Transit Project Biological Resources Technical Report* (SANDAG, 2014).

***Bio 3-4: Would the project introduce land use within an area adjacent to the MHPA that would result in adverse edge effects?***

Findings and Rationale

The SANDAG Board of Directors finds that the Refined Build Alternative would not result in adverse edge effects. The project would not introduce new land uses within or adjacent to the MHPA. Because the project would remain within the existing MTS right-of-way, portions of the MHPA are already subject to edge effects that may include noise and lighting associated with current rail service operations. Lighting would occur at stations and other facilities that are generally not located next to habitat areas. Ambient noise levels within the corridor are relatively high due to the presence of the I-5 freeway. As a result, noise and light from the project are not expected to substantially increase over current conditions. Therefore, the Refined Build Alternative would result in less-than-significant impacts.

For a more detailed discussion of project impacts and a description of project measures to avoid or minimize impacts, refer to Section 4.8 of the Final SEIS/SEIR and the *Mid-Coast Corridor Transit Project Biological Resources Technical Report* (SANDAG, 2014).

***Bio 3-5: Would the project introduce invasive species of plants into a natural open space area?***

Findings and Rationale

The SANDAG Board of Directors find that the Refined Build Alternative would not introduce invasive species of plants into natural open space areas. Landscaping likely would be incorporated at stations and related facilities. However, these locations are not near or adjacent to natural open space areas that would be susceptible to the introduction of invasive plant species. Furthermore, project measures prohibit the use of invasive species or noxious weeds in landscaping. Therefore, the Refined Build Alternative would result in less-than-significant impacts.

For a more detailed discussion of project impacts and a description of project measures to avoid or minimize impacts, refer to Section 4.8 of the Final SEIS/SEIR and the *Mid-Coast Corridor Transit Project Biological Resources Technical Report* (SANDAG, 2014).

***Bio 3-6: Cumulative Ecosystem and Biological Resources Impacts***

The SANDAG Board of Directors finds that the Refined Build Alternative would not result in cumulatively significant biological impacts. The Refined Build Alternative is primarily located within a transportation corridor, does not conflict with the approved habitat conservation plan, and does not result in significant and unavoidable biological impacts. The MSCP was

designed to compensate for the regional loss of biological resources throughout the region. Projects that are consistent with the MSCP mitigation ratios as specified by the Subarea Plan (City of San Diego, 1997) and implementing ordinances (City of San Diego, 2012) are not expected to result in a cumulatively considerable impact for those biological resources adequately covered by the MSCP. The Refined Build Alternative would include mitigation that is consistent with the city's Subarea Plan and, therefore, would reduce the overall biological impacts from the project through the restoration and/or conservation of vegetation communities consistent with the MSCP. Other foreseeable projects also would undergo environmental review and permitting and would be consistent with the MSCP.

Although the San Diego fairy shrimp was observed in the study area, the affected basin is located within the existing MTS right-of-way in an otherwise developed area with limited long-term conservation value for the species. The San Diego fairy shrimp is not covered by the MSCP. With implementation of the proposed mitigation discussed in Section IV.D of these Findings, habitat for San Diego fairy shrimp would be restored in areas with greater long-term conservation value.

Therefore, the project would not cause or contribute to cumulatively significant ecosystem or biological impacts.

## **J. WATER RESOURCES (FINAL SEIS/SEIR SECTION 4.9)**

### ***W 3-1: Would the project comply with the City's Storm Water Standards?***

#### Findings and Rationale

The SANDAG Board of Directors finds that the Refined Build Alternative would be consistent with the City of San Diego's regulatory standards for water quality during planning, design, and construction activities. SANDAG would implement best management practices (BMPs) where site constraints, soil characteristics, and expected pollutants justify their use. General site BMPs and control measures incorporated into the project would include, but not be limited to, project design BMPs, conserving natural areas, protecting slopes and channels, minimizing impervious areas, treatment-control BMPs, vegetated swales and buffers, detention basins, and infiltration basins. The project would incorporate Low Impact Development (LID) and hydromodification approaches into site design and storm-water management to maintain the site's predevelopment runoff rates and volumes. The LID measures and techniques would be selected and implemented depending on site location/size and storm-water treatment needs.

All proposed treatment BMPs, LID, and hydromodification measures would be located within the project study area and would be implemented to target project-specific constituents of concerns. Therefore, the Refined Build Alternative would result in less-than-significant impacts.

For a more detailed discussion of project impacts and a description of project measures to avoid or minimize impacts, refer to Section 4.9 of the Final SEIS/SEIR and the *Mid-Coast Corridor Transit Project Water Impact Analysis Technical Report* (SANDAG, 2014).

***W 3-2: Would the project violate any water quality standards or waste discharge requirements?***

Findings and Rationale

The SANDAG Board of Directors finds that the Refined Build Alternative would be consistent with all water quality standards and waste discharge requirements. Project elements, such as stations, street improvements, and support facilities (e.g., substations and station parking) would create new impervious surfaces where constructed on unimproved lands. The new net impervious area for the Refined Build Alternative is estimated to be approximately 16 to 18 acres for the proposed stations, station parking, bridge and depressed structures, road improvements, and substation facilities associated with the project and design options. BMPs proposed for incorporation into the project in compliance with applicable water quality standards and waste discharge requirements would treat the increased runoff caused by increased impervious surfaces. As a result, no violations of water quality standards or waste discharge requirements would occur. Therefore, the Refined Build Alternative would result in less-than-significant impacts.

For a more detailed discussion of project impacts and a description of project measures to avoid or minimize impacts, refer to Section 4.9 of the Final SEIS/SEIR and the *Mid-Coast Corridor Transit Project Water Impact Analysis Technical Report* (SANDAG, 2014).

***W 3-3: Would the project substantially deplete groundwater supplies or interfere substantially with ground-water recharge such that there would be a net deficit in aquifer volume or a lowering of the local ground-water table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?***

Findings and Rationale

The SANDAG Board of Directors finds that the Refined Build Alternative would not deplete ground-water supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local ground-water table level. Project elements, such as stations, street improvements, and support facilities, would result in new impervious surfaces that could reduce rainwater infiltration and groundwater recharge. The project does not anticipate use or extraction of ground water for operations. Reduction in ground-water recharge along the project alignment would be low because the project elements are located in urban areas and along existing streets where many of the surfaces already are paved or impervious. In addition, extensive storm drainage systems in these areas currently intercept rainfall and runoff waters, thus limiting the amount of ground-water recharge that occurs. In addition, existing storm-water drainage systems do not currently allow for direct percolation within the underlying ground-water basins. Therefore, the Refined Build Alternative would result in less-than-significant impacts.

For a more detailed discussion of project impacts and a description of project measures to avoid or minimize impacts, refer to Section 4.9 of the Final SEIS/SEIR and the *Mid-Coast Corridor Transit Project Water Impact Analysis Technical Report* (SANDAG, 2014).

***W 3-4: Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or off-site?***

Findings and Rationale

The SANDAG Board of Directors finds that the Refined Build Alternative would not alter existing drainage patterns or alter streams or rivers in a manner that would result in substantial erosion or siltation. Although no built structures (e.g., housing, commercial/industrial buildings, etc.) would be modified at any of the bridge sites, portions of the project alignment would be within the 100-year flood zone. Floodwater can cause scour effects, resulting in erosion and sedimentation problems downstream from structures. Scour at the outlet of the open-channel structure at Rose Creek/SR 52 would be prevented by placing riprap aprons or rock slope protection measures. The inlet to the open-channel structure has been designed to prevent velocity acceleration, thereby reducing potential for scour. BMPs for drainage management proposed for incorporation into the project would negate the increase in runoff caused by increased impervious surfaces resulting in increases to erosion or siltation. Therefore, the Refined Build Alternative would result in less-than-significant impacts.

For a more detailed discussion of project impacts and a description of project measures to avoid or minimize impacts, refer to Section 4.9 of the Final SEIS/SEIR and the *Mid-Coast Corridor Transit Project Water Impact Analysis Technical Report* (SANDAG, 2014).

***W 3-5: Would the project substantially alter the existing drainage pattern of the site or area including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?***

Findings and Rationale

The SANDAG Board of Directors finds that the Refined Build Alternative would not alter drainage patterns in a manner that would result in flooding. The proposed storm drainage network has been designed to safely and efficiently convey the anticipated runoff from the 100-year storm event through the study area. Proposed bridge supports on all project bridges have been designed to account for blockage from debris in waterways, thereby reducing obstructions and elevated upstream flood levels. The design of project-specific flood-related features will proceed in accordance with the best available mapping from the Department of Water Resources, the Federal Emergency Management Agency (FEMA), and the U.S. Army Corps of Engineers (USACE). The project design will comply with the requirements of the applicable local flood-control agencies and flood-control design criteria established under applicable local ordinances.

The project would employ post-construction BMPs, LID design features, and hydromodification measures to eliminate increases in surface runoff caused by the project, which could overwhelm existing downstream facilities. These drainage management measures proposed for incorporation into the project would negate the increase in runoff due to impervious surfaces. Therefore, the Refined Build Alternative would result in less-than-significant impacts.

For a more detailed discussion of project impacts and a description of project measures to avoid or minimize impacts, refer to Section 4.9 of the Final SEIS/SEIR and the *Mid-Coast Corridor Transit Project Water Impact Analysis Technical Report* (SANDAG, 2014).

***W 3-6: Would the project create or contribute runoff water that would exceed the capacity of existing or planned storm-water drainage systems or provide substantial additional sources of polluted runoff?***

Findings and Rationale

The SANDAG Board of Directors finds that the Refined Build Alternative would not contribute runoff that would exceed system capacities or cause substantial additional sources of polluted runoff. The proposed storm drainage network has been designed to safely and efficiently convey the anticipated runoff from the 100-year storm event through the study area. BMP management measures would reduce increases in surface runoff to existing downstream facilities. BMPs proposed for incorporation into the project would treat the increased runoff caused by increased impervious surfaces, and avoid substantial additional sources of polluted runoff. Therefore, the Refined Build Alternative would result in less-than-significant impacts.

For a more detailed discussion of project impacts and a description of project measures to avoid or minimize impacts, refer to Section 4.9 of the Final SEIS/SEIR and the *Mid-Coast Corridor Transit Project Water Impact Analysis Technical Report* (SANDAG, 2014).

***W 3-7: Would the project result in discharges into receiving waters listed on the Regional Water Quality Control Board 303(d) Impaired Water Body List?***

Findings and Rationale

The SANDAG Board of Directors finds that the Refined Build Alternative would not result in significant impacts due to discharge into receiving waters listed on the Regional Water Quality Control Board (RWQCB) 303(d) impaired water body list. BMPs incorporated into the project would treat runoff caused by increased impervious surfaces and remove contaminants to the maximum extent practicable, consistent with applicable water quality regulations. All proposed treatment BMPs, LID, and hydromodification measures will be implemented to target project-specific constituents of concerns. Therefore, the Refined Build Alternative would result in less-than-significant impacts.

For a more detailed discussion of project impacts and a description of project measures to avoid or minimize impacts, refer to Section 4.9 of the Final SEIS/SEIR and the *Mid-Coast Corridor Transit Project Water Impact Analysis Technical Report* (SANDAG, 2014).

***W 3-8: Would the project otherwise substantially degrade water quality?***

Findings and Rationale

The SANDAG Board of Directors finds that the Refined Build Alternative would not substantially degrade water quality. BMPs proposed for incorporation into the project would treat the runoff caused by increased impervious surfaces and remove contaminants to the

maximum extent practicable. Therefore, the Refined Build Alternative would result in less-than-significant impacts.

For a more detailed discussion of project impacts and a description of project measures to avoid or minimize impacts, refer to Section 4.9 of the Final SEIS/SEIR and the *Mid-Coast Corridor Transit Project Water Impact Analysis Technical Report* (SANDAG, 2014).

***W 3-9: Would the project place within a 100-year flood hazard area structures that would impede or redirect flood flows?***

Findings and Rationale

The SANDAG Board of Directors finds that the Refined Build Alternative would not place any structures that would impede or redirect flood flows. Portions of the project alignment would be within the 100-year flood zone. The project-related structures (e.g., bridge piers, embankments, and channel modifications) in the floodway could obstruct floodwaters and form a backwater effect, increasing the flood elevation level upstream and in neighboring areas during a major storm event.

Proposed bridge supports on all project bridges have been designed to account for blockage from debris in waterways, thereby reducing obstructions and elevated upstream flood levels. The design of project-specific flood-related features will proceed in accordance with the best available mapping from the Department of Water Resources, FEMA, and USACE. The project design will comply with the requirements of the applicable local flood-control agencies and flood-control design criteria established under applicable local ordinances. Proposed drainage management measures would negate an increase in peak runoff, and proposed structures would not raise the 100-year water surface elevation more than 1 foot. The floodway increase (more than 0 foot) at the San Diego River would not affect existing buildings, structures, or other beneficial uses. Additionally, the project would document any impacts through the FEMA Conditional Letter of Map Revision (CLOMR) approval process, as well as meet the requirements of the San Diego RWQCB, as applicable. Therefore, the structures placed within the floodplain would not impede or redirect flood flows. The Refined Build Alternative would result in less-than-significant impacts.

For a more detailed discussion of project impacts and a description of project measures to avoid or minimize impacts, refer to Section 4.9 of the Final SEIS/SEIR and the *Mid-Coast Corridor Transit Project Water Impact Analysis Technical Report* (SANDAG, 2014).

***W 3-10: Would the project expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam?***

Findings and Rationale

The SANDAG Board of Directors finds that the Refined Build Alternative would not create a risk of loss, injury, or death involving flooding or due to the failure of a levee or dam. The flood-related impacts associated with implementation of the project would not be significant, as the proposed structures and longitudinal encroachments would not raise the 100-year water surface elevations more than 1 foot, and the increase in the floodway would not impact

existing buildings, structures, or other beneficial uses, and would be documented through the FEMA CLOMR approval process, as well as the requirements of the floodplain manager, when applicable.

As Trolleys cross the San Diego River Bridge, there is a potential for additional people to be exposed to risk of flooding as a result of upstream dam failure. However, the potential of dam failure would be extremely low, the duration of exposure would be limited, and the probability of dam failure would be further reduced due to proactive preventative action on the part of the Unified San Diego County Emergency Services Organization and Unified Disaster Council through implementation of the *San Diego County Multi-Jurisdiction Hazard Mitigation Plan* (County of San Diego, 2010). The project would comply with all applicable avoidance, minimization, and mitigation measures of the plan. Therefore, the exposure of structures and people to the consequences of flooding due to a dam or levee failure would result in less-than-significant impacts.

For a more detailed discussion of project impacts and a description of project measures to avoid or minimize impacts, refer to Section 4.9 of the Final SEIS/SEIR and the *Mid-Coast Corridor Transit Project Water Impact Analysis Technical Report* (SANDAG, 2014).

***W 3-11: Would the project expose people or structures to inundation by seiche, tsunami, or mudflow?***

Findings and Rationale

The SANDAG Board of Directors finds that the Refined Build Alternative would not expose people or structures to inundation by seiche, tsunami, or mudflow. The only nearby source for a seiche is Mission Bay, which is 350 to 1,300 feet from the project alignment. Due to the distance between the project alignment and Mission Bay—and given the existing topography—it is unlikely that people, structures, or the project would be exposed to the consequences of a seiche.

Tsunami hazards are low along the project alignment except at the Tecolote Creek Bridge, where the tsunami hazard is considered low-to-moderate because it lies near the edge of the tsunami inundation boundary. The effects of tsunami inundation on the Tecolote Creek Bridge would be addressed in accordance with the Caltrans Memo to Designers 20-13, *Tsunami Hazard Guidelines* (Caltrans, 2010). The following project design measures incorporated into the project and listed below would reduce the hazard associated with the tsunami hazards to a less-than-significant impact: the Tecolote Creek Bridge would be designed in accordance with Caltrans Memo to Designers 20-13, *Tsunami Hazard Guidelines* (Caltrans, 2010). Primary design measures include the use of deep foundations (cast-in-drilled-hole piles) to protect from scour and tie-down anchors to alleviate buoyancy effects.

The probability for the Trolley line to be adversely affected by mudflow (mudslides) over most of the project alignment is considered low or low-to-moderate. Where a potential for mudflow/mudslide exists, the incorporation of the following project measures would reduce the potential for inundation caused by mudflow (mudslide): incorporation of retaining walls, remedial grading, soil nails, soldier pile walls, tiebacks, debris flow walls, and rock bolts, which increase the stability of the slope. These project design measures, or a combination of these



design measures, would reduce the potential damage due to mudslides to less than significant. Therefore, the Refined Build Alternative would result in less-than-significant impacts.

For a more detailed discussion of project impacts and a description of project measures to avoid or minimize impacts, refer to Section 4.9 of the Final SEIS/SEIR and the *Mid-Coast Corridor Transit Project Water Impact Analysis Technical Report* (SANDAG, 2014).

### ***W 3-12: Cumulative Water Resource Impacts***

The SANDAG Board of Directors finds that the Refined Build Alternative would not result in cumulatively significant impacts to water resources. Water quality regulations and general BMPs have been developed by regulatory agencies to reduce cumulative water resource impacts. Compliance with these water quality regulations and implementation of BMPs would reduce cumulative water quality impacts. Without BMPs, the Refined Build Alternative and other foreseeable transportation and urban development projects would increase impervious surface, degrade the quality of surface-water runoff, and negatively affect ground water and floodways. However, the Refined Build Alternative would implement appropriate BMPs. Other projects also would undergo their own environmental review and permitting processes, and BMPs and mitigation measures would be required for these projects to avoid and minimize adverse cumulative impacts. The Refined Build Alternative would not contribute to long-term cumulative impacts on water resources. Therefore, the Refined Build Alternative would not cause or contribute to a cumulatively significant water resource impact.

## **K. HAZARDOUS MATERIALS (FINAL SEIS/SEIR SECTION 4.10)**

### ***Haz 3-1: Would the project result in hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within a quarter-mile of an existing or proposed school?***

#### Findings and Rationale

The SANDAG Board of Directors finds that the Refined Build Alternative would not involve the emission or handling of hazardous materials, substances, or waste within a quarter mile of an existing or proposed school. Ten schools were identified within a quarter mile of the Refined Build Alternative for the project alignment and station areas. Of the ten schools, eight are in close proximity to the existing rail corridor where the Trolley already operates; therefore, the project would be a continuation of an existing use. Project operations and maintenance would not involve regular use of hazardous materials, generate hazardous emissions, or require the handling of hazardous materials, substances, or waste. Therefore, the Refined Build Alternative would result in less-than-significant impacts.

For a more detailed discussion of project impacts, refer to Section 4.10 of the Final SEIS/SEIR, and the *Mid-Coast Corridor Transit Project Hazardous Materials Technical Report* (SANDAG, 2014).

***Haz 3-2: Would the project be located on a site included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or environment?***

Findings and Rationale

The SANDAG Board of Directors finds that the Refined Build Alternative would not be located on a site included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 that may pose a significant hazard to the public or environment. The study area for the Refined Build Alternative alignment includes 35 sites where environmental concerns have been identified. Some of these sites contain registered underground storage tanks, leaking underground storage tanks, and other facilities that fall under Government Code Section 65962.5. Operation and maintenance of the project would not require ground-disturbing or other activities that would expose affected soil and/or ground water. Therefore, the Refined Build Alternative would result in less-than-significant impacts.

For a more detailed discussion of project impacts, refer to Section 4.10 of the Final SEIS/SEIR, and the *Mid-Coast Corridor Transit Project Hazardous Materials Technical Report* (SANDAG, 2014).

***Haz 3-3: Would the project expose people to toxic substances, such as pesticides and herbicides, some of which have long-lasting ability, applied to the soil during previous agricultural uses?***

Findings and Rationale

The SANDAG Board of Directors finds that the Refined Build Alternative would not expose people to toxic substances related to agriculture uses. The Refined Build Alternative would not be located within an area used for agricultural purposes, except where it would span a small urban farm in Pepper Canyon on the UCSD campus; however, the alignment would be elevated over 60 feet at this location, and the area supports organic farming. There would be no exposure to toxic substances, and no potential impacts due to previous use of agricultural-related chemicals. Therefore, the Refined Build Alternative would result in less-than-significant impacts.

For a more detailed discussion of project impacts, refer to Section 4.10 of the Final SEIS/SEIR, and the *Mid-Coast Corridor Transit Project Hazardous Materials Technical Report* (SANDAG, 2014).

***Haz 3-4: Would the project result in excavation, which would disturb contaminated soils, potentially resulting in the migration of hazardous substances?***

Findings and Rationale

The SANDAG Board of Directors finds that the operation and maintenance of the Refined Build Alternative would not result in excavation that would disturb contaminated soils, potentially resulting in the migration of hazardous substances. The Refined Build Alternative would not include ground-disturbing or other activities that would expose contaminated soil and/or ground water that is present at hazardous materials sites. In addition, operation and

maintenance of the project would not disturb contaminated soils that could migrate. Therefore, the Refined Build Alternative would result in less-than-significant impacts.

For a more detailed discussion of project impacts, refer to Section 4.10 of the Final SEIS/SEIR, and the *Mid-Coast Corridor Transit Project Hazardous Materials Technical Report* (SANDAG, 2014).

### ***Haz 3-5: Cumulative Hazardous Materials Impacts***

The SANDAG Board of Directors finds that the Refined Build Alternative would not result in cumulatively significant impacts related to exposure to hazardous materials. Operations and maintenance of the Refined Build Alternative would not involve regular use or transport of hazardous materials and, thus, would not contribute to adverse cumulative impacts related to exposure to hazardous materials. Additionally, future development projects would be subject to the laws and requirements related to hazardous materials and would be required to mitigate any existing or potential hazards to the environment or public that could occur from future development. Therefore, the Refined Build Alternative would not cause or contribute to a cumulatively significant impact related to hazardous materials.

## **L. GEOTECHNICAL AND SEISMIC CONDITIONS (SEIS/SEIR SECTION 4.11)**

### ***G 3-1: Would the project expose people or structures to geologic hazards involving earthquakes, landslides, mudslides, ground failures or similar hazards?***

#### Findings and Rationale

The SANDAG Board of Directors finds that the Refined Build Alternative would not expose people or structures to geologic hazards involving earthquakes, landslides, mudslides, ground failures, or similar hazards. Project measures would be incorporated into the design of the project and would comply with design standards to avoid significant geotechnical, geologic, and seismic impacts to people and structures. To prevent structural collapse, the project would incorporate design standards, including, but not limited to, using a continuous superstructure over intermediate support locations, isolating the superstructure from the substructure, and increasing support widths. Single-column bents are preferred over multicolumn bents to prevent differential displacements. In addition, all project structures would be designed in accordance with current seismic design standards, as found in the California Building Code (CBC) (2010), the latest version of the Caltrans *Seismic Design Criteria* (2010), and Caltrans Memo to Designers 20-10, *Surface Fault Rupture Displacement Hazard Investigations* (Caltrans, 2007). The Refined Build Alternative would result in less-than-significant impacts.

#### *Surface Rupture*

Between Downtown San Diego and the SR 52/I-5 interchange, fault rupture is a hazard. Implementation of project measures would ensure that the project-related exposure of people or structures to hazards associated with fault rupture would be less-than-significant. While faulting is present north of the SR 52/I-5 interchange, this region is not within a recognized area of active faulting, and no active faults have been observed within the project alignment

north of SR 52 in this location. Because of this long period of non-activity, the potential exposure of structures and people to surface fault rupture hazards in the northern section of the project is low. The Refined Build Alternative would result in a less-than-significant impact.

### *Strong Ground Shaking*

Strong seismic shaking from a local event on the Rose Canyon fault or another regional fault is considered a hazard for the project. The proximity of this fault and other nearby active faults that are capable of generating large magnitude earthquakes means that strong ground shaking could adversely affect project-related structures. The project design measures incorporated into the project would reduce the hazard associated with the exposure of people and structures to a strong seismic event along the project alignment to less than significant.

### *Landslides and Mudslides*

The potential for a landslide would be low, and the resulting exposure of structures and people to the consequences of a landslide would be less than significant. Slope stability and the resulting mudslide is a potential hazard along several segments of the project alignment. North of Clairemont Drive to the Rose Creek South Bridge, slope stability hazard is considered a moderate risk. Segments with low-to-moderate risk extend from the Rose Creek South Bridge to Gilman Drive; north of Gilman Drive to the UCSD West Station; and from the UCSD West Station to the I-5 crossing. Methods that could be used to reduce the impacts of slope stability include, but are not limited to, retaining walls, remedial grading, soil nails, soldier pile walls, tiebacks, debris flow walls, and rock bolts, which increase the stability of the slope. These project design measures, or a combination thereof, would reduce the potential risk of damage to structures and exposure of people to harm to less than significant. Therefore, the Refined Build Alternative would result in less-than-significant impacts.

For a more detailed discussion of project impacts and a description of project measures to avoid or minimize impacts, refer to Section 4.11 of the Final SEIS/SEIR and the *Mid-Coast Corridor Transit Project Geotechnical, Geologic, and Seismic Impacts Technical Report* (SANDAG, 2014).

### **G 3-2: Would the project be inundated by seiche, tsunami, or mudflow?**

#### Findings and Rationale

The SANDAG Board of Directors finds that the Refined Build Alternative would not expose people or structures to inundation by seiche, tsunami, or mudflow; therefore, the project would result in less-than-significant impacts. Refer to W 3-11 for a detailed discussion of impacts due to seiche, tsunami, or mudflow.

For a more detailed discussion of project impacts and a description of project measures to avoid or minimize impacts, refer to Section 4.11 of the Final SEIS/SEIR and the *Mid-Coast Corridor Transit Project Geotechnical, Geologic, and Seismic Impacts Technical Report* (SANDAG, 2014).

***G 3-3: Would the project result in a substantial increase in wind or water erosion of soils, either on or off the site?***

Findings and Rationale

The SANDAG Board of Directors finds that the Refined Build Alternative would not result in a substantial increase in wind or water erosion of soils. The project would conform to standards for soil conservation during planning, design, and construction activities (*National Engineering Handbook* (Natural Resources Conservation Service, 1983) Sections 2.0 and 3.0) during grading and construction to limit soil erosion, including the use of BMPs. Project design measures, including BMPs would be incorporated into the project to reduce the risk of soil erosion to less than significant. Therefore, the Refined Build Alternative would result in less-than-significant impacts.

For a more detailed discussion of project impacts and a description of project measures to avoid or minimize impacts, refer to Section 4.11 of the Final SEIS/SEIR and the *Mid-Coast Corridor Transit Project Geotechnical, Geologic, and Seismic Impacts Technical Report* (SANDAG, 2014).

***G 3-4: Would the project be located on a geologic unit or soil that is unstable or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?***

Findings and Rationale

The SANDAG Board of Directors finds that the Refined Build Alternative would not result in significant impacts due to soil that is unstable or that would become unstable resulting in a potential landslide, lateral spreading, subsidence, liquefaction, or collapse.

*Liquefaction and Seismic Settlement*

Liquefaction and seismic settlement hazards exist near the project alignment. However, project design features incorporated into the Refined Build Alternative would reduce the potential impacts of liquefaction and seismic settlement to less than significant.

*Lateral Spreading*

In the southern section of the proposed extension, lateral spreading associated with liquefaction is a potential impact in several areas of the Rose Canyon drainage basin where the project alignment is close to the banks of the creek. The closest area is the section between the Rose Creek South and Rose Creek North Bridges. Liquefaction-induced lateral spreading displacements could damage or destroy structures and harm people. However, project design features incorporated into the project would reduce the potential risk of lateral spreading to less than significant. The Refined Build Alternative would result in less-than-significant impacts.

### *Landslides, Mudslides, and Slope Stability*

The potential for a landslide would be low, and the resulting exposure of structures and people to the consequences of a landslide would be considered a less-than-significant impact. Refer to G 3-1 for a detailed discussion of impacts due to landslides, mudslides, and slope stability.

### *Compressible Soils*

Compressible soils are likely to exist in the portion of the project extending from Washington Street to Morena Boulevard and from the Rose Creek South Bridge to Gilman Drive, with isolated zones extending from Morena Boulevard to Clairemont Drive. However, project design features would be incorporated into the Refined Build Alternative and would reduce the hazard to structures and people associated with compressible soils to less than significant.

### *Subsidence*

Subsidence is not considered a hazard along the project alignment because no large-scale ground-water pumping occurs within the region, and the study area has no known petroleum resources. The Refined Build alternative would result in a less-than-significant impacts.

### *Corrosive Soils*

Corrosive soils are expected to occur at various locations near the project alignment. From Downtown San Diego to Gilman Drive, soils have a low-to-moderate potential for corrosion. North of Gilman Drive, the potential for corrosion is considered moderate and possibly high in some areas. However, project design features would be incorporated into the Refined Build Alternative and would reduce the hazards to structures and people associated with corrosive soils at various locations along the project alignment to less than significant.

### *Expansive Soils*

Expansive soils are likely to be encountered in an isolated area just north of the Tecolote Road Station and could be encountered between SR 52 and Gilman Drive and extending to the UCSD West Station in areas of soil with high clay content. However, project design features would be incorporated into the Refined Build Alternative and would reduce the hazards to structures and people associated with expansive soils along the project alignment to less than significant.

For a more detailed discussion of project impacts and a description of project measures to avoid or minimize impacts, refer to Section 4.11 of the Final SEIS/SEIR and the *Mid-Coast Corridor Transit Project Geotechnical, Geologic, and Seismic Impacts Technical Report* (SANDAG, 2014).

### **G 3-5: Cumulative Geotechnical and Seismic Conditions Impacts**

The SANDAG Board of Directors finds that the Refined Build Alternative would not result in cumulatively significant geotechnical, geologic, or seismic impacts. The Refined Build Alternative would be designed to protect public safety and would incorporate project measures to avoid adverse geotechnical impacts on people and structures and, thus, would not

contribute to significant cumulative geotechnical, geologic, or seismic impacts. Additionally, future development along the corridor would be subject to development and building standards designed to protect public safety in accordance with state and local laws and codes. Therefore, the Refined Build Alternative would not cause or contribute to cumulatively significant geotechnical, geologic, or seismic impacts.

## **M. ENERGY (FINAL SEIS/SEIR SECTION 4.12)**

***E 3-1: Would the project place a substantial demand on the regional energy supply or require significant additional capacity, or significantly increase peak- and base-period electricity demand?***

### Findings and Rationale

The SANDAG Board of Directors finds that the Refined Build Alternative would not place a substantial demand on the regional energy supply, require significant additional capacity, or significantly increase peak- and base-period electricity demand.

When compared to existing conditions, the project would result in a 0.6-percent reduction in energy usage in the study area and a 0.2-percent reduction in the region. Therefore, the overall impact of the Refined Build Alternative for the Mid-Coast Corridor Transit Project on energy consumption compared to existing conditions would be modest but beneficial.

In 2030, the Refined Build Alternative is expected to require approximately 51 megawatt hours of LRT electrical energy above the current usage by LRT, or approximately 54 megawatt hours of LRT electrical energy demand above the No-Build Alternative. Under existing conditions, the demand for electrical energy in San Diego County is about 19 billion kilowatt-hours. Because the demand of the project for electrical energy is a small fraction of the regional energy use, the project would not cause a significant effect to the supply of electric power and would not require construction of new electrical substations. The demand of the Refined Build Alternative of the Mid-Coast Corridor Transit Project for electrical energy would be less than 0.0001 percent of the regional energy use. Therefore, the Refined Build Alternative would result in less-than-significant impacts.

For a more detailed discussion of project impacts, refer to Section 4.12 of the Final SEIS/SEIR and the *Mid-Coast Corridor Transit Project Energy Impacts Technical Report* (SANDAG, 2014).

### ***E 3-2: Cumulative Energy Impacts***

The SANDAG Board of Directors finds that the Refined Build Alternative would not result in cumulatively significant energy impacts. The Refined Build Alternative is projected to reduce overall energy use and costs in both the study area and the region, as compared to the No-Build Alternative. Additionally, the demand of the project for electrical energy would be less than 0.0001 percent of the regional energy use and the project would not require new electrical substations. Therefore, the Refined Build Alternative would not cause or contribute to a cumulatively significant energy impact.

## **N. SAFETY AND SECURITY (FINAL SEIS/SEIR SECTION 4.13)**

### ***SS 3-1: Would the project substantially limit delivery of community safety services, such as police, fire, or emergency services, to locations along the proposed alignment?***

#### Findings and Rationale

The SANDAG Board of Directors finds that the Refined Build Alternative would not substantially limit delivery of community safety services, such as police, fire, or emergency services to locations along the alignment. The Refined Build Alternative would require the gates at existing grade crossings to be activated more frequently with the additional trains. To minimize the impact of the additional trains, gate down times would be optimized as part of the project for Trolleys at all grade crossings and for the northbound COASTER and Amtrak serving OTTC south of the Taylor Street grade crossing. Traffic mitigation measures (as described in Table 1 in Section IV.A of these Findings) would include optimization of traffic signals and lane modifications at some intersections adjacent to several grade crossings; these measures would reduce vehicular delay. The improved gate operation and the traffic mitigation measures would reduce delay for all vehicles, including emergency service vehicles. Therefore, the Refined Build Alternative would result in less-than-significant impacts.

For a more detailed discussion of project impacts, refer to Section 3.4.2 and 4.13 of the Final SEIS/SEIR and the *Mid-Coast Corridor Transit Project Safety and Security Impacts Technical Report* (SANDAG, 2014).

### ***SS 3-2: Cumulative Safety and Security Impacts***

The SANDAG Board of Directors finds that the Refined Build Alternative would not result in cumulatively significant safety and security impacts. The Refined Build Alternative, when combined with other foreseeable highway and transit improvement projects, would result in lower VMT and more miles traveled by rail. Rail travel is statistically safer than travel on streets and would have a positive impact on safety. Security in the Mid-Coast Corridor would be improved by a project design that incorporates security measures, the use of a dedicated security force, and remote monitoring of the project's facilities. Therefore, the Refined Build Alternative would not cause or contribute to a cumulatively significant safety impact.

## **O. ELECTROMAGNETIC INTERFERENCE (FINAL SEIS/SEIR SECTION 4.14)**

### ***EM 3-1: Cumulative Electromagnetic Interference Impacts***

The SANDAG Board of Directors finds that the Refined Build Alternative would not result in cumulatively significant electromagnetic interference impacts. Impacts related to electromagnetic field (EMF) interference with sensitive equipment are site-specific. Therefore, the geographical area within which cumulative EMF impacts could occur is limited to each project and the directly adjacent areas. Between Nobel Drive and the UTC Transit Center, the project alignment would pass close to facilities with sensitive equipment that requires stability in the magnetic field in the environment and could have an impact on the equipment. Various



mitigation measures are available to cancel or provide passive shielding at receptor locations with equipment sensitive to EMF. These impacts would be localized. No other projects that would generate EMF are planned for this area. Therefore, the Refined Build Alternative would not cause or contribute to a cumulatively significant EMF impact. For a more detailed discussion, refer to the *Mid-Coast Corridor Transit Project Electromagnetic Field Impacts Technical Report* (SANDAG, 2014).

## **P. HISTORIC, ARCHAEOLOGICAL, AND PALEONTOLOGICAL RESOURCES (FINAL SEIS/SEIR SECTION 4.15)**

### ***H 3-1: Would the project cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?***

#### Findings and Rationale

The SANDAG Board of Directors finds that the Refined Build Alternative would not result in a substantial impact on any historical resources. The project would include modifications to existing facilities and the construction of new track and facilities but would not physically alter, relocate, or demolish historic properties located within the architectural Area of Potential Effects (APE). As a result, the Refined Build Alternative would not alter any of the characteristics of these historic properties that qualify them for inclusion in the National Register of Historic Places (NRHP), the California Register of Historical Resources (CRHR), or the City of San Diego Register of Historical Resources (SDRHR) in a manner that would diminish the integrity of their location, design, setting, materials, workmanship, feeling, and association. Therefore, the Refined Build Alternative would result in less-than-significant impacts.

For a more detailed discussion of project impacts, refer to Section 4.15 of the Final SEIS/SEIR, the *Mid-Coast Corridor Transit Project Historic Property Survey and Eligibility Determination Report* (SANDAG, 2013) and the *Mid-Coast Corridor Transit Project Historic Property Effects Report* (SANDAG, 2014).

### ***H 3-2: Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?***

#### Findings and Rationale

The SANDAG Board of Directors finds that the Refined Build Alternative would not cause a change in the significance of known archaeological resources. The Refined Build Alternative would be located within nine previously recorded archaeological sites within the archaeological APE. Further, a pedestrian archaeological survey of the archaeological APE identified and recorded three additional archaeological resources (i.e., two historic sites and one prehistoric isolate).

Of these 12 previously or newly recorded archaeological resources, seven of the archaeological sites (P-37-032491, CA-SDI-20616, CA-SDI-53, CA-SDI-54, CA-SDI-9288, CA-SDI-13761H, and CA-SDI-17689H) have been destroyed or lack integrity for listing in the NRHP, CRHR, or SDRHR. Likewise, the isolated artifact (P-37-032493) is considered a non-significant resource type. Extended Phase I investigations of the remaining four archaeological sites (CA-SDI-41, CA-SDI-

12453/H, CA-SDI-12557, and CA-SDI-12558) confirmed the absence of archeological deposits within the archeological APA. The NRHP/CRHR criteria could not be applied to these sites within the APE as no resources were detected. Consequently, operation and maintenance of the Refined Build Alternative would not physically impact known significant archaeological resources in the Mid-Coast Corridor. The Refined Build Alternative would result in less-than-significant impacts.

For a more detailed discussion of project impacts, refer to Section 4.15 of the Final SEIS/SEIR, the *Mid-Coast Corridor Transit Project Historic Property Survey and Eligibility Determination Report* (SANDAG, 2013) and the *Mid-Coast Corridor Transit Project Historic Property Effects Report* (SANDAG, 2014). Additional information is contained in the confidential *Mid-Coast Corridor Transit Project Archaeological Resources Survey Report* (SANDAG, 2013) and the *Mid-Coast Corridor Transit Project Archaeological Resources Supplemental Research Report* (SANDAG, 2013).

***H 3-3: Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?***

Findings and Rationale

The SANDAG Board of Directors finds that the Refined Build Alternative would not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature. The Refined Build Alternative would be partially located within five paleontologically sensitive geologic units. These are, from oldest to youngest, the Ardath Shale, Scripps, San Diego, Lindavista, and Bay Point Formations. The San Diego Natural History Museum identified 88 recorded locations of fossil finds within one-quarter mile of the project alignment. Each of the five geologic units could yield additional important paleontological resources. However, the routine operation and maintenance of the Refined Build Alternative would not require ground-disturbing activities to physically impact paleontological resources. Therefore, the Refined Build Alternative would result in less-than-significant impacts. For a more detailed discussion of project impacts, refer to Section 4.15 of the Final SEIS/SEIR and the *Mid-Coast Corridor Transit Project Paleontological Survey Report* (SANDAG, 2013).

***H 3-4: Would the project disturb any human remains, including those interred outside of formal cemeteries?***

Findings and Rationale

The SANDAG Board of Directors finds that the Refined Build Alternative would not disturb any human remains, including those interred outside of formal cemeteries. No formal cemeteries were identified in the archaeological APE. A high number of previously recorded archaeological sites within Rose Canyon and in the Old Town San Diego area indicates that ground-disturbing activities have the potential to physically impact human remains. However, the routine operation and maintenance of the Refined Build Alternative would not require ongoing ground-disturbing activities that could physically impact any human remains. Therefore, the Refined Build Alternative would result in less-than-significant impacts.

For a more detailed discussion of project impacts, refer to Section 4.15 of the Final SEIS/SEIR, the *Mid-Coast Corridor Transit Project Historic Property Survey and Eligibility Determination*

Report (SANDAG, 2013) and the *Mid-Coast Corridor Transit Project Historic Property Effects Report* (SANDAG, 2014). Additional information is contained in the confidential *Mid-Coast Corridor Transit Project Archaeological Resources Survey Report* (SANDAG, 2013) and the *Mid-Coast Corridor Transit Project Archaeological Resources Supplemental Research Report* (SANDAG, 2013).

### ***H 3-5: Cumulative Historic, Archaeological, and Paleontological Impacts***

#### *Archaeological Resources*

Extended Phase I investigations verified that the Refined Build Alternative would not result in impacts to any known archaeological resources within the archaeological APE. The Refined Build Alternative assumes that transportation improvements would be limited to improvements planned for and funded as identified in the Revenue Constrained Scenario of the 2030 RTP (SANDAG, 2007), such as the Caltrans I-5 North Coast Corridor Project or double tracking of the existing railroad tracks. However, ground disturbances associated with the Caltrans I-5 North Coast Corridor Project or double tracking also are expected to include similar mitigation measures as the current project, reducing any impacts to less than significant. Therefore, cumulative impacts on archaeological resources are not anticipated, and if such impacts did occur, the project's contribution would not be cumulatively considerable.

#### *Historic Resources*

Projects in the 2030 RTP could result in the alteration, relocation, or demolition of historic properties. These projects include construction of HOV lanes on I-5 from I-8 north to Oceanside with DARs at various locations, of which the DARs at Voigt Drive would be located within the Mid-Coast Corridor, and double tracking of the LOSSAN tracks and other rail improvements. However, the Refined Build Alternative would not physically alter, relocate, or demolish historic properties within the architectural APE. Therefore, the Refined Build Alternative would not cause or contribute to a cumulatively significant impact on historic resources.

#### *Paleontological Resources*

The Refined Build Alternative assumes that transportation improvements would be limited to improvements planned for and funded as identified in the Revenue Constrained Scenario of the 2030 RTP (SANDAG, 2007). Adverse ground-disturbing activities are not expected to occur in relation to the operation of the major projects included in the Revenue Constrained Scenario of the 2030 RTP that are located within the Mid-Coast Corridor. Operation of the projects, as well as other public and private projects associated with regional development and growth, would result in little or no ground disturbance. Further, for each of these projects in the Mid-Coast Corridor, separate paleontological studies would be undertaken, environmental review would be conducted, and avoidance and mitigation measures similar to the recommendations in these Findings would be implemented to reduce the impacts, if any. Therefore, during operation, the Refined Build Alternative would not cause or contribute to cumulatively significant impacts on paleontological resources.

## Q. UTILITIES (FINAL SEIS/SEIR SECTION 4.16)

### ***UT 3-1: Would the project exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?***

#### Findings and Rationale

The SANDAG Board of Directors finds that the Refined Build Alternative would be consistent with all wastewater treatment requirements of the applicable RWQCB. The Refined Build Alternative would generate very minimal amounts of wastewater at transit stations, depending on the final design. The wastewater from the project would be routed to a City of San Diego or UCSD sanitary sewer system and would be treated by a wastewater treatment facility that would be consistent with the wastewater requirements of the applicable RWQCB. Therefore, the Refined Build Alternative would result in less-than-significant impacts. For a more detailed discussion of project impacts, refer to Section 4.16 of the Final SEIS/SEIR.

### ***UT 3-2: Would the project result in a need for new natural gas, water, wastewater, storm drain, communications, electrical supply or solid waste disposal systems, or require substantial alterations to existing utilities, the construction of which would create physical impacts?***

#### Findings and Rationale

The SANDAG Board of Directors finds that the Refined Build Alternative would have nominal requirements for natural gas, water, wastewater, storm drain, communications, and solid waste disposal system needs, which would not exceed the capacity of existing services, and therefore would not require substantial alterations to existing utilities or require construction of new utilities that would create physical impacts. The operation of the Refined Build Alternative would require electrical power. The electrical distribution infrastructure for operation of the project would be constructed as part of the Refined Build Alternative, connecting the project's TPSSs to the existing electrical grid. The environmental impacts of these connections, including the TPSSs, would not cause significant impacts. Refer to E 3-1 for additional information on energy requirements with the project. Modification to existing substations may be required. These modifications would occur within the existing footprint of San Diego Gas & Electric's (SDG&E) electrical substations and would not be substantial. Therefore, the Refined Build Alternative would result in less-than-significant impacts. For a more detailed discussion of project impacts, refer to Section 4.16 of the Final SEIS/SEIR.

### ***UT 3-3: Would the project result in determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?***

#### Findings and Rationale

The SANDAG Board of Directors finds that the Refined Build Alternative would result in a determination that there is adequate wastewater capacity to serve projected demand in addition to existing commitments. The Refined Build Alternative would not exceed regional wastewater treatment requirements or require the construction or expansion of water or

wastewater treatment facilities; therefore, the impact would be less than significant. For a more detailed discussion of project impacts, refer to Section 4.16 of the Final SEIS/SEIR.

***UT 3-4: Would the project be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?***

Findings and Rationale

The SANDAG Board of Directors finds that the Refined Build Alternative would be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs. The Refined Build Alternative would generate nominal amounts of solid waste due to maintenance of transit stations and vehicles. These nominal amounts of trash and other solid wastes generated by the project would not exceed landfill capacity; therefore, the impact would be less than significant. For a more detailed discussion of project impacts, refer to Section 4.16 of the Final SEIS/SEIR.

***UT 3-5: Would the project comply with federal, state, and local statutes and regulations related to solid waste?***

Findings and Rationale

The SANDAG Board of Directors finds that the Refined Build Alternative would be consistent with all federal, state, and local statutes and regulations related to solid waste because the project would comply with all solid waste regulations; therefore, the impact would be less than significant. For a more detailed discussion of project impacts, refer to Section 4.16 of the Final SEIS/SEIR.

***UT 3-6: Cumulative Utility Impacts***

The Refined Build Alternative would not result in cumulatively significant utility impacts because the project's utility needs are very minor. Therefore, the Refined Build Alternative would not cause or contribute to any cumulatively significant utility impacts.

**R. CONSTRUCTION IMPACTS (FINAL SEIS/SEIR SECTIONS 3.4.7 AND 4.17)**

**R.1 TRANSPORTATION**

***CTR 3-1: Would project construction impede or slow the transport of freight?***

Findings and Rationale

The SANDAG Board finds that construction of the Refined Build Alternative would not impede or slow the transport of freight. Slow orders along the LOSSAN corridor would affect the speed of the transport of rail freight. However, because slow orders during the daytime would be limited to 3 contiguous miles, they would not result in a significant impact on rail freight. Freight delivery during nighttime operation would have adequate time to recover any schedule loss, and the effects of slow orders would be less than significant.

Detours and roadway and lane closures would result in temporary impacts to vehicular freight, increasing the time needed to make deliveries. In addition, the project would incorporate construction project measures, such as (1) creation of a Transportation Management Plan (TMP), which would identify detours and detail means of communicating detours to motorists; (2) avoiding U-turns in detour routes; (3) posting signage to direct freight trucks to detour routes; and (4) placing falsework in a manner that would not preclude trucks from using the driveways. With these project measures, impacts on vehicular freight would be less than significant. Therefore, construction of the Refined Build Alternative would result in less-than-significant impacts on rail and vehicular freight.

For a more detailed discussion of project impacts and a description of project measures to avoid or minimize impacts, refer to Section 3.4.7 of the Final SEIS/SEIR, the *Mid-Coast Corridor Transit Project Transportation Impacts and Mitigation Report* (SANDAG, 2014), and the *Mid-Coast Corridor Transit Project Construction Impacts Technical Report* (SANDAG, 2014).

### **CTR 3-2: Would project construction impede emergency access?**

#### Findings and Rationale

The SANDAG Board of Directors finds that construction of the Refined Build Alternative would not impede emergency access. Construction of the project would restrict some on-street emergency access areas (identified by red curbs). Through coordination with the City of San Diego Fire-Rescue Department and direction to contractors to provide emergency access to fire hydrants at all times, the impact of these restrictions would not be significant. Emergency vehicle access would be maintained at all times to construction work sites, nearby businesses, and residential neighborhoods. In addition, emergency vehicle access would be maintained at all times to and from fire stations, hospitals, and medical facilities near construction areas and along haul routes. Construction activities, planned roadway closures, and haul route operations would be coordinated with fire departments, hospitals, and law enforcement agencies. Therefore, construction of the Refined Build Alternative would result in less-than-significant impacts.

For a more detailed discussion of project impacts and a description of project measures to avoid or minimize impacts, refer to Section 3.4.7 of the Final SEIS/SEIR, the *Mid-Coast Corridor Transit Project Transportation Impacts and Mitigation Report* (SANDAG, 2014), and the *Mid-Coast Corridor Transit Project Construction Impacts Technical Report* (SANDAG, 2014).

## **R.2 LAND USE PLANS AND POLICIES**

### **CLU 3-1: Would project construction substantially alter existing or planned land uses in the Mid-Coast Corridor?**

#### Findings and Rationale

The SANDAG Board of Directors finds that construction of the Refined Build Alternative would not substantially alter existing or planned uses in the Mid-Coast Corridor. Construction would not result in any significant changes to land uses along the project alignment or in areas immediately adjacent to the proposed stations. Construction activities between the Santa Fe Depot and La Jolla Colony Drive would not have adverse impacts to existing land uses because

activities would occur within existing right-of-way (MTS, City of San Diego, or Caltrans) and would not require extensive long-duration construction activities.

North of La Jolla Colony Drive, the Refined Build Alternative alignment would be located outside of existing MTS right-of-way, with some portions within Caltrans, UCSD, or City of San Diego right-of-way. In this segment, some construction activities, such as construction truck traffic, would temporarily impact nearby land uses, such as residences, schools, medical facilities, offices, and retail commercial uses. These temporary impacts typically would include constraints on vehicular access and parking, intermittent noise, and localized dust, particulate emissions, and some nighttime roadway closures. Nighttime construction work could result in adverse noise impacts during particularly loud activities, such as erecting falsework. This construction activity would occur on a limited number of nights near residents on Charmant Drive and at the northeast corner of Cape La Jolla Gardens housing complex adjacent to I-5, with a longer duration of nighttime construction activity anticipated along Genesee Avenue. These impacts would not substantially alter or change existing land uses.

Construction staging areas would be needed throughout the study area. Temporary construction easements or rights-of-use would be required for approximately 2 years (3 years for the UCSD East Campus site); however, these temporary encroachments would not change existing land uses and, thus, would not result in a significant impact. Upon completion of construction, contractors would vacate temporary staging areas and return them to their original uses. Therefore, construction of the Refined Build Alternative would result in less-than-significant land use impacts.

For a more detailed discussion of project impacts and a description of project measures to avoid or minimize impacts, refer to Section 4.17.3 of the Final SEIS/SEIR and the *Mid-Coast Corridor Transit Project Construction Impacts Technical Report* (SANDAG, 2014).

### **CLU 3-2: Cumulative Land Use Impacts during Construction**

The SANDAG Board of Directors finds that construction of the Refined Build Alternative would not cause or contribute to cumulatively significant land use impacts. The majority of the project alignment is located within an existing transportation corridor. The Refined Build Alternative would not result in any substantial changes to land uses and, in general, construction impacts from other projects would not change any land uses or result in cumulatively considerable land use impacts. As a result, the Refined Build Alternative would not cause or contribute to cumulatively significant land use impacts due to construction.

## **R.3 COMMUNITY AND NEIGHBORHOODS**

### **CCN 3-1: Would project construction physically divide an established community?**

#### Findings and Rationale

The SANDAG Board of Directors finds that construction of the Refined Build Alternative would not physically divide an established community. Construction work primarily would occur in existing rights-of-way. Project measures require that vehicular and pedestrian detours would be provided and access to businesses would be maintained, thereby allowing individuals to

continue to travel to destinations within each community. Therefore, construction of the Refined Build Alternative would result in less-than-significant impacts.

For a more detailed discussion of project impacts and description of project measures to avoid or minimize impacts, refer to Section 4.17.3 of the Final SEIS/SEIR and the *Mid-Coast Corridor Transit Project Construction Impacts Technical Report* (SANDAG, 2014).

***CCN 3-2: Would project construction significantly impact a vulnerable population?***

Findings and Rationale

The SANDAG Board of Directors finds that construction of the Refined Build Alternative would not significantly impact a vulnerable population. Construction of the project would result in temporary but significant impacts on air quality; however, the impacts would not be disproportionate in scope or severity with regard to vulnerable populations and would be for a limited time period. A comprehensive Community Outreach Program would be developed with input from community members to inform the community of future construction activities. Key elements would include a project website and newsletter and periodic meetings with community members to discuss construction activities. Therefore, construction of the Refined Build Alternative would result in less-than-significant impacts.

For a more detailed description of project impacts and a description of project measures to avoid or minimize impacts, refer to Section 4.17.3 of the Final SEIS/SEIR and the *Mid-Coast Corridor Transit Project Construction Impacts Technical Report* (SANDAG, 2014).

***CCN 3-3: Would project construction adversely impact existing religious or sacred uses?***

Findings and Rationale

The SANDAG Board of Directors finds that construction of the Refined Build Alternative would not significantly impact religious or sacred uses. Project measures require the La Jolla eruv boundary to be relocated temporarily in cooperation with representatives from Congregation Adat Yeshurun and would ensure that the Refined Build Alternative would not significantly affect sacred and religious uses. Therefore, construction of the Refined Build Alternative would result in less-than-significant impacts.

For a more detailed description of project impacts and a description of project measures to avoid or minimize impacts, refer to Section 4.17.3 of the Final SEIS/SEIR and the *Mid-Coast Corridor Transit Project Construction Impacts Technical Report* (SANDAG, 2014).



## R.4 VISUAL RESOURCES AND AESTHETICS

### ***CV 3-1: Would project construction substantially degrade the existing visual character or quality of the site and its surroundings?***

#### Findings and Rationale

The SANDAG Board of Directors finds that construction of the Refined Build Alternative would not substantially degrade the existing visual character or quality of the site and its surroundings. Short-term visual impacts of the Refined Build Alternative would occur along the alignment right-of-way and at construction staging areas. Staging areas along the alignment north of La Jolla Colony Drive would produce new localized sources of light and glare. Nighttime work would require lighting and may cause light spillover and glare along the alignment, including along roadways and highways, and within staging areas. Vegetation along I-5 would be removed, which would temporarily change the visual quality of the area until replacement vegetation is planted.

Project measures in the form of construction specifications would require screening of construction zones and staging areas adjacent to residential neighborhoods; shielding light at construction zones and staging areas to minimize light and glare that might affect adjacent communities and neighborhoods, particularly in residential areas and on roads; minimizing light and glare into the night sky above the construction zone and staging areas; and restoring vegetated areas to previous conditions or as otherwise coordinated with property owners once those areas are no longer needed for construction. Therefore, construction of the Refined Build Alternative would result in less-than-significant impacts.

For a more detailed discussion of project impacts and a description of project measures to avoid or minimize impacts, refer to Section 4.17.3 of the Final SEIS/SEIR and the *Mid-Coast Corridor Transit Project Construction Impacts Technical Report* (SANDAG, 2014).

### ***CV 3-2: Would project construction create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?***

#### Findings and Rationale

The SANDAG Board of Directors finds that construction of the Refined Build Alternative would not create new sources of light and glare that would adversely affect day or nighttime views in the area. Construction of the Refined Build Alternative would create new sources of light and glare; however, project measures would be incorporated to require shielding of light at construction zones and staging areas in residential areas and adjacent to native habitat areas. Therefore, construction of the Refined Build Alternative would result in less-than-significant impacts.

For a more detailed discussion of project impacts and a description of project measures to avoid or minimize impacts, refer to Section 4.17.3 of the Final SEIS/SEIR and the *Mid-Coast Corridor Transit Project Construction Impacts Technical Report* (SANDAG, 2014).

### ***CV 3-3: Cumulative Visual and Aesthetic Impacts during Construction***

The SANDAG Board of Directors finds that construction of the Refined Build Alternative would not result in cumulatively significant visual or aesthetic impacts. Temporary impacts during construction of the Refined Build Alternative, including increased dust, the stockpiling of construction-related materials, the presence of heavy equipment, temporary barriers, and light and glare from staging areas, would result in a negative impact on the visual environment. However, because of the temporary nature of these impacts, they are not considered significant. Combined with similar construction impacts in the Mid-Coast Corridor from other foreseeable projects, the combined impacts would not be cumulatively significant because of their localized and temporary nature.

## **R.5 AIR QUALITY**

### ***CAQ 3-1: Cumulative Air Quality Impacts during Construction***

The SANDAG Board of Directors finds that the Refined Build Alternative would not result in cumulatively significant air quality impacts related to dust and particulates. Construction air quality impacts, such as dust and particulates, tend to be localized to the construction area and the areas immediately adjacent. Air quality regulations and general BMPs to reduce construction site dust and particulates have been developed by regulatory agencies to reduce the cumulative dust and particulate air quality impacts of construction. Compliance with these air quality regulations and implementation of BMPs and project measures would reduce localized impacts on air quality from construction-related emissions.

Because the project is in a non-attainment area, the project's construction could contribute to cumulative regional emissions of PM<sub>10</sub>. However, the effects of PM<sub>10</sub> emissions are localized to the work area, and the project's contribution would be limited to the immediate vicinity of the construction site and would not be significant on a regional basis. No exceedance of the PM<sub>10</sub> standards is expected and, thus, the project's contribution to regional emissions of PM<sub>10</sub> would not be cumulatively considerable.

## **R.6 ECOSYSTEMS AND BIOLOGICAL RESOURCES**

### ***CBio 3-1: Would project construction result in a short-term substantial interference with the movement of any native resident or migratory fish or wildlife species or their wildlife corridors?***

#### Findings and Rationale

The SANDAG Board of Directors finds that construction of the Refined Build Alternative would not substantially interfere with the movement of any native resident or migratory fish or wildlife species or their wildlife corridors. During construction, installation of the proposed concrete-lined open channel and removal of the existing concrete-lined channel portion of Rose Creek would limit access to the channel and portions of adjacent upland areas, which could affect the occasional use of the area for wildlife movement by nocturnal species. However, wildlife movement would not be completely obstructed as the Rose Canyon Bicycle Path and adjacent disturbed upland areas would remain accessible during construction. The Refined Build Alternative would adhere to construction project measures and would not result

in significant impacts. No significant impacts to aquatic or semi-aquatic species would occur as a result of channel construction.

A movement corridor for light-footed clapper rail would be maintained along the San Diego River main channel to allow clapper rails to move through the construction area. As no equipment or work is proposed within the San Diego River main channel, movement of clapper rails through the project area would not be affected. Therefore, construction impacts to wildlife corridors and habitat linkages would be less than significant during construction.

For a more detailed discussion of project impacts and a description of project measures to avoid or minimize impacts, refer to Section 4.17.3 of the Final SEIS/SEIR and the *Mid-Coast Corridor Transit Project Construction Impacts Technical Report* (SANDAG, 2014).

### **CBio 3-2: Would project construction result in adverse edge effects?**

#### Findings and Rationale

The SANDAG Board of Directors finds that construction of the Refined Build Alternative would not result in significant edge effects. Portions of the project are entirely within existing MTS right-of-way, and these areas already are subject to potential adverse edge effects that include noise and lighting associated with current rail service operations. The Refined Build Alternative would adhere to standard construction BMPs and construction project and mitigation measures to control dust, erosion, and runoff, which would avoid or minimize any adverse edge effects. Therefore, construction of the Refined Build Alternative would result in less-than-significant impacts.

For a more detailed discussion of project impacts and a description of project measures to avoid or minimize impacts, refer to Section 4.17.3 of the Final SEIS/SEIR and the *Mid-Coast Corridor Transit Project Construction Impacts Technical Report* (SANDAG, 2014).

### **CBio 3-3: Cumulative Ecosystem and Biological Impacts during Construction**

The SANDAG Board of Directors finds that construction of the Refined Build Alternative would not result in cumulatively significant biological impacts. Construction would result in some localized impacts on ecosystems and biological resources. The Mid-Coast Corridor encompasses open space areas, and the project alignment, located within the existing MTS right-of-way, is near Rose Canyon Open Space and Marian Bear Memorial Park. The Refined Build Alternative also crosses the San Diego River. Limited grading and habitat removal would be required within these open space areas, adjacent to existing developed transportation rights-of-way. Impacts would be mitigated consistent with the MSCP, which is designed to reduce cumulative impacts. Regulations, BMPs, construction permits, and mitigation would require that affected resources be replaced and mitigated via restoration and preservation of additional habitat. Other projects that would impact ecosystems and biological resources in the Mid-Coast Corridor also would mitigate their impacts and would be consistent with the MSCP. Therefore, construction of the Refined Build Alternative would not cause or contribute to cumulatively significant biological impacts.

## R.7 WATER RESOURCES

***CW 3-1: Would project construction violate applicable water-quality standards or waste-discharge requirements; deplete ground-water supplies or interfere with recharge areas; alter drainage patterns resulting in erosion or siltation on- or off-site; create or contribute runoff exceeding capacity of existing or planned storm-water drainage systems or provide substantial additional sources of polluted runoff?***

### Findings and Rationale

The SANDAG Board of Directors finds that construction of the Refined Build Alternative would not violate applicable water-quality standards or waste-discharge requirements; deplete ground-water supplies or interfere with recharge areas; alter drainage patterns resulting in erosion or siltation on- or off-site; create or contribute runoff exceeding capacity of existing or planned storm-water drainage systems; or provide substantial additional sources of polluted runoff.

The project would not violate any regulations or standards regarding water quality or waste discharge. The project would comply with all requirements, implement a Storm Water Pollution Prevention Plan (SWPPP), and employ BMPs. Thus, construction of the project would have a less-than-significant impact on water quality. Construction of the project would not rely on ground water and would not require substantial dewatering. Therefore, the impact of the project on depletion of ground water would be less than significant. There are no known ground-water recharge areas within the construction zone, and the project would not impact existing ground-water recharge sites. During construction, it may be necessary to temporarily reroute a watercourse or a pipe flow around the construction zone. However, the downstream connection point would be the same as existing conditions, and flows would not be diverted to other streams or watercourses. BMPs would be implemented to avoid erosion, sedimentation, and hydromodification. The BMPs also would avoid and/or control pollutant runoff. With the implementation of the above design features and BMPs, the project would not have a significant impact on erosion or siltation due to alteration of drainage patterns. With the incorporation of BMPs and compliance with regulatory requirements, construction impacts related to water quality would be less than significant.

Temporary erosion control plans would be prepared in accordance with the National Pollutant Discharge Elimination System (NPDES) Construction General Permit and the Caltrans NPDES Statewide Permit and would require implementation of BMPs to manage water quality and runoff from disturbed areas and to prevent uncontrolled storm-water flows, except as allowed for discharge in a public storm-water system.

Additionally, a SWPPP would be prepared for construction activities that impact water quality (e.g., surface grading and removal of existing vegetation). Prior to construction, spill prevention and control measures would be identified and implemented as part of the project. In addition, in accordance with the SWPPP, a Spill Prevention, Containment, and Counter-Measure Plan would be prepared to avoid and minimize accidental contamination of water resources.

For a more detailed discussion of project impacts and a description of project measures to avoid or minimize impacts, refer to Section 4.17.3 of the Final SEIS/SEIR and the *Mid-Coast Corridor Transit Project Construction Impacts Technical Report* (SANDAG, 2014).

### ***CW 3-2: Cumulative Water Resource Impacts during Construction***

The SANDAG Board of Directors finds that construction of the Refined Build Alternative would not result in cumulatively significant water resource impacts. Project construction could impact water quality, including soil-disturbing activities, such as excavation and grading, the use of construction-related hazardous materials, excavation in areas with high ground water, and construction activities within a designated flood zone. However, construction of the project would comply with existing regulations and requirements, as well as BMPs, which are designed to reduce cumulative impacts. All other projects under construction at the same time as the Mid-Coast Corridor Transit Project also would be required to implement BMPs. Therefore, a cumulatively significant condition is not anticipated to occur. Further, should a cumulatively significant condition occur, the Refined Build Alternative's small contribution would not be cumulatively considerable.

## **R.8 HAZARDOUS MATERIALS**

### ***CHaz 3-1: Would project construction result in excavation, which would disturb contaminated soils, potentially resulting in the migration of hazardous substances?***

#### Findings and Rationale

The SANDAG Board of Directors finds that construction of the Refined Build Alternative would not result in the migration of hazardous substances. Should contaminated soil be encountered during construction activities, the soil would be disposed of off-site at an appropriate disposal facility, and the proper agencies would be notified and an Emergency Release Follow-up Notice Reporting Form would be submitted no more than 30 days following the release. Construction of the project would comply with all applicable regulations governing the proper control and disposal of the hazardous material and include implementation of project measures to avoid the migration of hazardous substances. Therefore, construction of the Refined Build Alternative would result in less-than-significant impacts.

For a more detailed discussion of project impacts and a description of project measures to avoid or minimize impacts, refer to Section 4.17.3 of the Final SEIS/SEIR and the *Mid-Coast Corridor Transit Project Construction Impacts Technical Report* (SANDAG, 2014).

### ***CHaz 3-2: Cumulative Hazardous Materials Impacts during Construction***

The SANDAG Board of Directors finds that the Refined Build Alternative would not result in cumulatively significant construction impacts related to hazardous materials. There is a potential for cumulative impacts during construction from concurrent accidental releases of hazardous materials if the Refined Build Alternative is constructed at the same time as other reasonably foreseeable projects. Impacts related to hazardous materials are site-specific. Therefore, the geographical area within which cumulative impacts related to exposure to hazardous materials could occur is limited to the construction limits of each project and directly adjacent areas. The likelihood that any combination of projects would result in a cumulative

hazardous materials impact is remote. Therefore, the Refined Build Alternative would not cause or contribute to cumulatively significant impacts related to exposure to hazardous materials during construction.

## **R.9 GEOTECHNICAL AND SEISMIC CONDITIONS**

### ***CG 3-1: Would the project construction result in substantial soil erosion or the loss of topsoil?***

#### Findings and Rationale

The SANDAG Board of Directors finds that construction of the Refined Build Alternative would not result in substantial soil erosion or loss of topsoil. The stability of temporary excavations is governed by Occupational Safety and Health Administration regulations and recommendations from a geotechnical engineer. These recommendations would be developed during the final design of the project.

Soil erosion would be controlled by using project measures to protect water quality, as discussed in CW 3-1 of these Findings, and as required through the development of a SWPPP that would identify how the contractor would comply with all regulatory requirements. With implementation of the SWPPP, compliance with all regulatory requirements, and implementation of the project design measures incorporated into the project, the project would not have a significant impact on soil erosion.

With the implementation of BMPs, noting that the project is located in urbanized areas where the top soil has been disturbed, and that no significant farmland has been identified along the corridor, the project would have a less-than-significant impact to loss of top soil. However, to the extent practical, the project would remove and store duff and topsoil from existing areas that would be disturbed and would use them along the corridor in areas that would be revegetated as part of the project.

For a more detailed discussion of project impacts and a description of project measures to avoid or minimize impacts, refer to Section 4.17.3 of the Final SEIS/SEIR and the *Mid-Coast Corridor Transit Project Construction Impacts Technical Report* (SANDAG, 2014).

### ***CG 3-2: Cumulative Geotechnical and Seismic Impacts during Construction***

The SANDAG Board of Directors finds that construction of the Refined Build Alternative would not result in cumulatively significant geotechnical or seismic impacts. Although there is a potential for cumulative geotechnical, geologic, or seismic impacts during construction if the Refined Build Alternative is constructed at the same time as other reasonably foreseeable projects, the potential is very low because these impacts are very site specific. Further, project measures for geotechnical, geologic, and seismic impacts are included to eliminate the project's potential to add to such impacts. Thus, the project would not cause or contribute to any cumulatively significant geotechnical or seismic impacts.

## R.10 ENERGY

### ***CE 3-1: Would the project construction use excessive amounts of power, fuel, or energy or would it require the construction of new systems or substantial modifications to existing systems?***

#### Findings and Rationale

The SANDAG Board of Directors finds that construction of the Refined Build Alternative would not use excessive amounts of power or require new or substantial modification of existing energy systems. Annual construction energy requirements for the project are less than 0.1 percent of the region's annual energy demand. The amount of utility services expected to be used during construction would not be substantial and would not require the construction of new systems. Construction of the project also would require some modification to existing SDG&E facilities, including substations, distribution lines, and transmission lines. However, these modifications would be localized and would have a less-than-significant impact on existing facilities within the corridor. With implementation of the temporary utility relocations and public notices, impacts would be less than significant.

For a more detailed discussion of project impacts and a description of project measures to avoid or minimize impacts, refer to Section 4.17.3 of the Final SEIS/SEIR and the *Mid-Coast Corridor Transit Project Construction Impacts Technical Report* (SANDAG, 2014).

### ***CE 3-2: Cumulative Energy Impacts during Construction***

Construction of the Refined Build Alternative and other reasonably foreseeable projects would expend energy, but even combined, the energy expended for construction is a small portion of total energy used in the region. Annual construction-related energy requirements for the Refined Build Alternative are less than 0.1 percent of the region's annual energy demand. Therefore, construction of the Refined Build Alternative would not cause or contribute to cumulatively significant energy impacts.

## R.11 SAFETY AND SECURITY

### ***CSS 3-1: Would project construction interfere with emergency response plans or emergency evacuation plans?***

#### Findings and Rationale

The SANDAG Board of Directors finds that construction of the Refined Build Alternative would not interfere with emergency response plans or emergency evacuation plans. Construction activities would be coordinated with all emergency responders, and emergency response times would not be significantly affected. As such, construction activities would have a less-than-significant impact on emergency response plans. Emergency evacuation plans may require modification to account for reduced lane widths and number of lanes on some streets, such as implementation of alternate or additional evacuation routes. Therefore, construction activities would have a less-than-significant impact on evacuation plans. Project measures that include coordination and the maintenance of emergency access would ensure less-than-significant safety and security impacts.

For the duration of all construction activities, the contractor would have a designated safety officer to oversee construction work and compliance with federal, state, and local regulations, as well as the project's contract specifications related to both worker and public safety.

Prior to any construction activity, a TMP would be developed with input from community safety and security agencies. The TMP would identify the requirements, procedures, and protocols for coordination and communication with emergency responders during the construction period.

Access to all police and fire stations as well as area hospitals would be maintained at all times during construction.

All construction zones and staging areas would be secured using fencing, lighting, and/or night patrols to prevent unauthorized persons from entering these areas.

Prior to any construction activity, a Job Safety Analysis would be prepared to protect construction workers and ensure public safety. For a more detailed discussion of project impacts, refer to Section 4.17.3 of the Final SEIS/SEIR and the *Mid-Coast Corridor Transit Project Construction Impacts Technical Report* (SANDAG, 2014).

SANDAG would encourage the community safety providers to update their emergency response procedures to address construction of the project and would provide appropriate project-specific information in a timely manner.

Contractor workers and subcontractor employees would be required to comply with MTS and North County Transit District (NCTD) safety procedures while working in MTS right-of-way and in proximity to trains operating on the LOSSAN tracks. When construction work is conducted within prescribed limits, flagmen would be required per NCTD safety procedures. The contractor's workers and subcontractor employees would be required to participate in the MTS and NCTD safety training program. Safety barriers may be placed as required to provide separation from active tracks. Temporary slow orders may be placed on train operations for certain conditions.

For a more detailed discussion of project impacts and a description of project measures to avoid or minimize impacts, refer to Section 4.17.3 of the Final SEIS/SEIR and the *Mid-Coast Corridor Transit Project Construction Impacts Technical Report* (SANDAG, 2014).

## **R.12 ELECTROMAGNETIC INTERFERENCE**

Project construction activities would not generate adverse EMF impacts. EMF levels generated by power tools, such as cordless drills and table saws, would be similar to those found inside many buildings that are generated by devices, such as refrigerators, televisions, and florescent lights. However, power tools used for the project are expected to be farther away from buildings than EMF-generating devices typically found within a building. Therefore, EMF generated by construction activities would not affect existing buildings beyond the levels that are generally experienced in a building. Therefore, construction of the Refined Build Alternative would result in less-than-significant impacts.

For a more detailed discussion of project impacts, refer to Section 4.17.3 of the Final SEIS/SEIR and the *Mid-Coast Corridor Transit Project Construction Impacts Technical Report* (SANDAG, 2014).



## **R.13 HISTORIC, ARCHAEOLOGICAL, AND PALEONTOLOGICAL RESOURCES**

### ***CH 3-1: Would project construction cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?***

#### Findings and Rationale

The SANDAG Board of Directors finds that construction of the Refined Build Alternative for the Mid-Coast Corridor Transit Project would not cause a substantial change in the significance of any known historic resources.

The five historic properties determined eligible for listing in the NRHP are automatically listed in the CRHR and, therefore, are considered “historical resources” under Section 15064.5 of the CEQA Guidelines. Construction would not have a significant impact on these resources, and no mitigation would be required. In each case, the distances between the construction equipment and the five historical resources would be sufficient to avoid any risk of inadvertent physical damage to these resources. As a result, construction activities would not diminish the integrity of location, design, setting, materials, workmanship, feeling, or association of these historic properties. Hence, project construction would not cause a substantial adverse change in the significance of these historical resources under CEQA.

For a more detailed discussion of project impacts and a description of project measures to avoid or minimize impacts, refer to Section 4.17.3 of the Final SEIS/SEIR and the *Mid-Coast Corridor Transit Project Construction Impacts Technical Report* (SANDAG, 2014).

### ***CH 3-2: Would project construction cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?***

#### Findings and Rationale

The SANDAG Board of Directors finds that construction of the Refined Build Alternative for the Mid-Coast Corridor Transit Project would not cause a substantial change in the significance of an archaeological resource.

No archaeological resources were identified or detected within the archaeological APE during the Extended Phase I investigations; therefore, project construction would not result in a substantial adverse change to a known archaeological resource.

However, there remains a low potential that the Refined Build Alternative could result in the physical destruction of unknown archaeological resources discovered during construction (unanticipated discoveries). Refer to Section IV.F.5 of these Findings for a discussion of these potential impacts.

For a more detailed discussion of project impacts and a description of project measures to avoid or minimize impacts, refer to Section 4.17.3 of the Final SEIS/SEIR and the *Mid-Coast Corridor Transit Project Construction Impacts Technical Report* (SANDAG, 2014).

***CH 3-3: Would the project construction disturb human remains, including interments outside former cemeteries?***

Findings and Rationale

The SANDAG Board of Directors finds that construction of the Refined Build Alternative would not disturb human remains, including interments outside former cemeteries. No human remains were identified or detected within the archaeological APE. Therefore, the Refined Build Alternative would result in less-than-significant impacts.

There is a possibility that unanticipated human remains could be discovered during project-related disturbance (unanticipated discoveries). Refer to Section IV.F.5 of these Findings for a discussion of these impacts.

For a more detailed discussion of project impacts, refer to Section 4.17.3 of the Final SEIS/SEIR and the *Mid-Coast Corridor Transit Project Construction Impacts Technical Report* (SANDAG, 2014).

***CH 3-4: Cumulative Historic and Archaeological Impacts during Construction***

Construction of the Refined Build Alternative would not physically alter, relocate, or demolish historic architectural properties. The Refined Build Alternative would not result in a cumulatively significant construction impact to historic architectural properties.

During the Extended Phase I investigations, no NRHP-eligible archaeological resources were identified or detected within the project APE. Three mitigation measures (construction monitoring, worker cultural resources awareness training, and treatment of discoveries consisting of archaeological or human remains) were recommended to be implemented during the construction phase of the project to address the possibility of unanticipated archaeological resource discoveries. Accordingly, construction of the Refined Build Alternative would not cause or contribute to cumulatively significant historic or archaeological impacts.

**R.14 UTILITIES**

***CUT 3-1: Would the project construction use excessive amounts of power, fuel, or energy require the construction of new systems or substantial modifications to existing systems?***

Findings and Rationale

The SANDAG Board of Directors finds that construction of the Refined Build Alternative would not use excessive amounts of power, fuel, or energy or require construction of new systems or substantial modifications to existing systems; therefore, impacts would be less than significant. Refer to CE 3-1 for a detailed discussion of impacts due to project construction use of energy and utilities. In addition, project construction would include implementation of project measures to avoid or minimize impacts.

During final design, project engineers would coordinate closely with utility providers whose facilities would temporarily or permanently be affected by the project. Coordination efforts

would identify design standards for protection and relocation of utility facilities affected by the project.

A Utilities Relocation Plan would be developed as part of project design and would identify all required utility relocations, temporary routing, and reconstruction. The plan would also include a construction approach to minimize disruption. SANDAG would coordinate with affected utility companies. In developing the utilities relocation plan, SANDAG would include consultation with and reviews by affected utility providers. The plan would identify requirements for temporary rerouting of utilities where feasible. In addition, when service must be temporarily disconnected, it would be scheduled for a time when the service is least likely to be required and property owners would be notified of this temporary lack of service. With implementation of project measures to avoid or minimize impacts, no adverse impacts on utilities would occur as a result of short-term construction impacts.

During the construction period, the construction management team periodically would supply utility providers with construction progress notices. Required short-term disruptions to utility services would be coordinated with utility providers to identify the periods when the fewest customers would be adversely affected by interruptions in service (typically at night).

For a more detailed discussion of project impacts and a description of project measures to avoid or minimize impacts, refer to Section 4.17.3 of the Final SEIS/SEIR and the *Mid-Coast Corridor Transit Project Construction Impacts Technical Report* (SANDAG, 2014).

## **R.15 CLIMATE CHANGE**

### ***CC 3-1: Cumulative Climate Change Impacts during Construction***

Construction of the Refined Build Alternative would release GHGs (i.e., methane, chlorofluorocarbons, and carbon dioxide [CO<sub>2</sub>]). However, the short-term increase in GHG would be offset by the overall reduction in GHG emissions as a result of project implementation. Thus, construction of the Refined Build Alternative would not cause or contribute to cumulatively significant GHG impacts.

## **R.16 NOISE AND VIBRATION**

### ***CN 3-1: Cumulative Impacts: Noise and Vibration during Construction***

The SANDAG Board of Directors finds that construction of the Refined Build Alternative would have daytime and nighttime noise impacts. Cumulative construction impacts could occur at UCSD and University City because of other planned projects that could be under construction concurrent with the Refined Build Alternative. These other projects are not expected to require nighttime construction in proximity to the locations where the Refined Build Alternative would have nighttime noise impacts; thus, there would be no cumulative contribution to noise impacts from nighttime construction work.

During the day, most construction activities would be permitted. Concurrent construction of improvements to the LOSSAN tracks could have adverse cumulative impacts to businesses along the MTS right-of-way. Additionally, construction of other projects within UCSD and University City together with the Refined Build Alternative could cause a significant cumulative impact

under CEQA. However, the Refined Build Alternative includes project measures and mitigation that would minimize noise impacts during construction and, thus, the project's contribution to the cumulative impact in that vicinity would not be cumulatively considerable.

Vibration impacts from construction of the Refined Build Alternative are localized. Cumulative impacts would only occur in locations where other construction activity would occur in the immediate vicinity of the Refined Build Alternative construction zones. The Refined Build Alternative includes project and mitigation measures to minimize vibration impacts. Similarly, other projects would be required to implement similar measures. Therefore, the project would not cause or contribute to a cumulatively significant vibration impact.

## **IV FINDINGS REGARDING SIGNIFICANT ENVIRONMENTAL IMPACTS REDUCED TO A LEVEL LESS THAN SIGNIFICANT**

The SANDAG Board of Directors hereby finds that mitigation measures have been identified in the Final SEIS/SEIR that will avoid or substantially lessen the project impacts discussed below to a less-than-significant level. The SANDAG Board of Directors further finds that project measures identified below and in Appendix E of the Final SEIS/SEIR will avoid and minimize potential project impacts. These findings are based on the discussion of impacts in the detailed issue area analyses in Chapters 3.0 and 4.0 of the Final SEIS/SEIR and the cumulative impacts discussed in Sections 3.4.6, 3.4.7.6, and 4.19 of the Final SEIS/SEIR, as well as relevant technical reports and responses to comments in the Final SEIS/SEIR. The SANDAG Board of Directors adopts and incorporates by reference the Final SEIS/SEIR, Technical Reports, and Responses to Comments as part of these Findings.

### **A. TRANSPORTATION (FINAL SEIS/SEIR CHAPTER 3.0)**

***TR 4-1: Would the project result in any intersection, roadway segment, or freeway segment operating at LOS D or better, to operate at LOS E or F or cause any ramp meter delays to exceed 15 minutes?***

***TR 4-2: Would the project impact any intersection, roadway segment, or freeway segment operating at LOS E or F under existing or cumulative conditions?***

*Fifteen Intersections*

#### Significant Impacts

The Refined Build Alternative would result in a significant impact at 15 intersections near seven grade crossings in the southern subarea, and two intersections in the northern subarea near new Trolley stations with park-and-ride facilities. Impacts to 13 of the intersections are reduced to less than significant by the project measures and mitigation measures discussed below.

## Project Measures

The Refined Build Alternative would incorporate various project measures to avoid or minimize impacts. Gate operations for the Trolley under the Refined Build Alternative would be improved by various measures that are included in the project. These improvements would reduce gate down times for Trolley crossings at all grade crossings and for northbound Amtrak and COASTER vehicles that serve the OTTC south of the Taylor Street grade crossing. For a few grade crossings, particularly Taylor Street, gate operation improvements would substantially decrease gate down times, thus reducing delay for vehicles at adjacent intersections.

The following intersections would have significant impacts in 2030 due to increases in the number of trains traveling through grade crossings:

- Ash Street and Pacific Highway (Int 1)
- Ash Street and India Street (Int 2)
- Beech Street and Pacific Highway (Int 3)
- Beech Street and Kettner Boulevard (Int 4)
- Beech Street and India Street (Int 5)
- Cedar Street and Pacific Highway (Int 6)
- Cedar Street and Kettner Boulevard (Int 7)
- Sassafras Street and Pacific Highway (Int 8)
- Washington Street and Pacific Highway Southbound Frontage Road (Int 9)
- Washington Street and Pacific Highway Northbound Frontage Road (Int 10)
- Washington Street and Hancock Street (Int 11)
- Noell Street and Hancock Street (Int 12)
- Rosecrans Street and Jefferson Street (Int 13)

The following intersections would have significant impacts in 2030 due to station area traffic:

- Mission Bay Drive and Garnet Avenue (Int 14)
- Genesee Avenue and Esplanade Court/UTC Driveway (Int 15)

Tables 3-25 and 3-26 in the Final SEIS/SEIR present the level of service, delay, and summary of impacts for these intersections.

## Mitigation Measures

**Table 1. Mitigation Measures by Intersections—Refined Build Alternative (2030)**

Location	Mitigated Intersection ID <sup>1</sup>	Summary of Mitigation Measure(s)	Adverse Impact after Mitigation
<b>TR1:</b> Ash St and Pacific Hwy	Int 1, Int 2	<ul style="list-style-type: none"> <li>• Add exit phase to serve vehicles traveling eastbound and westbound and pedestrians crossing Pacific Hwy</li> <li>• Modify existing signal phasing—change westbound left turns from first movement served to be served later in the traffic cycle</li> </ul>	No
<b>TR2:</b> Ash St and Kettner Blvd (mitigates impact at Ash St and India St)	Int 2	<ul style="list-style-type: none"> <li>• Add exit phase to serve vehicles traveling eastbound and westbound</li> </ul>	No
<b>TR3:</b> Cedar St at Pacific Hwy (mitigates impact at the Ash St intersection with Pacific Hwy and at Cedar St and India St and reduces impact at Beech St and Pacific Hwy)	Int 1, Int 3, Int 4, Int 5, Int 6	<ul style="list-style-type: none"> <li>• Modify existing signal phasing—vehicles making southbound left turns would be served first; vehicles traveling southbound would be served with northbound through and right-turn movements</li> <li>• Add exit phase to serve vehicles making southbound left turns first, followed by westbound vehicles; the exit phase also would serve pedestrians crossing Pacific Hwy</li> <li>• Lengthen southbound left-turn lane to 650 feet</li> </ul>	Yes (Beech St and Pacific Hwy)
<b>TR4:</b> Cedar St and Kettner Blvd	Int 7	<ul style="list-style-type: none"> <li>• Add traffic signal (intersection is currently an all-way stop-controlled intersection)</li> <li>• Add exit phase to serve eastbound and westbound vehicles</li> <li>• Add a 75-foot westbound left-turn lane (one does not currently exist)</li> </ul>	No
<b>TR5:</b> Sassafras St at Pacific Hwy	Int 8	<ul style="list-style-type: none"> <li>• Modify existing signal phasing—left-turns on Sassafras St would have a protected turn phase (indicated by a green arrow) rather than yielding to vehicles traveling in the other direction</li> </ul>	No
<b>TR6:</b> Sassafras St and Kettner Blvd	Int 8	<ul style="list-style-type: none"> <li>• Modify existing eastbound approach geometry—right-turn lane would be modified to a shared through/right-turn lane with two receiving lanes on other side of Kettner Blvd, indicating that vehicles in that lane could turn right or continue through the intersection</li> </ul>	No

**Table 1. Mitigation Measures by Intersections—Refined Build Alternative (2030)  
(continued)**

Location	Mitigated Intersection ID <sup>1</sup>	Summary of Mitigation Measure(s)	Adverse Impact after Mitigation
<b>TR7:</b> Washington St and NB Frontage Rd and Hancock St (also mitigates Noell St and Hancock St)	Int 9, Int 10, Int 11, Int 12	<ul style="list-style-type: none"> <li>• Add exit phase to serve pedestrians and vehicles traveling eastbound and westbound</li> <li>• Modify existing limited-service phase during preemption so that the westbound left turn is served after the southbound through movement</li> <li>• Modify existing northbound approach geometry on the NB Frontage Rd to include a dedicated left-turn lane, one shared left-turn/through lane, and one dedicated right-turn lane</li> </ul>	No
<b>TR8:</b> Taylor St/ Rosecrans St and Pacific Hwy (to mitigate Rosecrans St and Jefferson St and Pacific Hwy) <sup>3</sup>	Int 13	<ul style="list-style-type: none"> <li>• Add a second northbound right-turn lane</li> <li>• Reconfigure eastbound approach to have a third through lane</li> <li>• Realign southern sidewalk east and west of intersection to preserve existing dedicated bus-only lane</li> <li>• Add exit phase to serve vehicles making an eastbound left turn, vehicles traveling eastbound and westbound through the intersection, and pedestrians crossing Pacific Hwy</li> <li>• Lengthen northbound left-turn lane by 40 feet</li> <li>• Modify southbound approach geometry to include a second left-turn lane for general purpose vehicles</li> <li>• Change westbound left-turn phase from first movement served to be served later in the traffic cycle</li> </ul>	No
<b>TR9:</b> Taylor St and Congress St	Int 13	<ul style="list-style-type: none"> <li>• Add exit phase to serve vehicles traveling eastbound and westbound through the intersection</li> </ul>	No <sup>2</sup>
<b>TR10:</b> Genesee Ave and Esplanade Ct/UTC Drwy	Int 15	<ul style="list-style-type: none"> <li>• Modify westbound approach geometry to add a westbound left-turn lane, thus providing two left-turn lanes, one shared through/right-turn lane, and one exclusive right-turn lane</li> </ul>	No <sup>2</sup>

Source: SANDAG, 2014

- Notes:
- <sup>1</sup> Mitigated intersection ID—Refer to **Error! Reference source not found.** in the Final SEIS/SEIR
  - <sup>2</sup> While the intersection would continue to operate at an unacceptable level of service, the facility would operate at a better level of service with the Refined Build Alternative with mitigation than with the No-Build Alternative.
  - <sup>3</sup> Mitigation at Taylor Street/Rosecrans Street and Pacific Highway would require widening Pacific Highway. The bike lane on Pacific Highway would be closed for up to 6 months during construction of the mitigation measures.

Exit phase = An exit phase can be programmed into the traffic-signal controller to serve a specific phase or phases prior to resuming standard operation. Typically, exit phases would serve the movement or movements that are preempted when a train travels through the grade crossing.

Limited-service phase = only movements that do not result in cars traveling toward the crossing gates are allowed to occur.

NB = northbound; UTC = University Towne Centre

## Findings and Rationale

The SANDAG Board of Directors finds that changes or alterations as set forth in the project measures and mitigation measures described above have been required, or incorporated into, the Refined Build Alternative to avoid, or substantially lessen, significant impacts to all intersections other than Beech Street at Pacific Highway (Int 3) and Mission Bay Drive at Garnet Avenue (Int 14). With implementation of the project measures and mitigation measures described above, significant impacts from the Refined Build Alternative would be fully mitigated at all intersections except Beech Street at Pacific Highway and Mission Bay Drive at Garnet Avenue.

For a more detailed discussion of project impacts and a description of project measures to avoid or minimize impacts, refer to Section 3.4.2 of the Final SEIS/SEIR and the *Mid-Coast Corridor Transit Project Transportation Impacts and Mitigation Report* (SANDAG, 2014).

## **B. VISUAL RESOURCES AND AESTHETICS (FINAL SEIS/SEIR SECTION 4.4)**

***V 4-1: Would the project strongly contrast with the surrounding development or natural topography through excessive height, bulk, signage, or architectural projections?***

### Significant Impacts

The Refined Build Alternative includes several walls higher than 6 feet and longer than 50 feet that would result in strong visual contrast and significant impacts (i.e., considering wall visibility, viewer sensitivity, and viewer exposure), including seven retaining walls and one sound wall. The retaining wall in Rose Canyon (Retaining Wall RW-526L-F), within the existing MTS right-of-way and east of the Rose Canyon Bicycle Path, would change the visual character from the path. The view, which provides long-distance views of Rose Canyon hillsides, would be blocked by the retaining wall, which would contrast sharply with the existing view/setting and would replace long-distance views with views of the wall for a moderate duration of time. The five retaining walls and one sound wall along I-5 near La Jolla Colony Drive would significantly change the character of the existing setting due to the height and length of the walls and the larger number of viewers. The retaining wall along I-5 near the VA Medical Center would contrast strongly with the existing setting, which would be a significant impact. The Refined Build Alternative includes an overhead structure with columns in the center of the Genesee Avenue median, which would be a significant impact.

### Mitigation Measures

Implementation of following mitigation measures would be effective in reducing these impacts to less-than-significant levels:

**VR1** The design of structures such as bridge columns, retaining walls, and sound walls within or adjacent to the Caltrans right-of-way would be compatible with Caltrans Design Guidelines, including those prepared for the I-5 North Coast Corridor Project.



- VR2** Other structure elements beyond walls and columns would take into account contextual design principles. New architectural features, such as stairs, ramps, elevators, aerial structures, support columns, screen walls, bridge rail, and station design elements, would be similar to or compatible with the visual character and quality of the surrounding area.
- VR3** Design plans developed for the project would include structure architectural design elements such as pilasters, recessed or raised concrete surfaces, and concrete surface treatments such as formliner textures and integrated colored concrete to reduce visual impacts associated with these elements.

### Findings and Rationale

For these significant visual and aesthetic impacts, the SANDAG Board of Directors finds that changes or alterations as set forth in the mitigation measures identified above have been required in, or incorporated into, the Refined Build Alternative to avoid or substantially lessen the significant impacts.

The mitigation measures would be effective in reducing the impacts associated with the VA Medical Center wall and the aerial structure in the center of Genesee Avenue to a less-than-significant impact. Walls identified as having a significant visual character impact under CEQA in Rose Canyon and near La Jolla Colony Drive would require mitigation to improve their aesthetic quality. With implementation of aesthetic design treatments, the significant visual character impact would be reduced to a less-than-significant impact.

For a more detailed discussion of project impacts, refer to Section 4.4 of the Final SEIS/SEIR, and the *Mid-Coast Corridor Transit Project Visual Impacts Technical Report* (SANDAG, 2014).

### ***V 4-2: Would the project substantially degrade the existing visual character or quality of the site and its surroundings?***

#### Significant Impacts

The loss of riparian trees and vegetation in both Rose Creek and Rose Canyon and in segments of the proposed project footprint from Gilman Drive to the I-5 crossover point south of Nobel Drive, through Pepper Canyon at UCSD, and along Voigt Drive to Genesee Avenue, would change the existing visual character of the project corridor.

Several existing stands of trees along the alignment are noteworthy in size and quantity, are visually prominent, and contribute to the area's character. Their removal would contrast with the current setting that is composed of moderate-to-high-quality landscape units, including Rose Canyon North, La Jolla, University City Central, La Jolla Village, and University City North, that have a moderate-to-high sensitivity to change. A moderate to very high number of viewers would be affected by the removal of these trees. Although some viewers would have limited view durations, others would see this visual change for significant parts of the day.

### Mitigation Measures

Implementation of the following mitigation measures would be effective in reducing these impacts to less-than-significant levels:

- VR4** Landscape design plans would be developed for the project by a qualified landscape architect and coordinated with local agencies and property owners. A plant establishment period would be included in construction documents developed for the project.
- VR5** Where ornamental vegetation associated with maintained landscaped areas is affected, it would be replaced in-kind or with similar vegetation types and quantities contingent on the approval of the land owner.
- VR6** Where the project requires removal of trees and the removal results in adverse visual impacts, a tree replacement ratio of 2:1 for trees larger than 6 inches in diameter at chest height and a 1:1 ratio for trees smaller than 6 inches in diameter at chest height would be implemented contingent on the approval of the land owner. Specific tree replacement sizes, use of appropriate tree species, and consideration of native and low maintenance requirements would be determined by SANDAG in consultation with a qualified landscape architect and affected property owners.
- VR7** All new plantings, regardless of location, would not include invasive plants or noxious weeds, but would include native and/or drought-resistant plants wherever appropriate. Replacement trees would not be planted in locations where their growth is likely to block a view corridor of a regionally important viewing scene.

### Findings and Rationale

For these significant impacts to visual resources, the SANDAG Board of Directors finds that changes or alterations as set forth in the mitigation measures described above have been required in, or incorporated into, the Refined Build Alternative to avoid or substantially lessen the significant impacts. The mitigation measures would be effective in reducing the impacts on visual character and visual resources due to loss of riparian trees and vegetation in and near Rose Creek and Rose Canyon and non-native tree groves along I-5 from Sea World Drive north to Balboa Avenue, and from Gilman Drive north through UCSD to Genesee Avenue to a less-than-significant impact.

For a more detailed discussion of project impacts and a description of project measures to avoid or minimize impacts, refer to Section 4.4 of the Final SEIS/SEIR and the *Mid-Coast Corridor Transit Project Visual Impacts Technical Report* (SANDAG, 2014).

## C. NOISE AND VIBRATION (FINAL SEIS/SEIR SECTION 4.7)

### ***N 4-1: Would the project result in a substantial permanent increase in existing ambient noise levels in the project vicinity above levels existing without the project?***

#### Significant Impact

Under the Refined Build Alternative, five noise-sensitive receiver clusters representing 19 residential units and 20 hotel rooms are predicted to experience moderate noise impacts at least 1 dBA greater than the impact threshold or an increase in the cumulative environmental noise level of more than 3 dBA.

#### Mitigation Measures

Implementation of the following mitigation measures would be effective in reducing these impacts to less-than-significant levels:

- N1**      *Impact Location:* Cluster 9, Camden Tuscany Apartments.  
*Mitigation:* Lower the sound level of the grade crossing bells by at least 2 dBA or to the lower level allowed by the California Public Utilities Commission, resulting in a mitigated noise level of 64 dBA day-night sound level ( $L_{dn}$ ).
- N2**      *Impact Location:* Cluster 57, La Paz Condominiums.  
*Mitigation:* Install a sound wall (minimum 8 feet above top of rail) in front of the residential land use, resulting in a mitigated noise level of 56 dBA  $L_{dn}$ .
- N3**      *Impact Location:* Cluster 59, La Paz Condominiums.  
*Mitigation:* Install a sound wall (minimum 8 feet above top of rail) in front of the residential land use, resulting in a mitigated noise level of 51 dBA  $L_{dn}$ .
- N4**      *Impact Location:* Cluster 71, Loft Apartments at the Shops at La Jolla Village shopping center and Cluster 72, Sheraton La Jolla Hotel.  
*Mitigation:* Install a sound wall on the aerial structure in front of the Sheraton La Jolla Hotel such that the top of the sound wall is at least 4 feet higher than the highest point of rail activity, and the wall is sufficiently long to reduce impacts at the Loft Apartments at the Shops at La Jolla Village. This would result in a mitigated noise level of 51 dBA  $L_{dn}$  at the Loft Apartments and 55 dBA at the hotel.

#### Findings and Rationale

For these significant noise impacts, the SANDAG Board of Directors finds that changes or alterations as set forth in the project measures and mitigation measures described above have been required in, or incorporated into, the Refined Build Alternative to avoid or substantially lessen the significant impacts.

Five noise-sensitive receiver clusters (Clusters 9, 57, 59, 71, and 72), representing 19 residential units and 20 hotel rooms, experience moderate noise impacts at least 1 dBA greater than the impact threshold or an increase in the cumulative environmental noise level of more than 3

dBA. With implementation of the noise mitigation measures, SANDAG would eliminate noise impacts at these locations, and the Refined Build Alternative would not result in an increase of more than 3 dBA compared to existing ambient noise levels at any location.

For a more detailed discussion of project impacts, and a description of project measures to avoid or minimize impacts, refer to Section 4.7 of the Final SEIS/SEIR and the *Mid-Coast Corridor Transit Project Noise and Vibration Impacts Technical Report* (SANDAG, 2014).

***N 4-2: Would the project result in vibration that is 3 vibration decibel (VdB) or more above existing conditions, and would the predicted vibration exceed the applicable FTA criteria?***

#### Significant Impact

The Refined Build Alternative would result in vibration levels that exceed the FTA criteria for residential land uses at the La Paz Condominiums (Cluster 57).

#### Mitigation Measure

**VIB1**      *Impact Location:* Cluster 57, La Paz Condominiums.  
*Mitigation:* Install floating slab trackwork or similar measure in front of the residential land use for both northbound and southbound tracks. A minimum 10-vibration-decibel reduction would be achieved at 25 hertz.

#### Findings and Rationale

For this significant impact, the SANDAG Board of Directors finds that changes or alterations as set forth in the mitigation measure described above have been required in, or incorporated into, the Refined Build Alternative to avoid or substantially lessen this significant impact. Mitigation Measure VIB1 would eliminate the vibration impact by installing floating slab trackwork or a similarly effective measure. With the implementation of this mitigation measure, there would be no remaining vibration impacts.

For a more detailed discussion of project impacts, refer to Section 4.7.5.2 of the Final SEIS/SEIR and the *Mid-Coast Corridor Transit Project Noise and Vibration Impacts Technical Report* (SANDAG, 2014).

## D. ECOSYSTEMS AND BIOLOGICAL RESOURCES (FINAL SEIS/SEIR SECTION 4.8)

***Bio 4-1: Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as being a candidate, sensitive, or special-status species in the MSCP or other local or regional plans, policies, or regulations, or by the CDFW or the USFWS?***

### ***Special Status Wildlife***

#### Significant Impacts

##### *Direct Impacts*

Coastal California gnatcatcher, San Diego fairy shrimp, and least Bell's vireo are federally listed species and were observed in the study area. No other wildlife species listed or proposed as federally threatened or endangered were observed in the study area. In addition, no critical habitat for wildlife species listed as federally threatened or endangered, including coastal California gnatcatcher and San Diego fairy shrimp, occurs in the study area. Although focused surveys for the federally listed southwestern willow flycatcher were negative and the single male least Bell's vireo observed did not establish a breeding territory within the project area, these species could move into the area prior to construction. Habitat for the federally listed light-footed clapper rail is present within the San Diego River, and this species may forage within the study area.

Implementation of the project would result in long-term loss of 5.99 acres of Tier II coastal sage scrub (potentially suitable coastal California gnatcatcher habitat); however, impacts would occur along the project alignment and would not directly affect the three observed California gnatcatcher pairs.

The project would result in the loss of an ephemeral basin occupied by San Diego fairy shrimp and its associated watershed. Since this basin is located within the Coastal Zone boundary and contains San Diego fairy shrimp, impacts to this ephemeral basin would be subject to review by the California Coastal Commission (CCC) during the Coastal Development Permit process. This impact would be considered significant without mitigation.

Implementation of the project would result in 0.68 acre of long-term direct impacts to potentially suitable riparian habitat for least Bell's vireo and southwestern willow flycatcher in the San Diego River, Rose Creek, and on the UCSD campus. The majority of long-term direct impacts would occur to areas located within or immediately adjacent to the existing MTS right-of-way.

Special-status wildlife species not listed or proposed as federally threatened or endangered could be adversely affected by the project as a result of the long-term loss of 8.29 acres of riparian, Diegan coastal sage scrub, and non-native grassland (wetlands and Tiers II and III) that provide foraging habitat, including seven special-status wildlife species known to occur in the study area, as well as others with a moderate or high potential to occur in the study area.

The long-term loss of 0.68 acre of wetlands and 1.43 acres of Tier III non-native grassland could remove nesting and/or foraging habitat for special-status species that use these habitats. Impacts to wetlands also could affect other special-status species that were not observed but have a moderate potential to occur in the study area. Impacts to grassland also could affect suitable habitat for several other special-status species.

The long-term loss of 5.99 acres of Tier II Diegan coastal sage scrub would reduce potentially suitable habitat for the coastal California gnatcatcher and other special-status species that use coastal sage scrub. Impacts to wetlands, Tier II Diegan coastal sage scrub, and Tier III grassland also could affect sensitive bats.

### *Indirect Impacts*

Long-term indirect impacts from shading associated with elevated project structures would affect 1.24 acres of wetlands and Tier II–III vegetation communities. Of the areas subject to potential shading effects, 0.10 acre comprises non-vegetated channel or floodway that lacks vegetation entirely and would not be adversely affected by shading. The remaining 0.79 acre of wetland communities subject to shading is comprised of 0.25 acre of mulefat scrub and southern willow scrub, and 0.54 acre of disturbed southern willow scrub, disturbed wetland, and Arundo-dominated riparian areas that may be sensitive to changes in sunlight availability to varying degrees. The presence of wetland communities in similar conditions beneath existing crossings over the San Diego River and Rose Creek suggest that sufficient sunlight would be available to support wetland communities, although not necessarily the same type as is currently present. While shading is not expected to result in type conversion of existing wetland communities, the potential decrease of growth and productivity in certain wetland communities could have an adverse impact.

Elevated structures would shade 0.28 acre of coastal sage scrub located beneath the proposed UCSD West Station. In addition, approximately 0.76 acre of potentially suitable riparian habitat for least Bell's vireo and southwestern willow flycatcher in the San Diego River, Rose Creek, and on the UCSD campus would be impacted by shading.

### Project Measures

- During final design, the project's footprint would be further reviewed and, where possible, the footprint would be minimized to reduce impacts to wetlands and vegetation.
- Features would be added to the San Diego River Bridge to make it more "bat friendly." Several methods may be used to make the bridge more conducive to bat use as roosting and maternity colony sites. Potential add-on structures could include add-on panels, add-on collars, capped-edge drains, wooden-backed signs, and bat houses. The appropriate add-on structures would be selected based on consultations between a qualified bat biologist and bridge structural engineers with consideration given to site-specific conditions, maintenance and inspection accessibility, and safety. A qualified bat biologist would monitor the add-on structures annually for three years post-construction to ensure the add-on structures remain intact and to determine if the add-on structures are being used as bat roosts.

- The concrete-lined channel has been designed with a slight inclination toward the center of the channel. During the dry season when the flows would be limited to irrigation runoff, the outer segments of the channel bottom would carry limited amounts of runoff and would continue to facilitate wildlife movement. The majority of riprap placed at the upstream and downstream ends of the proposed channel would not be grouted, which would allow sediment to fill gaps, creating a more natural surface for wildlife to cross.

### Mitigation Measures

The Refined Build Alternative would include mitigation that is consistent with the MSCP Plan (County of San Diego, 1998) and therefore would require mitigation for impacts to special-status vegetation communities (wetlands and Tier II–III). Often the mitigation ratios are higher than 1:1, which accounts for temporary losses and may increase net habitat area. Mitigation through the *TransNet* Environmental Mitigation Program (EMP) would provide an equivalent level of protection and benefit to biological resources. Impacts to wetlands and Tier II–III vegetation communities would be mitigated in accordance with the ratios shown in Table 4-19, Table 4-20, and Table 4-21 in Section 4.8.4 of the Final SEIS/SEIR. Long-term impacts to wetland communities would be mitigated at a 3:1 ratio, including a minimum 1:1 ratio of wetlands creation to achieve no net loss, based on the vegetation community and subject to approval of resource agencies with jurisdiction. Additional mitigation may be required by resource agencies with jurisdiction over the affected area.

Mitigation would reduce the overall biological impacts from the Refined Build Alternative through the restoration and/or conservation of vegetation communities. Additional mitigation for impacts to wetland vegetation communities, if required, as well as mitigation for impacts to Tier II–III vegetation communities, would be provided through the SANDAG *TransNet* EMP using one or more of the following mitigation approaches:

- BIO1**      On-site Mitigation: To the extent feasible, disturbed lands within or adjacent to the existing MTS right-of-way would be revegetated with wetland and Tier II–III vegetation communities. Revegetated areas would be maintained and monitored for approximately five years to ensure successful reestablishment of vegetation communities.
- BIO2**      Off-site Mitigation: Where mitigation requirements cannot be accommodated within existing disturbed lands in the study area, impacts to wetlands and Tier II–III vegetation communities would be mitigated inside or outside of MHPA lands elsewhere within the County of San Diego (e.g., Sage Hill site). Off-site mitigation may include creation (establishing wetlands and Tier II–III vegetation communities in areas that are currently disturbed, developed, or supporting non-native vegetation communities) or enhancement (improving the quality of existing areas of wetlands and Tier II–III vegetation communities through removal of non-native species, establishment of native species, restoration of prior impacts, and protection from future disturbance).
- BIO3**      Mitigation Credits: In addition to on-site and off-site mitigation, impacts to wetlands and Tier II–III vegetation communities may be mitigated through the

purchase of mitigation credits. The purchase of mitigation credits results in the long-term preservation of vegetation communities within established mitigation banks where these communities have been created and/or enhanced and are maintained in perpetuity.

Impacts to San Diego fairy shrimp in Basin II would be mitigated through the following mitigation measure. Should future surveys identify San Diego fairy shrimp in additional basins impacted by the project, impacts also would be mitigated in accordance with the following mitigation measure:

**BI05** Impacts to ephemeral basins occupied by San Diego fairy shrimp, including Basin II, would be mitigated at a 2:1 ratio through restoration and/or enhancement of vernal pools within west Otay Mesa on the 40-acre Anderprizes parcel, which was previously acquired for future mitigation of vernal pools and which has been approved by the USFWS for mitigation of impacts to San Diego fairy shrimp, or within another approved mitigation area acceptable to the USFWS. Restoration would be conducted at a minimum 1:1 ratio to achieve a no-net-loss of San Diego fairy shrimp habitat; a combination of restoration and enhancement would make up the remaining mitigation. Restoration would be conducted in accordance with a vernal pool restoration plan to be developed by SANDAG and subject to approval by the USFWS prior to project construction.

The 40-acre Anderprizes parcel has sufficient mitigation areas to offset the impacts associated with the project. However, in the event that other mitigation locations are identified, mitigation at such sites also would include the implementation of a vernal pool restoration, enhancement, and/or preservation plan subject to the approval of the USFWS prior to project construction. SANDAG would ensure that the mitigation areas would be conserved in perpetuity, including providing financial assurances and/or securing conservation easements, as necessary for USFWS approval.

### Findings and Rationale

For these significant impacts, the SANDAG Board of Directors finds that changes or alterations as set forth in the project measures and mitigation measures described above have been required in, or incorporated into, the Refined Build Alternative to avoid or substantially lessen the significant impacts. The Refined Build Alternative would mitigate the long-term impacts of the project on special status species due to direct impacts and impacts related to habitat modifications to less than significant levels.

For a more detailed discussion of project impacts and a description of project measures to avoid or minimize impacts, refer to Section 4.8 of the Final SEIS/SEIR and the *Mid-Coast Corridor Transit Project Biological Resources Technical Report* (SANDAG, 2014).



***Bio 4-2: Would the project have a substantial adverse effect on any Tier I Habitats, Tier II Habitats, Tier IIIA Habitats, or Tier IIIB Habitats, as identified in the San Diego Municipal Code Land Development Code—Biology Guidelines (City of San Diego, 2012b) or other sensitive natural communities identified in local or regional plans, policies, or regulations, or by the CDFW or the USFWS?***

Significant Impacts

The Refined Build Alternative would result in direct and indirect impacts to vegetation communities and land covers. The majority (91 percent) of long-term impacts would occur within Tier IV vegetation/land covers. The long-term loss of wetland and Tier II–III vegetation communities would be considered significant.

The Refined Build Alternative would result in shading impacts to vegetation communities and land covers. A total of 12.86 acres of wetland and Tier II–IV communities and land covers would be subject to potential long-term indirect impacts as a result of shading from elevated structures. The long-term indirect impacts to Tier I–II vegetation communities due to shading would be considered significant.

Mitigation Measures

The Refined Build Alternative would include mitigation that is consistent with the MSCP Plan (County of San Diego, 1998) and therefore would require mitigation for impacts to special-status vegetation communities (wetlands and Tier II–III). Impacts to Tier I–II vegetation communities would be mitigated in accordance with the ratios shown in Table 4-19, Table 4-20, and Table 4-21 in Section 4.8.4 of the Final SEIS/SEIR. Refer to Bio 4-1 for a detailed discussion of mitigation ratios. Additional mitigation for impacts to wetland vegetation communities, if required, as well as mitigation for impacts to Tier II–III vegetation communities, would be provided through the SANDAG *TransNet* EMP using one or more of the mitigation approaches identified in the following measures:

**BIO1** Refer to Bio 4-1 for a description of Mitigation Measure **BIO1**.

**BIO2** Refer to Bio 4-1 for a description of Mitigation Measure **BIO2**.

**BIO3** Refer to Bio 4-1 for a description of Mitigation Measure **BIO3**.

Findings and Rationale

For these significant impacts, the SANDAG Board of Directors finds that changes or alterations as set forth in the mitigation measures described above have been required in, or incorporated into, the Refined Build Alternative to avoid or substantially lessen the significant impacts. Therefore, impacts to sensitive natural communities would be less than significant with mitigation.

For a more detailed discussion of project impacts, refer to Section 4.8 of the Final SEIS/SEIR and the *Mid-Coast Corridor Transit Project Biological Resources Technical Report* (SANDAG, 2014).

***Bio 4-3: Would the project have a substantial adverse impact on wetlands (including, but not limited to, marsh, vernal pool, riparian, etc.) through direct removal, filling, hydrological interruption, or other means?***

Significant Impacts

The Refined Build Alternative would result in long-term direct and indirect impacts to wetlands and aquatic resources under the jurisdiction of the USACE, the CDFW, the RWQCB, the City of San Diego, and the CCC. Direct impacts to 0.17 acre of wetland waters of the U.S. and 0.19 acre of non-wetland waters of the U.S. total 0.37 acre of long-term impacts. Long-term direct impacts to areas under CDFW and City of San Diego jurisdiction total 0.87 acre. Long-term impacts to CCC wetlands total 0.22 acre.

Shading from elevated project structures of the Refined Build Alternative would indirectly affect 0.72 acre, 0.59 acre of wetland waters of the U.S. and 0.13 acre of non-wetland waters of the U.S.; 0.88 acre of streambed and associated riparian areas under the jurisdiction of CDFW and the City of San Diego; and 0.49 acre under the jurisdiction of the CCC.

Mitigation Measures

The Refined Build Alternative would avoid and minimize impacts to areas under the jurisdiction of the USACE, RWQCB, CDFW, City of San Diego, and CCC to the extent practicable. Coordination with the USACE, for the issuance of a Section 404 (Clean Water Act) permit, is ongoing. As long-term impacts to areas under USACE jurisdiction do not exceed 0.5 acre within any of the affected watersheds, it is anticipated that the project would be authorized under Section 404 through the Nationwide Permit program.

For impacts within the San Diego River and Tecolote Creek watersheds, mitigation is proposed within the San Diego River watershed or, if acceptable to regulatory agencies, within the neighboring Rose Creek watershed. For impacts within Rose Creek, mitigation includes implementing a portion of the approved Rose Creek Restoration Plan in coordination with the Friends of Rose Canyon. Additional mitigation sites may be identified through agency consultation and through the *TransNet* EMP. Unavoidable long-term impacts to jurisdictional aquatic resources would be mitigated at a 3:1 ratio, including a minimum 1:1 ratio of wetlands creation to achieve no net loss.

Additional mitigation for impacts to wetland vegetation communities, if required, as well as mitigation for impacts to Tier II–III vegetation communities, would be provided through the SANDAG *TransNet* EMP using one or more of the following mitigation approaches:

- BIO1**            Refer to Bio 4-1 for a description of Mitigation Measure **BIO1**.
- BIO2**            Refer to Bio 4-1 for a description of Mitigation Measure **BIO2**.
- BIO3**            Refer to Bio 4-1 for a description of Mitigation Measure **BIO3**.

If necessary, additional mitigation would be provided through the following:

**BIO4** For any impacts that cannot be mitigated on-site or at the identified off-site mitigation sites, SANDAG will implement a combination of one or more of the following mitigation alternatives: mitigation bank credits; in-lieu fee program credits; on-site creation, restoration, or enhancement; and off-site creation, restoration, or enhancement.

#### Findings and Rationale

For these significant impacts, the SANDAG Board of Directors finds that changes or alterations as set forth in the mitigation measures described above have been required in, or incorporated into, the Refined Build Alternative to avoid or substantially lessen the significant impacts. Therefore, impacts to wetlands and aquatic resources would be less than significant with mitigation.

For a more detailed discussion of project impacts, refer to Section 4.8 of the Final SEIS/SEIR and the *Mid-Coast Corridor Transit Project Biological Resources Technical Report* (SANDAG, 2014).

## **E. ELECTROMAGNETIC INTERFERENCE (FINAL SEIS/SEIR SECTION 4.14)**

***EM 4-1: Would the project create fluctuations in EMF levels that could affect the operation of EMF sensitive equipment?***

#### Significant Impacts

The Refined Build Alternative would increase magnetic field disruption levels to the degree that it would result in electromagnetic interference (EMI) impacts that would affect the operation of sensitive equipment at both the Scripps Hospital XiMed Building and the UCSD Structural Materials and Engineering (SME) Building where sensitive equipment and instruments are known to be located. Specifically, the Refined Build Alternative would generate EMF fluctuations that would exceed 1 milligauss (mG) at the UCSD SME Building and that would exceed 4 mG at the Scripps XiMed Building.

#### Mitigation Measures

Implementation of the following mitigation measures would be effective in reducing these impacts to less-than-significant levels:

**EMF1** Project impacts to identified equipment that is sensitive to EMI at the UCSD SME Building and the Scripps Hospital XiMed Building would be mitigated through the use of a split-power configuration system with a parallel feeder cable located below each track connected to the overhead contact system (OCS) wire intermittently with cable risers at OCS poles—rather than using the overhead messenger wires—in the areas near these buildings. In these areas, the feeder cables would be located in line with the centerline of the track (single-split power supply) in order to get feeder cable and return current (the rails) as close as possible and reduce the magnetic fields.

## Findings and Rationale

For these significant impacts, the SANDAG Board of Directors finds that changes or alterations as set forth in the mitigation measure described above have been required in, or incorporated into, the Refined Build Alternative to avoid or substantially lessen the significant impacts. The proposed modified power distribution system has been shown to substantially reduce EMF levels from light rail operations. At the UCSD SME Building and the Scripps Hospital XiMed Building, predicted levels of EMFs were reduced to levels below that which would impact the identified sensitive equipment at each location, and thus the project would not interfere with the operation of known sensitive equipment and instruments. With implementation of Mitigation Measure EMF1, impacts would be less than significant.

For a more detailed discussion of project impacts, refer to Section 4.14 of the Final SEIS/SEIR and the *Mid-Coast Corridor Transit Project Electromagnetic Field Impacts Technical Report* (SANDAG, 2014).

## **F. CONSTRUCTION IMPACTS (FINAL SEIS/SEIR SECTIONS 3.4.7 AND 4.17)**

### **F.1 TRANSPORTATION**

#### ***CTR 4-1: Would project construction remove pedestrian and/or bicycle facilities?***

#### Significant Impacts

Construction of the Refined Build Alternative for the Mid-Coast Corridor Transit Project would result in the temporary closure of pedestrian and bicycle facilities. Table 3-35 in the Final SEIS/SEIR presents the location of closures.

#### Project Measures

- The TMP would include measures to maintain pedestrian and bicycle access through construction zones with the emphasis on safety. Portions of existing on-street bike lanes (Class II bicycle facility) and off-street bikeways (Class I bicycle facility) would be closed temporarily during the construction period. Where possible, detours would be provided. Signage would be posted to guide bicyclists to all bicycle path detour routes.
- Closure of bike lanes may require that the travel lanes in the roadway be shared between bicyclists and motorists. In such cases, advanced warning signs would be posted and speed limits on the roadways may be reduced to ensure safety.
- Ocean Beach Bicycle Path: In coordination with the City of San Diego, SANDAG would develop a traffic control plan that would specify the use of advance warning signs and pavement markings and inform bicyclists of the reduced headroom clearance during construction of the San Diego River Bridge and to dismount when passing below the falsework.
- Construction would be phased such that pedestrian access would be maintained on one side of the street whenever possible. If closures of sidewalks on both

sides of a roadway at the same time cannot be avoided during construction, temporary pedestrian detours would be provided and identified in the TMP. Signage would be used to guide pedestrians to the detour routes. Proper deterrents, such as barriers or fencing, would be placed to prevent access through the construction area.

- Temporary crosswalks would be provided where they are missing at the intersection of Genesee Avenue and La Jolla Village Drive, which is located between the two pedestrian bridges that would be removed during construction. The missing crosswalks would be temporarily striped at this intersection once the pedestrian bridges are removed. The temporary crosswalks would require retiming traffic signals and installing temporary pedestrian signals where they do not exist.

### Mitigation Measures

**TCON1** Construct a temporary bicycle path adjacent to the construction site along the Rose Canyon Bicycle Path to maintain access and connectivity. During any short-term, intermittent closures, such as may be required for safety and at the time the temporary path is being constructed, provide informational signs and a detour route along local streets and pathways.

### Findings and Rationale

For these significant impacts, the SANDAG Board of Directors finds that changes or alterations as set forth in the project measures and mitigation measure described above have been required in, or incorporated into, the Refined Build Alternative to avoid or substantially lessen the significant impacts.

Construction of the Refined Build Alternative would require closure of some pedestrian and bicycle facilities. Additionally, implementation of the mitigation measures at Taylor Street would involve the temporary closure of the Class II bicycle lane on Pacific Highway. Impacts to pedestrian facilities and Class II bike lanes would be temporary, lasting for the duration of construction in that area. Incorporation of the project measures would reduce impacts to less-than-significant levels.

Construction activities along the Class I Rose Canyon Bicycle Path would require closure of this facility during construction. With implementation of TCON1, the impact to bicyclists using this bicycle path would be less than significant.

Construction activities across the Ocean Beach Bicycle Path would require nighttime closure of this facility, and after installation of falsework, the segment of this bicycle path that crosses the alignment would have less than 8 feet of vertical clearance. Because the temporary reduced headroom clearance does not prevent the general use of this facility, the impact associated with construction activities would be less than significant.

For a more detailed discussion of project impacts and a description of project measures to avoid or minimize impacts, refer to Section 3.4.7 of the Final SEIS/SEIR, the *Mid-Coast Corridor*

*Transit Project Transportation Impacts and Mitigation Report (SANDAG, 2014), and the Mid-Coast Corridor Transit Project Construction Impacts Technical Report (SANDAG, 2014).*

## **F.2 SOCIOECONOMIC AND FISCAL IMPACTS**

### ***CSF 4-1: Would the project construction result in the temporary displacement of occupants of either residential or commercial buildings?***

#### Significant Impacts

The Refined Build Alternative would require night-time construction and generate noise throughout the corridor. Nighttime construction would occur periodically for the Nobel Viaduct near residences along Charmant Drive and in the northeast corner of Cape La Jolla Gardens housing complex adjacent to I-5. Nighttime construction near residences along Genesee Avenue may continue intermittently for up to three years. Temporary and voluntary displacement of residents would occur as a result of the temporary relocation of residents due to Mitigation Measure CON2 (described below) for constructions noise impacts.

#### Project Measures

- To the extent possible, construction plans would minimize temporary encroachments and temporary impacts to parking spaces. Property owners would be compensated for temporary encroachments and associated business impact costs. Property and business owners affected by acquisitions and displacements would be compensated consistent with the Uniform Act, the California Act, and SANDAG Board Policy No. 021. Prior to termination of a temporary encroachment agreement or easement, the portions of properties acquired for temporary use would be returned to the condition prior to the start of construction activities or as agreed in the temporary use agreement.
- Construction of the aerial guideway along the west side of I-5 and along Genesee Avenue would affect commercial signs at the La Jolla Village Square, the Shops at La Jolla Village, Costa Verde, and Westfield UTC shopping centers. Along the west side of I-5 and along Genesee Avenue, the contractor would be required to install temporary signage for businesses open during the construction period, as well as signage to direct vehicles to parking and/or access and provide pedestrian access routes.
- To minimize impacts on businesses during construction, the construction traffic-control plans would be designed to provide access to businesses during construction and would provide adequate signage to shopping centers and businesses.

#### Mitigation Measures

**CON2** To reduce nighttime noise impacts to sensitive receivers on Charmant Drive, in the Cape La Jolla Gardens housing complex adjacent to I-5, and along Genesee Avenue, the contractor would provide noise-reducing curtains or noise-masking machines where appropriate and approved by the occupant. Temporary lodging

in an approved hotel would be offered by SANDAG to residents if, after implementation of noise-reducing measures, nighttime construction noise is predicted to exceed the ambient noise levels for that area by 5 dBA.

### Findings and Rationale

For these significant impacts, the SANDAG Board of Directors finds that changes or alterations as set forth in the project measures and mitigation measure described above have been required in, or incorporated into, the Refined Build Alternative to avoid or substantially lessen the significant impacts.

Mitigation Measure CON2 would provide temporary relocation to an approved hotel during nights where construction activities are anticipated to generate noise levels that exceed the ambient noise levels for that area by 5 dBA after implementation of project measures and other mitigation measures. This could constitute a temporary displacement. The relocation of residents to mitigate the noise impact would be reduced to less than significant because of its voluntary and temporary nature and because the relocation is not due to the temporary acquisition of properties.

For a more detailed discussion of project impacts and a description of project measures to avoid or minimize impacts, refer to Section 4.17.3 of the Final SEIS/SEIR and the *Mid-Coast Corridor Transit Project Construction Impacts Technical Report* (SANDAG, 2014).

## **F.3 NOISE AND VIBRATION**

### ***CN 4-1: Would project construction result in a substantial increase in existing ambient noise levels in the project vicinity above levels existing without the project?***

#### Significant Impacts

The Refined Build Alternative would result in significant noise impacts during construction. Noise levels generated by construction equipment would vary depending on several factors, including the type of equipment, the specific model, the operation being performed, and the condition of the equipment. The Refined Build Alternative construction period is anticipated to be approximately 4.5 years. Noise impacts due to construction would be temporary and would occur in various locations within the corridor as construction progresses.

The majority of construction activity would occur during the day or away from noise-sensitive land uses. Nevertheless, daytime construction activity would temporarily and intermittently increase ambient noise levels well above existing noise levels at residences adjacent to construction activity and at noise-sensitive land uses along Genesee Avenue.

Nighttime construction activities would be required close to residences on Charmant Drive, in Cape La Jolla Gardens adjacent to I-5, and along Genesee Avenue. Nighttime construction is expected to cause a significant impact to these residences due to a substantial increase in existing ambient noise levels, thus constituting a significant impact.

## Project Measures

The following measures would be undertaken by SANDAG or the contractor to avoid or minimize noise impacts:

- Comply with all applicable noise regulations, including the City of San Diego Noise Ordinance (City of San Diego, 2010). This may require that the contractor install temporary noise barriers at various locations along the rail track alignment and around station construction zones.
- Use specialty equipment with enclosed engines or high-performance mufflers when feasible.
- Locate equipment and staging areas away from noise-sensitive receivers and install temporary noise barriers where practicable.
- Limit unnecessary equipment idling.
- Follow the TMP and reroute construction-related truck traffic away from residential streets to the extent allowable by local regulations.
- Establish the position of noise disturbance coordinator. The noise disturbance coordinator would be responsible for responding to any local complaints about construction noise. The noise disturbance coordinator would determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and would be required to implement reasonable measures such that the complaint is resolved. Documentation of noise complaints and resolution of the complaint would be provided to SANDAG.
- Provide public notice to nearby residents prior to nighttime construction.
- Coordinate with the site administrators of nearby schools and other sensitive noise receptors to discuss construction activities that generate high noise levels. Coordination between the site administrators and the construction contractor would continue on an as-needed basis throughout the construction period to address potentially disruptive noise levels.

## Mitigation Measures

Implementation of the following mitigation measures would be effective in reducing these impacts to less-than-significant levels:

- CON1** The contractor would develop and implement a Noise Control Plan, approved by SANDAG prior to initiating construction. The plan would demonstrate how the contractor would reduce noise levels near sensitive noise receptors consistent with the city's Noise Ordinance. The plan would include analysis of construction noise based on measured background noise levels, a list of the major pieces of construction equipment that would be used, and predictions of the noise levels at the closest sensitive receivers (including residences, hotels, schools, churches, temples, and similar facilities where either outdoor or indoor activities would be sensitive to noise levels). The Noise Control Plan would include noise attenuation features as necessary, such as temporary sound walls, mufflers, and



locating noisy equipment away from sensitive land uses. In addition, the plan would consider alternative construction methods when relevant.

**CON2** Refer to CSF 4-1 for a description of Mitigation Measure **CON2**

### Findings and Rationale

For these significant impacts, the SANDAG Board of Directors finds that changes or alterations as set forth in the project measures and mitigation measures described above have been required in, or incorporated into, the Refined Build Alternative to avoid or substantially lessen the significant impacts. In areas where construction noise levels are less than 5 dBA above the ambient noise level for that area, noise-reducing curtains would eliminate the impact. For levels between 5 and 10 dBA above the ambient noise level for that area, a combination of curtains and noise-masking machines would be effective at reducing sleep disturbance for most residents. If residents are voluntarily relocated under Mitigation Measure CON2, no construction noise impacts would remain after mitigation. Implementation of project and mitigation measures would reduce short-term construction noise impacts to less than significant at all locations, except for nighttime noise impacts for residents who do not temporarily relocate. For additional findings regarding nighttime noise impacts for residents who do not temporarily relocate, refer to CSF 4-1.

For a more detailed discussion of project impacts and a description of project measures to avoid or minimize impacts, refer to Section 4.17.3 of the Final SEIS/SEIR and the *Mid-Coast Corridor Transit Project Construction Impacts Technical Report* (SANDAG, 2014).

***CN 4-2: Would project construction expose people to noise levels that exceed the city's adopted noise ordinance or expose existing land uses to noise levels that are considered incompatible under the city's Noise Land Use Compatibility Chart?***

### Significant Impacts

The Refined Build Alternative would result in significant noise impacts during construction. Construction noise levels would exceed an average sound level greater than 75 dBA during the 12-hour period from 7:00 a.m. to 7:00 p.m. at receivers located 150 feet or less from the noise source on some occasions. Some construction activities would also occur after 7:00 p.m. Construction noise would exceed the above limits and would result in significant impacts without mitigation.

### Project Measures

Refer to CN 4-1 for a description of the project measures that will be incorporated into the project to avoid or minimize noise impacts.

### Mitigation Measures

**CON1** Refer to CN 4-1 for a description of Mitigation Measure **CON1**.

**CON2** Refer to CSF 4-1 for a description of Mitigation Measure **CON2**.

## Finding and Rationale

For these significant impacts, the SANDAG Board of Directors finds that changes or alterations as set forth in the project measures and mitigation measures described above have been required in, or incorporated into, the Refined Build Alternative to avoid or substantially lessen the significant impacts.

Short-term construction noise impacts would result in significant impacts throughout the corridor; however, implementation of project and mitigation measures would reduce short-term construction noise impacts to less than significant at all locations except for nighttime construction noise impacts at Charmant Drive, in the northeast corner of the Cape La Jolla Gardens housing complex adjacent to I-5, and along Genesee Avenue. At other locations, there would be no significant impact.

For residents impacted by nighttime construction noise who are offered temporary lodging and decline, the temporary impact would remain significant. For additional findings regarding nighttime noise impacts for residents who do not temporarily relocate, refer to CSF 4-1 of these Findings.

For a more detailed discussion of project impacts and a description of project measures to avoid or minimize impacts, refer to Section 4.17.3 of the Final SEIS/SEIR and the *Mid-Coast Corridor Transit Project Construction Impacts Technical Report* (SANDAG, 2014).

***CN 4-3: Would the project construction result in temporary construction noise that would interfere substantially with normal business communication or affect sensitive receptors, such as day-care facilities?***

## Significant Impacts

The Refined Build Alternative would result in significant impacts during construction if business communications are conducted outdoors. Although it varies with distance, background noises approaching 70 dBA typically make normal conversation difficult. Land uses within 300 feet potentially would experience construction-related noise levels that exceed 70 dBA. In addition, as described above, construction noise would affect sensitive receptors, such as residences and schools (e.g., Preuss School). Construction noise could interfere with normal business communication that must be conducted outdoors or affect outdoor educational activities and would result in significant impacts without mitigation.

## Project Measures

Refer to CN 4-1 for a description of the project measures that will be incorporated into the project to avoid or minimize noise impacts.

## Mitigation Measures

**CON1** Refer to CN 4-1 for a description of Mitigation Measure **CON1**.

**CON2** Refer to CSF 4-1 for a description of Mitigation Measure **CON2**.

## Finding and Rationale

For these significant impacts, the SANDAG Board of Directors finds that changes or alterations as set forth in the project measures and mitigation measures described above have been required in, or incorporated into, the Refined Build Alternative to avoid or substantially lessen the significant impacts.

Implementation of project and mitigation measures would reduce short-term construction noise impacts to less than significant at all locations except for nighttime construction noise impacts at Charmant Drive, in the northeast corner of the Cape La Jolla Gardens housing complex adjacent to I-5, and along Genesee Avenue. At other locations, there would be no significant impact.

For a more detailed discussion of the project impacts and a description of project measures to avoid or minimize impacts, refer to Section 4.17.3 of the Final SEIS/SEIR and the *Mid-Coast Corridor Transit Project Construction Impacts Technical Report* (SANDAG, 2014).

### ***CN 4-4: Vibration Impacts during Construction***

#### Significant Impacts

The Refined Build Alternative would involve construction activities that could result in vibration damage to nearby sensitive structures and buildings. These impacts would be significant without mitigation.

#### Mitigation Measures

Implementation of the following mitigation measure would be effective in reducing these impacts to less-than-significant levels:

**CON3** During final design, and where permission can be obtained, a qualified structural engineer would survey the existing foundation and other structural aspects of buildings located within close proximity (25 to 100 feet depending on construction activity and structure type) of the construction zone boundaries. Potholing or other non-destructive testing of the below-grade conditions may be necessary to establish baseline conditions. Depending on anticipated construction activities, the survey report would identify buildings that could be affected by construction vibration. The qualified structural engineer would document in the survey report baseline conditions at all buildings that may be affected by construction vibration.

The survey report would provide a shoring design to protect identified buildings from potential vibration damage. Alternatively, the structural engineer may recommend alternative construction methods that would produce lower vibration levels. Such measures would be implemented by the contractor at the direction of SANDAG and with the permission of the property owner.

## Finding and Rationale

For these significant impacts, the SANDAG Board of Directors finds that changes or alterations as set forth in the mitigation measures described above have been required in, or incorporated into, the Refined Build Alternative to avoid or substantially lessen the significant impacts. With implementation of Mitigation Measure CON3, vibration generated during construction would not result in risk of damage to the sensitive structures.

For a more detailed discussion of project impacts, refer to Section 4.17 of the SEIS/SEIR and the *Mid-Coast Corridor Transit Project Construction Impacts Technical Report* (SANDAG, 2014).

## **F.4 ECOSYSTEMS AND BIOLOGICAL RESOURCES**

***CBio 4-1: Would project construction result in short-term substantial adverse effect, either directly or through habitat modifications, on any species identified as candidate, sensitive, or special-status species?***

### Significant Impacts

#### *Special Status Plants*

Construction activities would result in the direct removal of California Rare Plant Rank (CRPR) 4.2 San Diego sagewort (*Artemisia palmeri*) and CRPR 4.2 southwestern spiny rush (*Juncus acutus* spp. *leopoldii*) and potentially suitable habitat for CRPR 1B.2 Robinson's pepper-grass (*Lepidium virginicum* var. *robinsonii*) and CRPR 1B.1 bottle liverwort (*Sphaerocarpos drewei*). No plant species listed or proposed as federally threatened or endangered would be affected as a result of construction activities. Because the majority of the observed individuals of San Diego sagewort and southwestern spiny rush would not be directly affected by construction activities and because these species have a relatively low level of rarity, impacts to these species would be less than significant. Additionally, there would be less-than-significant impacts on Robinson's pepper-grass and bottle liverwort because the affected habitat is located within the existing MTS right-of-way or immediately adjacent to it where substantial populations of either species are unlikely to occur given existing levels of disturbance.

During construction, dust, erosion, and runoff could indirectly impact special-status plant species observed or with a moderate potential to occur in adjacent habitat areas. However, implementation of BMPs and construction mitigation measures described in these Findings for air quality and water resources would avoid or minimize these impacts.

#### *Special-Status Wildlife*

During construction, the project would require the direct removal of 4.1 acres of wetland vegetation, 2.85 acres of Tier II vegetation, and 0.21 acre of Tier III vegetation, resulting in a temporary loss of habitat for special-status wildlife species. Construction activities involving ground disturbance and vegetation clearing in wetlands and Tier II–III vegetation communities also could directly impact special-status ground-dwelling species (e.g., rodents, reptiles, and amphibians). Potential impacts to ground-dwelling special-status wildlife species would be less than significant.

Ground improvements associated with bridge construction at the San Diego River and in Rose Creek would result in short-term construction vibration in adjacent native habitat areas that could affect ground-dwelling special-status species. Potential impacts to ground-dwelling special-status wildlife species would be less than significant because the extent and duration of vibration would be limited to the immediate vicinity of construction and would persist for only a short duration as ground-improving activities would occur only during the initial stages of bridge construction.

During the bird breeding season, construction activities could directly impact nesting special-status birds and species protected under the federal Migratory Bird Treaty Act (MBTA). Breeding birds can also be indirectly affected by construction noise and vibration, which can disrupt foraging, nesting, and reproductive activities. Indirect impacts to nesting birds from construction vibration could occur as a result of the Refined Build Alternative.

Construction activities along approximately 150 feet of the existing bridge for the Trolley Green Line adjacent to the southern abutment at the San Diego River could impact bats potentially roosting within cracks in the structure. Western mastiff bat has the potential to occur in the area and is known to roost in man-made structures. Vegetation clearing activities within riparian habitat also could directly impact roosting western red bat, a California species of special concern.

### Project Measures

- During final design, the project's construction footprint would be further reviewed and, where possible, the footprint would be minimized to reduce impacts to wetlands and vegetation.
- Where construction occurs adjacent to sensitive biological resources, the limits of construction would be visibly delineated through brightly colored fencing or other highly visible means. Construction crews would be directed not to encroach beyond the limits of construction.
- To reduce impacts to nocturnal species, nighttime construction activity would be minimized whenever feasible and shielded lights would be used for nighttime security lighting in the area.
- BMPs would minimize dust, erosion, and runoff generated by construction activities.
- During construction, a biological monitor would be present to assist in the avoidance of impacts to native vegetation, jurisdictional aquatic resources, special-status plants and wildlife, and nesting birds.
- During construction, a movement corridor for light-footed clapper rail would be maintained along the San Diego River main channel to allow clapper rails to move through the construction area, if present. The movement corridor would include exclusionary fencing along the project limits on both sides of the flow channel to prevent clapper rails from entering construction areas, if present.
- Indirect construction impacts to the San Diego fairy shrimp in Basin BB would be avoided through the designation of a buffer. The buffer, to be developed in

consultation with the USFWS and CCC, would be established to prevent construction from indirectly affecting the pool and its associated watershed.

- To prevent the introduction of invasive plant species, construction vehicles and equipment would be washed prior to working in areas where sensitive vegetation communities are present adjacent to the project.

### Mitigation Measures

#### *Special-Status Wildlife*

**CON4** Biologists would conduct nesting bird surveys not more than 72 hours prior to initiating construction-related ground-disturbing activities (i.e., grading or ground-clearing activities) during the breeding season (February 15 through August 31 for most species, and January 15 through August 15 for raptors, or as determined by a qualified biologist). Biologists would determine if active nests of special-status birds or bird species protected by the MBTA and/or the California Fish and Game Code 3503 are present in the disturbance zone or within 300 feet (500 feet for raptors) of the disturbance zone during the nesting/breeding season of native bird species potentially nesting on the site. Despite the lack of native habitat, similar pre-construction nesting bird surveys would be conducted at the four TPSSs located outside of the biological study area to the south of the OTTC to ensure the avoidance of native birds potentially nesting in urbanized areas. If ground-disturbing activities are delayed, then additional pre-disturbance surveys would be conducted such that no more than 72 hours would have elapsed between the survey and the initiation of ground-disturbing activities.

**CON5** If biologists find an active nest of a native bird species, then vegetation clearing, ground-disturbing activities, and construction equipment that generates high noise or vibration levels would cease and be postponed or halted at the discretion of the biologist in consultation with the CDFW. This work cessation would be effective within a buffer area from the nest at a distance appropriate to the sensitivity of the species and the distribution of the surrounding habitat (typically 300 feet for most species, up to 500 feet for raptors—the area may vary depending on the types of vegetation surrounding the nest). Construction work would not resume until the biologist has determined that the nest is no longer active, the juveniles have fledged, and there is no evidence of a second attempt at nesting. Alternatively, a qualified biological monitor would be present full-time while construction is occurring within the buffer area to observe the nesting birds and would have the authority to halt or redirect construction if the birds exhibit signs of distress. Limits of construction around active nests would be established in the field with flagging, fencing, or other appropriate barriers; and construction personnel would be informed about the sensitivity of nest areas. The biologist would serve as a construction monitor during those periods when construction activities would occur near active nest areas to ensure that no inadvertent impacts to nesting birds occur.

- CON6** Vegetation clearing within suitable western red bat habitat would be avoided during the maternal roost season (May through August, or as determined by a qualified biologist) where feasible. Pre-construction surveys for roosting western red bat would be conducted within suitable habitat if construction would occur within or adjacent to suitable roost sites during the maternal roost season. If a roost is detected, passive exclusion would include monitoring the roost for three days to determine if the roost is vacated. If the roost is determined to support a reproductive female with young, the roost would be avoided until it is no longer active. If the roost remains active within the three monitoring days and supports a dispersing male but no breeding female or young, the foliage of the tree would be trimmed after the male has left the roost at dusk. The tree would be monitored again the following evening after the foliage has been trimmed to determine if any activity remains at that roost location. If there is no activity, the tree would be removed. If it cannot be determined whether an active roost site supports breeding females or males, the roost site would not be disturbed and construction within 300 feet would be postponed or halted until the roost is vacated and the young are volant.
- CON7** Focused surveys for the western mastiff bat maternity roosts would be conducted in the summer (May through August, or as determined by a qualified biologist) prior to construction, if feasible.
- Pre-construction surveys would be conducted by a qualified biologist no earlier than 30 days prior to initiation of bridge modification activities if summer surveys in advance of construction are infeasible. Pre-construction surveys would include the bridge section planned for modification and would be conducted using visual search and ultrasonic recording devices to determine if active roosts of the western mastiff bat are present on or within 300 feet of the bridge section subject to modification. These surveys would concentrate on the periods when roosting bats are most detectable (i.e., when leaving the roost between one hour before sunset and two hours after sunset) and take place over a period of three to five days.
- CON8** Temporary and humane exclusionary devices would be installed in the fall (September or October) preceding construction at those locations where summer surveys detected an active maternity roost for the western mastiff bat to avoid potential direct impacts. Prior to any exclusion measures being implemented to prevent bats from using an existing roost habitat, a qualified bat biologist would survey (e.g., visually and using an ultrasonic device to record bat calls in concert with sonogram analysis software) and identify nearby alternative maternity colony roost sites. If any supplemental measures must be implemented to ensure successful exclusion of bats from an existing roost and/or the identification of alternative roosting habitat, all related assessments and monitoring must be conducted by a qualified bat biologist, with biological monitoring reports and findings provided to the CDFW.
- If construction activities must occur during the summer and pre-construction surveys have identified an active western mastiff bat maternity roost, the roost

would not be disturbed and construction within 300 feet would be postponed or halted until the roost is vacated and juveniles have fledged.

If construction activities must occur when bats are active and pre-construction surveys have identified non-breeding bat hibernacula in portions of the Trolley Green Line Bridge subject to disturbance from bridge modification activities, the individuals would be safely evicted under the direction of a qualified bat biologist using appropriate means acceptable to the resource agencies (e.g., installation of one-way doors, foam filling of roosting locations when bats are not present, or plastic sheeting hung vertically). In situations requiring one-way doors, a minimum of one week would pass after doors are installed prior to concluding that the roost has been vacated. During this time, temperatures should be sufficiently warm for bats to leave the roost because bats do not typically leave their roost daily during winter months or on unseasonably cold nights in southern coastal California. In situations where the use of one-way doors is not necessary in the judgment of the qualified bat biologist, roosts that need to be removed would first be disturbed at dusk by various means at the direction of the bat biologist to allow bats to escape during the darker hours and access to the roost site would be excluded the next day (i.e., there would be one night between initial disturbance and exclusion of the roost site).

These actions should allow bats to leave during nighttime hours, thus increasing their chance of finding new roosts with a minimum of potential predation during daylight (Bat Conservation International, 2009).

#### *Vegetation Communities*

**CON9** Temporary impacts to wetland vegetation communities would be mitigated at a 1:1 ratio, as shown in [Final SEIS/SEIR] Section 4.8, Table 4-19, Table 4-20, and Table 4-21. The location and configuration of wetland vegetation communities within restoration areas in the San Diego River and Rose Creek would be adjusted to ensure that restored areas beneath bridges are limited to wetland communities that can tolerate reduced sunlight availability.

Based on the presence of wetland vegetation communities under existing bridges over the San Diego River and Rose Creek, similar communities, including cismontane alkali marsh, mulefat scrub, and in some cases southern willow scrub, would be planted under the proposed bridges. Restored areas adjacent to the proposed bridges and that are not subject to long-term shading would be revegetated primarily with southern willow scrub.

For temporary construction impacts to wetland vegetation communities, 4.11 acres of mitigation are proposed that would involve restoring construction areas to pre-existing contours and vegetation communities. Of the 4.11 acres of mitigation for short-term construction impacts to wetland vegetation communities, approximately 0.89 acre of the restored areas would be located beneath the proposed bridge crossing in the San Diego River and three crossings over Rose Creek.



**CON10** Impacts to Tier II (coastal sage scrub) and Tier IIIB (non-native grasslands) vegetation communities would be mitigated according to the mitigation ratios shown in [Final SEIS/SEIR] Section 4.8, Table 4-19, Table 4-20, and Table 4-21.

For short-term construction impacts to Tier II and Tier IIIB vegetation communities within the MHPA, 0.23 acre of mitigation is proposed. For short-term impacts to Tier II and Tier IIIB vegetation communities outside the MHPA, 4.13 acres of mitigation are proposed if the mitigation occurs outside the MHPA, and 2.68 acres of mitigation are proposed if the mitigation occurs within the MHPA.

*Indirect Construction Impacts to Coastal California Gnatcatcher*

**CON12** Construction-related noise levels in coastal California gnatcatcher occupied habitat within 500 feet of construction activity would not exceed 60 dBA equivalent sound level ( $L_{eq}$ ) or pre-construction ambient noise levels, whichever is greater, during the breeding season. Project construction within 500 feet of occupied habitat would occur outside of the breeding season if possible. If necessary, construction activities during the breeding season would be managed to limit noise levels in occupied habitat within 500 feet of the project, or noise attenuation measures, such as temporary sound walls, would be implemented to reduce noise levels below 60 dBA  $L_{eq}$  or below existing ambient noise levels, whichever is greater.

*Indirect Construction Impacts to Least Bell's Vireo and Southwestern Willow Flycatcher*

**CON13** To avoid potential adverse impacts to least Bell's vireo and southwestern willow flycatcher from construction-related noise, project construction within 500 feet of occupied habitat would be timed to occur outside of the breeding season if feasible. If project construction within 500 feet of occupied habitat must occur during the breeding season, construction-related noise within the occupied habitat areas would not exceed 60 dBA  $L_{eq}$  or pre-construction ambient noise levels, whichever is greater. If necessary, construction activities during the breeding season would be managed to limit noise levels in occupied habitat within 500 feet of the project or noise attenuation measures would be implemented to reduce noise levels below 60 dBA  $L_{eq}$  or below existing ambient noise levels, whichever is greater.

*Indirect Construction Impacts to Light-footed Clapper Rail*

**CON14** To avoid potential adverse impacts to light-footed clapper rail from construction-related noise, project construction within 500 feet of occupied habitat would be timed to occur outside of the breeding season if possible. If project construction within 500 feet of occupied habitat must occur during the breeding season, construction-related noise within the occupied habitat areas would not exceed 60 dBA  $L_{eq}$  or pre-construction ambient noise levels, whichever is greater. If necessary, construction activities during the breeding season would be managed to limit noise levels in occupied habitat within 500 feet of the project or noise

attenuation measures would be implemented to reduce noise levels below 60 dBA  $L_{eq}$  or below existing ambient noise levels, whichever is greater.

### Findings and Rationale

For these significant impacts, the SANDAG Board of Directors finds that changes or alterations as set forth in the project measures and mitigation measures described above have been required in, or incorporated into, the Refined Build Alternative to avoid or substantially lessen the significant impacts.

For a more detailed discussion of the project impacts and description of project measures to avoid or minimize impacts, refer to Section 4.17.3 of the Final SEIS/SEIR and the *Mid-Coast Corridor Transit Project Construction Impacts Technical Report* (SANDAG, 2014).

***CBio 4-2: Would project construction result in short-term substantial adverse effects on Tier I, Tier II, Tier IIIa, or Tier IIIb habitats, or other sensitive natural community?***

### Significant Impacts

During construction, the establishment of construction access and staging areas, the installation of falsework, and the completion of ground improvements at bridge crossings and elevated portions of the alignment would require the direct removal of 7.16 acres of wetlands and Tier II–III vegetation communities.

The affected vegetation communities would be confined to areas immediately adjacent to the existing MTS right-of-way and would represent a temporary loss of vegetation communities in the study area.

### Mitigation Measures

**CON9** Refer to CBio 4-1 for a description of Mitigation Measure **CON9**, which would be effective in reducing impacts to vegetation communities to less-than-significant levels.

**CON10** Refer to CBio 4-1 for a description of Mitigation Measure **CON10**, which would be effective in reducing impacts to vegetation communities to less-than-significant levels.

### Findings and Rationale

For these significant wetland and habitat impacts, the SANDAG Board of Directors finds that changes or alterations as set forth in the mitigation measures described above have been required in, or incorporated into, the Refined Build Alternative to avoid or substantially lessen the significant impacts.

For a more detailed discussion of the project impacts and description of project measures to avoid or minimize impacts, refer to Section 4.17 of the Final SEIS/SEIR and the *Mid-Coast Corridor Transit Project Construction Impacts Technical Report* (SANDAG, 2014).

***CBio 4-3: Would project construction result in a short-term substantial adverse impact on wetlands?***

Significant Impacts

Construction would result in impacts to wetland and non-wetland waters under the jurisdiction of the USACE and the RWQCB pursuant to the federal Clean Water Act, streambed and associated riparian habitat under the jurisdiction of the CDFW pursuant to Section 1602 of the California Fish and Game Code, wetlands under the jurisdiction of the City of San Diego pursuant to the city's Environmentally Sensitive Land Regulations, and wetlands and waters under the jurisdiction of the CCC pursuant to the California Coastal Act. A total of 2.64 acres of USACE and RWQCB jurisdictional aquatic resources (01.51 acres of wetlands and 1.30 acres of nonwaters) and 4.08 acres of CDFW jurisdictional aquatic resources (2.87 acres of riparian areas and 1.21 acres of unvegetated streambed) would be temporarily affected. A total of 0.66 acre of CCC wetland features within the Coastal Zone boundary would be affected temporarily.

Mitigation Measures

**CON9** Refer to CBio 4-1 for a description of Mitigation Measure **CON9**, which would be effective in reducing impacts to wetlands to less-than-significant levels.

**CON11** Temporary impacts to jurisdictional aquatic resources would be mitigated at a minimum 1:1 ratio through on-site restoration, subject to approval by the USACE, RWQCB, CCC, and CDFW during the permitting process. On-site restoration would include the restoration of pre-existing contours, elevations, and vegetation communities within areas temporarily disturbed as a result of construction activities in the San Diego River, Tecolote Creek, and Rose Creek. The location and configuration of wetland communities within restoration areas in the San Diego River and Rose Creek would be adjusted to ensure that restored areas beneath bridges are limited to wetland communities that can tolerate reduced sunlight availability.

Based on the presence of wetland communities under existing bridges over the San Diego River and Rose Creek, similar communities, including cismontane alkali marsh, mulefat scrub, and in some cases southern willow scrub, would be planted under the proposed bridges. Restored areas adjacent to the proposed bridges and that are not subject to long-term shading would be revegetated primarily with southern willow scrub.

A total of 2.64 acres of USACE/RWQCB jurisdictional wetland and non-wetland waters, 4.08 acres of CDFW and City of San Diego jurisdictional streambed and associated riparian areas, and 0.66 acre of CCC wetlands would be restored as mitigation for temporary impacts.

Findings and Rationale

For these significant wetland impacts, the SANDAG Board of Directors finds that changes or alterations as set forth in the mitigation measures described above have been required in, or

incorporated into, the Refined Build Alternative to avoid or substantially lessen the significant impacts.

For a more detailed discussion of project impacts, refer to Section 4.17.3 of the Final SEIS/SEIR and the *Mid-Coast Corridor Transit Project Construction Impacts Technical Report* (SANDAG, 2014).

## **F.5 HISTORIC, ARCHAEOLOGICAL, AND PALEONTOLOGICAL RESOURCES**

### ***CH 4-1: Would project construction cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?***

During construction of the Refined Build Alternative, there would be no effect on *previously* recorded archaeological resources because no resources eligible for listing in the NRHP or CRHR have been identified or detected within the APE.

#### Significant Impacts

There is a low potential that the Refined Build Alternative could result in the physical destruction of unknown archaeological resources discovered during construction (unanticipated discoveries). Such impacts could include damage to or removal of important resources, as well as impacts to the context and integrity, limiting the ability to recover important data.

#### Mitigation Measures

**CON15** Construction Monitoring: No archaeological resources eligible for listing in the NRHP or CRHR were identified or detected within the archaeological APE during Extended Phase I investigations; however, there exists a low potential to encounter unknown cultural materials given the landform context and depth of construction. As such, monitoring for both prehistoric and historic archaeological deposits would be conducted during ground-disturbing construction activities in designated monitoring areas of the project archaeological APE.

Monitoring would occur under the supervision of a Designated Project Archaeologist (DPA) who meets the Secretary of the Interior's Professional Qualifications Standards. The DPA and archaeological monitors would be subject to the approval of SANDAG and/or the FTA.

Full-time cultural resources monitoring of all ground-disturbing activities within the archaeological APE would occur within 500 feet south of the San Diego River; within 500 feet north of the San Diego River; in designated portions of the Rose Canyon corridor; and in the portion of the archaeological APE located on the UCSD campus. Specific information regarding full-time monitoring areas is detailed in the confidential *Mid-Coast Corridor Transit Project Archaeological Resources Extended Phase I Investigation Results and Effects Assessment* (SANDAG, 2014). Spot-check monitoring would occur within the archaeological APE in two areas: from the north bank of the San Diego River to 1,100 feet

north of Sea World Drive, and in the Rose Canyon Corridor between Balboa Avenue and La Jolla Colony Drive. If the FTA determines that full time or spot-check monitoring is needed in additional portions of the archaeological APE, monitoring would be provided in these additional areas.

In areas where full-time monitoring is designated, “full-time monitoring” is defined as follows: A qualified archaeological monitor is required during the entire work day on a daily basis during all ground disturbance throughout the course of the project until a sufficient depth of excavation has been reached at which it is unlikely to encounter buried resources. The DPA will determine the actual depth of excavation at which monitoring may cease based on soil conditions observed in the field. “Spot-check monitoring” is defined as part-time monitoring to be conducted by a qualified archaeological monitor throughout the duration of project-related ground disturbance. Spot-check monitoring will include inspection of open excavations, grubbed areas, and excavation spoils. The frequency and duration of the spot checks will be based on field observations of exposed soils at the discretion of the DPA.

In the event an unanticipated discovery of archaeological resources occurs during construction, the following measures would be implemented immediately following the discovery:

- The archaeological monitor would halt all construction within a 50-foot radius of the find until the DPA can assess the significance of the find.
- If the discovery is determined to be significant or potentially significant by the DPA, the following tasks would be undertaken:
  - Discussion with project engineers to determine if impacts can be avoided/minimized, including consideration of preservation in place
  - Recovery and analysis of archaeological material and associated data
  - Preparation of a data recovery report or other reports
  - Accessioning recovered archaeological material to an accredited archaeological repository, such as the San Diego Archaeological Center

Archaeological monitor qualification requirements, detailed approaches to archaeological monitoring of various project elements, and the procedures to follow in the event that unanticipated archaeological resources or human remains are discovered would be defined in the *Mid-Coast Corridor Transit Project Construction Monitoring Plan* (SANDAG, 2014) and the *Mid-Coast Corridor Transit Project Cultural Resources Discovery Plan* (SANDAG, 2014) and would be submitted to the State Historic Preservation Officer for review and concurrence prior to the start of construction activities.

A Native American monitor would be present at all areas designated for full-time and spot-check monitoring. This monitoring would occur on an as-needed basis and would be intended to ensure that Native American concerns are considered

during the construction process. Native American monitors would be retained from Tribes who have expressed interest in the project and have participated in the Section 106 consultation process. Roles and responsibilities of the Native American monitors would be detailed in the Construction Monitoring Plan prepared for the project.

**CON16** Cultural Resource Awareness Training: Prior to, and for the duration of, ground disturbances, SANDAG would provide cultural resource awareness training to construction workers in accordance with the requirements listed in the *Mid-Coast Corridor Transit Project Archaeological Resources Survey Report* (SANDAG, 2013). The training would describe appropriate measures for treatment and protection of cultural resources in compliance with the Secretary of the Interior's Standards for the Treatment of Historic Properties, and would include a discussion of applicable laws and penalties under the law, and samples or visual representations of artifacts that might be found in the project vicinity. The training would outline the steps that must be taken if cultural resources are encountered during project construction, including the authority of archaeological monitors to halt construction in the area of a discovery to an extent sufficient to ensure that the resource is protected from further impacts.

The training would be conducted by a qualified archaeologist. A hard copy summary of cultural resource laws, discovery procedures, and contact information would be provided to all construction workers. It may be necessary to conduct the training in English and another language, particularly Spanish. If so, an individual proficient in both languages would be present to translate the training. Hard-copy training summary cards would be produced in applicable languages to be distributed to all construction personnel.

**CON17** Treatment of Human Remains: In the unlikely event that human remains are uncovered during ground disturbances, California Health and Safety Code Section 7050.5 requires that no further disturbances occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to PRC Section 5097.98. If the human remains are determined to be prehistoric, the coroner would notify the Native American Heritage Commission, which would determine and notify a Most Likely Descendant. The FTA, SANDAG, NCTD, and/or MTS would be notified immediately. Procedures to follow for the discovery of human remains would be included in the Discovery Plan. The plan would include provisions for preferred removal techniques, storage, and re-interment to the extent feasible.

### Findings and Rationale

For these potential archaeological impacts, the SANDAG Board of Directors finds that changes or alterations as set forth in the mitigation measures described above have been required in, or incorporated into, the Refined Build Alternative to avoid or substantially lessen the potential impacts. To account for the possibility of an unanticipated discovery of archaeological resources during project-related ground disturbance, mitigation would be implemented, as described above, and would result in less-than-significant impacts.

For a more detailed discussion of project impacts and description of project measures to avoid or minimize impacts, refer to Section 4.17.3 of the Final SEIS/SEIR and the *Mid-Coast Corridor Transit Project Construction Impacts Technical Report* (SANDAG, 2014).

***CH 4-2: Would the project construction disturb human remains, including interments outside former cemeteries?***

As documented in the *Mid-Coast Corridor Transit Project Archaeological Resources Extended Phase I Investigation Results and Effects Assessment* (SANDAG, 2013), no human remains were identified or detected within the archaeological APE; therefore, the project would not result in a significant impact to known burials.

Significant Impacts

The possibility exists that unanticipated human remains could be discovered during project-related disturbance (unanticipated discoveries).

Mitigation Measures

**CON17** Refer to CH 4-1 for a description of Mitigation Measure **CON17**, which would be effective in reducing the impacts to human remains to less-than-significant levels.

Findings and Rationale

For this potential impact, the SANDAG Board of Directors finds that changes or alterations as set forth in the mitigation measure described above have been required in, or incorporated into, the Refined Build Alternative to avoid or substantially lessen the potential impact. To account for the possibility of an unanticipated discovery of human remain during project-related ground disturbance, mitigation would be implemented, as described above, and would result in less-than-significant impacts.

For a more detailed discussion of project impacts and description of project measures to avoid or minimize impacts, refer to Section 4.17.3 of the Final SEIS/SEIR and the *Mid-Coast Corridor Transit Project Construction Impacts Technical Report* (SANDAG, 2014).

***CH 4-3: Would project construction cause substantial damage to, or destruction of, significant paleontological resources?***

Significant Impacts

The Refined Build Alternative would require construction within five geological units with a high sensitivity for paleontological resources. All of these geologic units contain previously recorded paleontological localities.

Construction could impact previously unidentified fossil localities within the five geologic units with a high sensitivity for paleontological resources. These fossil sediments can crop out at the surface or may be encountered below the surface at many locations within the study area. This can occur during excavating, grading, or crushing bedrock either exposed in or underlying

a project site. Thus, any new ground disturbance could have adverse impacts on significant paleontological resources. Although earth moving associated with construction would be a comparatively short-term activity, the loss of fossil resources, unrecorded fossil localities, and associated specimen data would be a potentially significant impact.

### Project Measures

When possible, construction-related impacts to potentially significant paleontological resources would be avoided by project design. During final design, the project's footprint would be further reviewed and, where possible, the footprint would be minimized to reduce potential impacts to paleontological resources.

If resources are found, preservation in place could be achieved by one of the following methods:

- Incorporating the site into a park or other open space
- Covering the site with a layer of chemically stable material before constructing the project
- Deeding the site as a permanent conservation easement

### Mitigation Measures

**CON18** Paleontological Resources Monitoring and Mitigation Plan (PRMMP): Prior to final design and as a measure to protect significant paleontological resources, SANDAG would authorize a PRMMP to be prepared and implemented during construction. The PRMMP would be developed in accordance with the guidelines and requirements listed in the *Mid-Coast Corridor Transit Project Paleontological Survey Report* (SANDAG, 2014).

- **Paleontological Awareness Training.** Paleontological Awareness Training would be provided to construction workers involved in earthwork (excavation and grading) and foundation activities prior to the start of work on the project. Training would include a discussion of the laws protecting paleontological resources, the types of paleontological resources that could be encountered, and the procedures to be followed if a paleontological resource were discovered.
- **Paleontological Monitoring.** Paleontological resources monitoring is recommended because of the potential for impacts on paleontologically sensitive geologic units and, therefore, potentially significant paleontological resources, during construction activities. Detailed procedures regarding monitoring would be presented in the PRMMP.
  - **Monitoring between the Santa Fe Depot and the Nobel Drive Station.** Full-time paleontological monitoring of project ground disturbance would be required between the Santa Fe Depot and the Nobel Drive Station because of the presence of highly sensitive geologic units. Paleontological monitoring for this area would be conducted as described in the *Mid-Coast Corridor*



*Transit Project Paleontological Survey Report* (SANDAG, 2014) as incorporated into the PRMMP.

- **Monitoring between the Nobel Drive Station and the UTC Transit Center.** Part-time paleontological monitoring of excavations would be conducted between the Nobel Drive Station and the UTC Transit Center. In the event that any unanticipated discoveries of significant fossils are made, full-time monitoring in this area would be required. Paleontological monitoring for this area would be conducted as described in the *Mid-Coast Corridor Transit Project Paleontological Survey Report* (SANDAG, 2014) as incorporated into the PRMMP.
- **Unanticipated Discovery of Paleontological Resources.** If an unanticipated discovery of paleontological resources occurs during construction anywhere along the alignment, the procedures described in the *Mid-Coast Corridor Transit Project Paleontological Survey Report* (SANDAG, 2014) would be followed as incorporated into the PRMMP.
- **Data Recovery.** In the event that paleontological resources are discovered, fossil specimens must be properly collected and sufficiently documented to be of scientific value. Data recovery would be conducted as described in the *Mid-Coast Corridor Transit Project Paleontological Survey Report* (SANDAG, 2014) as incorporated into the PRMMP.
- **Technical Reporting.** In the event that paleontological resources are discovered, a data recovery report would be prepared that documents the methods and results of monitoring and provides an analysis of the nature and significance of fossils recovered. The report would contain the contents as described in the *Mid-Coast Corridor Transit Project Paleontological Survey Report* (SANDAG, 2014) as incorporated into the PRMMP.
- **Curation of Recovered Fossils.** After the data recovery report is prepared, the fossil material recovered during project monitoring activities would be accessioned for curation to a recognized paleontological repository, such as the San Diego Natural History Museum. Arrangements to accession fossil material should be made with such a repository before monitoring begins so that the repository can inform the qualified monitoring paleontologist of requirements necessary to accession the fossil material (Society of Vertebrate Paleontology Conformable Impact Mitigation Guidelines Committee, 1995). The data recovery report (see above) also will be submitted to the repository at which the fossils are curated. Curation would be conducted as described in the *Mid-Coast Corridor Transit Project Paleontological Survey Report* (SANDAG, 2014) as incorporated into the PRMMP.

### Findings and Rationale

For these significant paleontological impacts, the SANDAG Board of Directors finds that changes or alterations as set forth in the project measures and mitigation measures described above have been required in, or incorporated into, the Refined Build Alternative to avoid or

substantially lessen the significant impacts. Mitigation measures would allow data recovery for affected paleontological resource localities affected by construction and, therefore, would reduce potentially significant construction-related impacts on paleontological resources to a less-than-significant level.

For a more detailed discussion of project impacts and description of project measures to avoid or minimize impacts, refer to Section 4.17.3 of the Final SEIS/SEIR and the *Mid-Coast Corridor Transit Project Construction Impacts Technical Report* (SANDAG, 2014).

## **V FINDINGS REGARDING SIGNIFICANT AND UNAVOIDABLE ENVIRONMENTAL IMPACTS**

The SANDAG Board of Directors hereby finds that project measures and mitigation measures that have been identified in the Final SEIS/SEIR that will lessen the following significant environmental impacts but not to a less than significant level. These findings are based on the discussion of impacts in the detailed issue area analyses in Sections 3.0 and 4.0 of the Final SEIS/SEIR and the cumulative impacts discussed in Section 4.19 of the Final SEIS/SEIR as well as relevant responses to comments in the Final SEIS/SEIR. The impacts that will remain significant and unavoidable despite implementation of all feasible mitigation measures are described below.

### **A. TRANSPORTATION (FINAL SEIS/SEIR CHAPTER 3)**

***TR 5-1: Would the project result in any intersection, roadway segment, or freeway segment operating at LOS D or better, to operate at LOS E or F or cause any ramp meter delays to exceed 15 minutes?***

***TR 5-2: Would the project impact any intersection, roadway segment, or freeway segment operating at LOS E or F under existing or cumulative conditions? If yes, then the impact would be significant if it exceeds the thresholds in Table 3-28 [of the Final SEIS/SEIR].***

*One Roadway Segment*

#### Significant Impacts

The Refined Build Alternative would result in a significant unavoidable impact to one roadway segment. The segment of Balboa Avenue from the I-5 southbound on-ramp to the I-5 northbound off-ramp would experience a significant impact with the project in 2010 compared to existing conditions without the project. This roadway would continue to be impacted in 2030.

#### Mitigation Measures

No feasible mitigation measures have been identified to reduce this impact to below a level of significance.

## Findings and Rationale

Under the Refined Build Alternative, the volume-to-capacity (V/C) ratio on Balboa Avenue from the I-5 southbound on-ramp to the I-5 northbound off-ramp would exceed the significance threshold, resulting in a significant impact from the Refined Build Alternative.

This segment is located close to the Balboa Avenue Station and, as a result, many trips would travel along this roadway to and from the station and park-and ride facility. This segment, which is approximately 720 feet (0.13 mile) long, operates at level of service (LOS) F under existing conditions and would continue to operate at LOS F under the Refined Build Alternative in 2030. Daily traffic would increase from approximately 50,800 vehicles under the 2030 No-Build Alternative to approximately 51,300 vehicles (less than 1 percent) under the 2030 Refined Build Alternative, and the V/C ratio would increase by 0.01, which meets—but does not exceed—the threshold established by the City of San Diego for a roadway operating at LOS F. Thus, there would be a significant impact based on city guidance.

This segment of Balboa Avenue crosses under I-5. Widening Balboa Avenue as mitigation would require reconstruction of the I-5 overpass and the railroad overpass, significantly expanding the scope and cost of the project. Widening would also require utility relocation and result in additional impacts due to, among other things, partial or full acquisitions of properties on the north side of the roadway. The significant cost of reconstructing the I-5 and railroad overpasses, combined with the additional impacts that would result, render mitigation of this impact infeasible. Consequently, this segment of Balboa Avenue would not be widened as mitigation and significant and unavoidable impact would remain.

Therefore, the SANDAG Board of Directors finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make certain mitigation measures or project alternatives identified in the Final SEIS/SEIR infeasible. Since no feasible mitigation measures or project alternatives have been identified to reduce the impact to a less-than-significant level, this impact remains significant and unavoidable.

For a more detailed discussion of project impacts, refer to Section 3.4.1 2 of the Final SEIS/SEIR and the *Mid-Coast Corridor Transit Project Transportation Impacts and Mitigation Report* (SANDAG, 2014).

### *Two Intersections*

#### Significant Impact

The Refined Build Alternative would result in significant and unavoidable impacts at two intersections: the non-signalized intersection of Beech Street at Pacific Highway and the signalized intersection of Mission Bay Drive and Garnet Avenue.

#### Mitigation Measures

The Final SEIS/SEIR includes the following mitigation measure for the Beech Street and Pacific Highway intersection.

**TR3** Cedar St at Pacific Hwy (mitigates impact at the Ash St intersection with Pacific Hwy and at Cedar St and India St and reduces impact at Beech St and Pacific Hwy)

Modify existing signal phasing—vehicles making southbound left turns would be served first; vehicles traveling southbound would be served with northbound through and right-turn movements.

Add exit phase to serve vehicles making southbound left turns first, followed by westbound vehicles; the exit phase also would serve pedestrians crossing Pacific Hwy.

Lengthen southbound left-turn lane to 650 feet.

No feasible mitigation measures for the Mission Bay Drive and Garnet Avenue intersection have been identified.

#### Findings and Rationale

The SANDAG Board of Directors finds that even with the mitigation measure described above, the Refined Build Alternative would result in significant impacts related to increased gate down times at the intersection of Beech Street and Pacific Highway.

Because Beech Street at Pacific Highway is a stop-controlled approach, only one vehicle can be served at a time, which results in greater delays for all vehicles in the queue. The significant impact would occur after a train clears the grade crossing, sending a queue of vehicles to the stop-controlled intersection. Vehicles that arrive under normal conditions (i.e., not immediately after a train travels through the grade crossing) are not expected to experience an adverse delay. A traffic signal was examined for Beech Street at Pacific Highway as a means of restoring the intersection to LOS D or better; however, the intersection does not meet traffic signal warrants based on the low number of vehicles traveling westbound through the intersection. Additionally, the intersection is within close proximity to two other signalized intersections. Adding a traffic signal at this location would reduce vehicular storage capacity in the area and increase delay along Pacific Highway; therefore, it is not considered feasible. The mitigation measure proposed at Cedar Street and Pacific Highway (TR3) would minimize the impact at Beech Street and Pacific Highway. However, because delay under the Refined Build Alternative with mitigation is greater than delay under the No-Build Alternative, the impact at Beech Street and Pacific Highway remains significant and unavoidable. Full mitigation is infeasible.

The intersection of Mission Bay Drive and Garnet Avenue is forecast to operate at LOS E in the a.m. and p.m. peak hours under the 2030 No-Build Alternative. An increase in vehicle delay as a result of traffic accessing the proposed Balboa Avenue Station under the Refined Build Alternative results in a significant impact at this location during the p.m. peak hour. Under the Refined Build Alternative, delay at this intersection would be 4 seconds greater than the No-Build Alternative and the intersection would operate at LOS E, as it does under existing conditions.

The necessary improvements to mitigate the impact to this intersection would include either a second southbound through lane or a dual westbound left-turn lane. These improvements are deemed not feasible because they require additional right-of-way (three partial acquisitions would be needed for the southbound through lane and two partial acquisitions would be needed for the dual westbound left-turn lane). Both options would require utility relocation, including relocation of a storm drain. With implementation of either mitigation measure, the level of service would remain at LOS E but with slightly less delay than the No-Build Alternative. Therefore, the benefits of mitigating this intersection would not outweigh the secondary impacts, and the Refined Build Alternative impact at this location would remain significant and unavoidable.

The SANDAG Board of Directors finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make certain mitigation measures or project alternatives identified in the SEIS/SEIR infeasible. Since no feasible mitigation measures or project alternatives have been identified to reduce the impact to a less-than-significant level, this impact remains significant and unavoidable.

For a more detailed discussion of project impacts and description of project measures to avoid or minimize impacts, refer to Section 3.4.2 of the Final SEIS/SEIR and the *Mid-Coast Corridor Transit Project Transportation Impacts and Mitigation Report* (SANDAG, 2014).

## **B. CONSTRUCTION IMPACTS (FINAL SEIS/SEIR SECTIONS 3.4.7 AND 4.17)**

### **B.1 TRANSPORTATION**

***CTR 5-1: Would project construction impact transit performance (e.g., increase travel time or reduce service coverage)?***

#### Significant Impacts

Construction of the Refined Build Alternative would result in short-term significant impacts to transit performance. Construction would require single tracking and reverse running of the Trolley Green Line, which would result in significant impacts to the performance of the Trolley Green Line. Trolley Green Line operations would also be impacted during construction of special trackwork south of the San Diego River. Additionally, lane closures, increases in travel time from traffic congestion, bus route detours, and relocated bus stops would result in impacts to MTS, NCTD, and UCSD bus operations.

#### Project Measures

- Impacts to Trolley operations would be minimized by single tracking, reverse running, and/or provisions for temporary crossovers from the Santa Fe Depot to the OTTC and single-track operations at the San Diego River Bridge.
- Impacts to local bus operations would be minimized by temporarily relocating bus stops and diverting bus routes. Pedestrian access to relocated bus stops would be provided. Rerouting and relocating bus routes would be coordinated

with the corresponding transit agencies and providers, including MTS, NCTD, and UCSD.

- Transit-passenger alerts would be posted at bus stops that would be temporarily closed in advance of transit service reroutes.
- Implementation of the TMP and the Community Outreach Program (a component of the TMP) regarding public notice of changes in transit services would be coordinated with transit service providers.

### Mitigation Measures

No mitigation has been identified to further reduce these significant impacts.

### Findings and Rationale

For these significant transit impacts, the SANDAG Board of Directors finds that changes or alterations as set forth in the project measures described above have been required in, or incorporated into, the Refined Build Alternative to lessen the significant impacts. Although project measures would reduce the significant impacts, impacts would remain to the Trolley Green Line and MTS, NCTD, and UCSD bus services. Mitigation measures have not been identified that would reduce these impacts; therefore, impacts would remain significant and unavoidable.

The SANDAG Board of Directors finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make certain mitigation measures or project alternatives identified in the Final SEIS/SEIR infeasible. Since no feasible mitigation measures or project alternatives have been identified to reduce the impact to a less-than-significant level, this impact remains significant and unavoidable.

For a more detailed discussion of project impacts and description of project measures to avoid or minimize impacts, refer to Section 3.4.7 of the Final SEIS/SEIR, the *Mid-Coast Corridor Transit Project Transportation Impacts and Mitigation Report* (SANDAG, 2014), and the *Mid-Coast Corridor Transit Project Construction Impacts Technical Report* (SANDAG, 2014).

### **CTR 5-2: Would project construction substantially impede or slow traffic movement?**

#### Significant Impacts

Construction of the Refined Build Alternative would result in short-term significant impacts to traffic movement during construction. Construction would result in significant impacts on roadways and intersections in the corridor resulting from continuous lane closures, turning-movement restrictions, and intermittent off-peak and/or nighttime closures. Delays would also occur on I-5; however, closures would be limited to nighttime hours when fewer vehicles use the facility. Full roadway or freeway closures would be limited to nighttime and off-peak periods to the extent feasible to minimize the number of vehicles affected.

## Project Measures

- A TMP would be prepared during the design phase in consultation with Caltrans, the City of San Diego, UCSD, MTS, NCTD, Amtrak, emergency providers, and other appropriate agencies.
- Designated haul routes to and from construction zones and staging areas would be identified through coordination with the City of San Diego and stipulated in the TMP. Times and restrictions for truck haul operations on the routes also would be established.
- To the extent practical, existing traffic lanes on roadways near the construction zone would be maintained in both directions, particularly during peak traffic periods.
- Short-term closures generally would be planned to occur during off-peak periods when traffic volumes are lighter. Oftentimes, these short-term closures would occur at night.
- If a roadway must be closed to vehicular traffic, alternate routes would be identified and detour signs would be used to alert motorists of the closure. To the extent practical, detour routes would avoid residential areas.
- Lane closures and prohibition of left turns and through movements at signalized intersections would be coordinated with property owners in the vicinity of such intersections; alternate routes would be identified and detour signs would be used to alert motorists of the closures.
- Where road closures require detours through other streets and intersections, traffic signal timing at these other locations would be reviewed and temporarily modified, if necessary.
- Emergency vehicle access would be maintained at all times to construction work sites, nearby businesses, and residential neighborhoods. In addition, emergency vehicle access would be maintained at all times to and from fire stations, hospitals, and medical facilities near construction areas and a long haul routes. Construction activities, planned roadway closures, and haul route operations would be coordinated with fire departments, hospitals, and law enforcement agencies.

## Mitigation Measures

No mitigation measures have been identified to further reduce these significant impacts.

## Findings and Rationale

For these significant traffic movement impacts, the SANDAG Board of Directors finds that changes or alterations as set forth in the project measures described have been required in, or incorporated into, the Refined Build Alternative to lessen the significant impacts.

Although project measures would minimize the impacts of the closures, significant impacts would remain to the freeway and roadway system. Mitigation measures have not been

identified that would further reduce the adverse impacts to the freeway and roadway system. The SANDAG Board of Directors finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make certain mitigation measures or project alternatives identified in the Final SEIS/SEIR infeasible. Since no feasible mitigation measures or project alternatives have been identified to reduce the impact to a less-than-significant level, this impact remains significant and unavoidable.

For a more detailed discussion of project impacts and description of project measures to avoid or minimize impacts, refer to Section 3.4.7 of the Final SEIS/SEIR and the *Mid-Coast Corridor Transit Project Transportation Impacts and Mitigation Report* (SANDAG, 2014).

### ***CTR 5-3: Would project construction substantially affect parking supply?***

#### Significant Impact

Construction of the Refined Build Alternative would result in short-term significant impacts to parking supply. Off-street parking locations would be used as staging areas to accommodate construction, thus requiring closure of parking spaces in those areas. Parking would be prohibited once temporary construction easements are put in place. The parking lots on the West Campus of UCSD are fully utilized, and the loss of parking spaces would cause significant impacts. In addition, parking spaces would be removed at the VA Medical Center. Consequently, there would be significant impacts on parking supply, particularly in the UCSD and University City area where parking impacts would be the greatest. However, the removal of on-street parking and the demand for construction-worker parking would not result in a significant impact. Parking spaces that are closed during construction would be restored once construction is complete; therefore, the significant impacts would be temporary.

#### Project Measures

- La Jolla Village Square Shopping Center
  - SANDAG will work with the property owner and the contractor to develop an approach to minimize the loss of parking spaces at the shopping center at any one time while maintaining required construction access. This may include constructing the transit parking structure in phases, if feasible, to offset parking affected during construction of the guideway and station. After the parking structure is constructed, parking spaces in the structure would be made available to shopping center patrons during later phases of construction.
  - The contractor would be required to reduce the footprint of parking impacts at the La Jolla Village Square shopping center during the November-to-January shopping season.
- Construction-related vehicle parking would occur at designated off-street parking locations and construction staging areas only.



### Mitigation Measures

In addition to the project measures listed above, mitigation measures have been proposed to offset parking loss, particularly in the University City area where parking impacts would be the greatest.

**TCON2** To offset parking loss at the VA Medical Center, SANDAG would implement one or more of the following measures in coordination with the institutions: provision of valet parking, temporary restriping of other areas of the parking lot, issuance of transit passes to employees, and assistance with ridesharing programs for employees.

**TCON3** To offset parking loss at office and light industrial buildings, SANDAG would implement one or more of the following measures in coordination with the building management: joint-use parking arrangements with adjacent lots, provision of transit passes to employees, and assistance with ridesharing programs. If parking alternatives cannot be identified, the property owner would be compensated for lost parking.

The limited temporary parking loss at the VA Medical Center is not expected to have an adverse impact. A large number of parking spaces would be removed temporarily during construction at the La Jolla Village Square shopping center and the UCSD campus. There is the likelihood that temporary replacement parking would not be available to offset all the parking removed. In these situations, parking impacts would remain significant.

### Findings and Rationale

For these short-term significant parking supply impacts, the SANDAG Board of Directors finds that changes or alterations as set forth in the project measures and mitigation measures described above have been required in or incorporated into, the Refined Build Alternative to lessen the significant impacts. The project measures and mitigation measures listed above will reduce impacts, but even with these measures, significant impacts could still occur as temporary replacement parking may not be available to offset all of the parking removed during construction, particularly in UCSD and University City. No mitigation measures have been identified to reduce this temporary impact to below a level of significance, and thus it remains significant and unavoidable.

After implementation of TCON2, there would not be a significant impact to the VA Medical Center.

The SANDAG Board of Directors finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make certain mitigation measures or project alternatives identified in the Final SEIS/SEIR infeasible. Since no feasible mitigation measures or project alternatives have been identified to reduce the impact to a less-than-significant level, this impact remains significant and unavoidable.

For a more detailed discussion of project impacts and description of project measures to avoid or minimize impacts, refer to Section 3.4.7 of the Final SEIS/SEIR and the *Mid-Coast Corridor Transit Project Transportation Impacts and Mitigation Report* (SANDAG, 2014).

#### **CTR 5-4: Cumulative Impacts: Transportation during Construction**

The SANDAG Board of Directors finds that transportation construction impacts of the Refined Build Alternative could result in cumulatively significant impacts to the transportation system.

Construction of the Refined Build Alternative would result in the temporary traffic disruption and rerouting of traffic, including buses. Such rerouting would contribute to the cumulative increases in congestion within the corridor, particularly on roadways and at intersections adjacent to the construction area. Although the majority of the identified construction impacts on transit, traffic circulation, bicycle and pedestrian facilities, parking, and freight would be temporary, these impacts would be significant and unavoidable during the construction period.

During the anticipated construction period of the Refined Build Alternative, however, additional impacts associated with construction of some of the projects referenced in the *Mid-Coast Corridor Transit Project Construction Impacts and Mitigation Report* (SANDAG, 2014), particularly those on the UCSD campus and in the University City area that are scheduled to be constructed during the same period, would compound the construction impacts of the Refined Build Alternative, including impacts on transit, traffic circulation, parking supply, bicycle and pedestrian facilities, and freight. While the majority of construction effects would be localized and temporary, given the number of projects that could be occurring at any one time, temporary construction impacts could be considered cumulatively significant and unavoidable for short periods during the Refined Build Alternative construction period, and the project's contribution to the impact would be cumulatively considerable. Therefore, when combined with these additional construction projects, the Refined Build Alternative is anticipated to result in cumulatively significant construction impacts to transportation.

As described in the previous sections, the Refined Build Alternative includes project measures and mitigation to minimize construction impacts. These measures would reduce the proposed project's construction impacts. Coordination would occur with other agencies and jurisdictions undertaking construction work near the Refined Build Alternative alignment, which would reduce cumulative construction impacts. However, impacts after implementation of project and mitigation measures would remain significant and unavoidable during construction.

The SANDAG Board of Directors finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make certain mitigation measures or project alternatives identified in the Final SEIS/SEIR infeasible. Since no feasible mitigation measures or project alternatives have been identified to reduce the cumulative impact to a less-than-significant level, this cumulative impact remains significant and unavoidable.

## **B.2 COMMUNITY AND NEIGHBORHOODS**

### ***CCN 5-1: Cumulative Community and Neighborhoods Impacts during Construction***

Construction of the Refined Build Alternative could disrupt communities and neighborhoods in the immediate vicinity of construction activities. Such impacts generally would be temporary in nature. With the implementation of project measures and mitigation, these construction impacts would not generally cause an adverse or significant impact. However, cumulative construction impacts would occur at UCSD and in University City because of other planned projects that would be under construction concurrent with the Refined Build Alternative; these impacts are related to noise, air quality, and transportation, and are also identified under those topics. Even with project measures and mitigation, localized cumulative impacts to UCSD and University City, and the project's contribution to the impact, would be cumulatively considerable.

The SANDAG Board of Directors finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make certain mitigation measures or project alternatives identified in the Final SEIS/SEIR infeasible. Since no feasible mitigation measures or project alternatives have been found to reduce the cumulative impact to a less-than-significant level, this cumulative impact remains significant and unavoidable.

## **B.3 SOCIOECONOMIC AND FISCAL IMPACTS**

### ***CSF 5-1: Cumulative Socioeconomic and Fiscal Impacts during Construction***

Cumulative construction impacts, such as traffic congestion and modified access, that could have an economic impact on businesses are expected to occur at UCSD and in University City because of other planned projects that would be under construction concurrent with the Refined Build Alternative. Even with implementation of coordinated BMPs, such as business signage and traffic management, there would be a cumulatively significant impact, and the project's contribution would be cumulatively considerable.

The SANDAG Board of Directors finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make certain mitigation measures or project alternatives identified in the Final SEIS/SEIR infeasible. Since no feasible mitigation measures or project alternatives have been found to reduce the cumulative impact to a less-than-significant level, this cumulative impact remains significant and unavoidable.

## **B.4 AIR QUALITY**

### ***CAQ: Would the project construction conflict with the adopted air quality plan and cause air quality to exceed regulatory thresholds?***

#### Significant Impacts

Emissions of NO<sub>x</sub> and CO<sub>2</sub> would exceed significance thresholds resulting in short-term air quality impacts. It is estimated that construction of the Refined Build Alternative would

exceed the daily South Coast Air Quality Management District (SCAQMD) significance threshold for NO<sub>x</sub> for the years 2014 through 2018 and the SDAPCD threshold for NO<sub>x</sub> for the years 2015 through 2018. Annual emissions of CO<sub>2</sub>, a GHG, would exceed SCAQMD thresholds in 2017 for the Refined Build Alternative.

### Project Measures

The following project measures and BMPs would be incorporated into project construction to minimize these impacts.

- All project construction would comply with regional regulations that help to prevent short-term air pollutant emissions. The regional and state rules and regulations include the following:
  - SDAPCD Rule 12, Registration of Specified Equipment, requires specific equipment to be registered and operated using specific fuels, equipment, and operating procedures.
  - SDAPCD Rule 54, Prohibition, Dust and Fumes, requires that a person shall not discharge in any one hour into the atmosphere from any source dust or fumes in excess of the amounts established under Rule 54.
  - SDAPCD Rule 361.145, Asbestos Standard for Demolition or Renovation, applies during the demolition or renovation of asbestos-containing buildings and structures.
  - The California Air Resources Board's Off-Road Diesel Vehicle Regulation imposes limits on idling, buying older off-road diesel vehicles and selling such vehicles, and institutes gradual requirements for fleets to clean up their fleet by getting rid of older engines, using newer engines, and installing exhaust retrofits.
- SANDAG would consult with SDAPCD regarding measures to minimize air pollutant emissions from construction.
- Detailed minimization measures would be specified in the construction contract documents. The construction contractor would be required to implement these measures. The Construction Manager would oversee and monitor the contractor's compliance with construction measures, rules, and regulations. These measures would include the following:
  - Minimize idle times of construction equipment and employee vehicles
  - Maintain equipment in good condition
  - Control construction dust through watering of earthwork during grading activities

### Mitigation Measures

The project measures and BMPs stated above would minimize air quality impacts during construction. However, even with these project measures and BMPs, emissions of NO<sub>x</sub> and CO<sub>2</sub>

would continue to exceed significance thresholds. No feasible mitigation has been identified beyond the project measures and BMPs.

### Findings and Rationale

The SANDAG Board of Directors finds that even with the project measures listed above, the SDAPCD and SCAQMD significance thresholds for NO<sub>x</sub> and the SCAQMD significance thresholds for CO<sub>2</sub> are still expected to be exceeded in 2015 to 2017, and the impacts would be considered significant. Depending on the timing of construction, emissions of NO<sub>x</sub> would exceed SCAQMD and SDAPCD significance thresholds while CO<sub>2</sub> would exceed SCAQMD significance thresholds (SDAPCD has not established a similar threshold for CO<sub>2</sub>). The project measures would minimize air quality impacts during construction. However, even with these project measures, emissions of NO<sub>x</sub> and CO<sub>2</sub> would continue to exceed significance thresholds. Mitigation measures have not been identified. Consequently, cumulatively significant air quality impacts would remain during construction, and the project's contribution to the impact would be cumulatively considerable. Emissions of NO<sub>x</sub> and CO<sub>2</sub> during construction would be significant and unavoidable.

The SANDAG Board of Directors finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make certain mitigation measures or project alternatives identified in the Final SEIS/SEIR infeasible. Since no feasible mitigation measures or project alternatives have been found to reduce the cumulatively impact to a less-than-significant level, this impact remains significant and unavoidable.

For a more detailed discussion of project impacts and description of project measures to avoid or minimize impacts, refer to Section 4.17.3 of the Final SEIS/SEIR and the *Mid-Coast Corridor Transit Project Construction Impacts Technical Report* (SANDAG, 2014).

### **CAQ 5-2: Cumulative Air Quality Impacts during Construction**

The SANDAG Board of Directors finds that air quality construction impacts would be cumulatively significant, and the project's contribution would be cumulatively considerable. Major emission sources during construction are emissions from diesel-fueled construction equipment, dust generated by mechanical disturbances, and windblown dust from exposed soil. The combined effects of such impacts would be particularly noticeable along sections of the Refined Build Alternative alignment if overlapping major excavation work would occur adjacent to residential, retail commercial, and office development. Air quality regulations and general BMPs to reduce construction site dust, particulates, and emissions have been developed by regulatory agencies to reduce the cumulative air quality impacts of construction. Compliance with these air quality regulations and implementation of BMPs and project measures would reduce localized impacts on air quality from construction-related emissions. These measures would minimize construction air quality impacts from other cumulative projects within the Mid-Coast Corridor.

However, even with project measures, construction of the Refined Build Alternative would result in exceedances of NO<sub>x</sub> and CO<sub>2</sub>. As a result, air quality construction impacts would be significant, and the project's contribution would be cumulatively considerable. Although

considered significant, impacts to air quality and GHG emissions during construction are temporary and would be offset by the overall reduction in emissions that would result through implementation of the project.

The SANDAG Board of Directors finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make certain mitigation measures or project alternatives identified in the Final SEIS/SEIR infeasible. Since no feasible mitigation measures or project alternatives have been found to reduce the cumulative impact to a less-than-significant level, this cumulative impact remains significant and unavoidable.

## **B.5 NOISE AND VIBRATION**

### ***CN 5-1: Would project construction result in a substantial increase in existing ambient noise levels in the project vicinity above levels existing without the project?***

#### Significant Impacts

##### *Nighttime Construction Noise*

Nighttime construction would be required for some construction activities near Charmant Drive, the northeast corner of Cape La Jolla Gardens housing complex adjacent to I-5, and along Genesee Avenue. These activities would have the potential to disturb residents. Construction activities would result in a substantial increase above existing ambient noise levels.

#### Project Measures

Refer to CN 4-1 for a description of the project measures that will be incorporated into the project to avoid or minimize noise impacts.

#### Mitigation Measures

Even with implementation of the project measures listed in CN 4-1, noise and vibration impacts would remain. The following mitigation measures are proposed to further minimize noise and vibration impacts:

**CON1** Refer to CN 4-1 for a description of Mitigation Measure **CON1**.

**CON2** Refer to CN 4-1 for a description of Mitigation Measure **CON2**.

#### Findings and Rationale

For these significant nighttime construction noise impacts, the SANDAG Board of Directors finds that changes or alterations as set forth in the project measures and mitigation measures described above have been required in, or incorporated into, the Refined Build Alternative to lessen these significant impacts. However, noise impacts from construction activities would not be fully mitigated, and there could be significant impact to some sensitive receptors, particularly during nighttime construction. Impacts would be fully mitigated if residents are

temporarily relocated to an approved a hotel; however, some residents may elect not to relocate. For those residents who choose not to relocate, impacts would be significant and unavoidable.

The SANDAG Board of Directors finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make certain mitigation measures or project alternatives identified in the Final SEIS/SEIR infeasible. Since no feasible mitigation measures or project alternatives have been found to reduce the impact to a less-than-significant level, this impact remains significant and unavoidable.

For a more detailed discussion of project impacts and description project measures to avoid or minimize impacts, refer to Section 4.17.3 of the Final SEIS/SEIR and the *Mid-Coast Corridor Transit Project Construction Impacts Technical Report* (SANDAG, 2014).

## **B.6 HISTORIC, ARCHAEOLOGICAL, AND PALEONTOLOGICAL RESOURCES**

### ***CH 5-1: Cumulative Historic, Archaeological, and Paleontological Impacts during Construction.***

#### *Paleontological Impacts*

Paleontological resources within the Mid-Coast Corridor are finite and are viewed on a regional scale. Cumulatively, any ground disturbances associated with the construction of projects that are located in the Mid-Coast Corridor could result in cumulative impacts to the same paleontologically sensitive geologic units/formations. Impacts to paleontological resources would be mitigated for the Refined Build Alternative and other reasonably foreseeable projects, so the majority of paleontological resources would be recovered. However, even with mitigation, some damage or destruction of paleontological resources in the Mid-Coast Corridor during the course of recovery could occur. As a result, the combined impact to paleontological resources from the Refined Build Alternative and other reasonably foreseeable projects located throughout the geologic units in the Mid-Coast Corridor could result in adverse cumulative impacts. The Refined Build Alternative's contribution would be considered cumulatively considerable, resulting in a significant and unavoidable impact.

The SANDAG Board of Directors finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make certain mitigation measures or project alternatives identified in the Final SEIS/SEIR infeasible. Since no feasible mitigation measures or project alternatives have been found to reduce the cumulative impact to a less-than-significant level, this cumulative impact remains significant and unavoidable.

## **VI FINDINGS REGARDING SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES**

CEQA requires that an EIR address any significant irreversible environmental changes that would be caused if the proposed project were implemented (CEQA Guidelines §15126.2(c)). An impact would come under this category if (1) the project would involve a large commitment of

nonrenewable resources; (2) the primary and secondary impacts of the project would generally commit future generations to similar uses; (3) the project involves uses in which irreversible damage could result from any potential environmental incidents associated with the project; and (4) the proposed consumption of resources is not justified.

The 2030 RTP includes the Mid-Coast Corridor Transit Project. This plan considers the need for present and future transportation requirements within the context of present and future land use development in the San Diego region. As determined in the 2030 RTP EIR (SANDAG, 2007), implementation of projects in the 2030 RTP, such as the Mid-Coast Corridor Transit Project, commit land to urban uses and would involve the consumption of energy derived from nonrenewable sources, such as petroleum and natural gas. In addition, the fuel and electricity consumed for projects in the 2030 RTP would release GHG into the atmosphere where they will remain for hundreds of years. Building materials could be considered permanently consumed, although these might be recyclable in part at some future date. Transportation improvements associated with the 2030 RTP would result in substantial land alterations and the introduction of substantial structures into the visual environment. These new elements would represent irreversible changes. Finally, the 2030 RTP EIR found that the 2030 RTP works to meet the region's long-term mobility needs, to better connect transportation and land use policy decisions, and to create a transportation network that would serve the region through 2030. The project does not attempt to meet short-term goals but rather designs a plan that would continually improve the San Diego region's transportation system as it is implemented. The conclusions in the Final SEIS/SEIR are consistent with the analysis in the EIR for the 2030 RTP.

The Refined Build Alternative would include both short-term losses and benefits. One such loss would result from the displacement of one business, which supports about 25 employees, and the loss of off-street parking spaces from other businesses. These impacts would not result in displaced employees needing to look for a new job outside the region, as it is expected that the business would relocate and similar businesses are located within the corridor. Another short-term loss would include the removal of vegetation, which would be replaced through revegetation and compensatory mitigation. Short-term benefits would include increased jobs and the sales and income tax revenues generated during construction.

Long-term losses associated with the Refined Build Alternative would include the use of construction materials and energy, and the commitment of electrical energy to support ongoing Trolley operations. Long-term gains include an improved transit network; increased access to regional and local activity centers, including a reduction in the number of transfers, which would increase transit ridership; improved transit reliability with more passengers riding in exclusive rights-of-way; better support for the region's goals for livability, sustainability, and equity; and increased jobs and economic activity through expanded transit services. The project alignment and stations would be located in areas with existing and planned land uses conducive to transit use and in areas that have the greatest potential to develop transit-supportive land uses. Therefore, the Refined Build Alternative would enhance local and regional long-term productivity.

Construction of the Refined Build Alternative would entail the one-time irreversible and irretrievable commitment of nonrenewable resources, such as energy (fossil fuels used for construction equipment) and construction materials (such as lumber, sand, gravel, and metals). Additionally, labor and natural resources would be used to produce construction materials.



These natural resources generally are not retrievable. However, they are not in short supply and their use would not have an adverse effect upon the continued availability of these resources. Land used for staging areas to construct the proposed facilities is not considered an irreversible commitment. After construction is completed, construction staging areas would be available for other uses. The project would commit the land used for the alignment and stations to transportation land use. Project elements are generally located within transportation rights-of-way and would not require a substantial land commitment. However, although the EIR for the 2030 RTP found that some projects in the 2030 RTP could result in substantial irreversible encroachments to lands designated for conservation in regional habitat conservation plans, the Mid-Coast Corridor Transit Project does not involve substantial encroachment into lands designated for conservation.

The consumption of nonrenewable resources related to the Refined Build Alternative includes petroleum products and electricity. During construction, contractors would use fossil fuels to transport workers and materials, and the Trolley system would use electricity and fuel for light rail vehicles (LRVs), station and maintenance operations, and worker vehicles. The resource amounts consumed and the utilization rate would not result in significant environmental impacts or the unnecessary, inefficient, or wasteful use of such resources because they would facilitate increased transit use (which increases energy efficiency) and decreased automobile dependence (which uses fossil fuels). Because the project would use existing maintenance facilities, the incremental increase in the use of cleaning supplies and maintenance materials (e.g., oil, solvents, and other materials) would not be significant and would be within the existing facility's capacity.

Project benefits would include improved mobility, transit accessibility, travel time savings, and reliability; reduced VMT and GHG emissions; and increased energy savings compared to the No-Build Alternative. The resource commitment and consumption for the Refined Build Alternative are appropriate because regional and local residents and visitors would benefit from improved transit services. This, in turn, would result in an overall decrease in the irreversible and irretrievable commitment of nonrenewable resources. For example, transportation sources account for nearly 40 percent of California's energy consumption. The project is expected to remove automobile traffic from the regional roadway network, easing the increase in VMT and the accompanying fossil fuel usage that would occur between 2010 and 2030. Compared to the No-Build Alternative, the Refined Build Alternative would reduce regional VMT by 137,977 miles daily and reduce daily regional roadway energy usage by 3,100 million British Thermal units. Therefore, the project could decrease the irreversible and irretrievable commitment of resources compared to the No-Build Alternative.

## VII FINDINGS REGARDING GROWTH-INDUCING IMPACTS

***GI 7-1: A significant growth-inducing impact would occur if the project induced growth that is not consistent with land use and growth management plans for the affected areas.***

### Findings and Rationale:

The SANDAG Board of Directors finds that the Refined Build Alternative would not result in a significant growth-inducing impact. The project would not foster additional population

growth. The project would provide a transit option for the population growth that is projected for the region. The project would facilitate growth within transit station areas. This growth would include construction of additional housing and additional business growth and would be consistent with adopted land use plans and existing zoning regulations of the *City of San Diego General Plan* (City of San Diego, 2008) and the regional goals of smart growth in the RCP. The project would also be consistent with the City of San Diego *Strategic Framework Element* (City of San Diego, 2002) and the *City of San Diego General Plan* (City of San Diego, 2008), which support mixed-use, transit-supportive development. The project would neither stimulate nor contribute to growth in the Mid-Coast Corridor beyond what is envisioned in the adopted plans. Further, it would facilitate smart growth that is designed to reduce regional impacts by increasing use of transit in lieu of automobiles. As a result, the growth-inducing impact of the project would be less than significant.

## VIII FINDINGS REGARDING ALTERNATIVES

The SANDAG Board of Directors has reviewed and considered the information on alternatives provided in the Final SEIS/SEIR, including the information provided in comments on the Draft SEIS/SEIR, the responses to those comments in the Final SEIS/SEIR, and all comments received up to the date of adoption of these findings.

### A. LEGAL REQUIREMENTS FOR ALTERNATIVES

Public Resources Code § 21002 provides that “public agencies should not approve projects as proposed if there are feasible alternatives...which would substantially lessen the significant environmental effects of such projects.” “Feasible” means “capable of being accomplished in a reasonable period of time taking into account economic, environmental, legal, social, and technological factors” (CEQA Guidelines § 15364). The concept of feasibility also encompasses whether a particular alternative promotes the project’s underlying goals and objectives, and whether an alternative is impractical or undesirable from a policy standpoint (see *City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 410; *California Native Plant Society v. City of Santa Cruz* (2009) 177 Cal.App.4th 957).

The issue of alternatives feasibility arises twice in the CEQA process, once when the EIR is prepared, and again when CEQA findings are adopted. When assessing feasibility in an EIR, the EIR preparer evaluates whether an alternative is “potentially” feasible. Potentially feasible alternatives are suggestions by the EIR preparers that may or may not be adopted by lead agency decision makers. When CEQA findings are made after EIR certification, the lead agency decision-making body independently evaluates whether the alternatives are actually feasible, including whether an alternative is impractical or undesirable from a policy standpoint (see *California Native Plant Society v. City of Santa Cruz* (2009) 177 Cal.App.4th 957). If a significant impact can be substantially lessened (i.e., mitigated to a less-than-significant level) by adoption of mitigation measures, lead agency findings need not consider the feasibility of alternatives to reduce that impact (see *Laurel Hills Homeowners Association v. City Council* (1978) 83 Cal.App.3d 515). Nevertheless, the Final SEIS/SEIR and these Findings do consider the ability of potentially feasible alternatives to substantially reduce all of the project’s significant impacts, even those impacts reduced to less-than-significant levels through adoption of mitigation measures.

An EIR must only evaluate reasonable alternatives to a project that could feasibly attain most of the project objectives and evaluate the comparative merits of the alternatives (CEQA Guidelines §15126.6(a)). In all cases, the consideration of alternatives is to be judged against a rule of reason. The lead agency is not required to choose the environmentally superior alternative identified in the EIR if the alternative does not provide substantial advantages over the proposed project, and (1) through the imposition of mitigation measures the environmental effects of a project can be reduced to an acceptable level, or (2) there are social, economic, technological, or other considerations that make the alternative infeasible (Pub. Res. Code §§21002, 21002.1; CEQA Guidelines §15092).

## **B. PROJECT OBJECTIVES**

As described in Chapter 1.0 of the Final SEIS/SEIR, the Mid-Coast Corridor Transit Project is intended to achieve the following fundamental objectives:

- Increase transit speed and reliability in the corridor. Provide direct transit routes with dedicated transit facilities and treatments for faster and more reliable transit service that can better compete with automobile travel and attract new transit riders.
- Reduce the number of transfers required to complete a trip. Transit improvements should seek to provide a one-seat ride between the most significant origins and destinations of travel.
- Make transfers more convenient where they do occur.
- Expand transit capacity in the corridor to accommodate existing and future travel demand.

## **C. ALTERNATIVES ANALYZED IN THE 1995 ALTERNATIVES ANALYSIS FOR THE DRAFT ENVIRONMENTAL IMPACT STATEMENT/DRAFT ENVIRONMENTAL IMPACT REPORT (MTDB, 1995) AND SELECTION OF THE LOCALLY PREFERRED ALTERNATIVE**

The Mid-Coast Corridor Transit Project was included in Proposition A, a local half-cent transportation sales tax measure (*TransNet*), which was approved by San Diego County voters in 1987. The environmental review process began in 1990. The *Mid-Coast Corridor Alternatives Analysis/Draft Environmental Impact Statement/Draft Environmental Impact Report* (MTDB, 1995), *Final Impact Report for the Mid-Coast Corridor* (MTDB, 1995), and the *Mid-Coast Corridor Project Balboa Extension and Nobel Drive Coaster Station Final Environmental Impact Statement* (MTDB, 2001) included the following alternatives:

1. No Build
2. Transportation System Management
3. Transportation System Management/Commuter Rail
4. Commuter Rail Tunnel

5. High Occupancy Vehicle (HOV) Lanes
6. LRT—Genesee Alternative
7. LRT—I-5 Alternative

The Transportation System Management and Transportation System Management/Commuter Rail Alternatives were rejected because they were least effective at meeting project objectives and cost. The Commuter Rail Tunnel Alternative was deemed infeasible due to cost and the difficulty in venting diesel fumes. In addition to the extension of the Trolley, the 1995 LPA included a new COASTER commuter rail station at Nobel Drive and HOV lanes on I-5. These projects were later separated from the Mid-Coast Corridor Transit Project for implementation as separate projects. Finally, the LRT—Genesee Alternative was rejected for, among other reasons, its impact on Rose Canyon. These alternatives were analyzed in the EIR certified in 1995 and the EIS for which a Record of Decision was issued in 2001.

In December 2003, the SANDAG Board of Directors approved an update to the 1995 LPA alignment to better serve the UCSD campus on both the east and west sides of I-5 and to improve connections with existing and planned transit services at the UTC Transit Center. The update to the LPA provided for stations on both the UCSD East and West Campuses and a terminal station at the UTC Transit Center instead of on Executive Drive east of Towne Centre Drive as in the 1995 LPA. The stations at Jutland Drive and Gilman Drive/La Jolla Colony Drive were eliminated in the 2003 update to the LPA. The station at Gilman Drive north of the VA Medical Center also was eliminated with the change in alignment and addition of the station on the UCSD West Campus. The updated LPA alignment followed Voigt Drive and Genesee Avenue between the UCSD West Campus and the UTC Transit Center instead of turning east at Gilman Drive and following Executive Drive to the terminus east of Towne Centre Drive.

#### **D. ALTERNATIVES CONSIDERED IN THE 2010 COMPARATIVE EVALUATION REPORT AND RECONFIRMING THE LOCALLY PREFERRED ALTERNATIVE**

SANDAG initiated an analysis of changed conditions in the Mid-Coast Corridor in 2008 to identify and evaluate changes in the physical and regulatory environment that had occurred following the completion of previous environmental studies. The analysis included consideration of alternatives to the updated LPA alignment and station locations and evaluation of rapid bus, bus rapid transit (BRT), and commuter rail alternatives to improve transit service between Downtown San Diego and University City.

The 13 conceptual alternative modes and alignments considered in the study were developed based on the transportation needs, including increasing the speed and reliability of transit service, reducing transfers, and expanding transit capacity in the Mid-Coast Corridor.

Transit modes considered included seven LRT alternatives, four BRT alternatives, commuter rail, and rapid bus. The alternatives were evaluated against a No-Build Alternative that included all of the highway and transit facilities in the Revenue Constrained Scenario of SANDAG's 2030 RTP except for the Mid-Coast Corridor Transit Project, which was excluded from the alternative in order to represent conditions in the corridor without the project. The No-Build Alternative

assumed that the existing bus Route 150, operating between Downtown San Diego and University City, would be continued and enhanced to address the increased transit demand projected for the corridor.

The analysis resulted in some alternatives being rejected prior to initiation of scoping for the Draft SEIS/SEIR. Of the seven LRT alternatives considered, five were recommended for presentation at CEQA scoping. The five recommended LRT alternatives effectively met project goals, would improve regional mobility, were cost effective or near cost effective, and were anticipated to be competitive for FTA New Starts funding. Three of the five LRT alternatives were combined into a single alternative with alignment options, as they had similar routes and effectiveness. The two remaining LRT alternatives, which were similar, were eliminated because of higher capital costs, lower user benefits, and lower cost effectiveness, as well as greater potential impacts on traffic and property access. In addition, one of the two rejected alternatives would not have provided direct service to the UCSD West Campus, therefore failing to meet an important project goal.

The analysis also recommended that the Transportation Systems Management Alternative, all four of the BRT alternatives, and the Commuter Rail Alternative be eliminated from further consideration. Compared to the LRT alternatives, these alternatives would not have been as effective in meeting the project goals and in improving regional mobility and accessibility. Furthermore, the BRT and Commuter Rail alternatives were not cost effective and were unlikely to be competitive for FTA New Starts funds. As a baseline to address the FTA New Starts criteria, the Transportation Systems Management Alternative was carried forward into the next phase of the project, but it was no longer considered a build alternative.

After considering input from the public, various interested groups, and stakeholders, the SANDAG Board of Directors voted on April 23, 2010, to approve advancing LRT Alternatives 1 (combines LRT Alternatives 1, 4, and 5), 3, and 6 forward for consideration at scoping for the Mid-Coast Corridor Transit Project Draft SEIS/SEIR. LRT Alternative 1 was a refinement of the previously adopted LPA.

On July 23, 2010, the SANDAG Board of Directors considered public input received during scoping and reconfirmed the previously adopted LPA, refined to include direct service to UCSD and the UTC Transit Center, and the No-Build Alternative for evaluation in the Draft SEIS/SEIR. The SANDAG Board of Directors also approved evaluation of a station at the VA Medical Center during the development of the draft environmental document.

Following reconfirmation of the LPA by the SANDAG Board of Directors in 2010 and NEPA scoping, SANDAG conducted additional studies and coordinated with project stakeholders, which resulted in refinements to the alignment, station locations and facilities, and LRT operating plan. The LPA was refined in consultation with project stakeholders, including Caltrans, the City of San Diego, MTS, and UCSD. SANDAG also coordinated with Scripps Hospital and the VA Medical Center. The refinements to the LPA include determination of the alignment at Voigt Drive, inclusion of an optional station at the VA Medical Center, modifying the alignment to accommodate a potential future station at Jutland Drive, identifying additional parking areas, and including a design option to minimize right-of-way acquisition along Genesee Avenue. The refinements to the LPA were incorporated into the Build Alternative that was evaluated in the Draft SEIS/SEIR.

## **E. ALTERNATIVES CONSIDERED IN THE FINAL SEIS/SEIR**

### **E.1 THE NO-BUILD ALTERNATIVE**

The No-Build Alternative is the No Project Alternative under CEQA. The No-Build Alternative assumes that all revenue-constrained transportation and transit improvements in the 2030 RTP would be constructed, except for the Mid-Coast Corridor Transit Project. The only change in planned transportation and transit improvements that would result from the No-Build Alternative would relate to the continuation and enhancement of bus Route 150. Route 150 is currently planned for elimination in the 2030 RTP concurrent with implementation of the Mid-Coast Corridor Transit Project as Route 150 would provide service that is duplicative of the Trolley Blue Line extension. Under the No-Build Alternative, existing Route 150 would be modified to provide more direct bus service between downtown, the OTTC, and University City. These transit improvements would affect overall transit service levels and performance under the No-Build Alternative.

As with the existing transportation system, the No-Build Alternative transit system consists of MTS-operated Trolley services, Amtrak intercity passenger rail services, NCTD-operated COASTER commuter rail services, and MTS and NCTD bus transit services. MTS-operated bus services include local, express, limited express, and BRT services. Under the No-Build Alternative, the 2030 Trolley operating plan would result in operation of the Trolley Blue Line from the San Ysidro Transit Center at the U.S.–Mexico international border through Downtown San Diego to the Santa Fe Depot; the Trolley Green Line would operate north and east from the 12th and Imperial Avenue Transit Center through the OTTC and Mission Valley to Santee. The Trolley Orange Line would operate from Gillespie Field through Downtown San Diego to America Plaza. Service hours would be similar to existing operations. In addition to existing transit services, the No-Build Alternative assumes improvements to existing bus transit and LRT services operated by MTS. The following sections describe these improvements.

#### **Bus Transit Service Improvements**

The Mid-Coast Corridor Transit Project is excluded from the No-Build Alternative to represent corridor conditions without the project. Without the Mid-Coast Corridor Transit Project, more direct transit service would be needed to connect Downtown San Diego, the OTTC, and University City. To meet this need, continuing service on the existing Route 150, which provides bus transit services between Downtown San Diego, the OTTC, and University City, was added to the No-Build Alternative. Under the No-Build Alternative, the existing Route 150 would be modified to operate along Broadway in Downtown San Diego and along Pacific Highway from Downtown San Diego north to the OTTC. From the OTTC north, Route 150 would be modified to operate within the proposed I-5 HOV lanes north to Nobel Drive. This modification to Route 150 would improve travel times over the existing Route 150, which operates in the general-purpose lanes on I-5 north to Gilman Drive. Route 150 would operate at a frequency of 15 minutes during peak periods and 30 minutes during off-peak and midday periods. The service would be operated using articulated buses. Fares are assumed to be \$2.50 for a one-way trip.

#### **Trolley Service Improvements**

In addition to the bus service improvements, the No-Build Alternative assumes service frequency improvements to the existing Trolley system, as identified in the Revenue Constrained Scenario of the 2030 RTP. Under the No-Build Alternative, the frequency of service on the Trolley Blue Line would increase from 15 to 7.5 minutes during off-peak periods. Thus, the Trolley Blue Line would operate 7.5-minute service all day, and the Trolley Orange and Green Lines would continue to operate at 15-minute service all day.

Operation of the No-Build Alternative Trolley operating plan in 2030 would require a fleet of 142 LRVs, including reserve, spare, and special-service vehicles. This represents an increase of eight vehicles over the existing fleet of 134 LRVs. No expansion of the existing maintenance facilities would be required under the No-Build Alternative Trolley operating plan.

## **E.2 THE REFINED BUILD ALTERNATIVE**

On November 15, 2013, the SANDAG Board of Directors approved the Refined Build Alternative as the project to be evaluated in the Final SEIS/SEIR after considering a summary of the comments received on the Draft SEIS/SEIR during the public comment period and public comments provided at the November 15 meeting. The Build Alternative included in the Draft SEIS/SEIR included two options for initial consideration that must either be included or excluded from the Build Alternative prior to evaluation of the project in the Final SEIS/SEIR. In addition, several comments received on the Draft SEIS/SEIR have resulted in recommended changes to the alignment, stations, or other elements of the Build Alternative. In summary, the Build Alternative was modified by the following refinements:

- Addition of the VA Medical Center Station Option based on ridership, improved access to hospital and medical facilities, and favorable public comment
- Elimination of the Genesee Avenue straddle bent design option to reduce visual impacts and address adverse public comments
- Realignment of the viaduct from the north side of Voigt Drive to the south side near Scripps Hospital to reduce impacts to hospital operations
- Elimination of the straddle bents from the I-5 crossing south of Nobel Drive to reduce visual impacts and shifting the crossing an additional 360 feet farther south to address visual concerns raised
- Refine the Clairemont Drive Station design to include a bus stop; eliminate the need for pedestrian ramps from Clairemont Drive to Morena Boulevard
- Refine parking structure layout at the Nobel Drive Station
- Shift the UCSD East Station location slightly to the east
- Acquire 260 parking spaces for transit parking from the Westfield UTC shopping center in lieu of adding parking
- Refine the design of several TPSSs, eliminate two TPSSs, and shift the location of several other TPSSs as a result of refined power flow analysis
- Eliminate four construction staging areas and add two new staging areas in response to comments and to avoid impacts to approved developments

- Eliminate two retaining walls and add two bridges north of La Jolla Colony Drive near the La Paz condominiums

With the approved Refined Build Alternative, the I-5 crossing south of Nobel Drive was shifted 360 feet south of the location shown in the Draft SEIS/SEIR. The shifting of the I-5 crossing raised public concerns, the majority of which came from a residential community, Cape La Jolla Gardens, located near the southerly I-5 crossing.

On May 9, 2014, the SANDAG Board of Directors elected to shift the bridge crossing back to the northerly location identified in the Draft SEIS/SEIR. Because this alignment was subject to public comment during circulation of the Draft SEIS/SEIR, reverting to the Draft SEIS/SEIR alignment eliminated the need to circulate a supplemental report for the I-5 crossing.

The resulting proposed Refined Build Alternative was evaluated in the Final SEIS/SEIR. The Refined Build Alternative would extend the Trolley Blue Line from Santa Fe Depot in Downtown San Diego to the UTC Transit Center in University City. The project would use the existing Trolley tracks for approximately 3.5 miles, from Santa Fe Depot to north of the OTTC and south of the San Diego River. The Trolley Blue Line trains would share the tracks with the Trolley Green Line trains in this area. The project also would include construction of 10.9 miles of new double track that would extend from south of the San Diego River to the terminus at the UTC Transit Center. When completed, this project would provide for continuous service from the San Ysidro Transit Center at the U.S.– Mexico international border to University City. It would include 9 new stations (4 at grade and 5 elevated); 5 park-and-ride facilities with 1,170 parking spaces; 14 new and 2 upgraded TPSSs; and 36 new low-floor LRT vehicles. New LRT stations would be located at Tecolote Road, Clairemont Drive, Balboa Avenue, Nobel Drive, VA Medical Center, UCSD West, UCSD East, Executive Drive, and the UTC Transit Center. The Refined Build Alternative operating plan would provide service every 7.5 minutes during peak and off-peak periods. The total estimated capital cost of the project is \$2,112 million in year-of-expenditure dollars. Proposed FTA New Starts funding would provide \$1,043 million, or 49.4 percent of the total capital cost. *TransNet* funds would provide the remaining capital costs.

### **E.3 ENVIRONMENTAL COMPARISON OF THE ALTERNATIVES**

As set forth in Sections 3.0 and 4.0 of the Final SEIS/SEIR, the No Build Alternative would result in less-than-significant impacts to the following resource areas: (1) communities and neighborhood; (2) socioeconomic and fiscal; (3) visual resources and aesthetics; (4) noise and vibration; (5) ecosystems and biological resources; (6) water resources; (7) hazardous materials; (8) geotechnical and seismic; (9) energy; (10) safety and security; (11) electromagnetic interference; (12) historic, archaeological, and paleontological resources; (13) utilities; and (14) construction.

However, the No-Build Alternative would result in significant impacts to (1) transportation; (2) air quality; (3) land use; and (4) climate change, mainly due to the higher VMT that would occur without the Mid-Coast Corridor Transit Project. VMT would increase 17 percent between 2010 and 2030 under the No-Build Alternative. In addition, by 2030, a 54-percent increase in vehicle hours of delay is projected, representing increased congestion on corridor roadways. As highway congestion increases, the reliability of buses operating in mixed traffic is expected



to decline. Emissions of air pollutants and GHG increase as VMT increases. Consequently, under the No-Build Alternative, emission levels for several air pollutants, including sulfur dioxide and particulate matter, would increase between 2010 and 2030. Similarly, emissions of GHG would increase. In addition, adoption of the No-Build Alternative would conflict with land use plans for the Mid-Coast Corridor Transit Project that have been in place for decades.

The Refined Build Alternative would help reduce VMT, resulting in a decrease in air pollutants and GHG compared to the No-Build Alternative. The 10.9-mile extension of the Trolley Blue Line under the Refined Build Alternative would be operated in exclusive right-of-way completely separate from roadway congestion, thus offering much greater reliability for transit riders. The Refined Build Alternative's significant impacts would be mitigated to below a level of significance, with the exception to the following resources areas:

- Significant and unavoidable traffic-related impacts (one roadway segment and two intersections)
- Significant and unavoidable impacts during construction on transportation (Trolley and bus travel times, roadway traffic, and off-street parking supply), air quality, and noise and vibration
- Cumulatively significant construction impacts to economic and fiscal, air quality, and paleontological resources

#### **E.4 ENVIRONMENTALLY SUPERIOR ALTERNATIVE**

CEQA Guidelines (Section 15126.6(e)(2)) require that an environmentally superior alternative be identified among the alternatives considered. The environmentally superior alternative is generally defined as the alternative that would result in the least adverse environmental impacts to the project site and surrounding area.

The SANDAG Board of Directors finds the Refined Build Alternative to be environmentally superior to the No-Build Alternative. While the No-Build Alternative would avoid the short-term construction impacts of the Refined Build Alternative, it would have greater long-term impacts to the transportation system, air quality, climate change, and land use. On balance, the environmental benefits of the No-Build Alternative do not outweigh the disadvantages when compared to the Refined Build Alternative. Therefore, the SANDAG Board of Directors finds that specific economic, financial, legal, social, technological, or other considerations make the No-Build Alternative infeasible and rejects the No-Build Alternative.

## **IX FINDINGS REGARDING MITIGATION MEASURES AND ALTERNATIVES PROPOSED IN COMMENT LETTERS**

Several comments on the Draft SEIS/SEIR suggested additional mitigation measures and/or project alternatives. The Final SEIS/SEIR incorporates some of these suggested mitigation measures. In some cases, the suggestions led to changes in the project, as reflected in the Refined Build Alternative. However, where the suggestions requested minor modifications in adequate mitigation measures, requested mitigation or alternatives for impacts that the Draft SEIS/SEIR determined were less than significant, requested mitigation or alternatives for

impacts for which the Draft SEIS/SEIR already identified measures that would reduce the impact to less than significant, or requested mitigation measures or alternatives that were too vague or speculative to be addressed, these requests were declined as unnecessary.

In some cases, the same mitigation measures or alternatives were suggested by several commenters, and master responses were developed for frequently suggested mitigation measures and alternatives. Specifically, master responses are provided to address the following suggested mitigation measures and alternatives:

- Comments received on the Draft SEIS/SEIR suggesting new or improved bicycle and pedestrian connections to stations from surrounding communities and/or inquiring about station design and amenities, including the provision of restrooms.
- Comments received on the Draft SEIS/SEIR suggesting relocating the Balboa Avenue station as a means to minimize environmental impacts. In particular, comments expressed concern that the Trolley would increase the ambient noise level when combined with the existing COASTER and Amtrak noise levels through the area near the Balboa Avenue Station. Commenters also expressed concern that Trolley vehicles operating through this area would use a horn or other warning device, further adding to the noise level in the area. Commenters also expressed concerns that traffic accessing the station and park-and-ride facility could result in impacts on roadways and intersections in the area, or that roadway modifications proposed as part of the project could also worsen traffic conditions.
- Comments received on the Draft SEIS/SEIR suggesting treatments for walls, such as textures, to minimize the likelihood of graffiti.
- Comments received on the Draft SEIS/SEIR suggesting berms in the Rose Canyon Open Space Park area could provide sound attenuation, visual screening, and light shielding; that they could limit the spread of invasive species; and that they could reduce the potential for wildlife to cross the train tracks.
- Comments received on the Draft SEIS/SEIR suggesting that impacts to sensitive upland habitat be mitigated within the Rose Canyon watershed rather than at the identified off-site mitigation location, Sage Hill. Commenters also raised concerns regarding the potential of the project to introduce or expand the presence of invasive nonnative species during construction and implementation of mitigation.

## **X FINDINGS ON RESPONSES TO COMMENTS ON THE DRAFT SEIS/SEIR AND REVISIONS TO THE FINAL SEIS/SEIR**

### Findings and Rationale

Volume 3 of the Final SEIS/SEIR includes the comments received on the Draft SEIS/SEIR and responses to those comments. Impacts related to the discovery of San Diego fairy shrimp

within the project construction area resulted in the circulation of a Supplement for public review and comment. Volume 3 includes responses to comments on the Supplement as well. The focus of the responses to comments is on the disposition of significant environmental issues as raised in the comments, as specified by CEQA Guidelines § 15088(b). The Final SEIS/SEIR also incorporates information obtained and produced after the Draft SEIS/SEIR was completed, including additions, clarifications, and modifications. The SANDAG Board of Directors has reviewed and considered the Final SEIS/SEIR and all of this information. The SANDAG Board of Directors finds that responses to comments made on the Draft SEIS/SEIR and Supplement and revisions to the Final SEIS/SEIR clarify, amplify, or make insignificant modifications to the analysis presented in the document and do not trigger the need to recirculate per CEQA Guidelines §15088.5(b). This finding is based upon all the information presented in the Final SEIS/SEIR and the record of proceedings.

The new information added to the Final SEIS/SEIR does not involve a new significant environmental impact, a substantial increase in the severity of an environmental impact, or a feasible mitigation measure or alternative considerably different from others previously analyzed that the project sponsor declines to adopt and that would clearly lessen the significant environmental impacts of the project. With respect to revisions to the project description since publication of the Draft SEIS/SEIR, the project description included in the Draft SEIS/SEIR included all the requirements of Section 15124 of the CEQA Guidelines, including a general description of the project's technical, economic, and environmental characteristics. The project description presented in the Draft SEIS/SEIR has been modified to include refinements to the project, including changes to the alignment, stations, and other components of the project in the Final SEIS/SEIR. As a result of these project refinements, the impact analysis for several environmental resources changed from the Draft SEIS/SEIR to the Final SEIS/SEIR. In many cases, project refinements avoided or reduced project impacts. In no case did the project refinements result in a new significant impact or a substantial increase in the severity of a significant impact identified in the Draft SEIS/SEIR and Supplement.

## **XI FINDINGS ADOPTING A MITIGATION MONITORING PROGRAM**

The SANDAG Board of Directors finds that a Mitigation Monitoring and Reporting Program (MMRP) for the Mid-Coast Corridor Transit Project has been prepared for the project and has been adopted concurrently with these Findings (Public Resources Code, § 21081.6(a)(1)). SANDAG will use the MMRP to track compliance with mitigation measures adopted to reduce or lessen significant impacts. The MMRP will remain available for public review during the compliance period.

## **XII FINDINGS REGARDING LOCATION AND CUSTODIAN OF RECORD**

The documents and other materials that constitute the record of proceedings on which SANDAG's Findings of Fact are based are located at 401 B Street, Suite 800, San Diego, California 92101. The custodian of these documents is Leslie Blanda, Mid-Coast Project Development Program Manager. This information is provided in compliance with Public

Resources Code § 21081.6(a)(2) and 14 Cal. Code Regs. §15091(e). For purposes of CEQA at these Findings, the Record of Proceedings for the project consists of the following documents, at a minimum:

- The Notice of Preparation, Notices of Availability, Notices of Completion, and all other public notices issued by SANDAG in conjunction with the project.
- The *Mid-Coast Corridor Transit Project Draft Supplemental Environmental Impact Statement/Subsequent Environmental Impact Report (Volume 1) and Plan Set (Volume 2)*.
- The *Mid-Coast Corridor Transit Project Supplemental Environmental Impact Statement/Supplement to the Subsequent Environmental Impact Report*.
- The *Mid-Coast Corridor Transit Project Final Supplemental Environmental Impact Statement/Subsequent Environmental Impact Report (Volume 1), Plan Set (Volume 2), and Responses to Comments (Volume 3)*.
- Any appendices and technical studies included or referenced in the Draft, Supplement, or Final SEIS/SEIR, and including any appendices referenced in the technical studies to the Draft, Supplement, or Final SEIS/SEIR. In some cases, the referenced documents contain sensitive information regarding the location of archaeological sites and, therefore, they are not available to the public or other unauthorized persons, although they are part of the Record of Proceedings.
- All comments submitted by agencies or members of the public during the 60-day public comment period on the Draft SEIS/SEIR and the 45-day public comment period for the Supplement to the Draft SEIS/SEIR.
- The Public Involvement Plan and all comments and correspondence submitted to SANDAG with respect to the project.
- All final reports, studies, memoranda, maps, staff reports, or other planning documents relating to the project prepared by Parsons Brinckerhoff, consultants to SANDAG.
- The MMRP for the project.
- All Findings and Resolutions adopted by SANDAG decision makers in connection with the project, and all documents cited or referred to therein.
- Minutes and/or verbatim transcripts of all information sessions, public meetings, and public hearings held by SANDAG in connection with the project.
- Any documentary or other evidence submitted to SANDAG at such information sessions, public meetings, and public hearings.
- Matters of common knowledge to SANDAG, including, but not limited to, federal, state, and local laws and regulations.
- Any documents expressly cited in these Findings, in addition to those cited above.

- Any other materials required to be in the Record of Proceedings by Public Resources Code § 21167.6(e).

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## STATEMENT OF OVERRIDING CONSIDERATIONS FOR THE MID-COAST CORRIDOR TRANSIT PROJECT

The San Diego Association of Governments (SANDAG) Board of Directors adopts and makes this statement of overriding considerations concerning the Mid-Coast Corridor Transit Project's (project) unavoidable significant impacts to explain why the project's benefits override and outweigh its unavoidable impacts.

The Final Supplemental Environmental Impact Statement/Subsequent Environmental Impact Report (SEIS/SEIR) has identified and described significant effects that may occur as a result of the project. As set forth the California Environmental Quality Act (CEQA) Findings, SANDAG has made a reasonable and good faith effort to eliminate or substantially mitigate the impacts resulting from the project and has made specific findings on each of the project's significant impacts and on mitigation measures and alternatives. With implementation of the mitigation measures described in the Final SEIS/SEIR, many of the project's effects can be mitigated to a level of less than significant. However, even with implementation of all feasible mitigation, the project would result in the following significant and unavoidable impacts:

### Transportation Impacts to a Roadway Segment and Two Intersections

The project would add vehicle trips to one segment of Balboa Avenue that currently operates at level of service (LOS) F and two intersections (Beech Street at Pacific Highway and Mission Bay Drive at Garnet Avenue). Beech Street at Pacific Highway currently operates at LOS C during both peak periods, and Mission Bay Drive at Garnet Avenue operates at LOS D and LOS E during the a.m. and p.m. peak hour, respectively. These impacts would also be cumulatively significant.

### Impacts during Construction

- **Transit Performance:** Construction would result in unavoidable traffic congestion that would increase travel time and delay for Metropolitan Transit System, North County Transit District, and University of California, San Diego (UCSD) buses, as well as the Trolley Green Line. Project measures would reduce these impacts; however, significant impacts could still occur.
- **Roadways and Intersections:** Construction would result in lane closures, turning movement restrictions, and intermittent off-peak and/or nighttime roadway and freeway closures; detours would be required. Project measures would reduce these impacts; however, significant impacts could still occur.
- **Parking Supply:** Construction would remove on- and off-street parking. Project measures and mitigation measures would reduce these impacts; however, significant impacts could still occur as temporary replacement parking may not be available to offset all of the parking removed during construction, particularly in University City.
- **Air Quality:** Construction would result in emissions of nitrogen oxides (NO<sub>x</sub>) and carbon dioxide (CO<sub>2</sub>) that would exceed significance thresholds established by the San Diego Air Pollution Control District and the South Coast Air Quality Management District. Project measures would reduce these impacts; however, significant impacts would still occur because emissions of NO<sub>x</sub> and CO<sub>2</sub> would continue to exceed significance thresholds during construction.

- Noise and Vibration (Nighttime Noise): Even with mitigation, some nighttime construction noise could impact local residences along Charmant Drive, at the northeast corner of Cape La Jolla Gardens, and along Genesee Avenue. Impacts would be fully mitigated if residents are temporarily relocated to a hotel; however, some residents may elect not to relocate. For those residents who choose not to relocate, impacts would be significant and unavoidable.

#### Cumulative Impacts during Construction

Impacts from construction, when combined with other reasonably foreseeable construction projects, could result in the following cumulatively significant impacts:

- Transportation: Cumulatively significant construction impacts could affect transit, traffic circulation, parking supply, bicycle and pedestrian facilities, and freight for short periods of time during construction.
- Community and Neighborhoods: Cumulative construction impacts would occur in UCSD and University City because of other planned projects that would be under construction concurrent with the Refined Build Alternative.
- Socioeconomic and Fiscal Impacts: Cumulative construction impacts, such as traffic congestion and modified access, could have an economic impact on businesses at UCSD and University City because of other planned projects that would be under construction concurrent with the Refined Build Alternative.
- Air Quality: Construction of the Refined Build Alternative would result in exceedances of NO<sub>x</sub> and CO<sub>2</sub> and would result in cumulative air quality construction impacts.
- Paleontological Impacts: Ground disturbances associated with the construction of the project combined with other reasonably foreseeable projects located throughout the Mid-Coast Corridor could result in cumulative impacts to paleontological resources.

In accordance with Section 15093 of the CEQA Guidelines, and having reduced the adverse significant environmental effects of the project to the extent feasible, having considered the entire administrative record on the project, and having weighed the benefits of the project against its unavoidable adverse impacts after mitigation, the SANDAG Board of Directors hereby finds that the following legal, economic, social, and environmental benefits of the project outweigh its unavoidable significant impacts and render them acceptable based upon the following considerations. Each benefit set forth below constitutes an overriding consideration warranting approval of the project, independent of the other benefits, despite each and every unavoidable impact:

#### Implementation of Voter-Approved Project

The Mid-Coast Corridor Transit Project was first identified as a transit project in 1987 when voters approved Proposition A, the County of San Diego's half-cent transportation sales tax measure (*TransNet*). Funds have been collected through local sales taxes since 1987 to support this and other projects approved by the voters. The Mid-Coast Corridor Transit Project was included in the re-authorization of *TransNet*, approved by voters in November 2004.

## Land Use Benefits

The Refined Build Alternative would support local and regional plans designed to increase public transit and transit-oriented development within the Mid-Coast Corridor. The project alignment and stations would be located in areas with existing and planned land uses conducive to transit use and in areas that have the greatest potential to develop transit-supportive land uses. Since the mid-1980s, communities in the corridor, including UCSD, have been identifying the Mid-Coast Corridor Transit Project in their plans. Additionally, SANDAG has designated Smart Growth Opportunity Areas, and the City of San Diego has developed the “City of Villages” strategy of integrating land use and transit to address potential growth. All nine of the proposed stations under the Refined Build Alternative are located in Smart Growth Opportunity Areas.

## Transit Benefits

### Increased Mobility and Accessibility

The Refined Build Alternative improves transit mobility and accessibility by extending the Trolley Blue Line and providing continuous service from the San Ysidro Transit Center at the U.S.–Mexico international border to University City. Implementation of the project would improve accessibility and connectivity as a result of the new transit service. Nine new stations would provide increased opportunities to access the transit system for the communities and neighborhoods within the study area. As a result, environmental justice populations within the corridor would have the opportunity to access the transit system in the corridor as well as region-wide. Five of the nine identified environmental justice populations in the corridor are located within one-half mile of the project alignment and thus would be well served by the Refined Build Alternative. The project would be fully compliant with the Americans with Disabilities Act, thus ensuring equitable service to persons with disabilities. More than 60 percent of the Refined Build Alternative’s user benefits would accrue to low-income groups both inside and outside the corridor, thereby supporting equity goals. In addition, the Veterans Administration Medical Center Station would provide convenient access for veterans—disabled and otherwise—seeking medical treatment.

### Shortened Travel Times

The Refined Build Alternative offers faster transit travel time than the No-Build Alternative for three major travel markets, with peak-period time savings ranging from 3.6 to 16.7 minutes per trip. These travel times include time spent on transit in addition to the initial wait time, walk time to reach a transfer, and any wait time for that transfer. The faster transit travel times and increased transit speeds result in transportation system user benefits, measured in terms of equivalent hours of travel-time savings. There would be approximately 11,500 hours per day of user benefits under the Refined Build Alternative.

### Increase Transit Use

The Refined Build Alternative would increase transit use by providing a viable and competitive alternative to private automobiles and improving the transit experience for existing transit users. Linked transit trips in 2030 under the Refined Build Alternative would increase by 13,400 trips per day (4 percent). These are trips that would not be made by automobile on congested roadways. The Refined Build Alternative would increase systemwide ridership on the Trolley by 28,600 boardings per day from 152,200 to 180,800 (19 percent). The increase in transit ridership under the

Refined Build Alternative is an indication of the effectiveness in making transit an attractive alternative to the automobile.

#### Reduction in Transfers

The Refined Build Alternative would reduce the number of transfers required to complete transit trips. Transfers still would be required for passengers traveling between University City and areas east of downtown; however, these transfers would be easier under the Refined Build Alternative. With the extension of the Trolley Blue Line from Santa Fe Depot to the University Towne Centre Transit Center under the Refined Build Alternative, passengers who would take the Trolley Green Line and then transfer to bus Route 150 under the No-Build Alternative would instead use the Trolley Blue Line. Passengers transferring between the Trolley Blue and Green Lines at the Old Town Transit Center would walk across the Trolley platform, rather than walking through the pedestrian undercrossing to access the bus as they would under the No-Build Alternative. Further, the Refined Build Alternative would reduce transfer wait times and provide faster service than a bus, thus reducing travel time, even with any required transfers. Because of the improved convenience of transferring and shorter frequencies, transfers under the Refined Build Alternative would be more convenient than under the No-Build Alternative, thus benefitting passengers.

#### Greater Efficiency

The Refined Build Alternative would be substantially more efficient than existing transit conditions (280 passengers per in-service hour) and would far exceed the guidelines established by the *Coordinated Plan 2010-2014*.

#### Increased Reliability

The Refined Build Alternative would provide a more reliable transit system within the Mid-Coast Corridor. By 2030, a 54-percent increase in vehicle hours of delay is projected, representing increased congestion on corridor roadways. As highway congestion increases, the reliability of buses operating in mixed traffic is expected to decline. The 10.9-mile extension of the Trolley Blue Line would be operated in exclusive right-of-way completely separate from roadway congestion, thus offering much greater reliability for transit riders.

### Regional Air Quality Benefits

The Refined Build Alternative would help reduce vehicle miles traveled (VMT). Since emissions of air pollutants and greenhouse gases (GHG) decrease as VMT decreases, the Mid-Coast Corridor Transit Project would result in reductions in air pollutants, including sulfur dioxide, NO<sub>x</sub>, particulate matter, and GHG. As a result, the Mid-Coast Corridor Transit Project would facilitate regional GHG reduction in accordance with Assembly Bill 32.

### Energy Benefits

The Refined Build Alternative is expected to remove automobile traffic from the regional roadway network, easing the increase in VMT and the accompanying fossil fuel usage that would occur between 2010 and 2030. Transportation sources account for nearly 40 percent of California's energy consumption. Compared to the No-Build Alternative, the Refined Build Alternative would

reduce regional VMT by 137,977 miles daily and reduce daily regional roadway energy usage by 3,100 million British thermal units.

#### Livability and Sustainability

The Refined Build Alternative would enhance livability and connect the region's two largest population and employment centers—Downtown San Diego in the southern area and University City in the northern area of the corridor. This is consistent with the SANDAG regional growth management strategy effort and the Regional Comprehensive Plan, as well as the movement of local jurisdictions to support a smart growth land use pattern. All nine of the proposed stations under the Refined Build Alternative are located in existing Smart Growth Opportunity Areas, supporting sustainability goals.

#### Economic Benefits

The Refined Build Alternative would have economic benefits within the region. Approximately 10 percent of all jobs in San Diego County are located in the Mid-Coast Corridor, making the corridor a significant employment base for the county.

Long-term economic benefits are expected to occur as a result of the improved accessibility to and within the corridor. These benefits include travel-time savings, reduced expenditures on personal vehicles, access to a wider array of jobs (due to improved access to employment locations), and health benefits (from the walk-access part of an induced transit trip).

Employers within walking distance of proposed transit stations would have greater access to employees and customers under the Refined Build Alternative. In addition, for commercial properties, transit proximity can broaden the potential customer base by increasing foot traffic near their establishment and contributing to clientele accessibility, which typically generate increased retail sales.

Economic development could be created as a result of the project's connectivity benefits bringing the numerous major employers and institutions along this corridor closer together (in terms of travel time). As an example, a new transit connection would be established between a major university and a major medical center that has important implications for the region in terms of access by patients, students, faculty, and research affiliates. By creating easy access between the corridor's major academic, research, and medical institutions, the project could create an environment where public-private partnerships, business start-ups, and ideas can be more easily generated (e.g., through easier linkages to teaching hospital programs or enhanced research opportunities), potentially leading to economic growth.

The Refined Build Alternative has the potential to increase property values and associated property tax revenues as a result of higher-density development around some of the proposed stations, as well as from the effects of improved mobility and accessibility on station-area properties. Such development is encouraged by existing Smart Growth Center designations.

### Economic Multiplier Effects (Jobs, Income, and Output)

Operation of the expanded Trolley Blue Line would result in increases in jobs, earnings, and output, as well as taxes on associated earnings and sales, including the following:

- 33 direct and 97 indirect jobs from ongoing operating and maintenance (O&M) expenditures, as well as \$7.2 million in earnings and \$33.3 million in output
- Potential for increased income and sales taxes resulting from project expenditures during the operational phase

Direct employment includes O&M employment for the light rail transit system, as well as jobs in industries whose services are used to maintain and run the system (e.g., manufacturers and shippers of replacement parts and lubricants; contracted janitorial employees). It also is important to consider the quality of the jobs that would be created by the project as the average wage for these jobs would be higher than the San Diego County mean average wage. In summary, the impact of the O&M expenditures resulting from the project are expected to have an overall positive economic impact on the San Diego region.

Construction would generate short term employment and spending, which would have a substantial beneficial effect on the regional and local economy. The average annual wage for jobs created by construction expenditures would be higher than the San Diego County mean annual wage. The indirect fiscal impacts associated with the project's wage generation during construction would include increases in sales and income tax revenues. Therefore, there would be beneficial socioeconomic effects.

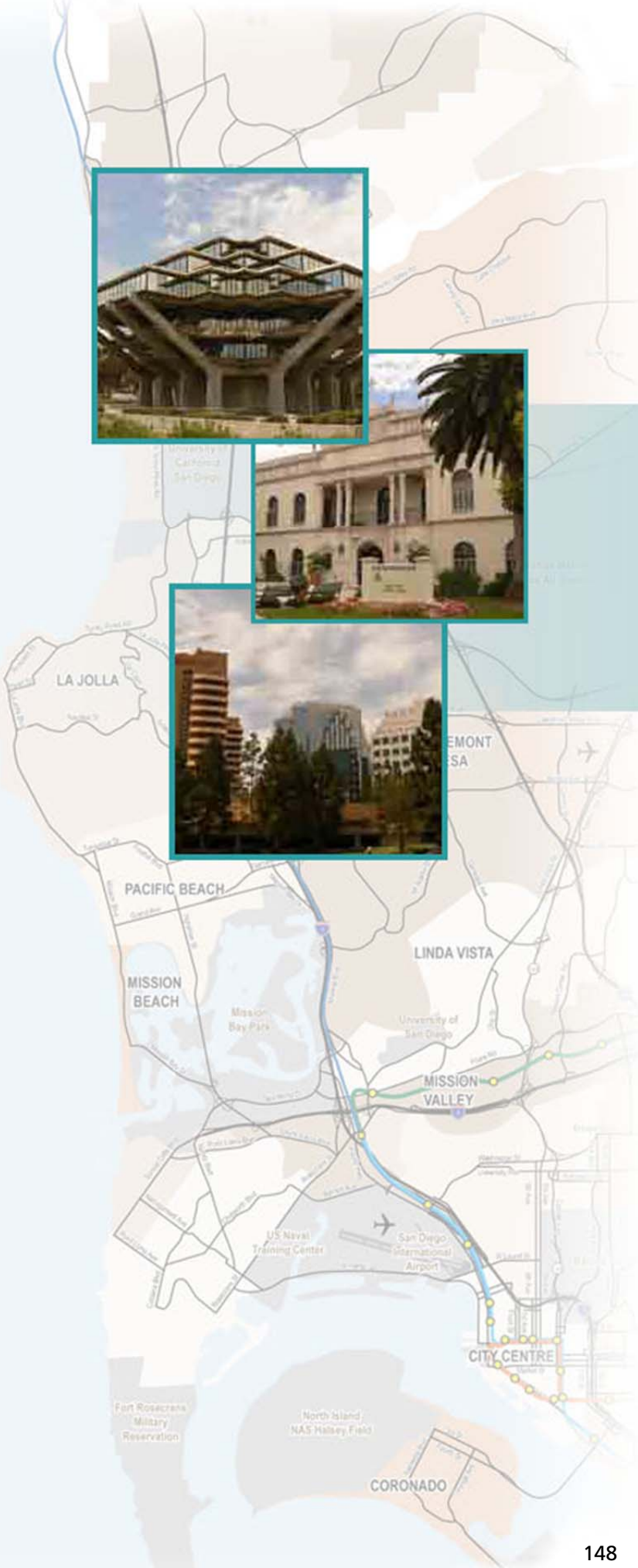


# MID-COAST CORRIDOR TRANSIT PROJECT

## Mitigation Monitoring and Reporting Program

September 9, 2014

Prepared by









**MID-COAST CORRIDOR**  
TRANSIT PROJECT

Mitigation Monitoring and Reporting Program  
Draft Rev 0 September 9, 2014

*Prepared by*  
The San Diego Association of Governments (SANDAG)



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## Abbreviations

The following acronyms, initialisms, and short forms are used in this report.

CEQA	California Environmental Quality Act
MMRP	Mitigation Monitoring and Reporting Program
SANDAG	San Diego Association of Governments
SEIS/SEIR	Supplemental Environmental Impact Statement/Subsequent Environmental Impact Report



## 1.0 MITIGATION MEASURES

This Mitigation Monitoring and Reporting Program (MMRP) is for the Mid-Coast Corridor Transit Project in San Diego, California. The MMRP has been prepared in compliance with state and federal law and reflects the mitigation measures identified in the *Mid-Coast Corridor Transit Project Final Supplemental Environmental Impact Statement and Subsequent Environmental Impact Report (SEIS/SEIR)* (San Diego Association of Governments [SANDAG], 2014a). Mitigation measures are actions designed to avoid, minimize, or compensate for adverse or significant impacts.

The California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA) regulations require an enforceable mitigation and monitoring program for projects. CEQA Section 21081.6 and Section 15097(a) of the CEQA Guidelines requires public agencies to adopt a program for monitoring and reporting on the measures required to mitigate or avoid significant environmental impacts identified in the Final Environmental Impact Report. Under the National Environmental Policy Act regulations, a monitoring and enforcement program shall be adopted and summarized where applicable to any mitigation (40 Code of Federal Regulations 1505.2(c) and 23 Code of Federal Regulations 771.27A). Under CEQA, the lead agency must adopt the MMRP when it makes its findings pursuant to CEQA so that the mitigation requirements can be made conditions of project approval. Consistent with these requirements, this MMRP ensures compliance with all mitigation requirements set forth in the Final SEIS/SEIR that have been determined to be feasible under the CEQA findings. Mitigation requirements are set forth in Table 1-1. In addition, the project includes project measures that would avoid or minimize project-related impacts. A consolidated list of these project measures is presented in Appendix E of the Final SEIS/SEIR.

Table 1-1 includes a summary of the following information

- **Affected resources and mitigation measures:** A description of the resources affected and the measures adopted to mitigate significant and adverse impacts on the environment.
- **Implementation responsibility:** The entity responsible for implementing the mitigation measures, including SANDAG, the Design Contractor, and/or the Construction Contractor.
- **Monitoring procedure:** A description of how compliance with the mitigation measures will be monitored or reviewed.
- **Monitoring responsibility:** The entity or individual responsible for ensuring that the mitigation measures are implemented.
- **Implementation phase:** The project phase or milestone during which the mitigation measures must be implemented. Phases include Engineering/final design (referred to as design), construction, and operation. The operation phase can be “pre-revenue” – initial testing phase before service is open to the public, or “revenue service” – after testing is complete and service is open to the public.



- Report recipient: The agency to be notified when the mitigation measures have been implemented adequately.

SANDAG shall be responsible for ensuring full compliance with the provisions of this program. This MMRP and subsequent mitigation reports will be kept on file in the offices of SANDAG at 401 B Street, Suite 800, San Diego, CA 92101.



**Table 1-1. Mid-Coast Corridor Transit Project Mitigation Monitoring and Reporting Program**

Affected Resource and Mitigation Measure	Implementation Responsibility	Monitoring Procedure	Monitoring Responsibility	Implementation Phase	Report Recipient
<b>Transportation - Freeway and Roadway (Final SEIS/SEIR Section 3.4.2)</b>					
<b>TR1: Ash St and Pacific Hwy</b> <ul style="list-style-type: none"> <li>Add exit phase to serve vehicles traveling eastbound and westbound and pedestrians crossing Pacific Hwy</li> <li>Modify existing signal phasing—change westbound left turns from first movement served to be served later in the traffic cycle</li> </ul>	Design Contractor and Construction Contractor	Review design plans for compliance; verify in the field.	SANDAG Deputy Project Director-Engineering and SANDAG Deputy Project Director--Construction	Design, construction, and pre-revenue operation	SANDAG, FTA
<b>TR2: Ash St and Kettner Blvd</b> <ul style="list-style-type: none"> <li>Add exit phase to serve vehicles traveling eastbound and westbound</li> </ul>	Design Contractor and Construction Contractor	Review design plans for compliance; verify in the field.	SANDAG Deputy Project Director-Engineering and SANDAG Deputy Project Director-Construction	Design, construction, and pre-revenue operation	SANDAG, FTA
<b>TR3: Cedar St at Pacific Hwy</b> <ul style="list-style-type: none"> <li>Modify existing signal phasing—vehicles making southbound left turns would be served first; vehicles traveling southbound would be served with northbound through and right-turn movements</li> <li>Add exit phase to serve vehicles making southbound left turns first, followed by westbound vehicles; the exit phase also would serve pedestrians crossing Pacific Hwy</li> <li>Lengthen southbound left-turn lane to 650 feet</li> </ul>	Design Contractor and Construction Contractor	Review design plans for compliance; verify in the field.	SANDAG Deputy Project Director-Engineering and SANDAG Deputy Project Director-Construction	Design, construction, and pre-revenue operation	SANDAG, FTA
<b>TR4: Cedar St and Kettner Blvd</b> <ul style="list-style-type: none"> <li>Add traffic signal (intersection is currently an all-way stop-controlled intersection)</li> <li>Add exit phase to serve eastbound and westbound vehicles</li> <li>Add a 75-foot westbound left-turn lane (one does not currently exist)</li> </ul>	Design Contractor and Construction Contractor	Review design plans for compliance; verify in the field.	SANDAG Deputy Project Director-Engineering and SANDAG Deputy Project Director-Construction	Design, construction, and pre-revenue operation	SANDAG, FTA



**Table 1-1. Mid-Coast Corridor Transit Project Mitigation Monitoring and Reporting Program (continued)**

Affected Resource and Mitigation Measure	Implementation Responsibility	Monitoring Procedure	Monitoring Responsibility	Implementation Phase	Reporting Recipient
<b>TR5:</b> Sassafras St at Pacific Hwy <ul style="list-style-type: none"> <li>Modify existing signal phasing—left turns on Sassafras St would have a protected turn phase (indicated by a green arrow) rather than yielding to vehicles traveling in the other direction</li> </ul>	Design Contractor and Construction Contractor	Review design plans for compliance; verify in the field.	SANDAG Deputy Project Director-Engineering and SANDAG Deputy Project Director-Construction	Design, construction, and pre-revenue operation	SANDAG, FTA
<b>TR6:</b> Sassafras St and Kettner Blvd <ul style="list-style-type: none"> <li>Modify existing eastbound approach geometry—right-turn lane would be modified to a shared through/right-turn lane with two receiving lanes on other side of Kettner Blvd, indicating that vehicles in that lane could turn right or continue through the intersection</li> </ul>	Design Contractor and Construction Contractor	Review design plans for compliance; verify in the field.	SANDAG Deputy Project Director-Engineering and SANDAG Deputy Project Director-Construction	Design, construction, and pre-revenue operation	SANDAG, FTA
<b>TR7:</b> Washington St and northbound Frontage Rd and Hancock St <ul style="list-style-type: none"> <li>Add exit phase to serve pedestrians and vehicles traveling eastbound and westbound</li> <li>Modify existing limited-service phase during preemption so that the westbound left turn is served after the southbound through movement</li> <li>Modify existing northbound approach geometry on the northbound Frontage Rd to include a dedicated left-turn lane, one shared left-turn/through lane, and one dedicated right-turn lane</li> </ul>	Design Contractor and Construction Contractor	Review design plans for compliance; verify in the field.	SANDAG Deputy Project Director-Engineering and SANDAG Deputy Project Director-Construction	Design, construction, and pre-revenue operation	SANDAG, FTA
<b>TR8:</b> Taylor St/Rosecrans St and Pacific Hwy <ul style="list-style-type: none"> <li>Add a second northbound right-turn lane</li> <li>Reconfigure eastbound approach to have a third through lane</li> <li>Realign southern sidewalk east and west of intersection to preserve existing dedicated bus-only lane</li> <li>Add exit phase to serve vehicles making an eastbound left turn, vehicles traveling eastbound and westbound through the intersection, and pedestrians crossing Pacific Hwy</li> <li>Lengthen northbound left-turn lane by 40 feet</li> </ul>	Design Contractor and Construction Contractor	Review design plans for compliance; verify in the field.	SANDAG Deputy Project Director-Engineering and SANDAG Deputy Project Director-Construction	Design, construction, and pre-revenue operation	SANDAG, FTA





**Table 1-1. Mid-Coast Corridor Transit Project Mitigation Monitoring and Reporting Program (continued)**

Affected Resource and Mitigation Measure	Implementation Responsibility	Monitoring Procedure	Monitoring Responsibility	Implementation Phase	Reporting Recipient
<ul style="list-style-type: none"> <li>Modify southbound approach geometry to include a second left-turn lane for general-purpose vehicles</li> <li>Change westbound left-turn phase from first movement served to be served later in the traffic cycle</li> </ul>					
<b>TR9:</b> Taylor St and Congress St <ul style="list-style-type: none"> <li>Add exit phase to serve vehicles traveling eastbound and westbound through the intersection</li> </ul>	Design Contractor and Construction Contractor	Review design plans for compliance; verify in the field.	SANDAG Deputy Project Director-Engineering and SANDAG Deputy Project Director-Construction	Design, construction, and pre-revenue operation	SANDAG, FTA
<b>TR10:</b> Genesee Ave and Esplanade Ct/UTC Drwy <ul style="list-style-type: none"> <li>Modify westbound approach geometry to add a westbound left-turn lane, thus providing two left-turn lanes, one shared through/right-turn lane, and one exclusive right-turn lane</li> </ul>	Design Contractor and Construction Contractor	Review design plans for compliance; verify in the field.	SANDAG Deputy Project Director-Engineering and SANDAG Deputy Project Director-Construction	Design, construction, and pre-revenue operation	SANDAG, FTA
<b>Visual and Aesthetic Resource (Final SEIS/SEIR Section 4.4)</b>					
<b>VR1:</b> The design of structures such as bridge columns, retaining walls, and sound walls within or adjacent to the Caltrans right-of-way would be compatible with Caltrans Design Guidelines, including those prepared for the I-5 North Coast Corridor Project.	Design Contractor	Review design plans for compliance.	SANDAG Deputy Project Director-Engineering and Deputy Project Director-Administration	Design	SANDAG, FTA, Caltrans
<b>VR2:</b> Other structure elements beyond walls and columns would take into account contextual design principles. New architectural features, such as stairs, ramps, elevators, aerial structures, support columns, screen walls, bridge rail, and station design elements, would be similar to or compatible with the visual character and quality of the surrounding area.	Design Contractor	Review design plans for compliance.	SANDAG Deputy Project Director-Engineering and Deputy Project Director-Administration	Design	SANDAG, FTA



**Table 1-1. Mid-Coast Corridor Transit Project Mitigation Monitoring and Reporting Program (continued)**

Affected Resource and Mitigation Measure	Implementation Responsibility	Monitoring Procedure	Monitoring Responsibility	Implementation Phase	Reporting Recipient
<b>VR3:</b> Design plans developed for the project would include structure architectural design elements such as pilasters, recessed or raised concrete surfaces, and concrete surface treatments such as formliner textures and integrated colored concrete to reduce visual impacts associated with these elements.	Design Contractor	Review design plans for compliance.	SANDAG Deputy Project Director-Engineering and Deputy Project Director-Administration	Design	SANDAG, FTA
<b>VR4:</b> Landscape design plans would be developed for the project by a qualified landscape architect and coordinated with local agencies and property owners. A plant establishment period would be included in construction documents developed for the project.	Design Contractor/ Landscape Architect	Review landscape design plans for compliance; verify coordination with local agencies and property owners.	SANDAG Deputy Project Director-Engineering and Deputy Project Director-Administration	Design and pre-revenue operation	SANDAG, FTA
<b>VR5:</b> Where ornamental vegetation associated with maintained landscaped areas is affected, it would be replaced in-kind or with similar vegetation types and quantities contingent on the approval of the land owner.	Design Contractor/ Landscape Architect	Review landscape design plans for compliance; verify land owner approval.	SANDAG Deputy Project Director-Engineering and Deputy Project Director-Administration	Design and pre-revenue operation	SANDAG, FTA,
<b>VR6:</b> Where the project requires removal of trees and the removal results in adverse visual impacts, a tree replacement ratio of 2:1 for trees larger than 6 inches in diameter at chest height and a 1:1 ratio for trees smaller than 6 inches in diameter at chest height would be implemented contingent on the approval of the land owner. Specific tree replacement sizes, use of appropriate tree species, and consideration of native and low maintenance requirements would be determined by SANDAG in consultation with a qualified landscape architect and affected property owners.	Design Contractor/ Landscape Architect	Review landscape design plans for compliance.	SANDAG Deputy Project Director-Engineering and Deputy Project Director-Administration	Design and pre-revenue operation	SANDAG, FTA,
<b>VR7:</b> All new plantings, regardless of location, would not include invasive plants or noxious weeds, but would include native and/or drought-resistant plants wherever appropriate. Replacement trees would not be planted in locations where their growth is likely to block a view corridor of a regionally important viewing scene.	Design Contractor/ Landscape Architect	Review landscape design plans and habitat restoration plans for compliance.	SANDAG Deputy Project Director-Administration	Design and pre-revenue operation	SANDAG, FTA



**Table 1-1. Mid-Coast Corridor Transit Project Mitigation Monitoring and Reporting Program (continued)**

Affected Resource and Mitigation Measure	Implementation Responsibility	Monitoring Procedure	Monitoring Responsibility	Implementation Phase	Reporting Recipient
<b>Noise and Vibration (Final SEIS/SEIR Section 4.7)</b>					
<b>N1:</b> For Cluster 9 (Camden Tuscan Apartment Complex), lower the sound level of the grade crossing bells by at least 2 decibels or to the lowest level allowed by the CPUC, resulting in a mitigated noise level of 64 dBA L <sub>dn</sub> . (West Cedar St Grade Crossing)	SANDAG in coordination with MTS	Measure sound levels of crossing bells after adjusting level.	SANDAG Deputy Project Director-Administration and Noise Consultant	Pre-revenue operation	SANDAG, FTA, CPUC
<b>N2:</b> For Cluster 57 (La Paz Condominiums), install a sound wall (minimum 8 ft above top of rail) in front of the residential land use, resulting in a mitigated noise level of 56 dBA L <sub>dn</sub> .(Station 572+60 to 574+90 [230 ft])	Design Contractor and Construction Contractor	Review design plans for compliance; measure operational sound levels.	SANDAG Deputy Project Director-Administration and Noise Consultant	Design and construction; measurements as soon as feasible within the first year of revenue operation	SANDAG, FTA
<b>N3:</b> For Cluster 59 (La Paz Condominiums), install a sound wall (minimum 8 ft above top of rail) in front of the residential land use, resulting in a mitigated noise level of 51 dBA L <sub>dn</sub> . (Station 577+50 to 580+80 [330 ft])	Design Contractor and Construction Contractor	Review design plans for compliance; measure operational sound levels.	SANDAG Deputy Project Director-Administration and Noise Consultant	Design and construction; measurements as soon as feasible within the first year of revenue operation	SANDAG, FTA
<b>N4:</b> For Cluster 71 (Loft Apartments at the Shops at La Jolla Village shopping center) and Cluster 72 (Sheraton La Jolla Hotel), install a sound wall on the aerial structure in front of the Sheraton La Jolla Hotel such that the top of the sound wall is at least 4 ft higher than the highest point of rail activity, and the wall is sufficiently long to reduce impacts at the Loft Apartments at the Shops at La Jolla Village. This would result in a mitigated noise level of 51 dBA L <sub>dn</sub> at the Loft Apartments and 55 dBA at the hotel. (Station 630+00 to 637+50 [750 ft])	Design Contractor and Construction Contractor	Review design plans for compliance; measure operational sound levels.	SANDAG Deputy Project Director-Administration, Noise Consultant	Design and construction; measurements as soon as feasible within the first year of revenue operation	SANDAG, FTA



**Table 1-1. Mid-Coast Corridor Transit Project Mitigation Monitoring and Reporting Program (continued)**

Affected Resource and Mitigation Measure	Implementation Responsibility	Monitoring Procedure	Monitoring Responsibility	Implementation Phase	Reporting Recipient
<b>VIB1:</b> For Cluster 57 (La Paz Condominiums), install floating slab trackwork or similar measure in front of the residential land use for both the northbound and southbound tracks. A minimum 10-VdB reduction would be achieved at 25 hertz, fully mitigating the impact. (Station 571+90 to 575+50 [360 ft])	Design Contractor and Construction Contractor	Review design plans for compliance.	SANDAG Deputy Project Director-Engineering, SANDAG Deputy Project Director-Administration, SANDAG Deputy Project Director-Construction	Design and construction	SANDAG, FTA
<b>Ecosystems and Biological Resources (Section 4.8)</b>					
<b>BIO1:</b> On-site Mitigation: To the extent feasible, disturbed lands within or adjacent to the existing MTS right-of-way would be revegetated with wetland and Tier II–III vegetation communities. Revegetated areas would be maintained and monitored for approximately five years to ensure successful reestablishment of vegetation communities.	Habitat Restoration Contractor	Verify development and implementation of a restoration plan.	SANDAG Deputy Project Director-Administration	Design through monitoring period for restoration	USACE, CDFW, RWQCB, USFWS, SANDAG, FTA; CCC as appropriate
<b>BIO2:</b> Off-site Mitigation: Where mitigation requirements cannot be accommodated within existing disturbed lands in the study area, impacts to wetlands and Tier II–III vegetation communities would be mitigated inside or outside of MHPA lands elsewhere within the County of San Diego (e.g., Sage Hill site). Off-site mitigation may include creation (establishing wetlands and Tier II–III vegetation communities in areas that are currently disturbed, developed, or supporting non-native vegetation communities) or enhancement (improving the quality of existing areas of wetlands and Tier II–III vegetation communities through removal of non-native species, establishment of native species, restoration of prior impacts, and protection from future disturbance).	SANDAG EMP	Verify development and implementation of a restoration plan.	SANDAG Deputy Project Director-Administration	Design through monitoring period of restoration	USACE, CDFW, RWQCB, USFWS, SANDAG, FTA; CCC as appropriate



**Table 1-1. Mid-Coast Corridor Transit Project Mitigation Monitoring and Reporting Program (continued)**

Affected Resource and Mitigation Measure	Implementation Responsibility	Monitoring Procedure	Monitoring Responsibility	Implementation Phase	Reporting Recipient
<b>BIO3:</b> Mitigation Credits: In addition to on-site and off-site mitigation, impacts to wetlands and Tier II–III vegetation communities may be mitigated through the purchase of mitigation credits. The purchase of mitigation credits result in the long-term preservation of vegetation communities within established mitigation banks where these communities have been created and/or enhanced and are maintained in perpetuity.	SANDAG EMP	Verify purchase of mitigation credits.	SANDAG Deputy Project Director-Administration	Design	USACE, CDFW, RWQCB, USFWS, SANDAG, FTA; CCC as appropriate
<b>BIO4:</b> Any impacts that cannot be mitigated on-site or at the identified off-site mitigation sites, SANDAG will implement a combination of one or more of the following mitigation alternatives: mitigation bank credits; in-lieu fee program credits; on-site creation, restoration, or enhancement; and off-site creation, restoration, or enhancement.	SANDAG EMP	Verify purchase of mitigation credits or develop a restoration plan.	SANDAG Deputy Project Director-Administration	Design	USACE, CDFW, RWQCB, USFWS, SANDAG, FTA; CCC as appropriate
<b>BIO5:</b> Impacts to ephemeral basins occupied by San Diego fairy shrimp, including Basin II, would be mitigated at a 2:1 ratio through restoration and/or enhancement of vernal pools within west Otay Mesa on the 40-acre Anderprizes parcel, which was previously acquired for future mitigation of vernal pools and which has been approved by the USFWS for mitigation of impacts to San Diego fairy shrimp, or within another approved mitigation area acceptable to the USFWS. Restoration would be conducted at a minimum 1:1 ratio to achieve a no-net-loss of San Diego fairy shrimp habitat; a combination of restoration and enhancement would make up the remaining mitigation. Restoration would be conducted in accordance with a vernal pool restoration plan to be developed by SANDAG and subject to approval by the USFWS prior to project construction.	SANDAG EMP	Verify development and implementation of a vernal pool restoration plan.	SANDAG Deputy Project Director-Administration	Design through monitoring period for vernal pool restoration	USFWS, SANDAG, FTA; CCC as appropriate



**Table 1-1. Mid-Coast Corridor Transit Project Mitigation Monitoring and Reporting Program (continued)**

Affected Resource and Mitigation Measure	Implementation Responsibility	Monitoring Procedure	Monitoring Responsibility	Implementation Phase	Reporting Recipient
<b>Electromagnetic Interference (Section 4.14)</b>					
<b>EMF1:</b> Project impacts to identified equipment that is sensitive to EMI at the UCSD SME Building and the Scripps Hospital XiMed Building would be mitigated through the use of the split-power configuration system with a parallel feeder cable located below each track connected to the OCS wire intermittently with cable risers at OCS poles, rather than using the overhead messenger wires, in the areas near these buildings. In these areas, the feeder cables would be located in line with the centerline of the track (single-split power supply) in order to get feeder cable and return current (the rails) as close as possible and reduce the magnetic fields.	Design Contractor and Construction Contractor	Review design plans for compliance.	SANDAG Deputy Project Director-Engineering, EMF Consultant	Design and construction	SANDAG, FTA
<b>Construction Impacts—Transportation (Section 3.4.7)</b>					
<b>TCON1:</b> Construct a temporary bicycle path adjacent to the construction site along the Rose Canyon Bicycle Path to maintain access and connectivity. During any short-term, intermittent closures, such as may be required for safety and at the time the temporary path is being constructed, provide informational signs and a detour route along local streets and pathways.	Design Contractor and Construction Contractor	Review design plans for compliance.	SANDAG Deputy Project Director-Construction and SANDAG Deputy Project Director-Engineering	Construction	SANDAG, FTA
<b>TCON2:</b> To offset parking loss at the VA Medical Center, SANDAG would implement one or more of the following measures in coordination with the institution: provision of valet parking, temporary restriping of other areas of their parking lot, issuance of transit passes to employees, and assistance with ridesharing programs for employees.	Construction Contractor, SANDAG	Review measures agreed to by SANDAG and the VA Medical Center for compliance with this measure.	SANDAG Deputy Project Director-Construction	Construction	SANDAG, FTA, VA San Diego Healthcare System



**Table 1-1. Mid-Coast Corridor Transit Project Mitigation Monitoring and Reporting Program (continued)**

Affected Resource and Mitigation Measure	Implementation Responsibility	Monitoring Procedure	Monitoring Responsibility	Implementation Phase	Reporting Recipient
<p><b>TCON3:</b> To offset parking loss at office and light industrial buildings, SANDAG would implement one or more of the following measures in coordination with the building management: joint-use parking arrangements with adjacent lots, provision of transit passes to employees, and assistance with ridesharing programs. If parking alternatives cannot be identified, the property owner would be compensated.</p>	<p>Construction Contractor, SANDAG, and SANDAG Real Estate Acquisition Consultant</p>	<p>Review measures agreed to by SANDAG and property owners for compliance with this measure; review temporary construction easements to verify they address this issue.</p>	<p>SANDAG Deputy Project Director-Construction and SANDAG Legal</p>	<p>Construction and property acquisition</p>	<p>SANDAG, FTA</p>
<p><b>Construction Impacts—Noise and Vibration (Section 4.17)</b></p>					
<p><b>CON1:</b> The contractor would develop and implement a Noise Control Plan, approved by SANDAG prior to initiating construction. The plan would demonstrate how the contractor would reduce noise levels near sensitive noise receptors consistent with the city's Noise Ordinance. The plan would include analysis of construction noise based on measured background noise levels, a list of the major pieces of construction equipment that would be used, and predictions of the noise levels at the closest sensitive receivers (including residences, hotels, schools, churches, temples, and similar facilities where either outdoor or indoor activities would be sensitive to noise levels). The Noise Control Plan would include noise attenuation features as necessary, such as temporary sound walls, mufflers, and locating noisy equipment away from sensitive land uses. In addition, the plan would consider alternative construction methods when relevant.</p>	<p>Construction Contractor</p>	<p>Verify development and implementation of a Noise Control Plan.</p>	<p>SANDAG Deputy Project Director-Administration and SANDAG Deputy Project Director-Construction</p>	<p>Pre-construction and construction</p>	<p>SANDAG, FTA</p>



**Table 1-1. Mid-Coast Corridor Transit Project Mitigation Monitoring and Reporting Program (continued)**

Affected Resource and Mitigation Measure	Implementation Responsibility	Monitoring Procedure	Monitoring Responsibility	Implementation Phase	Reporting Recipient
<p><b>CON2:</b> To reduce nighttime noise impacts to sensitive receivers on Charmant Drive, in the Cape La Jolla Gardens housing complex adjacent to I-5, and along Genesee Avenue, the contractor would provide noise-reducing curtains or noise-masking machines where appropriate and approved by the occupant. Temporary lodging in an approved hotel would be offered by SANDAG to residents if, after implementation of noise-reducing measures, nighttime construction noise is predicted to exceed the ambient noise levels for that area by 5 dBA.</p>	Construction Contractor and SANDAG Deputy Director-Construction	Monitor noise levels during construction; verify implementation of noise-reducing measures and provision of off-site lodging.	SANDAG Project Director	Construction	SANDAG, FTA
<p><b>CON3:</b> During final design, and where permission can be obtained, a qualified structural engineer would survey the existing foundation and other structural aspects of buildings located within close proximity (25 to 100 feet depending on construction activity and structure type) of the construction zone boundaries. Potholing or other non-destructive testing of the below-grade conditions may be necessary to establish baseline conditions. Depending on anticipated construction activities, the survey report would identify buildings that could be affected by construction vibration. The qualified structural engineer would document in the survey report baseline conditions at all buildings that may be affected by construction vibration. The survey report would provide a shoring design to protect identified buildings from potential vibration damage. Alternatively, the structural engineer may recommend alternative construction methods that would produce lower vibration levels. Such measures would be implemented by the contractor at the direction of SANDAG and with the permission of the property owner.</p>	Design Contractor and Construction Contractor	Verify property owners of structures in proximity to construction activity are contacted; verify completion of survey; review results and verify implementation of any shoring or alternative construction measures identified as a result of the survey.	SANDAG Deputy Project Director-Engineering and SANDAG Deputy Project Director-Construction	Pre-construction and construction	SANDAG, FTA





**Table 1-1. Mid-Coast Corridor Transit Project Mitigation Monitoring and Reporting Program (continued)**

Affected Resource and Mitigation Measure	Implementation Responsibility	Monitoring Procedure	Monitoring Responsibility	Implementation Phase	Reporting Recipient
<b>Construction Impacts—Ecosystems and Biological Resources (Section 4.17)</b>					
<p><b>CON4:</b> Biologists would conduct nesting bird surveys not more than 72 hours prior to initiating construction-related ground-disturbing activities (i.e., grading or ground-clearing activities) during the breeding season (February 15 through August 31 for most species, and January 15 through August 15 for raptors, or as determined by a qualified biologist). Biologists would determine if active nests of special-status birds or bird species protected by the MBTA and/or the California Fish and Game Code 3503 are present in the disturbance zone or within 300 feet (500 feet for raptors) of the disturbance zone during the nesting/breeding season of native bird species potentially nesting on the site. Despite the lack of native habitat, similar pre-construction nesting bird surveys would be conducted at the four TPSSs located outside of the biological study area to the south of the OTTC to ensure the avoidance of native birds potentially nesting in urbanized areas. If ground-disturbing activities are delayed, then additional pre-disturbance surveys would be conducted such that no more than 72 hours would have elapsed between the survey and the initiation of ground-disturbing activities.</p>	SANDAG Biological Consultant	Maintain log of pre-construction surveys demonstrating compliance. Verify implementation of any identified avoidance measures.	SANDAG Deputy Project Director-Administration and SANDAG Deputy Project Director-Construction	Pre-construction and construction	CDFW, SANDAG, FTA
<p><b>CON5:</b> If biologists find an active nest of a native bird species, then vegetation clearing, ground-disturbing activities, and construction equipment that generates high noise or vibration levels would cease and be postponed or halted at the discretion of the biologist in consultation with the CDFW. This work cessation would be effective within a buffer area from the nest at a distance appropriate to the sensitivity of the species and the distribution of the surrounding habitat (typically 300 feet for most species, up to 500 feet for raptors—the area</p>	Construction Contractor and SANDAG Biological Consultant	Maintain construction monitoring log demonstrating compliance. Verify implementation of any identified avoidance measures.	SANDAG Deputy Project Director-Administration, SANDAG Deputy Project Director-Construction, and SANDAG Biological Consultant	Pre-construction and construction	CDFW, SANDAG, FTA



**Table 1-1. Mid-Coast Corridor Transit Project Mitigation Monitoring and Reporting Program (continued)**

Affected Resource and Mitigation Measure	Implementation Responsibility	Monitoring Procedure	Monitoring Responsibility	Implementation Phase	Reporting Recipient
<p>may vary depending on the types of vegetation surrounding the nest). Construction work would not resume until the biologist has determined that the nest is no longer active, the juveniles have fledged, and there is no evidence of a second attempt at nesting.</p> <p>Alternatively, a qualified biological monitor would be present full-time while construction is occurring within the buffer area to observe the nesting birds and would have the authority to halt or redirect construction if the birds exhibit signs of distress. Limits of construction around active nests would be established in the field with flagging, fencing, or other appropriate barriers; and construction personnel would be informed about the sensitivity of nest areas. The biologist would serve as a construction monitor during those periods when construction activities would occur near active nest areas to ensure that no inadvertent impacts to nesting birds occur.</p>					
<p><b>CON6:</b> Vegetation clearing within suitable western red bat habitat would be avoided during the maternal roost season (May through August, or as determined by a qualified biologist) where feasible. Pre-construction surveys for roosting western red bat would be conducted within suitable habitat if construction would occur within or adjacent to suitable roost sites during the maternal roost season. If a roost is detected, passive exclusion would include monitoring the roost for three days to determine if the roost is vacated. If the roost is determined to support a reproductive female with young, the roost would be avoided until it is no longer active. If the roost remains active within the three monitoring days and supports a dispersing male but no breeding female or young, the foliage of the tree would be trimmed after the male has left the roost at dusk. The tree would be monitored again the following evening after the foliage has been trimmed to determine</p>	SANDAG Biological Consultant and Construction Contractor	Maintain log of pre-construction surveys demonstrating compliance. Verify implementation of any identified avoidance measures.	SANDAG Deputy Project Director-Administration and SANDAG Biological Consultant	Pre-construction and construction	CDFW, SANDAG, FTA



**Table 1-1. Mid-Coast Corridor Transit Project Mitigation Monitoring and Reporting Program (continued)**

Affected Resource and Mitigation Measure	Implementation Responsibility	Monitoring Procedure	Monitoring Responsibility	Implementation Phase	Reporting Recipient
if any activity remains at that roost location. If there is no activity, the tree would be removed. If it cannot be determined whether an active roost site supports breeding females or males, the roost site would not be disturbed and construction within 300 feet would be postponed or halted until the roost is vacated and the young are volant.					
<p><b>CON7:</b> Focused surveys for the western mastiff bat maternity roosts would be conducted in the summer (May through August, or as determined by a qualified biologist) prior to construction, if feasible.</p> <p>Pre-construction surveys would be conducted by a qualified biologist no earlier than 30 days prior to initiation of bridge modification activities if summer surveys in advance of construction are infeasible. Pre-construction surveys would include the bridge section planned for modification and would be conducted using visual search and ultrasonic recording devices to determine if active roosts of the western mastiff bat are present on or within 300 feet of the bridge section subject to modification. These surveys would concentrate on the periods when roosting bats are most detectable (i.e., when leaving the roost between one hour before sunset and two hours after sunset) and take place over a period of three to five days.</p>	SANDAG Biological Consultant	Maintain log of focused surveys demonstrating compliance. Verify implementation of any identified avoidance measures.	SANDAG Deputy Project Director-Administration and SANDAG Biological Consultant	Pre-construction and construction	CDFW, SANDAG, FTA
<p><b>CON8:</b> Temporary and humane exclusionary devices would be installed in the fall (September or October) preceding construction at those locations where summer surveys detected an active maternity roost for the western mastiff bat to avoid potential direct impacts. Prior to any exclusion measures being implemented to prevent bats from using an existing roost habitat, a qualified bat biologist would survey (e.g., visually and using an ultrasonic device to record bat calls in concert with sonogram analysis software) and identify nearby</p>	SANDAG Biological Consultant	Maintain log of focused surveys.	SANDAG Deputy Project Director-Administration and SANDAG Biological Consultant	Pre-construction and construction	CDFW, SANDAG, FTA



**Table 1-1. Mid-Coast Corridor Transit Project Mitigation Monitoring and Reporting Program (continued)**

Affected Resource and Mitigation Measure	Implementation Responsibility	Monitoring Procedure	Monitoring Responsibility	Implementation Phase	Reporting Recipient
<p>alternative maternity colony roost sites. If any supplemental measures must be implemented to ensure successful exclusion of bats from an existing roost and/or the identification of alternative roosting habitat, all related assessments and monitoring must be conducted by a qualified bat biologist, with biological monitoring reports and findings provided to the CDFW.</p> <p>If construction activities must occur during the summer and pre-construction surveys have identified an active western mastiff bat maternity roost, the roost would not be disturbed and construction within 300 feet would be postponed or halted until the roost is vacated and juveniles have fledged.</p> <p>If construction activities must occur when bats are active and pre-construction surveys have identified non-breeding bat hibernacula in portions of the Trolley Green Line Bridge subject to disturbance from bridge modification activities, the individuals would be safely evicted under the direction of a qualified bat biologist using appropriate means acceptable to the resource agencies (e.g., installation of one-way doors, foam filling of roosting locations when bats are not present, or plastic sheeting hung vertically). In situations requiring one-way doors, a minimum of one week would pass after doors are installed prior to concluding that the roost has been vacated. During this time, temperatures should be sufficiently warm for bats to leave the roost because bats do not typically leave their roost daily during winter months or on unseasonably cold nights in southern coastal California. In situations where the use of one-way doors is not necessary in the judgment of the qualified bat biologist, roosts that need to be removed would first be disturbed at dusk by various means at the direction of the bat biologist to allow bats to escape during the darker hours and access to the roost site would be excluded the next day (i.e., there would be one</p>					



**Table 1-1. Mid-Coast Corridor Transit Project Mitigation Monitoring and Reporting Program (continued)**

Affected Resource and Mitigation Measure	Implementation Responsibility	Monitoring Procedure	Monitoring Responsibility	Implementation Phase	Reporting Recipient
night between initial disturbance and exclusion of the roost site).					
<p><b>CON9:</b> Temporary impacts to wetland vegetation communities would be mitigated at a 1:1 ratio, as shown in Section 4.8, Table 4-19, Table 4-20, and Table 4-21 of the Final SEIS/SEIR. The location and configuration of wetland vegetation communities within restoration areas in the San Diego River and Rose Creek would be adjusted to ensure that restored areas beneath bridges are limited to wetland communities that can tolerate reduced sunlight availability.</p> <p>Based on the presence of wetland vegetation communities under existing bridges over the San Diego River and Rose Creek, similar communities, including cismontane alkali marsh, mulefat scrub, and in some cases southern willow scrub, would be planted under the proposed bridges. Restored areas adjacent to the proposed bridges and that are not subject to long-term shading would be revegetated primarily with southern willow scrub.</p>	Habitat Restoration Contractor	Verify development, approval, and implementation of a restoration plan. Prepare as-built and annual monitoring reports documenting compliance.	SANDAG Deputy Project Director-Administration and SANDAG Biological Consultant	Pre-construction and construction	USACE, USFWS, CDFW, RWQCB, SANDAG, FTA
<p><b>CON10:</b> Impacts to Tier II (coastal sage scrub) and Tier IIIB (non-native grasslands) vegetation communities would be mitigated according to the mitigation ratios shown in Section 4.8, Table 4-19, Table 4-20, and Table 4-21 of the Final SEIS/SEIR.</p>	SANDAG EMP	Verify development and implementation of a restoration plan.	SANDAG Deputy Project Director-Administration	Pre-construction and construction	USACE, CDFW, USFWS, SANDAG, FTA
<p><b>CON11:</b> Temporary impacts to jurisdictional aquatic resources would be mitigated at a minimum 1:1 ratio through on-site restoration, subject to approval by the USACE, RWQCB, CCC, and CDFW during the permitting process. On-site restoration would include the restoration of pre-existing contours, elevations, and vegetation communities within areas temporarily disturbed as a result of construction activities in the San Diego River, Tecolote Creek, and Rose Creek. The location and configuration of wetland communities</p>	Habitat Restoration Contractor	Verify development, approval, and implementation of a restoration plan. Prepare as-built and annual monitoring reports documenting compliance.	SANDAG Deputy Project Director-Administration	Pre-construction and construction	USACE, RWQCB, CCC, CDFW, SANDAG, FTA



**Table 1-1. Mid-Coast Corridor Transit Project Mitigation Monitoring and Reporting Program (continued)**

Affected Resource and Mitigation Measure	Implementation Responsibility	Monitoring Procedure	Monitoring Responsibility	Implementation Phase	Reporting Recipient
<p>within restoration areas in the San Diego River and Rose Creek would be adjusted to ensure that restored areas beneath bridges are limited to wetland communities that can tolerate reduced sunlight availability.</p> <p>Based on the presence of wetland communities under existing bridges over the San Diego River and Rose Creek, similar communities, including cismontane alkali marsh, mulefat scrub, and in some cases southern willow scrub, would be planted under the proposed bridges. Restored areas adjacent to the proposed bridges and that are not subject to long-term shading would be revegetated primarily with southern willow scrub.</p>					
<p><b>CON12:</b> Construction-related noise levels in coastal California gnatcatcher occupied habitat within 500 feet of construction activity would not exceed 60 dBA <math>L_{eq}</math> or pre-construction ambient noise levels, whichever is greater, during the breeding season. Project construction within 500 feet of occupied habitat would occur outside of the breeding season if possible. If necessary, construction activities during the breeding season would be managed to limit noise levels in occupied habitat within 500 feet of the project, or noise attenuation measures, such as temporary sound walls, would be implemented to reduce noise levels below 60 dBA <math>L_{eq}</math> or below existing ambient noise levels, whichever is greater.</p>	Construction Contractor	Review noise monitoring log; verify any required corrective actions are taken.	SANDAG Deputy Project Director-Administration and SANDAG Biological Consultant	Pre-construction and construction	USFWS, CDFW, SANDAG, FTA



**Table 1-1. Mid-Coast Corridor Transit Project Mitigation Monitoring and Reporting Program (continued)**

Affected Resource and Mitigation Measure	Implementation Responsibility	Monitoring Procedure	Monitoring Responsibility	Implementation Phase	Reporting Recipient
<p><b>CON13:</b> To avoid potential adverse impacts to least Bell's vireo and southwestern willow flycatcher from construction-related noise, project construction within 500 feet of occupied habitat would be timed to occur outside of the breeding season if feasible. If project construction within 500 feet of occupied habitat must occur during the breeding season, construction-related noise within the occupied habitat areas would not exceed 60 dBA <math>L_{eq}</math> or pre-construction ambient noise levels, whichever is greater. If necessary, construction activities during the breeding season would be managed to limit noise levels in occupied habitat within 500 feet of the project or noise attenuation measures would be implemented to reduce noise levels below 60 dBA <math>L_{eq}</math> or below existing ambient noise levels, whichever is greater.</p>	Construction Contractor	Review noise monitoring log; verify any required corrective actions are taken.	SANDAG Deputy Project Director-Administration and SANDAG Biological Consultant	Pre-construction and construction	USFWS, CDFW, SANDAG, FTA
<p><b>CON14:</b> To avoid potential adverse impacts to light-footed clapper rail from construction-related noise, project construction within 500 feet of occupied habitat would be timed to occur outside of the breeding season if possible. If project construction within 500 feet of occupied habitat must occur during the breeding season, construction-related noise within the occupied habitat areas would not exceed 60 dBA <math>L_{eq}</math> or pre-construction ambient noise levels, whichever is greater. If necessary, construction activities during the breeding season would be managed to limit noise levels in occupied habitat within 500 feet of the project or noise attenuation measures would be implemented to reduce noise levels below 60 dBA <math>L_{eq}</math> or below existing ambient noise levels, whichever is greater.</p>	Construction Contractor	Review noise monitoring log; verify any required corrective actions are taken.	SANDAG Deputy Project Director-Administration and Biological Consultant	Pre-construction and construction	USFWS, CDFW, SANDAG, FTA



**Table 1-1. Mid-Coast Corridor Transit Project Mitigation Monitoring and Reporting Program (continued)**

Affected Resource and Mitigation Measure	Implementation Responsibility	Monitoring Procedure	Monitoring Responsibility	Implementation Phase	Reporting Recipient
<b>Construction Impacts—Archaeological Resources Impacts (Section 4.17)</b>					
<p><b>CON15:</b> Construction Monitoring: No archaeological resources eligible for listing in the NRHP or CRHR were identified or detected within the archaeological APE during Extended Phase I investigations; however, there exists a low potential to encounter unknown cultural materials given the landform context and depth of construction. As such, monitoring for both prehistoric and historic archaeological deposits would be conducted during ground-disturbing construction activities in designated monitoring areas of the project archaeological APE.</p> <p>Monitoring would occur under the supervision of a DPA who meets the Secretary of the Interior’s Professional Qualifications Standards. The DPA and archaeological monitors would be subject to the approval of SANDAG and/or the FTA.</p> <p>Full-time cultural resources monitoring of all ground-disturbing activities within the archaeological APE would occur within 500 feet south of the San Diego River; within 500 feet north of the San Diego River; in designated portions of the Rose Canyon corridor; and in the portion of the archaeological APE located on the UCSD campus. Specific information regarding full time monitoring areas is detailed in the confidential <i>Mid-Coast Corridor Transit Project Archaeological Resources Extended Phase I Investigation Results and Effects Assessment</i> (SANDAG, 2014b). Spot-check monitoring would occur within the archaeological APE in two areas: from the north bank of the San Diego River to 1,100 feet north of Sea World Drive, and in the Rose Canyon Corridor between Balboa Avenue and La Jolla Colony Drive. If the FTA determines that full-time or spot-check monitoring is needed in additional portions of the archaeological APE, monitoring would be provided in these additional areas.</p>	SANDAG Archaeology Consultant and Native American Monitor	Review construction monitoring log; field-verify monitoring activities.	SANDAG Deputy Project Director-Administration and SANDAG Deputy Project Director-Construction	Pre-construction and construction	SHPO, SANDAG, FTA





**Table 1-1. Mid-Coast Corridor Transit Project Mitigation Monitoring and Reporting Program (continued)**

Affected Resource and Mitigation Measure	Implementation Responsibility	Monitoring Procedure	Monitoring Responsibility	Implementation Phase	Reporting Recipient
<p>In areas where full-time monitoring is designated, “full-time monitoring” is defined as follows: A qualified archaeological monitor is required during the entire work day on a daily basis during all ground disturbance throughout the course of the project until a sufficient depth of excavation has been reached at which it is unlikely to encounter buried resources. The DPA will determine the actual depth of excavation at which monitoring may cease based on soil conditions observed in the field. “Spot-check monitoring” is defined as part-time monitoring to be conducted by a qualified archaeological monitor throughout the duration of project-related ground disturbance. Spot-check monitoring will include inspection of open excavations, grubbed areas, and excavation spoils. The frequency and duration of the spot checks will be based on field observations of exposed soils at the discretion of the DPA.</p> <p>In the event an unanticipated discovery of archaeological resources occurs during construction, the following measures would be implemented immediately following the discovery:</p> <ul style="list-style-type: none"> <li>• The archaeological monitor would halt all construction within a 50-foot radius of the find until the DPA can assess the significance of the find.</li> <li>• If the discovery is determined to be significant or potentially significant by the DPA, the following tasks would be undertaken: <ul style="list-style-type: none"> <li>– Discussion with project engineers to determine if impacts can be avoided/minimized, including consideration of preservation in place</li> <li>– Recovery and analysis of archaeological material and associated data</li> <li>– Preparation of a data recovery report or other reports</li> </ul> </li> </ul>					



**Table 1-1. Mid-Coast Corridor Transit Project Mitigation Monitoring and Reporting Program (continued)**

Affected Resource and Mitigation Measure	Implementation Responsibility	Monitoring Procedure	Monitoring Responsibility	Implementation Phase	Reporting Recipient
<ul style="list-style-type: none"> <li>– Accessioning recovered archaeological material to an accredited archaeological repository, such as the San Diego Archaeological Center</li> </ul> <p>Archaeological monitor qualification requirements, detailed approaches to archaeological monitoring of various project elements, and the procedures to follow in the event that unanticipated archaeological resources or human remains are discovered would be defined in the <i>Mid-Coast Corridor Transit Project Construction Monitoring Plan</i> (SANDAG, 2014d) and the <i>Mid-Coast Corridor Transit Project Cultural Resources Discovery Plan</i> (SANDAG, 2014c) and would be submitted to SHPO for review and concurrence prior to the start of construction activities.</p> <p>A Native American monitor would be present at all areas designated for full-time and spot-check monitoring. This monitoring would occur on an as-needed basis and would be intended to ensure that Native American concerns are considered during the construction process. Native American monitors would be retained from Tribes who have expressed interest in the project and have participated in the Section 106 consultation process. Roles and responsibilities of the Native American monitors would be detailed in the Construction Monitoring Plan prepared for the project.</p>					
<p><b>CON16:</b> Cultural Resource Awareness Training: Prior to, and for the duration of, ground disturbances, SANDAG would provide cultural resource awareness training to construction workers in accordance with the requirements listed in the <i>Mid-Coast Corridor Transit Project Archaeological Resources Survey Report</i> (SANDAG, 2013e). The training would describe appropriate measures for treatment and protection of cultural resources in compliance with the Secretary of the Interior's Standards for the Treatment of Historic</p>	SANDAG Archaeology Consultant	Check training log to verify training of all construction personnel.	SANDAG Deputy Project Director-Administration and SANDAG Deputy Project Director-Construction	Pre-construction and construction	SANDAG, FTA



**Table 1-1. Mid-Coast Corridor Transit Project Mitigation Monitoring and Reporting Program (continued)**

Affected Resource and Mitigation Measure	Implementation Responsibility	Monitoring Procedure	Monitoring Responsibility	Implementation Phase	Reporting Recipient
<p>Properties, and would include a discussion of applicable laws and penalties under the law, and samples or visual representations of artifacts that might be found in the project vicinity. The training would outline the steps that must be taken if cultural resources are encountered during project construction, including the authority of archaeological monitors to halt construction in the area of a discovery to an extent sufficient to ensure that the resource is protected from further impacts.</p> <p>The training would be conducted by a qualified archaeologist. A hard copy summary of cultural resource laws, discovery procedures, and contact information would be provided to all construction workers. It may be necessary to conduct the training in English and another language, particularly Spanish. If so, an individual proficient in both languages would be present to translate the training. Hard copy training summary cards would be produced in applicable languages to be distributed to all construction personnel.</p>					
<p><b>CON17:</b> Treatment of Human Remains: In the unlikely event that human remains are uncovered during ground disturbances, California Health and Safety Code Section 7050.5 requires that no further disturbances occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to PRC Section 5097.98. If the human remains are determined to be prehistoric, the coroner would notify the Native American Heritage Commission, which would determine and notify a Most Likely Descendant. The FTA, SANDAG, NCTD, and/or MTS would be notified immediately. Procedures to follow for the discovery of human remains would be included in the Discovery Plan. The plan would include provisions for preferred removal techniques, storage, and re-interment to the extent feasible.</p>	<p>Construction Contractor and SANDAG Archaeology Consultant</p>	<p>Verify compliance with California Health and Safety Code and implementation of Discovery Plan.</p>	<p>SANDAG Deputy Project Director-Administration and SANDAG Deputy Project Director-Construction</p>	<p>Pre-construction and construction</p>	<p>SHPO, SANDAG, FTA, MTS, NCTD</p>



**Table 1-1. Mid-Coast Corridor Transit Project Mitigation Monitoring and Reporting Program (continued)**

Affected Resource and Mitigation Measure	Implementation Responsibility	Monitoring Procedure	Monitoring Responsibility	Implementation Phase	Reporting Recipient
<b>Construction Impacts—Paleontological Resources Impacts (Section 4.17)</b>					
<p><b>CON18:</b> Paleontological Resources Monitoring and Mitigation Plan (PRMMP): Prior to final design and as a measure to protect significant paleontological resources, SANDAG would authorize a PRMMP to be prepared and implemented during construction. The PRMMP would be developed in accordance with the guidelines and requirements listed in the <i>Mid-Coast Corridor Transit Project Paleontological Survey Report</i> (SANDAG, 2014f).</p> <ul style="list-style-type: none"> <li>• <b>Paleontological Awareness Training</b>—Paleontological Awareness Training would be provided to construction workers involved in earthwork (excavation and grading) and foundation activities prior to the start of work on the project. Training would include a discussion of the laws protecting paleontological resources, the types of paleontological resources that could be encountered, and the procedures to be followed if a paleontological resource were discovered.</li> <li>• <b>Paleontological Monitoring</b>—Paleontological resources monitoring is recommended because of the potential for impacts on paleontologically sensitive geologic units and, therefore, potentially significant paleontological resources, during construction activities. Detailed procedures regarding monitoring would be presented in the PRMMP. <ul style="list-style-type: none"> <li>– Monitoring between the Santa Fe Depot and the Nobel Drive Station—Full-time paleontological monitoring of project ground disturbance would be required between the Santa Fe Depot and the Nobel Drive Station because of the presence of highly sensitive geologic units. Paleontological monitoring for this area would be conducted as described in the <i>Mid-Coast Corridor Transit Project Paleontological Survey Report</i> (SANDAG, 2014f) as incorporated into the PRMMP.</li> </ul> </li> </ul>	Construction Contractor and SANDAG Paleontology Consultant	Track development and implementation of the PRMMP; check training log for construction personnel; review construction monitoring log.	SANDAG Deputy Project Director-Administration and SANDAG Deputy Project Director-Construction	Pre-construction and construction	SANDAG, FTA



**Table 1-1. Mid-Coast Corridor Transit Project Mitigation Monitoring and Reporting Program (continued)**

Affected Resource and Mitigation Measure	Implementation Responsibility	Monitoring Procedure	Monitoring Responsibility	Implementation Phase	Reporting Recipient
<p>– Monitoring between the Nobel Drive Station and the UTC Transit Center—Part-time paleontological monitoring of excavations would be conducted between the Nobel Drive Station and the UTC Transit Center. In the event that any unanticipated discoveries of significant fossils are made, full-time monitoring in this area would be required. Paleontological monitoring for this area would be conducted as described in the <i>Mid-Coast Corridor Transit Project Paleontological Survey Report</i> (SANDAG, 2014f) as incorporated into the PRMMP.</p> <ul style="list-style-type: none"> <li>• <b>Unanticipated Discovery of Paleontological Resources</b>—If an unanticipated discovery of paleontological resources occurs during construction anywhere along the alignment, the procedures described in the <i>Mid-Coast Corridor Transit Project Paleontological Survey Report</i> (SANDAG, 2014f) would be followed as incorporated into the PRMMP.</li> <li>• <b>Data Recovery</b>—In the event that paleontological resources are discovered, fossil specimens must be properly collected and sufficiently documented to be of scientific value. Data recovery would be conducted as described in the <i>Mid-Coast Corridor Transit Project Paleontological Survey Report</i> (SANDAG, 2014f) as incorporated into the PRMMP.</li> <li>• <b>Technical Reporting</b>—In the event that paleontological resources are discovered, a data recovery report would be prepared that documents the methods and results of monitoring and provides an analysis of the nature and significance of fossils recovered. The report would contain the contents as described in the <i>Mid-Coast Corridor Transit Project Paleontological Survey Report</i> (SANDAG, 2014f) as incorporated into the PRMMP.</li> </ul>					



**Table 1-1. Mid-Coast Corridor Transit Project Mitigation Monitoring and Reporting Program (continued)**

Affected Resource and Mitigation Measure	Implementation Responsibility	Monitoring Procedure	Monitoring Responsibility	Implementation Phase	Reporting Recipient
<ul style="list-style-type: none"> <li> <b>Curation of Recovered Fossils</b>—After the data recovery report is prepared, the fossil material recovered during project monitoring activities would be accessioned for curation to a recognized paleontological repository, such as the San Diego Natural History Museum. Arrangements to accession fossil material should be made with such a repository before monitoring begins so that the repository can inform the qualified monitoring paleontologist of requirements necessary to accession the fossil material. The data recovery report (see above) also will be submitted to the repository at which the fossils are curated. Curation would be conducted as described in the <i>Mid-Coast Corridor Transit Project Paleontological Survey Report</i> (SANDAG, 2014f) as incorporated into the PRMMP.                 </li> </ul>					

Source SANDAG 2014

Notes: APE = Area of Potential Effects; Caltrans = California Department of Transportation; CCC = California Coastal Commission; CDFW = California Department of Fish and Wildlife; CPUC = California Public Utilities Commission; CRHR = California Register of Historical Resources; dBA = A-weighted decibel; DPA = Designated Project Archaeologist; EMF = electromagnetic field EMI = electromagnetic interference; EMP = Environmental Project Manager; FTA = Federal Transit Administration; I = Interstate; L<sub>dn</sub> = day-night noise level; L<sub>eq</sub> = equivalent sound level; MBTA = Migratory Bird Treaty Act; MHPA = Multiple Habitat Planning Area; MTS = Metropolitan Transit System; NCTD = North County Transit District; NRHP = National Register of Historic Places; OCS = overhead contact system; OTTC = Old Town Transit Center; PRC = Public Resources Code; PRMMP = Paleontological Resources Monitoring and Mitigation Plan; RWQCB = Regional Water Quality Control Board; SANDAG = San Diego Association of Governments; SEIS/SEIR = Supplemental Environmental Impact Statement/Subsequent Environmental Impact Report; SHPO = State Historic Preservation Officer; SME = Structural and Materials Engineering Building UCSD; TPSS = traction power substation; UCSD = University of California, San Diego; USACE = U.S. Army Corps of Engineers; USFWS = U.S. Fish and Wildlife Service; UTC = University Towne Centre; VA = Veterans Administration; Vdb = vibration decibel



## 2.0 REFERENCES

- San Diego Association of Governments (SANDAG). 2014a. *Mid-Coast Corridor Transit Project Final Supplemental Environmental Impact Statement/Subsequent Environmental Impact Report.*
- San Diego Association of Governments (SANDAG). 2014b. *Mid-Coast Corridor Transit Project Archaeological Resources Extended Phase I Investigation Results and Effects Assessment.*
- San Diego Association of Governments (SANDAG). 2014c. *Mid-Coast Corridor Transit Project Cultural Resources Discovery Plan.*
- San Diego Association of Governments (SANDAG). 2014d. *Mid-Coast Corridor Transit Project Construction Monitoring Plan.*
- San Diego Association of Governments (SANDAG). 2014e. *Mid-Coast Corridor Transit Project Archaeological Resources Survey Report*
- San Diego Association of Governments (SANDAG). 2014f. *Mid-Coast Corridor Transit Project Paleontological Survey Report.*



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**This relates to Item No. 11, BOD, November 21, 2014**



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## **RESOLUTION NO. RTC-2015-04**

### **A RESOLUTION OF THE SANDAG BOARD OF DIRECTORS APPROVING THE MID-COAST CORRIDOR TRANSIT PROJECT**

WHEREAS, the Mid-Coast Corridor Transit Project (Project) proposes to extend the San Diego Trolley Blue Line from the Santa Fe Depot in Downtown San Diego to the University Town Center Transit Center in University City, providing continuous service from the San Ysidro Transit Center at the U.S.–Mexico international border to University City; and

WHEREAS, the Project was first identified as a transit project in 1987 when voters approved Proposition A, San Diego County's half-cent transportation sales tax measure (*TransNet*); and

WHEREAS, in November 2004, San Diego County voters approved a new Proposition A extending the *TransNet* half-cent sales tax for transportation through 2048; and

WHEREAS, Proposition A includes a total of 47 major transportation infrastructure improvement projects and several transportation programs; and

WHEREAS, the Project is included as a Tier 1 First Priority Project; and

WHEREAS, in conjunction with the Federal Transit Administration (FTA), SANDAG has prepared a joint Supplemental Environmental Impact Statement (SEIS) pursuant to the National Environmental Policy Act (NEPA) and Subsequent Environmental Impact Report (SEIR) pursuant to the California Environmental Quality Act (CEQA) for the Project; and

WHEREAS, the Board of Directors has certified that the Final SEIS/SEIR has been completed in compliance with CEQA, and has adopted Findings of Fact, a Statement of Overriding Considerations, and a Mitigation Monitoring and Reporting Program (MMRP) for the Project; and

WHEREAS, in addition to the mitigation measures identified in the MMRP, Project measures are listed in Appendix E to the Final SEIS/SEIR that consist of design features, best management practices, or other project elements (e.g., formation of plans to deal with hazardous materials) required by law or incorporated as part of the Project that avoid or minimize potential impacts; and

WHEREAS, FTA has determined that the requirements of NEPA and related federal environmental statutes, regulations, and executive orders have been satisfied for the Project; and

WHEREAS, consistent with *TransNet*, SANDAG intends to seek federal funding from the FTA through the Fixed Guideway Capital Investments Grant (New Starts) Program [49 United States Code Section 5309/MAP-21 Section 20008], which provides grants for new and expanded rail, Bus

Rapid Transit, and ferry systems that reflect local priorities to improve transportation options in key corridors; and

WHEREAS, the Project, as refined during the environmental review process, is referred to as the Refined Build Alternative; and

WHEREAS, the Board of Directors takes this action on behalf of SANDAG and as the Regional Transportation Commission; and

WHEREAS, prior to taking action on the Project, the Board of Directors has heard, been presented with, reviewed, and considered all of the information and data in the administrative record, including the Final SEIS/SEIR and all oral and written evidence presented to it during all meetings and hearings,

NOW THEREFORE BE IT RESOLVED by the Board of Directors that the foregoing recitals are true and correct and incorporated by this reference; and

BE IT FURTHER RESOLVED that the Board of Directors does hereby approve the Project; and

BE IT FURTHER RESOLVED that the Board of Directors hereby directs that the project measures set forth in Appendix E of the Final SEIS/SEIR be implemented as part of the Project; and

BE IT FURTHER RESOLVED that the Board of Directors directs staff to take any and all actions necessary to implement the Project consistent with this resolution; and

BE IT FURTHER RESOLVED that this resolution shall be effective as of the date of its adoption.

PASSED AND ADOPTED this 21st of November, 2014.

AYES:

NOES:

ABSENT:

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Chair of the Board of Directors  
~~of the San Diego County Regional  
Transportation Commission~~

[Seal]

Attest:

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Secretary of the Board of Directors ~~of the  
San Diego County Regional Transportation  
Commission~~



**ANNUAL REVIEW AND PROPOSED AMENDMENTS  
TO BOARD POLICIES**

File Number 8000100

**Introduction**

Each year the Office of General Counsel solicits requests from staff and leadership for any suggested changes to Board Policies or Bylaws and reviews these documents to determine if updates or changes should be recommended to the Board of Directors. At its November 7, 2014, meeting, the Executive Committee reviewed and recommended approval of the proposed amendments as well as the renewed delegation of authority and Interest Rate Swap Policy.

**Recommendation**

The Executive Committee recommends that the Board of Directors: (1) approve the proposed amendments to the Board Policies discussed in the report; (2) renew the annual delegation of authority to the Executive Director pursuant to Board Policy No. 003: Investment Policy; and (3) renew its approval of Board Policy No. 032: San Diego County Regional Transportation Commission Interest Rate Swap Policy.

**Discussion**

The significant changes for each of the Board Policies proposed for amendment are discussed below. The actual language changes are tracked in the attached draft versions of the Board Policies. Proposed Bylaw amendments will be discussed in a separate item.

*Board Policy No. 001: Operations Policy (Attachment 1)*

The proposed change to Section C.3 would clarify the Transportation Committee's oversight responsibility for the Active Transportation Grant Program. Currently, no Policy Advisory Committee is expressly identified as having primary oversight of this grant program, although in practice the Transportation Committee has exercised this responsibility pursuant to the current language of Section C.3 ("Establish/approve transportation prioritization criteria").

*Board Policy No. 003: Investment Policy (Attachment 2)*

The Director of Finance, in consultation with the SANDAG investment advisors, Public Financial Management (PFM), and Cutwater Asset Management, has reviewed Board Policy No. 003. Based on that review, no changes to the practices described in the Policy are proposed at this time. It is proposed, however, that Section 5.2 be amended to reflect the updated title of the *TransNet* Department Director.

Additionally, the language in Section 5.1 of this Policy calls for the Board to renew its delegation of authority to the Executive Director for conducting investments on behalf of SANDAG on an annual basis subject to the limitations set forth in the Policy. The Executive Committee recommended that the Board of Directors renew this delegation for the coming year.

*Board Policy No. 008: Legal Matters (Attachment 3)*

Section 1.7.4 of this Policy, relating to claims against SANDAG, is proposed to be amended in two respects. First, it is proposed that the Executive Director's authority to take administrative action on claims, such as stipulating to extend the claims response period or allowing late claims, be more explicitly set forth. Second, it is proposed that the Executive Director's authority to settle claims be reduced from \$100,000 to \$50,000. This would make the Policy consistent with the threshold set forth in Government Code 935.4. The opening paragraph of the claim form attached to the Policy also is proposed to be updated to reflect that certain claims may exceed the six-month time limit expressed on the form.

*Board Policy No. 016: Procurement of Services (Attachment 4)*

Section 5.1 of this Policy sets forth limitations on the use of sole source or limited competition procurement when using federal funds. The existing Policy sets forth a list of allowable circumstances when this type of procurement is allowed, mirroring the allowances set forth in a now outdated Federal Transit Administration (FTA) Circular on this subject. Recognizing that these regulations will continue to be modified over time, it is proposed that the listing of individual allowances for sole source procurements be deleted from the Policy, and that the Policy instead mandate compliance with the latest version of the federal regulations on this subject. This same strategy is reflected in the proposed revisions to Section 12.4.

*Board Policy No. 017: Delegation of Authority (Attachment 5)*

Only one proposed change is presented for this Policy, removing language from Section 4.9 relating to the settlement of claims, which already is discussed in Board Policy 008: Legal Matters. Resolving the current duplication between Policies on this subject will avoid potentially inconsistent language.

*Board Policy No. 023: Procurement and Contracting - Equipment and Supplies (Attachment 6)*

As with the proposed amendments to Board Policy No. 016 above, it is proposed that the listing of individual allowances for sole source procurements be deleted from Section 3.2 of this Policy, and that the Policy instead mandate compliance with the latest version of the federal regulations on federally funded, sole-source procurements.

*Board Policy No. 024: Procurement and Contracting - Construction (Attachment 7)*

An amendment to Section 5.2, relating to acceptance of construction projects, is proposed. The revised language would recognize that it is the work, not the contract, which is accepted upon satisfaction of the conditions set forth in the Policy. Additionally, as with the proposed amendments to Board Policy Nos. 016 and 023 above, it is proposed that the listing of individual allowances for sole source procurements be deleted from Section 4.1 of this Policy, and that the Policy instead

mandate compliance with the latest version of the federal regulations on federally funded, sole-source procurements.

*Board Policy No. 028: Asset Ownership and Disposition (Attachment 8)*

Modifications to Section 2, relating to asset disposition, are proposed. Section 2.9 is proposed to be deleted and its requirements regarding documentation of the value and method of disposition would be added to Section 2.4 such that they would apply to all asset dispositions. Additionally, language is proposed to be added to Section 2.4 to mandate that the Transportation Committee review the disposition of assets whose actual or depreciated value exceeds \$100,000. This would ensure that high-value assets, though fully depreciated, would still be subject to this higher level of review. Finally, both "destruction" and "trash" are added as disposition methods under Section 2.4 to reflect current industry practice dependent on the situation.

*Board Policy No. 030: Contingency Reserve Policy (Attachment 9)*

Extensive modifications are proposed to the Contingency Reserve Policy, which establishes reserve funds for dealing with emergency or high priority situations that may arise during the course of a year that could not otherwise be funded in the near-term. As part of the FY 2015 Program Budget process, a review of the level of the percentage of the contingency reserve in the Overall Work Program (OWP) was discussed, and adding a formal contingency reserve policy for the Capital Program and Regional Operations was proposed.

After further review and consideration, staff recommends increasing the contingency reserve account from 5 percent to 10 percent of total budgeted annual expenditures of the OWP. In addition, the proposed amendments to Board Policy No. 030 include separate sections for the Capital Program and Regional Operations. They describe the contingency and reserve fund required balances, applicable fund sources, qualifying uses of the reserve funds, approval for the use of reserve funds, and replenishment of the reserve fund for each of the programs.

*Board Policy No. 032: San Diego County Regional Transportation Commission Interest Rate Swap Policy (Attachment 10)*

All Board Policies are typically reviewed by SANDAG management on an annual basis for potential changes, but Board Policy No. 032 has a specific requirement for annual review. Section 1 of the Policy provides in part: "The Interest Rate Swap Policy shall be reviewed and updated at least annually and presented to the Board of Directors for approval."

This Policy was reviewed by management and the SANDAG Financial Advisor, PFM. Based on this review, no changes are proposed.

*Board Policy No. 035: Competitive Grant Program Procedures (Attachment 11)*

Amendments to the opening paragraphs, defining the applicability of the Policy, are proposed to broaden the Policy to include the Active Transportation Grant Program as well as any other grant programs administered by SANDAG, but not specifically named in the Policy. In addition, the listing of individual FTA grant programs is proposed for deletion. This would help to ensure uniform procedures for all SANDAG-administered grant programs.

GARY L. GALLEGOS  
Executive Director

- Attachments:
1. Board Policy No. 001: Operations Policy
  2. Board Policy No. 003: Investment Policy
  3. Board Policy No. 008: Legal Matters
  4. Board Policy No. 016: Procurement of Services
  5. Board Policy No. 017: Delegation of Authority
  6. Board Policy No. 023: Procurement and Contracting - Equipment and Supplies
  7. Board Policy No. 024: Procurement and Contracting - Construction
  8. Board Policy No. 028: Asset Ownership and Disposition
  9. Board Policy No. 030: Contingency Reserve Policy
  10. Board Policy No. 032: San Diego County Regional Transportation Commission  
Interest Rate Swap Policy
  11. Board Policy No. 035: Competitive Grant Program Procedures

Key Staff Contact: John F. Kirk, General Counsel, (619) 699-1997, [john.kirk@sandag.org](mailto:john.kirk@sandag.org)



## BOARD POLICY No. **001**

### **OPERATIONS POLICY**

#### **Board and Policy Advisory Committees Responsibilities**

Shown below are responsibilities for the Board of Directors and each of the five Policy Advisory Committees (Executive, Transportation, Regional Planning, Borders, and Public Safety). Selected responsibilities are delegated by the Board to the Policy Advisory Committees to allow SANDAG to effectively address key public policy and funding responsibilities. All items delegated to the Policy Advisory Committees are subject to Board ratification.

All functions not specifically delegated by the Board to a Policy Advisory Committee may be delegated to a Policy Advisory Committee on a one-time basis upon request by the Executive Director and approval by the Chair. Such actions shall be reported to the Board at its next regular meeting.

#### **A. Board Responsibilities**

1. Approve the Regional Plan, which merges the Regional Comprehensive Plan (RCP), the Regional Transportation Plan, and the Sustainable Communities Strategy as well as plan components and other regional plans (e.g., Regional Energy Plan, MHCP, etc.).
2. Approve Regional Transportation Improvement Program (RTIP) and corridor studies
3. Fulfill responsibilities of SB 1703 as consolidated agency
4. Fulfill the responsibilities of the San Diego Regional Transportation Commission (RTC)
5. Approve programming of funds (TDA, CMAQ, STIP, etc.)
6. Approve project environmental reports
7. Approve Overall Work Program and Program Budget
8. Approve amendments to the Program Budget and Overall Work Program and authorize contracts with consultants for amounts equal to or greater than the amounts to be determined for administrative and policy committee authorization.
9. Approve the annual legislative agenda
10. Provide policy direction through Policy Development Board meetings
11. Appoint Committees and Board officers

12. Delegate responsibilities to Policy Advisory Committees and ratify Committee actions. All items delegated to the five Policy Advisory Committees are subject to direct Board action upon request of any members.
13. Delegate responsibilities to Board Chair consistent with Board criteria. Conference sponsorships and proclamations are hereby delegated subject to current or subsequently approved criteria.

**B. Executive Committee Membership and Responsibilities**

The Executive Committee shall consist of six voting members with board members representing East County, North County Coastal, North County Inland, South County, and the representative, or the representative's alternate in their absence, from the City of San Diego and the County. The Chairperson of SANDAG shall be one of the six voting members. The First and Second Vice Chairpersons of the SANDAG shall serve as voting members if one or both of the Vice Chairpersons represent an area of the region that is different from the area of the region represented by the Chairperson or the other Vice Chairperson.

1. Set agenda for Board. Any Board member requesting that an item be considered for inclusion on the agenda must present such request in writing to the Chairperson prior to the Executive Committee's consideration of such agenda.
2. Review and recommend Overall Work Program and Program Budget
3. Approve amendments to the Program Budget and Overall Work Program and authorize contracts up to amount approved by the Board
4. Review and act on state and federal legislation
5. Comment on behalf of SANDAG or provide recommendations to the Board regarding comments on third party environmental documents
6. Act upon and evaluate dispute resolution
7. Advise on personnel actions
8. Act on behalf of Board when timing requires
9. Make policy recommendations to the Board
10. Perform other duties as assigned by the Board
11. Approve financial/contracting transactions, including selection of vendors, acceptance of funding, stipulations of any nature, and any resulting budget amendment up to \$500,000, subject to increase by Board action.
12. Annually review a list of all the SANDAG lower-level committees and working groups to determine the need to maintain the committee or working group and approve any revisions in functions or membership.



13. Review all proposed amendments to the Bylaws or Board Policies and make recommendations to the Board regarding those amendments.
14. Conduct expedited reviews and approvals of Energy Working Group actions on an as-needed basis.

### **C. Transportation Committee Membership and Responsibilities**

The Transportation Committee shall consist of nine voting members with board members or alternates representing East County, North County Coastal, North County Inland, South County and the mayor or a council member from the City of San Diego, a supervisor from the County of San Diego, a member of the Board of the MTS appointed by the Board of the MTS, a member of the Board of the NCTD appointed by the Board of the NCTD, and a member of the San Diego County Regional Airport Authority appointed by the Airport Authority.

1. Provide oversight for consolidated transit responsibilities
2. Provide policy oversight for transportation plans and corridor and systems studies
3. Establish/approve transportation prioritization criteria, including for the Active Transportation Grant Program
4. Approve TDA and STA claim amendments and RTIP and STIP amendments
5. Recommend funding allocations to the Board
6. Approve transit operator budgets for funding
7. Approve Regional Short Range Transit Plan and Coordinated Human Service and Public Transportation Plan
8. Make recommendations regarding changes to Board Policy No. 018 (Transit Service Policy) and Board Policy No. 029 (Regional Fare Policy and Comprehensive Fare Ordinance)
9. Conduct public hearings as delegated by Board
10. Approve contracts for transit up to amount approved by the Board
11. Advise Board on other transportation policy-level issues
12. Recommend legislative program for transportation and transit
13. Approve financial/contracting transactions, including selection of vendors, acceptance of funding, stipulations of any nature, and any resulting budget amendment up to \$500,000 for transportation items, subject to increase by Board action

14. Convene closed sessions and make final decisions with regard to real property transactions related to transportation projects, however, this delegation does not include the authority to make a Resolution of Necessity or to commence litigation.
15. Conduct hearings and authorize additional public meetings when appropriate pursuant to Board Policy No. 025 to hear official testimony from the public regarding Comprehensive Fare Ordinance amendments
16. Approve amendments to the Comprehensive Fare Ordinance
17. Accept for distribution, hold public hearings regarding, and adopt/certify environmental documents where items can be approved through actions of the policy committee
18. Approve loans of *TransNet* funds when such loans are incorporated into an RTIP amendment requiring an exchange of *TransNet* funds for funds from another source
19. Provide oversight and approvals for Coordinated Transportation Services Agency (CTSA) matters and appoint Transportation Committee representative to the CTSA board
20. Approve revisions to funding allocations for Federal Transit Administration Section 5311 funding
21. Approve the *TransNet* compliance audits consistent with Board Policy No. 031 (*TransNet* Ordinance and Expenditure Plan Rules)
22. Provide input on project selection criteria for, and recommend projects for funding under, the *TransNet* Smart Growth Incentive Program and Environmental Mitigation Program
23. Provide oversight for Service Authority for Freeway Emergencies (SAFE) responsibilities and related motorist aid programs
24. Provide coordinated oversight with the Regional Planning Committee for recommendations on the preparation and implementation of components of the Regional Plan

**D. Regional Planning Committee Membership and Responsibilities**

The Regional Planning Committee shall consist of six voting members with board members or alternates representing East County, North County Coastal, North County Inland, South County, and the mayor or a council member from the City of San Diego, and a supervisor from the County of San Diego.

1. Provide coordinated oversight with the Transportation Committee for recommendations on the preparation and implementation of components of the Regional Plan
2. Recommend regional infrastructure financing strategies to the Board

3. Represent the Board for outreach and public information on the Regional Plan and its components
4. Advise Board on regional planning policy issues
5. Approve distribution of funds from the California Coastal Commission Beach Sand Mitigation Fund
6. Recommend project selection criteria for, and recommend projects for funding under, the *TransNet* Smart Growth Incentive Program and Environmental Mitigation Program.

**E. Borders Committee Membership and Responsibilities**

The Borders Committee shall consist of seven voting members with board members or alternates representing East County, North County Coastal, North County Inland, South County and the mayor or a council member from the City of San Diego, a supervisor from the County of San Diego, and a mayor, council member, or supervisor from the County of Imperial.

1. Provide oversight for planning activities that impact the borders
2. Provide oversight for the preparation of binational and interregional planning programs
3. Recommend border infrastructure financing strategies to the Board
4. Establish closer SANDAG working relations with surrounding counties and Mexico
5. Advise Board on binational and interregional policy-level issues
6. Review and comment on regionally significant projects in adjoining counties

**F. Public Safety Committee Membership and Responsibilities**

The membership, authority and responsibilities for this committee are set forth in Board Policy No. 026.

**G. Distribution of Meeting Materials**

1. All agendas for meetings of the Board of Directors, Policy Advisory Committees, and all other SANDAG legislative bodies covered by the Brown Act (Government Code § 54950 et seq.) shall be posted on the SANDAG Web site and copies of such agendas will be available for viewing by the public in the SANDAG business office reception area.
2. All closed session items shall be provided to appropriate Board and/or Policy Advisory Committee members prior to the closed session. Closed session meeting materials will be sent by a secure method and clearly labeled as confidential. If a representative will not be able to attend a meeting he/she should ensure the closed session materials are forwarded to the appropriate alternate to review prior to the meeting. All closed

session meeting materials must be deleted or returned to the Office of General Counsel at the end of the closed session.

#### **H. Work Assigned to Staff**

Requests for staff to perform work on a project that is not specified in the Overall Work Program or Program Budget shall only be conducted following approval by the Board if the work is estimated to exceed four hours of staff time.

Adopted January 2003

Amended November 2004

Amended January 2006

Amended December 2006

Amended January 2010

Amended December 2012

Amended October 2013

Amended \_\_\_\_\_ 2014

**BOARD POLICY NO. 003****INVESTMENT POLICY****1. Introduction**

The purpose of this document is to identify various policies and procedures that enhance opportunities for a prudent and systematic investment policy, and to organize and formalize investment-related activities.

The investment policies and practices of the San Diego Association of Governments (SANDAG) are based upon state law and prudent money management. All funds will be invested in accordance with the SANDAG Investment Policy and the California Government Code. The investment of bond proceeds will be further governed by the provisions of relevant bond documents.

**2. Scope**

It is intended that this policy cover all funds and investment activities, with the exception of bond proceeds, under the direction or care of SANDAG, including funds of the San Diego County Regional Transportation Commission, SourcePoint, the SANDAG chartered nonprofit corporation, and the Automated Regional Justice Information System (ARJIS). Investment of bond proceeds shall be subject to the conditions and restrictions of bond documents and Treasury regulations related to arbitrage restrictions on tax-exempt bonds.

**3. Prudence**

All persons authorized to make investment decisions on behalf of SANDAG are trustees and therefore fiduciaries subject to the prudent investor standard: "When investing, reinvesting, purchasing, acquiring, exchanging, selling, or managing public funds, a trustee shall act with care, skill, prudence, and diligence under the circumstances then prevailing, including, but not limited to, the general economic conditions and the anticipated needs of the agency, that a prudent person acting in a like capacity and familiarity with those matters would use in the conduct of funds of a like character and with like aims, to safeguard the principal and maintain the liquidity needs of the agency."

Investment officers acting in accordance with written procedures and the investment policy and exercising due diligence shall be relieved of personal responsibility for an individual security's credit risk or market price changes, provided deviations from expectations are reported in a timely fashion and appropriate action is taken to control adverse developments.

#### 4. Objectives

- 4.1 *Safety.* Safety of principal is the foremost objective of the investment program. Investments of SANDAG shall be undertaken in a manner that seeks to ensure preservation of capital in the portfolio.
- 4.2 *Liquidity.* The investment portfolio of SANDAG will remain sufficiently liquid to enable SANDAG to meet its cash flow requirements.
- 4.3 *Return on Investment.* The investment portfolio of SANDAG shall be designed with the objective of attaining a market rate of return on its investments consistent with the constraints imposed by its safety objective and cash flow considerations.

#### 5. Delegation of Authority

- 5.1. The Board of Directors delegates the authority to invest or to reinvest funds, or to sell or exchange securities so purchased, to the Executive Director for a one-year period. The Executive Director is charged with the responsibility for carrying out the policies of the Board of Directors and shall assume full responsibility for investment transactions until the delegation of authority is revoked or expires. In accordance with the SANDAG established system for internal control, all financial transactions of SANDAG require the signature of at least two individuals authorized by the Executive Director.
- 5.2. For the purposes of carrying out this investment policy, any two of the following individuals, unless delegated per Section 5.5, are hereby authorized to make investment decisions, in strict accordance with this investment policy, on behalf of SANDAG:

Executive Director

Chief Deputy Executive Director

Director of Finance

Finance Manager

~~Manager of Financial Programming and Project Control~~

TransNet Department Director

Such other individuals authorized, in writing, by the Executive Director

- 5.3. All accounts established for the purpose of investing SANDAG funds shall require the written authorization of the Executive Director.
- 5.4. No single individual, acting alone, may engage in an investment activity, except for an authorized investment advisor/manager with discretionary authority delegated per Section 5.5.
- 5.5. The Executive Director may delegate investment management and decision authority, via written agreement, to one or more professional investment advisors/managers who are duly qualified and registered with the Securities and Exchange Commission under the Investment Advisers Act of 1940. All agents engaged in this capacity shall make all investment decisions and transactions in strict accordance with state law and this investment policy.

5.6. The daily management responsibility for the investment program is assigned to the Director of Finance, who shall monitor and review all investments for consistency with this investment policy.

## **6. Ethics (Conflict of Interest)**

Officers, employees and agents thereof involved in the investment process shall comply with state law and refrain from personal business activities that could conflict with proper execution of the investment program, or which could impair their ability to make impartial decisions.

## **7. Selection of Financial Institutions and Broker/Dealers**

7.1. SANDAG shall transact business only with banks, savings and loan associations, and registered investment securities dealers. The purchase by SANDAG of any investment other than those purchased directly from the issuer shall be either from an institution licensed by the State as a broker/dealer, as defined in Section 25004 of the Corporation Code, who is a member of the Financial Industry Regulatory Authority, or a member of a federally regulated securities exchange, a National or State-Chartered Bank, a Federal or State Association (as defined by Section 5102 of the Financial Code), or a brokerage firm designated as a Primary Government Dealer by the Federal Reserve Bank. The Director of Finance shall investigate all institutions that wish to do business with SANDAG, in order to determine if they are adequately capitalized, make markets in securities appropriate to the needs of SANDAG, and agree to abide by the conditions set forth in the SANDAG Investment Policy.

7.2. The Director of Finance shall maintain a list of authorized broker/dealers and financial institutions which are approved for investment purposes, and it shall be the policy of SANDAG to purchase securities only from those authorized institutions and firms. If SANDAG has contracted investment advisors/managers, the Director of Finance may approve and use a list of authorized broker/dealers provided by the investment advisor/manager.

## **8. Permitted Investment Instruments**

8.1. The portfolio shall be diversified by security type and institution to avoid incurring unreasonable and avoidable risks regarding specific security types or individual financial institutions. Government Code §53601 states that when there is a percentage limitation for a particular category of investment, that percentage is applicable only at the date of purchase. Credit requirements listed in the investment policy apply at the time of purchase. In the event a security held by SANDAG is subject to a credit rating change that brings it below the minimum credit ratings specified for purchase, the Director of Finance shall review the security. The course of action to be followed will then be decided by the Director of Finance and either the Executive Director or the Chief Deputy Executive Director on a case-by-case basis, considering such factors as the reason for the change, prognosis for recovery or further rate drops, and the market price of the security. Any credit rating changes below the minimum credit ratings specified for

purchase will be reported to the Board of Directors with the next Quarterly Investment Report, along with the findings and any actions taken.

- 8.2. **Treasury Obligations:** bonds for which the full faith and credit of the United States are pledged for the payment of principal and interest
- 8.3. **Federal Agencies and U.S. Government Sponsored Enterprises:** Federal agency or United States government-sponsored enterprise obligations, participations, or other instruments, including those issued by or fully guaranteed as to principal and interest by federal agencies or United States government-sponsored enterprises.
- 8.4. **State Municipal Obligations:** Registered treasury notes or bonds of any of the 50 United States, including bonds payable solely out of revenues from a revenue-producing property owned, controlled, or operated by a state or by a department, board, agency or authority of any of the states. Such obligations must be rated A-1/P-1, or equivalent or better short-term; or Aa/AA or better long-term by at least one of the nationally recognized statistical-rating organizations.
- 8.5. **Local Agency Obligations:** Bonds, notes, warrants, or other evidences of indebtedness issued by any local agency within the State, including bonds payable solely out of the revenues from a revenue-producing property owned, controlled, or operated by the local agency, or by a department, board, agency, or authority of the local agency. Such obligations must be rated A-1/P-1, or equivalent or better short-term; or Aa/AA or better long-term by one of the nationally recognized statistical-rating organizations.
- 8.6. **Repurchase Agreements:** Repurchase Agreements used solely as short-term investments not to exceed 90 days.
  - 8.6.1 The following collateral restrictions will be observed: Only U.S. Treasury securities or Federal Agency securities will be acceptable collateral. All securities underlying Repurchase Agreements must be delivered to SANDAG's custodian bank or handled under a properly executed tri-party repurchase agreement. The total of all collateral for each Repurchase Agreement must equal or exceed, on the basis of market value plus accrued interest, 102 percent of the total dollar value of the money invested by SANDAG for the term of the investment. Since the market value of the underlying securities is subject to daily fluctuation, the investments in repurchase agreements shall be in compliance if the value of the underlying securities is brought back up to 102 percent no later than the next business day.
  - 8.6.2 Market value must be calculated each time there is a substitution of collateral.
  - 8.6.3 SANDAG or its trustee shall have a perfected first security interest under the Uniform Commercial Code in all securities subject to Repurchase Agreement.
  - 8.6.4 SANDAG may enter into Repurchase Agreements with (1) primary dealers in U.S. Government securities who are eligible to transact business with, and who report to, the Federal Reserve Bank of New York, and (2) California and non-California banking institutions having assets in excess of \$1 billion and in the highest short-



term rating category, as provided by one of the nationally recognized statistical-rating organizations.

- 8.6.5 SANDAG will have properly executed a Securities Industry and Financial Markets Association (SIFMA) agreement with each firm with which it enters into Repurchase Agreements.
- 8.7. **Bankers' Acceptances:** Bankers' Acceptances issued by domestic banks or domestic branches of foreign banks, which are eligible for purchase by the Federal Reserve System, the short-term paper of which is rated in the highest rating category by one of the nationally recognized statistical-rating organizations. Purchases of Bankers' Acceptances may not exceed 180 days maturity or 40 percent of SANDAG surplus money. No more than 10 percent of SANDAG surplus funds may be invested in the Bankers' Acceptances of any one commercial bank.
- 8.8. **Commercial Paper:** Commercial paper of "prime" quality of the highest ranking or of the highest letter and number rating as provided for by a nationally recognized statistical-rating organization. The entity that issues the commercial paper shall meet all of the following conditions in either paragraph (a) or paragraph (b):
- (c) The entity meets the following criteria: (i) Is organized and operating in the United States as a general corporation. (ii) Has total assets in excess of five hundred million dollars (\$500,000,000). (iii) Has debt other than commercial paper, if any, that is rated "A" or higher by a nationally recognized statistical-rating organization.
  - (d) The entity meets the following criteria: (i) is organized within the United States as a special purpose corporation, trust, or limited liability company. (ii) Has program wide credit enhancements including, but not limited to, over collateralization, letters of credit, or surety bond. (iii) Has commercial paper that is rated "A-1" or higher, or the equivalent, by a nationally recognized statistical-rating organization.
- Purchases of eligible commercial paper may not exceed 270 days maturity nor represent more than 10 percent of the outstanding paper of an issuing corporation. No more than 10 percent of SANDAG surplus funds may be invested in Commercial Paper of any one U.S. corporation.
- Purchases of commercial paper may not exceed 25 percent of SANDAG surplus money which may be invested.
- 8.9. **Medium-Term Notes:** Medium-term notes, defined as all corporate and depository institution securities with a maximum remaining maturity of five years or less, issued by corporations organized and operating within the United States or depository institutions licensed by the United States or any state and operating within the United States. Medium-term notes shall be rated in a rating category of "A" or better by a nationally recognized statistical-rating organization.

Purchase of medium-term corporate notes may not exceed 30 percent of SANDAG surplus money. No more than 10 percent of SANDAG surplus funds may be invested in the Medium-Term Notes of any one corporation.

8.10. **Certificates of Deposit:** The maximum term for certificates of deposit shall be five years. The combined amount invested in negotiable certificates of deposit and certificates of deposit shall not exceed 30 percent of SANDAG surplus money.

8.10.1 **Negotiable Certificates of Deposit:** Negotiable certificates of deposit issued by a nationally or state-chartered bank or a state or federal savings and loan association or by a state-licensed branch of a foreign bank or by a federally licensed branch of a foreign bank; provided that the senior debt obligations of the issuing institution are rated "AA" or better by one of the nationally recognized statistical-rating organizations.

8.10.2 **Nonnegotiable Certificates of Deposit:** Nonnegotiable certificates of deposit shall meet the conditions in either paragraph (a) or paragraph (b):

(a) Certificates of deposit shall meet the requirements for deposit under Government Code Section 53635 et. seq. To be eligible to receive SANDAG deposits, the financial institution must have received a minimum overall satisfactory rating for meeting the credit needs of California Communities in its most recent evaluation, as provided in Government Code Section 53635.2. Deposits are required to be collateralized as specified under Government Code Section 53630 et. seq. The Director of Finance, at his or her discretion, may waive the collateralization requirements for any portion that is covered by federal deposit insurance. SANDAG shall have a signed agreement with the depository per Government Code Section 53649.

(b) Certificates of deposit placed through a deposit placement service shall meet the requirements of Government Code Section 53601.8. The full amount of the principal and the interest that may be accrued during the maximum term of each certificate of deposit shall at all times be insured by federal deposit insurance.

8.11. **State of California's Local Agency Investment Fund:** State of California's Local Agency Investment Fund (LAIF) may be invested in for the benefit of local agencies up to the current limit set by LAIF for regular accounts. For ongoing due diligence, the Director of Finance shall maintain on file a copy of LAIF's current investment policy and its requirements for participation, including limitations on deposits or withdrawals.

8.12. **San Diego County Treasurer's Pooled Investment Fund:** Deposits in the County pooled investment fund shall be limited to the dollar maximums of the State LAIF. For ongoing due diligence, the Director of Finance shall maintain on file a copy of the County pool's current investment policy and its requirements for participation, including limitations on deposits or withdrawals.

- 8.13. **Savings/Money Market Accounts:** Savings/Money Market Accounts deposits placed with commercial banks and savings and loans in California. The amount on deposit shall not exceed the shareholder's equity in the financial institution. To be eligible to receive SANDAG deposits, the financial institution must have received a minimum overall satisfactory rating for meeting the credit needs of California Communities in its most recent evaluation, as provided in Government Code Section 53635.2. Deposits are required to be collateralized as specified under Government Code Section 53630 et. seq. The Director of Finance, at his or her discretion, may waive the collateralization requirements for any portion that is covered by federal insurance. SANDAG shall have a signed agreement with the depository per Government Code Section 53649.
- 8.14. **California Asset Management Program:** Shares in a portfolio of the California Asset Management Program, so long as the portfolio is rated among the top two rating categories by one of the nationally recognized statistical-rating organizations. For ongoing due diligence, the Director of Finance shall maintain on file a copy of the Program's current information statement to include its requirements for participation, including limitations on deposits or withdrawals.
- 8.15. **Money Market Funds:** Shares of beneficial interest issued by diversified management companies that are money market funds registered with the Securities and Exchange Commission under the Investment Company Act of 1940 (15 U.S.C. Sec. 80a-1 et seq.). To be eligible for investment pursuant to this subdivision, these companies shall either: (1) attain the highest ranking letter or numerical rating provided by not less than two of the three largest nationally-recognized statistical-rating organizations, or (2) have an investment advisor registered or exempt from registration with the Securities and Exchange Commission with not less than five years experience managing money market mutual funds with assets under management in excess of \$500,000,000.
- The purchase price of shares shall not include any commission that the companies may charge. The purchase of shares may not exceed 20 percent of SANDAG surplus money. For ongoing due diligence, the Director of Finance shall maintain on file a copy of the money market fund's current information statement to include its requirements for participation, including limitations on deposits or withdrawals.
- 8.16. **Mortgage and Asset-Backed Obligations:** Any mortgage pass-through security collateralized mortgage obligation, mortgage-backed or other pay-through bond, equipment lease-backed certificate, consumer receivable-pass-through certificate, or consumer receivable-backed bond of a maximum of 5 years maturity. Such obligations must be rated Aa/AA or higher by two national rating agencies and the issuer of such obligations must be rated Aa/AA or higher by two of the national rating agencies as well. Purchases of securities authorized by this section may not exceed 20 percent of SANDAG surplus funds that may be invested pursuant to this section.
- 8.17. **Ineligible Investments:** Security types which are thereby prohibited include, but are not restricted to:
- (a) Reverse repurchase agreements.

- (b) "Complex" derivative securities such as range notes, dual index notes, inverse floating-rate notes, leveraged or deleveraged floating-rate notes, or any other complex variable-rate or structured note.
- (c) Interest-only strips that are derived from a pool of mortgages, or any security that could result in zero interest accrual if held to maturity.
- (d) Securities lending.

In the event that SANDAG possesses ineligible investments purchased prior to the adoption of this policy, SANDAG may hold these investments to their maturity dates. The limitation in this section shall not apply to SANDAG investments in shares of beneficial interest issued by diversified management companies registered under the Investment Company Act of 1940.

## **9. Maximum Maturity**

- 9.1. Investment maturities shall be based upon a review of cash flow forecasts. Maturities will be scheduled so as to permit SANDAG to meet all projected obligations.
- 9.2. Where the investment policy does not specify a maximum remaining maturity at the time of the investment, no investment shall be made in any security, other than a security underlying a repurchase agreement, that at the time of the investment has a term remaining to maturity in excess of five years, unless the Board has granted express authority to make that investment either specifically or as a part of an investment program approved by the Board no less than three months prior to the investment. The Board authorizes the investment of endowment funds in securities exceeding five (5) years, as long as the investment has been approved by the Director of Finance and either the Executive Director or the Chief Deputy Executive Director, and the maturity of such investments does not exceed the expected use of funds.

## **10. Performance Standards**

The investment performance of the SANDAG portfolio shall be evaluated and compared to appropriate indices in order to assess the success of the investment program. The comparable benchmarks should be consistent with the SANDAG portfolio in terms of maturity and composition, which includes credit quality and security type.

## **11. Reporting Requirements**

- 11.1. The Director of Finance shall submit to the Board annually a statement of investment policy, which the Board shall consider at a public meeting.
- 11.2. A monthly report of all investment transactions shall be submitted to the Board Members.
- 11.3. A quarterly investment report shall be submitted to the Board Members. The reports should include information in accordance with Section 53646(b) of the California Government Code.

## 12. Safekeeping and Custody

- 12.1. All security transactions, including collateral for repurchase agreements, entered into by SANDAG shall be conducted on a delivery-versus-payment (DVP) basis. Securities shall be held by a third party custodian and evidenced by safekeeping receipts.
- 12.2. The only exception to the foregoing shall be securities purchases made with: (i) LAIF, (ii) San Diego County Treasurer's Investment Pool, (iii) CAMP pool, (iv) Nonnegotiable Certificates of Deposit, (v) bank deposits, and, (vi) money market mutual funds, since the purchased securities are not deliverable. The Director of Finance shall keep a record of any funds in any of these investments.

Adopted January 2003

Amended November 2004

Amended September 2005

Amended December 2007

Amended July 2008

Amended July 2009

Amended November 2010

Amended February 2012

Amended October 2013

Amended 2014



## BOARD POLICY No. 008

### LEGAL MATTERS

To establish procedures for the filing of claims and institution of claims and lawsuits, for obtaining the review and concurrence or comment from the Office of General Counsel on all requests to the Board for authority to file lawsuits in court, and for handling process servers or individuals serving other legal documents.

Under Public Utilities Code section 132354(a), SANDAG can sue or be sued. All claims for money or damages against SANDAG are governed by Part 3 (commencing with section 900) and Part 4 (commencing with section 940) of the Government Code (the Tort Claims Act). Government Code section 935 authorizes SANDAG to adopt local claims procedures for claims that are not governed by any other statutes or regulations. From time to time it may be necessary for SANDAG to initiate litigation in order to resolve issues of significant concern to SANDAG. The Board desires to have the concurrence or written review from the Office of General Counsel relative to the merits of such lawsuits prior to their consideration by the Board. For these reasons, it is necessary to establish these procedures.

#### Procedures

##### 1. Claims and Actions Against SANDAG

Any and all claims for money or damages against SANDAG must be presented to, and acted upon, in accordance with the following procedures. Compliance with these procedures is a prerequisite to any court action, unless the claim is governed by statutes or regulations which expressly free the claimant from the obligation to comply with this policy and the claims procedures set forth in Government Code 900 et seq.

##### 1.1 Form of Claims

All claims must be presented to SANDAG using the form entitled "Claim Against SANDAG" available on the SANDAG Web site as an attachment to this Policy or upon request to the SANDAG Office of General Counsel.

##### 1.2 Time Limitations

1.2.1 Claims for money or damages relating to a cause of action for death, injury to person or personal property, or growing crops, shall be presented to the Board not later than six (6) months after the accrual of the cause of action (Government Codes 905 and 911.2).

1.2.2 Claims for money or damages as authorized in Government Code 905 that are not included in Paragraph 1 above shall be filed not later than one year from the date the cause of action accrues (Government Codes 905 and 911.2).

- 1.2.3 Claims for money or damages specifically excepted from Government Code 905 shall be filed not later than six (6) months after the accrual of the cause of action (Government Codes 905, 911.2, and 935).

### 1.3 Late Claims

- 1.3.1 Claims under "Time Limitations" Paragraphs 1.2.1 and 1.2.3 above, which are filed outside the specified time limitations, must be accompanied by an application to file a late claim. Such claim and application to file a late claim must be filed not later than one year after the accrual of the cause of action. If a claim is filed later than the specified time limitation and is not accompanied by an application to file a late claim, the Board or Executive Director may, within forty-five (45) days, give written notice that the claim was not filed timely and that it is being returned without further action.
- 1.3.2 The application shall state the reason for the delay in presenting the claim. The Board or Executive Director shall grant or deny the application within forty-five (45) days after it is presented. By mutual agreement of the claimant and the Board, such forty-five (45) day period may be extended by written agreement made before the expiration of such period. If the Board does not take action on the application within forty-five (45) days, it shall be deemed to have been denied on the forty-fifth (45th) day unless such time period has been extended, in which case it shall be deemed to have been denied on the last day of the period specified in the extension agreement.
- 1.3.3 If the application to present a late claim is denied, the claimant shall be given notice as required by Government Code section 911.8 (Government Codes 911.3, 911.4, 911.6, 911.8, 912.2, and 935).

### 1.4 Delivery and Form of Claim

- 1.4.1 A claim, any amendment thereto, or an application for leave to present a late claim shall be deemed presented when delivered to the office of the Executive Director or deposited in a post office, sub-post office, substation, or mail chute or other like facility maintained by the U.S. Government in a sealed envelope properly addressed to SANDAG's offices with postage paid (Government Codes 911.4, 915, and 915.2).
- 1.4.2 Claims must contain the information set forth in Section 910 and 910.2 of the Government Code (Government Codes 910, 910.2, and 910.4).

### 1.5 Notice of Claim Insufficiency

The Executive Director shall cause all claims to be reviewed for sufficiency of information. The Executive Director or designee may, within twenty (20) days of receipt of claim, either personally deliver or mail to claimant a notice stating deficiencies in the claim presented. If such notice is delivered or sent to claimant, the Board shall not act upon the claim until at least fifteen (15) days after such notice is sent (Government Codes 910.8, and 915.4).

## 1.6 Amendments to Claim

Claims may be amended within the above time limits or prior to final action by the Board, whichever is later, if the claim, as amended, relates to the same transaction or occurrence which gave rise to the original claim.

## 1.7 Action on Claim

1.7.1 If the Board acts properly to reject the claim, the claimant has only six (6) months from such rejection to institute a lawsuit. If the Board takes no action, the claim is deemed rejected after forty-five (45) days from SANDAG's receipt of the claim, but the claimant has two (2) years to institute a suit against the SANDAG. The notice of rejection must comply with requirements of Government Code 913 unless the claim has no address on it.

1.7.2 If the claim is filed late and not accompanied by an application for leave to present a late claim, then the Board or its agent must notify the claimant that no action was taken due to the claim being filed late.

1.7.3 Within forty-five (45) days after the presentation or amendment of a claim, or upon such further time as may be allowed pursuant to Government Code 915.2, the Board shall take action on the claim. This time limit may be extended by written agreement before the expiration of the forty-five (45) day period or before legal action is commenced or barred by legal limitations. The Executive Director or designee shall transmit to the claimant a notice of action taken. If no action is taken by the Board, the claim shall be deemed to have been rejected (Government Code 945.6).

1.7.4 The Board delegates to the Executive Director the authority to take action on claims including allowing or disallowing late claims, agreeing to extend the claim response deadline, and settling claims in an amount under not exceeding ~~one hundred fifty~~ thousand dollars ~~(\$100,000) — (\$50,000)~~ (Government Code 935.4).

## 2. Claims & Actions Initiated by SANDAG

It is the policy of the Board that except as may be otherwise determined by the Board, prior to Board authorization and direction to the Office of General Counsel to file a lawsuit in court, the Office of General Counsel shall be consulted as to the merits of such a lawsuit. Any request or recommendation for authorization and direction from the Board to the Office of General Counsel to file a lawsuit in court shall be accompanied by written views of the Office of General Counsel with regard to the merits of the case, provided however, that the Office of General Counsel may, in lieu of such written concurrence or written views, request that the matter be discussed with the Board in Closed Session. As part of this attorney-client review, all requests or recommendations on potential lawsuits will be reviewed for comment by the Executive Director prior to being submitted to the Office of General Counsel.



3. Legal Counsel for SourcePoint and ARJIS

SANDAG shall provide legal counsel to SourcePoint and the Automated Regional Justice Information System Joint Powers Agency (ARJIS) to the extent time allows, and as long as no potential conflict of interest exists. In general, SANDAG's Office of General Counsel should ensure consistent legal treatment of all matters. In areas involving a need for special expertise, substantial time commitments, or separate counsel, SANDAG, on behalf of SourcePoint or ARJIS, may contract with an outside firm and SourcePoint or ARJIS will pay for those services out of its own funds. Such contracts shall be reported to the SANDAG Board.

4. Acceptance of Garnishments, Wage Attachments, Summons & Complaints

4.1 The SANDAG Office of General Counsel will accept service of a summons and complaint upon SANDAG and/or any Board members being sued in his or her official capacity as a member of SANDAG's Board of Directors.

4.2 In compliance with California Civil Code of Procedure 415.20, SANDAG will also accept service of a summons and complaint upon one of its employees at its offices under the substituted services of process method provided for in that statute.

4.3 Whenever SANDAG, as employer, is served with a garnishment and wage attachment, the server should be instructed to present such document to SANDAG's Office of General Counsel.

5. Execution of Litigation or Alternative Dispute Resolution Documents

5.1 All pleadings, discovery, and other documents that are filed with a court, arbitrator, or other alternative dispute resolution authority on behalf of SANDAG shall be signed by the Office of General Counsel and/or the Executive Director or his/her designee.

6. Appearances on Behalf of SANDAG

6.1 The Office of General Counsel or outside counsel hired by the Office of General Counsel is authorized to appear or file documents on behalf of SANDAG in court proceedings when insufficient time is available to inform the Board in closed session of the matter. The Office of General Counsel shall report to the Executive Director regarding the need for and outcome of such appearances or filings and report on the results at the next Board meeting as either a delegated action or in a closed session item.

Adopted June 2003

Amended November 2004

Amended December 2006

Amended December 2008

Amended January 2010

Amended 2014

## CLAIM AGAINST SANDAG

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TIME & DATE RECEIVED STAMP:

Received by – via \_\_\_\_\_ U.S. Mail \_\_\_\_\_ Interoffice Mail \_\_\_\_\_ Over the Counter

File No. \_\_\_\_\_

A claim must be presented to the SANDAG General Counsel not later than six (6) months after the date of the incident or event unless otherwise provided by law. Where space is insufficient, please use additional paper and identify information by paragraph number. Completed claims must be presented to: SANDAG, Attention: General Counsel, 401 B Street, Suite 800, San Diego, CA 92101.

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TO THE HONORABLE BOARD OF DIRECTORS OF THE SAN DIEGO ASSOCIATION OF GOVERNMENTS:

The undersigned respectfully submits the following claim and information relative to damage to persons and/or personal property:

1. NAME OF CLAIMANT: \_\_\_\_\_  
ADDRESS OF CLAIMANT: \_\_\_\_\_  
\_\_\_\_\_  
PHONE NO. :                      HOME                                              WORK  
\_\_\_\_\_

2. Name, telephone and post office address to which claimant desires notices to be sent if other than above:

3. Occurrence or event from which the claim arises:

a. DATE: \_\_\_\_\_

b. TIME: \_\_\_\_\_

c. PLACE (exact and specific location):

d. Specify the circumstances of the occurrence, event, act or omission which you claim caused the injury, damage or loss (use additional paper if necessary):

e. State how or in what manner SANDAG or its employees were at fault:

4. Give a description of the injury, property damage or loss incurred so far as is known at the time of this claim. If there were no injuries, state "no injuries." (If your claim involves a vehicle, include license, year, make and model.)

5. Give the name(s) of the SANDAG employee(s) causing the injury, damage or loss, if known:

6. Name and address of any other person injured:

7. Name and address of the owner of any damaged property:

8. Damages claimed:

- a. Amount claimed as of this date: \$ \_\_\_\_\_
- b. Estimated amount of any future costs: \$ \_\_\_\_\_
- c. Total amount claimed: \$ \_\_\_\_\_
- d. Basis for computation of amounts claimed (include copies of all bills, invoices, estimates, etc.):

9. Names and addresses of all witnesses, hospitals, doctors, etc.

10. Any additional information that might be helpful in considering claim:

**WARNING: IT IS A CRIMINAL OFFENSE TO FILE A FALSE CLAIM  
(Penal Code § 72; Insurance Code § 556.1)**

I have read the matters and statements made in the above claim and I know the same to be true of my own knowledge, except as to those matters stated upon information or belief and as to such matters I believe the same to be true. I certify under penalty of perjury that the foregoing is TRUE and CORRECT.

Signed \_\_\_\_\_ this \_\_\_\_\_ day \_\_\_\_\_ of \_\_\_\_\_ 20\_\_  
at \_\_\_\_\_

Claimant's Signature: \_\_\_\_\_



## BOARD POLICY NO. **016**

### **PROCUREMENT OF SERVICES**

Pursuant to Public Utilities Code section 132352.4, the following statutory requirements apply to procurements of services. If the estimated total cost of required services exceeds one hundred thousand dollars (\$100,000), the services will not be performed by another government entity, and the services are not within the category of services defined in Section 4525 of the Government Code, SANDAG must solicit bids in writing and award the work in a competitive procurement process that is in the best interest of SANDAG. Services defined in Section 4525 include: architectural, landscape architectural, engineering, environmental, land surveying services, and construction project management services, as those terms are defined in Government Code section 4525 (hereinafter "Section 4525 Services"). If Section 4525 Services with a contract value in excess of \$50,000 must be procured or the contract will be funded with federal money SANDAG will make the procurement pursuant to the provisions of Chapter 10 (commencing with Section 4525) of Division 5 of Title 1 of the Government Code. SANDAG must use the procedures of the Brooks Act if federal funds are used and the services are architectural or engineering in nature (hereinafter "A&E Services"). Contracts that do not exceed these statutory limitations may be procured using simplified procedures. All references to the Executive Director in this policy also apply to the Executive Director's designee.

#### **Procedures**

1. Micro Purchase Agreements (\$3,000 or less). These procedures apply to the procurement of all services.
  - 1.1 For purchases below \$3,000 a micro purchase procurement method may be used. A micro purchase is a noncompetitive purchase technique; however, the price of the item must still be fair and reasonable.
  - 1.2 There should be equitable distribution among qualified service providers in the local area and no splitting of procurements to avoid competition.
  - 1.3 A bid is only required from the vendor of choice and a purchase order, invoice, or simple letter agreement may be used instead of the standard services agreements.
2. Small Purchase Agreements (\$3,001 - \$100,000). These procedures apply to the procurement of all services excluding Section 4525 Services.
  - 2.1 If the estimated value of the contract is \$100,000 or less, staff may select a qualified proposer whose proposal is most advantageous to the Board, price and all other factors considered, with the approval of their division director or department director.
  - 2.2 The Executive Director shall determine the selection procedure for contracts valued between \$3,001 and \$100,000 to distribute work in a fair and equitable manner.

Prior approval of the selection procedure shall be obtained from the applicable level of management. An informal competitive process shall be followed with price, rate quotations or best value obtained from an adequate number of qualified sources to ensure that SANDAG is obtaining a fair and reasonable price. The informal competitive process must be documented by staff. In obtaining price or rate quotations, a scope of work shall be developed and supplied to all bidders.

3. Major Service Agreements (\$100,001 and greater). These procedures apply to the procurement of all services, except Section 4525 Services, of \$100,001 or more and procurement of Section 4525 Services in excess of \$3,001.

- 3.1 Normally, a "one-step" selection procedure will be used for service contracts in excess of \$100,000. The "one-step" competitive process is as follows:

- 3.1.1 Firms shall submit a response to a SANDAG Request for Proposals (RFP) or Request for Qualifications (RFQ). The RFP/RFQ shall include:

- 3.1.1.1 Pass/fail criteria to be used as an initial screening of responses. Such criteria shall include, but not be limited to, insurance requirements, licensing, and any other consideration which would make the proposer ineligible to perform the work.

- 3.1.1.2 All evaluation factors and their relative importance.

- 3.1.1.3 The standard contract language that the successful proposer will be required to comply with, including applicable federal clauses and certifications.

- 3.1.2 Notice of the professional services required shall be published at least once in a newspaper of general circulation in San Diego County and in one or more Disadvantaged Business Enterprises (DBE)/Small business directed newspapers and in such other minority or community newspapers as appropriate in San Diego County, at least three weeks before the proposal due date. The notice shall state that SANDAG is interested in receiving responses from qualified firms, and indicate how additional information can be obtained, and the time and place for receiving responses.

- 3.1.3 Notice shall also be sent to firms or individuals previously known to be interested in providing the required services, including small and emerging businesses on SANDAG various interested party lists, and to appropriate DBE firms or individuals listed in the SANDAG vendor database and the California Unified Certification Program (CUCP) Database.

- 3.1.4 Responses to an RFP/RFQ shall list all proposed subconsultants and subcontractors, their area of the work, and identify which of them are certified DBEs.

- 3.1.5 Responses to an RFP/RFQ shall include a detailed cost estimate.
  - 3.1.5.1 For Section 4525 Services, separately bound or sealed cost proposals shall be submitted as part of the process and shall not be opened until after the evaluation committee has ranked the proposers. Cost proposals shall be excluded as an evaluation factor and will only be used by the Executive Director, when negotiating within the prescribed budget, except as provided in 3.1.5.2 below.
  - 3.1.5.2 For all other services, the cost proposal shall be submitted along with the technical proposal and will be used as an evaluation factor by the evaluation committee.
- 3.1.6 The responses shall be evaluated by an evaluation committee. The evaluation committee should consist of SANDAG staff and at least one person from outside the agency.
- 3.2 The top-ranked firm(s) shall then be interviewed, if deemed necessary. The final list of qualified firms shall be based on the response to the RFP/RFQ, references, the interview, and other relevant factors. Selection may be based on a best value determination. "Best value" means a value determined by objective criteria and may include, but is not limited to, price, features, functions, life-cycle costs, and other criteria deemed appropriate by SANDAG. The project manager will summarize the findings of the evaluation committee in a recommendation memo to the Executive Director. The memo shall include the evaluation committee's recommendation for negotiations with one or more firms in the competitive range.
  - 3.2.1 The Executive Director will approve or reject the recommendation based upon information provided by the evaluation committee, and other factors as deemed appropriate, including, but not limited to, qualifications, ability to meet schedule and budget, cost of work, meeting insurance requirements, and DBE participation for federally funded projects. The Executive Director may also interview one or more of the firms prior to making a selection.
  - 3.2.2 Approval by the Executive Director of the recommendation shall be deemed approval to enter into negotiations with one or more firms in the competitive range.
    - 3.2.2.1 For contracts for Section 4525 Services, the separately submitted cost proposal shall be used as a basis for negotiation. Negotiations will be conducted by the Executive Director, and can include factors other than cost, such as staffing levels, project schedule, etc. Should negotiations fail, the Executive Director, will enter into negotiations with the next ranked firm. Once negotiations are complete, a contract incorporating the negotiated terms and conditions will be prepared for the approval of the Executive Director. Only the cost proposal of the firm in negotiations shall be opened. At the end of the process, all unopened cost proposals shall be disposed of or

returned unopened to the respective companies via certified mail. Alternatively, companies may, at their option, arrange to pick up their sealed cost proposals in person by contacting the SANDAG Contract Administrator.

3.2.2.2 For all other service contracts, the cost proposals from the firm(s) in the competitive range shall be used as a basis for negotiation. Negotiations will be conducted by the Executive Director, and can include factors other than cost, such as staffing levels, project schedule, etc. If negotiations are only conducted with one firm and those negotiations fail, staff will enter into negotiations with the next ranked firm. If negotiations are conducted with more than one firm in the competitive range, then staff may attempt to obtain the most favorable terms by negotiating with all of the firms. Once negotiations are complete, a contract incorporating the negotiated terms and conditions will be prepared for the approval of the Executive Director.

3.3 For those services that are able to be defined with a very explicit scope of work containing detailed, straight-forward specifications that will allow consistent responses (i.e., freeway service patrol services contracts), proposers will be considered qualified or not qualified based on predetermined criteria. Cost proposals will then be opened for those proposers considered qualified and the consultant with the lowest bid will be awarded the contract. The department directors will determine whether the nature of any of the services within their purview lend themselves to using this low bid procedure.

3.4 If desired, a "two-step" selection process may be followed, as follows:

3.4.1 Letters of Interest/Statements of Qualifications (LOIs/SOQs) shall be solicited from the current SANDAG consultant list for the particular services specialty.

3.4.2 Notice of the professional services required shall be published at least once in a newspaper of general circulation in San Diego County and in one or more DBE/Small business directed newspapers and in such other minority or community newspapers as appropriate in San Diego County, at least three weeks before the proposal due date. The notice shall state that SANDAG is interested in receiving LOIs/SOQs from qualified firms, and indicate how additional information can be obtained, and the time and place for receiving responses.

3.4.3 Requests for LOIs/SOQs may be sent to firms or individuals previously known to be interested in or capable of providing the required services. Reasonable effort shall be made to send requests to minority firms known to be capable of providing the required services.

"Pass/fail" criteria will be established by staff and clearly stated in the LOI/SOQ to be used as a screening of responses. Such criteria shall include, but not be limited to: adherence to project budget, insurance requirements, and DBE participation.

- 3.4.4 An evaluation committee will be formed, which should consist of SANDAG staff and at least one person from outside the agency.
- 3.4.5 The evaluation committee will evaluate the SOQs and the project manager will prepare a memo to the Executive Director summarizing the evaluation committee's findings and recommending one or more qualified firms to be invited to receive an RFP. Following approval by the Executive Director, staff shall then issue an RFP to the qualified firm(s). The RFP shall include all evaluation factors and their relative importance and the contract that the successful proposer will be expected to execute (including all applicable federal clauses and certifications).
- 3.4.6 From this point, the steps above for a one-step procurement should be followed.

4. Compliance with Brooks Act Provisions for Federally Funded Contracts. If federal funds are used and the services are A&E in nature, SANDAG shall comply with the provisions of the Brooks Act.

5. Other Than Full and Open Competition

Normally, SANDAG will utilize a full and open competition when soliciting bids or proposals for procurements in excess of \$100,000. Under certain circumstances, however, a procurement may be justified that does not utilize full and open competition. These procurements are known as limited competition procurements. When less than full and open competition is used, SANDAG shall solicit offers from as many potential sources as is practicable under the circumstances. Noncompetitive procurement is known as sole source procurement. Noncompetitive and limited competition procurements shall only be permitted when the conditions below are met.

5.1 When the project will be paid for in whole or in part by federal funds one of the conditions allowing a limited competition or sole source procurement set forth below in the latest version of Federal Transit Administration Circular 4220.1, or the equivalent from other federal funding agencies, must be met:

~~5.1.1.Unique Capability or Availability. The services are only available from one source. Services are only available from one source if one of the conditions described below is present:~~

~~5.1.1.1.Unique or Innovative Concept. Staff can demonstrate that the service consists of a unique or innovative concept or capability not available from another source. Unique or innovative concept means either a new, novel, or changed concept, approach, or method that is the product of original thinking, the details of which are kept confidential or are patented or copyrighted, and is available to SANDAG only from one source and has not in the past been available to the recipient from another source; or~~



~~5.1.1.2. Patents or Restricted Data Rights. Patent or data rights restrictions preclude competition.~~

~~5.1.2 Substantial Duplication Costs. In the case of a follow-on contract for the continued development or production of highly specialized equipment and major components thereof, when it is likely that award to another contractor would result in substantial duplication of costs that are not expected to be recovered through competition.~~

~~5.1.3 Unacceptable Delay. In the case of a follow-on contract for the continued development or production of highly specialized equipment and major components thereof, when it is likely that award to another contractor would result in unacceptable delays in fulfilling SANDAG's needs.~~

~~5.1.4 Single Bid or Proposal. Upon receiving a single bid or proposal in response to a solicitation, if staff determines that competition was adequate based on a review of the specifications for undue restrictiveness and/or a survey of potential sources that chose not to submit a bid or proposal.~~

~~5.1.5 Unusual and Compelling Urgency. SANDAG may limit the number of sources from which it solicits bids or proposals if staff documents that such an unusual and urgent need for the services exists that SANDAG would be seriously injured unless it were permitted to limit the solicitation. SANDAG also may limit the solicitation when the public exigency or emergency will not permit a delay resulting from competitive solicitation for the services.~~

~~5.1.6 Contractual Agreement. With some exceptions, when an agency awards a grant agreement or enters into a cooperative agreement with SANDAG for a project in which the funding agency has approved the participation of a particular firm or combination of firms in the project work, the grant agreement or cooperative agreement constitutes approval of those arrangements.~~

~~5.1.7 Circumstances authorized by Federal Acquisition Regulation Part 6.3 or the federal Common Grant Rules. Examples include a statutory authorization or requirement, compliance with Department of Transportation (DOT) appropriations laws that include specific statutory requirements, with the result that only a single contractor can perform certain project work.~~

~~5.1.8 National Emergency. To maintain a facility, producer, manufacturer, or other supplier available to provide supplies or services in the event of a national emergency or to achieve industrial mobilization.~~

~~5.1.9 Research. To establish or maintain an educational or other nonprofit institution or a federally funded research and development center that has or will have an essential engineering, research, or development capability.~~

~~5.1.10 Protests, Disputes, Claims, Litigation. To acquire the services of an expert or neutral person for any current or anticipated protest, dispute, claim, or litigation.~~

~~5.1.11 International Arrangements. When precluded by the terms of an international agreement or a treaty between the United States and a foreign government or international organization, or when prohibited by the written directions of a foreign government reimbursing the recipient for the cost of the acquisition of the supplies or services for that government.~~

~~5.1.12 National Security. When the disclosure of SANDAG's needs would compromise the national security.~~

~~5.1.13 Public Interest. When SANDAG staff documents that full and open competition in connection with a particular acquisition is not in the public interest.~~

~~5.1.14 When Prohibited. Less than full and open competition is not justified under any circumstance based on:~~

~~5.1.14.1 Failure to Plan. Lack of advance planning.~~

~~5.1.14.2 Limited Availability of Federal Assistance. Concerns about the amount of federal assistance available to support the procurement (for example, expiration of federal assistance previously available for award).~~

5.2 When there are no federal funds involved one of the following additional factors may be utilized to justify a limited competition or sole source procurement:

5.2.1 There is only one consultant capable of providing the services because the services are unique or highly specialized.

5.2.2 The services should be purchased from a particular consultant in the interest of economy or efficiency as a logical follow-on to services already in progress under a competitively awarded contract.

5.2.3 The cost to prepare for a competitive procurement exceeds the cost of the services.

5.2.4 The services are essential to maintain research or operational continuity.

5.2.5 The service is one with which staff members who will use the deliverables have specialized training and/or expertise and retraining would incur substantial cost in time and/or money.

## 6. General Conditions

6.1 In the event that circumstances dictate other than the processes indicated above for procurements that will exceed \$100,000, prior Board concurrence shall be obtained

following submittal of a written statement by staff setting forth the reasons for not pursuing all or part of any of the processes.

- 6.2 Where proposals received are deemed inadequate by the Executive Director, the Board may authorize a negotiated contract with a recommended firm based on a newly approved scope of services, performance schedule, and/or instructions and conditions.
- 6.3 The Executive Director is not required to make a contract award if he/she determines that the proposals received or contract terms negotiated by SANDAG staff are not in the best interests of SANDAG.
- 6.4 The Executive Director may approve contract amendments that exceed the project budget totaling up to \$100,000 that are necessary to complete services originally contemplated subject to the limitations set forth in Section 12.2 of this policy. The Board will be notified of all such amendments. Contract amendments that will cause the project budget to be exceeded by more than \$100,000 or those contemplating a significant change in the original scope of services must be processed in accordance with the SANDAG procurement manual and policies.
- 6.5 For purchases in excess of \$3,000 involving federal funds, all applicable federal requirements and certifications must be attached to the purchase order or contract. For purchases that exceed \$50,000, a contract may be used in order to ensure provisions are included to protect the interests of SANDAG.
- 6.6 The Board's Equal Employment Opportunity Program will be incorporated by reference in all services contracts. The Board's Disadvantaged Business Enterprise (DBE) Program shall be incorporated by reference in all services contracts that are federally funded. DBEs shall have every possible opportunity to participate in the procurement of services as set forth in the Board's DBE program.

## 7. Conflicts of Interest

- 7.1 A consultant is eligible for award of service contracts by SANDAG so long as the contract in question does not create an actual, potential, or apparent conflict of interest. A prohibited conflict of interest exists when because of other activities, relationships, or contracts, a firm is or may be unable to render impartial, objective assistance or advice to SANDAG; or a firm's objectivity in performing the contract work is or might be otherwise impaired; or where a firm would receive an unfair competitive advantage. Prohibited conflicts of interest include, but are not limited to, the following situations:
  - 7.1.1 Any firm that provides design services to SANDAG for a design-bid-build project will be ineligible for award of a construction contract to construct the improvements, which are the subject of the design services.
  - 7.1.2 Any firm for a design-bid-build project that provides design services to SANDAG will be ineligible for award of any contract to provide construction

management services resulting from the specific project for which design services were provided.

7.1.3 Any firm that provides construction management services to SANDAG for a design-bid-build project will be ineligible for award of a construction contract for which construction management services were or will be provided.

7.1.4 Any firm that assists SANDAG or any of its member or affiliated agencies in the preparation of a design-build RFP or RFQ document will not be allowed to participate as an offeror or join a team submitting a proposal in response to the design-build RFP or RFQ. SANDAG may in its sole discretion, however, determine there is not an organizational conflict of interest for a prospective design-build firm where:

7.1.4.1 The role of the firm was limited to provision of preliminary design, reports, or similar "low-level" documents that will be incorporated into the design-build RFP or RFQ, and did not include assistance in development of instructions to offerors or evaluation criteria; or

7.1.4.2 Where all relevant documents and reports delivered to the agency by the firm are made available to all offerors; or

7.1.4.3 The role of the firm was limited to preparation of a California Environmental Quality Act (CEQA) or National Environmental Policy Act (NEPA) document related to the design-build project where the CEQA and NEPA processes have been completed prior to issuance of the RFP and RFQ.

7.1.5 SANDAG shall not contract with, and will reject any bid or proposal submitted by, the following persons or entities, unless the Executive Director finds that special circumstances exist which justify the approval of such contract:

7.1.5.1 Persons employed by SANDAG;

7.1.5.2 Profit-making firms or businesses in which SANDAG employees serve as officers, principals, partners or major shareholders;

7.1.5.3 Persons who, within the immediately preceding twelve (12) months, were employed by SANDAG and (1) were employed in positions of substantial responsibility in the area of service to be performed by the contract, or (2) participated in any way in developing the contract or its service specifications; or

7.1.5.4 Profit-making firms or businesses in which the former employees described in subsection 7.1.5.3 serve as officers, principals, partners or major shareholders.

- 7.2 General consultants or subconsultant firms may provide services on other SANDAG projects. A consultant shall not, however, participate in the review and analysis of, or render opinions regarding, its work performed on other SANDAG projects or as limited in this section. Unless otherwise defined by the Executive Director, a general consultant is a consultant whose procurement is typically for a two-year period with an option for one or more one-year option extensions to provide services as needed for various assigned projects from time to time on a work order or task order basis, rather than for one specific predefined project. General consultants support SANDAG staff in managing other SANDAG consultants. General consultants are prime consultants to SANDAG. Subconsultants to general consultants are not classified as general consultants. General consultant procurements are identified as such during the RFP process.
- 7.3 A Notice of Potential for Conflict of Interest shall be included within any RFP for services issued by SANDAG. The Notice shall be the policy of the Board as listed herein. Any major service agreement issued in accordance with this policy shall include or make reference to the policy listed herein.
- 7.4 A "firm" shall be defined as any company or family of companies where there is a single parent board of directors or staff of officers who can influence the policies and actions of the design company, construction management company, and the construction company. A "firm" also shall include any partnership, corporation, association, or other legal entity or any member of a joint venture that meets the above-stated definition.
- 7.5 "Ineligible" firms shall include the prime consultant for the services, subconsultants for portions of the services, and affiliates of either. An affiliate is a firm that is subject to the control of the same persons through joint ownership or otherwise.
- 7.6 If there is any doubt by a firm regarding a potential conflict of interest for a specific project or function, the appropriate member of management staff, depending on type of project, will, upon written request, provide a written ruling. This procedure is encouraged prior to submittal of proposals or bids. In the event a conflict of interest is determined to exist, a written appeal may be made by the affected firm to the Executive Director within five calendar days of notice from SANDAG the conflict. The Executive Director shall determine the adequacy of the appeal and make a subsequent final decision. No further appeal shall be considered.
- 7.7 The Executive Committee shall review and, if appropriate, waive any actual or apparent conflict of interest that may exist or arise as a result of concurrent legal representation of SANDAG and parties whose interests may conflict.
- 7.8 SANDAG staff and third parties with whom SANDAG does business shall comply with SANDAG administrative policies concerning Standard of Conduct and all relevant Board Policies.

8. Protests to Solicitation, Bid, or Award

- 8.1 SANDAG shall include in all procurements a procedure to be followed by interested parties who wish to protest a specification or procedure. The procedure shall include the following:
- 8.1.1 A requirement that protest submittals shall be in writing, be specific to the specification being protested, state the grounds for protest, and include all documentation needed to enable SANDAG to reach a decision.
  - 8.1.2 A statement that the protest shall be submitted within clearly defined time limits prior to receiving proposals or opening bids or prior to award of contracts.
  - 8.1.3 A statement specifying the review and determination process by SANDAG, including time limits for response.
  - 8.1.4 Requirements for submittal of protest reconsideration.
  - 8.1.5 A statement regarding review of the initial protest by a protest review committee and review of protest reconsiderations by the Executive Director, as appropriate.

9. Procedure for Consultants with Claims Against SANDAG on Service Contracts

- 9.1 On all SANDAG services contracts estimated to cost more than \$50,000, a section shall be included in the contract provisions that specifies how a consultant should file a "Notice of Potential Claim" and the procedures for review and disposition thereof.
- 9.2 Written notice of the potential claim must be given to the project manager prior to the time the consultant shall have performed the work giving rise to the potential claim, if based upon an act or failure to act of the project manager; or in all other cases, within 15 calendar days of the happening of the event, thing or occurrence giving rise to the potential claim.
- 9.3 It is the intention of this requirement that differences between the parties arising under and by virtue of the contract be brought to the attention of the project manager at the earliest possible time in order that such matters may be settled, if possible, or other appropriate action promptly taken. The consultant shall agree to have no right to additional compensation for any claim that may be based on any such act, failure to act, event, thing or occurrence for which no written notice of potential claim as herein required was filed. A claim must be presented and acted upon as a prerequisite to suit thereon.
- 9.4 If a consultant files an appropriate "Notice of Potential Claim," the administrative procedure shall be as follows:

- 9.4.1 SANDAG staff shall respond in writing within 25 calendar days with an appropriate decision. It is expected that SANDAG staff shall investigate the area of claim thoroughly and shall issue a decision that is fair to all parties. It is further expected that every effort will be made to resolve the claim at the job level.
  - 9.4.2 If it appears to staff that the claim cannot be settled, the project manager and contracts staff shall, as soon as practicable, forward the details of the claim to the Executive Director and shall so notify the consultant of the action.
  - 9.4.3 The Executive Director shall direct the appropriate department director to obtain all pertinent information, including any oral or written presentation, concerning the claim the consultant might wish to present. The department director shall provide all information to the Executive Director, including any recommendations.
  - 9.4.4 The Executive Director shall report a final decision in writing to the consultant. The written decision shall notify the consultant that this action completes the consultant's administrative remedies and any further dispute would have to be resolved by either a nonbinding Dispute Resolution Board or binding arbitration if provided for in the provisions of the contract and agreed to by both parties, or litigation.
  - 9.4.5 The final recommendation of the Dispute Resolution Board or arbitration shall be presented to the Executive Director for approval before going to the Board for action.
  - 9.4.6 Any claim disputes not resolved by the Executive Director shall be reported to the Board at one of the Board's regular meetings.
  - 9.5 If a contract amendment proposed for the settlement of a claim causes a budget impact over \$100,000, the amendment must be sent to the Board for approval.
  - 9.6 Federal Transit Administration review and concurrence may be required for claim settlements that exceed \$100,000 if federal funds are involved.
  - 9.7 A list of all outstanding claims exceeding \$100,000 which involve the use of federal funds shall be included in the federal grants quarterly report.
10. Debarment Procedures for Service Contracts
- 10.1 In addition to all other remedies permitted by law, SANDAG may, upon advice of the Executive Director and Office of General Counsel, by resolution declare a proposer or consultant ineligible to bid on SANDAG contracts for a period not to exceed three years for any of the following grounds:
    - 10.1.1 unjustified failure or refusal to timely provide or properly execute contract documents;

- 10.1.2 unsatisfactory performance of contract;
  - 10.1.3 excessive and/or unreasonable claims while performing work for SANDAG;
  - 10.1.4 two or more occasions within a two year period of failure to submit bond or insurance documents acceptable to SANDAG in the time periods required;
  - 10.1.5 unjustified refusal to properly perform or complete contract work or warranty performance;
  - 10.1.6 unjustified failure to honor or observe contractual obligations or legal requirements pertaining to the contract;
  - 10.1.7 conviction under a state or federal statute or municipal ordinance for fraud, bribery, theft, falsification or destruction of records, receiving stolen property or of any other similar crime;
  - 10.1.8 any offense or action which indicates a lack of business integrity and which could directly affect the reliability and credibility of performance of the consultant on future contracts with SANDAG;
  - 10.1.9 any debarment of the consultant by another governmental agency; and
  - 10.1.10 two or more claims of computational, clerical, or other error in cost proposal submission within a two-year period.
- 10.2 SANDAG may permanently debar a firm for a conviction under federal or state antitrust statutes involving public contracts or the submission of bid proposals, for any corrupt practices involving the administration or award of a contract with SANDAG, or permanent debarment of the bidder or consultant by another governmental agency, as permitted by law.
  - 10.3 The proposer or consultant shall be provided notice and an opportunity to present evidence and show cause before the Board why such ineligibility should not be declared after the Executive Director has established a factual basis for debarment.
  - 10.4 A consultant's debarment shall be effective amongst SANDAG and any of its subsidiary entities. Debarment prohibits SANDAG and subsidiary entities from executing contracts with the debarred consultant.
  - 10.5 Debarment constitutes debarment of all divisions or other organizational elements of the consultant, unless the development decision is limited by its terms to specific divisions, organizational elements, or commodities. The debarment decision may be extended to include any affiliate of the consultant if the affiliate is (1) specifically named, and (2) given written notice of the proposed debarment and an opportunity to respond.



- 10.6 Notwithstanding the debarment of the consultant, the Board may continue contracts in existence at the time the consultant is debarred, unless the Board directs otherwise, after receiving advice from the Executive Director as to the effects of termination of an existing agreement.
11. Contract Administration and Consultant Assurances
- 11.1 SANDAG consultants must meet all applicable laws concerning labor law, labor rates, EEO and licenses.
- 11.2 SANDAG shall ensure that all services requiring a licensed consultant shall be performed by licensed consultants.
- 11.3 Consultants will be responsible for complying with the provisions of the Fair Labor Standards Act of 1938 as amended.
- 11.4 Consultants must provide the minimum scope of insurance as stipulated in the contract.
- 11.5 Consultants shall be required to provide Workers' Compensation Insurance to their employees in accordance with the provisions of Section 3700 of the Labor Code. Prior to commencement of work, the consultant shall be required to provide a certificate of compliance to SANDAG.
- 11.6 The SANDAG requirements for consultant labor compliance shall be guided by the California Labor Code and the "Labor Compliance" section of the California Department of Transportation's Construction Manual.
- 11.7 Consultants shall comply with the EEO requirements set forth by Title VI of the 1964 Civil Rights Act on any project where federal funds are included, and any other requirements established by the Federal Transit Administration
- 11.8 Consultants shall comply with Sections 1431 and 1735 of the Labor Code and Sections 300 and 317 through 323 of Title 8 of the California Administrative Code, which prohibits labor discrimination and requires the consultant to submit an Equal Opportunity Program and certification fee to the Fair Employment Practice Commission for contracts over \$200,000.
12. Amendments to Service Contracts
- 12.1 All contracts may be amended by a suitable amendment processed in accordance with SANDAG procurements manual and policies.
- 12.2 The Executive Committee or Transportation Committee or, if not practical, the Chairperson of the Board or either Vice Chairperson in the absence of the Chairperson, are hereby authorized to approve amendments that will cause the project budget to be changed in an amount exceeding \$100,000 when waiting for Board approval could potentially delay a project or increase the cost of the change. Approval of such items by the Chairperson or a Vice Chairperson is not the preferred

practice and should only be used if a regular or special meeting of an authorized legislative body is infeasible or impractical. In such an instance, the Executive Director shall notify the Board of the Committee's action or Chairperson/Vice Chairperson's action at the next regular Board meeting.

- 12.3 All amendments that impact or potentially impact Board-adopted policies shall be brought before the Board for decision.
- 12.4 All amendments which utilize federal funds shall conform to the Code of Federal Regulations, Volume 49, Part 18 and the most recent version of Federal Transit Administration Circular 4220.1 ~~E-or the equivalent from other federal funding agencies, and any successors thereof that are applicable by law.~~

Adopted October 2003  
Amended November 2004  
Amended December 2006  
Amended December 2007  
Amended December 2008  
Amended January 2010  
Amended November 2010  
Amended 2014



## BOARD POLICY No. **017**

### **DELEGATION OF AUTHORITY**

The purpose of this policy is to establish the authority granted by the Board of Directors to the Executive Director. It also provides the Executive Director with the authority to delegate functions he or she has been delegated by the Board to SANDAG staff.

#### **Definitions**

The following words shall have the meanings indicated when used in this policy:

“Agreement” shall be interpreted to include contracts, memorandums of understanding, agreement amendments, purchase orders, invoices, money transfers, or any other document that could be enforced against SANDAG in a court of law.

“Budget” shall be interpreted to include SANDAG’s annual budget, revisions and amendments thereto, and the Overall Work Program.

“Emergency or Urgent Need” for purposes of this policy shall mean a situation in which, in the Executive Director’s or his/her designee’s opinion, injury to persons, or significant injury to property, covered species, habitats, linkages, and/or corridors identified in the San Diego County Natural Communities Conservation Planning program, or interruption of a public service will occur if immediate action is not taken.

#### **Procedures**

1. Adoption of a budget by the Board shall automatically authorize the Executive Director to enter into any agreements or take any other actions necessary to implement the budget items or other actions approved by the Board.
2. Any authority delegated to the Executive Director shall automatically vest with a Chief Deputy Executive Director when business must be conducted in the absence of the Executive Director.
3. In the event of emergency or an urgent need, the Executive Director is authorized to take all necessary actions to prevent significant unnecessary loss to SANDAG, a shut-down of public services, or to address a situation threatening the health or safety of persons or property, including, but not limited to, authorization to contract with a contractor or consultant on a sole source basis, consistent with applicable state or federal law without prior approval from the Board. In the event such an emergency or urgent need occurs, the Executive Director will consult with the Chair of the Board, promptly communicate all actions taken to the Board members, and submit a report to the Board at its next regular meeting in order to obtain ratification for those actions.

4. The Executive Director is hereby authorized to carry out the actions set forth below. In the event any of the authorities in this paragraph are exercised, the Executive Director will report actions taken to the Board in summary written form at the next regular meeting of the Board.
  - 4.1 Enter into agreements not currently incorporated in the budget and make other modifications to the budget in an amount up to \$100,000 per transaction so long as the overall budget remains in balance. This provision may not, however, be used multiple times on the same budget line item or contract in order to circumvent the \$100,000 limit.
  - 4.2 Approve all design plans, specifications and estimates for capital improvement projects.
  - 4.3 Execute all real property transfer documents, including but not limited to, rights of entry, licenses, leases, deeds, easements, escrow instructions, and certificates of acceptance.
  - 4.4 Approve the establishment of an offer of just compensation based on a qualified appraisal and within approved project budget for property sought to be acquired, and direct payment to persons for such property so long as the payment amount does not exceed 110 percent of the appraised value, or \$100,000 above the appraised value, whichever is greater, or the full satisfaction of court judgments regarding property valuation.
  - 4.5 Reject all bids and/or suspend the competitive procurement process.
  - 4.6 Provide the final determination to persons or firms filing a protest regarding SANDAG's procurement or contracting process or procedures.
  - 4.7 File administrative claims and to initiate and maintain lawsuits on behalf of the Board to recover for damage to or destruction of SANDAG property, or interruption of a public service.
  - 4.8 Settle all lawsuits initiated under paragraph 4.7.
  - 4.9 Settle all lawsuits ~~and Government Code claims~~ that SANDAG must defend when the settlement amount does not exceed \$100,000.
  - 4.10 Accept reimbursement from member agencies for use of SANDAG on-call contracts.
  - 4.11 Execute tolling agreements to extend the statute of limitations for litigation involving SANDAG as a potential plaintiff or defendant when deemed in the best interest of SANDAG by the Executive Director and Office of General Counsel.
  - 4.12 Authorize transfers of funds in the SANDAG budget for capital improvement projects following approval of such a transfer by the affected transit operator's board of directors or designated governing body.

- 4.13 Authorize the expenditure of Emergency Land Management Funds designated in the most recent Board-adopted Environmental Mitigation Program Funding Strategy based upon support from a cross-section of technical experts not affiliated with the request.
- 4.14 Modify the Board of Directors meeting agenda regarding issues that arise after the most recent Executive Committee meeting with the concurrence of Chair of the Board.
- 4.15 Execute Right-of-Way Certifications for submittal to the California Department of Transportation, and take all other actions necessary to facilitate the timely filing of such certifications, for SANDAG projects that are either on the State Highway System or for those off-system projects with federal funding.
5. The Executive Director shall act as the appointing authority for SANDAG with the authority to appoint, promote, transfer, discipline, and terminate all employees of SANDAG subject to the provisions of SANDAG's Administrative Rules and Regulations.
6. Pursuant to Article V, Section 4, paragraph c of the Bylaws, the Executive Director shall promulgate an administrative policy governing the procedures for delegating his/her authority to other SANDAG staff.

Adopted October 2003

Amended November 2004

Amended December 2006

Amended December 2008

Amended February 2012

Amended November 2012

Amended October 2013

Amended 2014



## BOARD POLICY NO. **023**

### **PROCUREMENT AND CONTRACTING – EQUIPMENT & SUPPLIES**

#### **Purpose**

To establish procedures for acquiring supplies, equipment, and materials.

#### **Background**

When purchasing equipment, supplies, and materials, SANDAG staff is required to use a competitive procurement process. Pursuant to Public Utilities Code section 132352.4(5), SANDAG is required to select the lowest responsible bidder meeting specifications for awards of \$50,000 or more, not including sales tax. This section also states two exceptions to this requirement. First, if an article of a specified brand or trade name is the only article that will properly meet the needs of SANDAG, competitive procurement is not required. Second, the Board may approve a purchase of equipment, supplies, or materials that exceeds \$50,000 without utilizing competitive procurement methods if it is in the best interest of SANDAG to do so. All references to the Executive Director in this policy also apply to the Executive Director's designee.

#### **Policy**

1. Supplies, equipment, and materials not otherwise provided for in a contract for construction or services, and estimated to cost more than \$50,000, shall be listed separately in the budget or otherwise provided for by Board action or Executive Director approval before suppliers are asked to submit any binding offers.
2. For purchases in excess of \$3,000 involving federal funds, all applicable federal requirements and certifications must be attached to the purchase order or contract. For purchases that exceed \$50,000, a purchase order or a contract must be used in order to ensure provisions are included to protect the interests of SANDAG.
3. Normally, SANDAG will utilize a full and open competition when soliciting bids or proposals for procurements in excess of \$50,000. Under certain circumstances, however, a procurement may be justified that does not utilize full and open competition. These procurements are known as limited competition procurements. When less than full and open competition is used, SANDAG shall solicit offers from as many potential sources as is practicable under the circumstances. Noncompetitive procurement is known as sole source procurement. Noncompetitive and limited competition procurements shall only be permitted when the conditions below are met.
  - 3.1 When there are no federal funds involved the following additional factors may make limited competition or sole source procurement within the best interest of SANDAG. Therefore, a limited competition or sole source for these types of procurements may be permitted when one of the conditions in this section (3.1) is met:

- 3.1.1 There is only one vendor capable of providing the item because the item is unique or highly specialized.
  - 3.1.2 The item should be purchased from a particular vendor in the interest of economy or efficiency as a logical follow-on to an order already issued under a competitively awarded contract.
  - 3.1.3 The cost to prepare for a competitive procurement exceeds the cost of the item.
  - 3.1.4 The item is an integral repair part or accessory compatible with existing equipment.
  - 3.1.5 The item is essential in maintaining research or operational continuity.
  - 3.1.6 The item is one with which staff members who will use the item have specialized training and/or expertise and retraining would incur substantial cost in time and/or money.
  - 3.1.7 The procurement is of the type that may be made as a sole source procurement pursuant to the Public Contracts Code.
- 3.2 When the project will be paid for in whole or in part by federal funds one of the conditions allowing a limited competition or sole source procurement set forth below in the latest version of FTA Circular 4220.1, or the equivalent from other federal funding agencies, must be met:
- ~~3.2.1. Unique Capability or Availability. The equipment or services are only available from one source. Services are only available from one source if one of the conditions described below is present:~~
    - ~~3.2.1.1 Unique or Innovative Concept. Staff can demonstrate that the equipment is a unique or innovative concept or capability not available from another source. Unique or innovative concept means either a new, novel, or changed concept, approach, or method that is the product of original thinking, the details of which are kept confidential or are patented or copyrighted, and is available to SANDAG only from one source and has not in the past been available to the recipient from another source; or~~
    - ~~3.2.1.2 Patents or Restricted Data Rights. Patent or data rights restrictions preclude competition.~~
  - ~~3.2.2. Substantial Duplication Costs. In the case of a follow-on contract for the continued development or production of highly specialized equipment and major components thereof, when it is likely that award to another contractor would result in substantial duplication of costs that are not expected to be recovered through competition.~~

- ~~3.2.3. Unacceptable Delay. In the case of a follow-on contract for the continued development or production of highly specialized equipment and major components thereof, when it is likely that award to another contractor would result in unacceptable delays in fulfilling SANDAG's needs.~~
- ~~3.2.4. Single Bid or Proposal. Upon receiving a single bid or proposal in response to a solicitation, if staff determines that competition was adequate based on a review of the specifications for undue restrictiveness and/or a survey of potential sources that chose not to submit a bid or proposal.~~
- ~~3.2.5. Unusual and Compelling Urgency. SANDAG may limit the number of sources from which it solicits bids or proposals if staff documents that such an unusual and urgent need for the services exists that SANDAG would be seriously injured unless it were permitted to limit the solicitation. SANDAG may also limit the solicitation when the public exigency or emergency will not permit a delay resulting from competitive solicitation for the services.~~
- ~~3.2.6. Contractual Agreement. With some exceptions, when an agency awards a grant agreement or enters into a cooperative agreement with SANDAG for a project in which the funding agency has approved the participation of a particular firm or combination of firms in the project work, the grant agreement or cooperative agreement constitutes approval of those arrangements.~~
- ~~3.2.7. Circumstances authorized by Federal Acquisition Regulation Part 6.3 or the federal Common Grant Rules. Examples include a statutory authorization or requirement, compliance with Department of Transportation (DOT) appropriations laws that include specific statutory requirements, with the result that only a single contractor can perform certain project work.~~
- ~~3.2.8. National Emergency. To maintain a facility, producer, manufacturer, or other supplier available to provide supplies or services in the event of a national emergency or to achieve industrial mobilization.~~
- ~~3.2.9. Research. To establish or maintain an educational or other nonprofit institution or a federally funded research and development center that has or will have an essential engineering, research, or development capability.~~
- ~~3.2.10. Protests, Disputes, Claims, Litigation. To acquire the services of an expert or neutral person for any current or anticipated protest, dispute, claim, or litigation.~~
- ~~3.2.11. International Arrangements. When precluded by the terms of an international agreement or a treaty between the United States and a foreign government or international organization, or when prohibited by the written directions of a foreign government reimbursing the recipient for the cost of the acquisition of the supplies or services for that government.~~
- ~~3.2.12. National Security. When the disclosure of SANDAG's needs would compromise the national security.~~



~~3.2.13. Public Interest. When SANDAG staff documents that full and open competition in connection with a particular acquisition is not in the public interest.~~

~~3.2.14. When Prohibited. Less than full and open competition is not justified under any circumstance based on:~~

~~3.2.14.1 Failure to Plan. Lack of advance planning.~~

~~3.2.14.2 Limited Availability of Federal Assistance. Concerns about the amount of federal assistance available to support the procurement (for example, expiration of federal assistance previously available for award).~~

4. For purchases below \$3,000 a micro purchase procurement method may be used. A micro purchase is a noncompetitive purchase technique, however, the price of the item must still be fair and reasonable. There should be equitable distribution among qualified suppliers in the local area and no splitting of procurements to avoid competition. A bid is only required from the vendor of choice and no contract is required.
5. For purchases between \$3,001 and \$50,000, a simplified competitive procurement method may be used:
  - 5.1. Staff shall obtain written bids or document oral bids from at least three suppliers in a manner that permits prices and other terms to be compared.
  - 5.2. Staff shall recommend the supplier that will provide the best value to SANDAG, taking into account the possible range of competing product and materials available, fitness of purpose, manufacturer's warranty, and other similar factors in addition to price.
  - 5.3. Staff shall obtain approval as required in the administrative delegation of authority policy and the small procurement procedures for use of the recommended supplier.
6. For purchases of \$50,000 or more, an invitation for bids (IFB) shall be issued and the award will be made to lowest responsible bidder submitting a responsive bid:
  - 6.1. The IFB will be posted on the SANDAG Web site. In addition, notice of the IFB will be sent to suppliers previously known to be interested in providing the needed article(s).
  - 6.2. Notice of the IFB will be published in at least one newspaper of general circulation in San Diego County. The IFB may also be published in one or more Disadvantaged Business Enterprise (DBE)/Small business directed newspapers and in such other minority or community newspapers and trade publications as appropriate at least two weeks before the bid opening date. The notice shall state that SANDAG is interested in receiving bids from qualified firms, and indicate how additional information can be obtained, the date, location and time for receiving and opening the sealed bids. For federally funded projects, the IFB must also be published in one or more Disadvantaged Business Enterprise-certified publications.

7. For purchases of \$50,000 or more that are better suited for a Request for Proposals (RFP) (negotiated purchase) or purchase on the open market, instead of an IFB (low bidder), approval may be sought from the Contracts Manager to utilize a different procurement process. An alternate procurement process to the IFB may be in the best interest of SANDAG in the following example situations:
  - 7.1 The purchase may be made at a lower price on the open market.
  - 7.2 Competitive bidding is an inadequate method of procurement because it is necessary to purchase prototype equipment or modifications in order to conduct and evaluate operational testing.
  - 7.3 The article(s) to be procured is undergoing rapid technological changes and it is in the public's interest to issue an RFP so that the broadest possible range of competing product and materials available, fitness of purpose, manufacturer's warranty, and other similar factors in addition to price, can be taken into consideration.
8. If staff seeks authorization to utilize an alternate procurement process under section 7, documentation setting forth the reasons a deviation from the typical competitive bidding process is warranted, and a technical evaluation of the articles, prices, and suppliers shall be submitted in the requisition packet.
9. Conflicts of Interest
  - 9.1 SANDAG shall not contract with, and will reject any bid or proposal submitted by, the following persons or entities, unless the Executive Director finds that special circumstances exist which justify the approval of such contract:
    - 9.1.1 Persons employed by SANDAG;
    - 9.1.2 Profit-making firms or businesses in which SANDAG employees serve as officers, principals, partners or major shareholders;
    - 9.1.3 Persons who, within the immediately preceding twelve (12) months, were employed by SANDAG and (1) were employed in positions of substantial responsibility in the area of service to be performed by the contract, or (2) participated in any way in developing the contract or its service specifications; or
    - 9.1.4 Profit-making firms or businesses in which the former employees described in subsection 9.1.3 serve as officers, principals, partners or major shareholders.
  - 9.2 SANDAG staff and third parties with whom SANDAG does business shall comply with SANDAG administrative policies concerning Standard of Conduct and all relevant Board Policies.

- 9.3 A Notice of Potential for Conflict of Interest shall be included when relevant in any procurement issued by SANDAG. The Notice shall be the policy of the Board as listed herein. Any agreement issued in accordance with this policy shall include or make reference to the policy listed herein.
- 9.4 A “firm” shall be defined as any company or family of companies where there is a single parent board of directors or staff of officers who can influence the policies and actions of the design company, construction management company, and the construction company.
- 9.5 “Ineligible” firms shall include the prime consultant for the services, subcontractors for portions of the services, and affiliates of either. An affiliate is a firm that is subject to the control of the same persons through joint ownership or otherwise.
- 9.6 If there is any doubt by a firm regarding a potential conflict of interest for a specific project or function, the appropriate member of management staff, depending on type of project, will, upon written request, provide a written ruling. This procedure is encouraged prior to submittal of proposals or bids. In the event a conflict of interest is determined to exist, a written appeal may be made by the affected firm to the Executive Director within five calendar days of notice from SANDAG the conflict. The Executive Director shall determine the adequacy of the appeal and make a subsequent final decision. No further appeal shall be considered.

Adopted November 2003

Amended December 2006

Amended December 2007

Amended December 2008

Amended 2014



## BOARD POLICY No. **024**

### **PROCUREMENT AND CONTRACTING – CONSTRUCTION**

#### **Purpose**

To establish a method for administering SANDAG construction contracts.

#### **Background**

Public Utilities Code section 132352.4 states that if the estimated total cost of any construction project or public works project will exceed fifty thousand dollars (\$50,000), SANDAG must solicit bids in writing and award the work to the lowest responsible bidder or reject all bids. Section 132352.4 further mandates that SANDAG establish rules for procurement of construction of public works projects. Additionally, Government Code section 14085 *et seq.* requires that any public entity receiving state funds for a guideway project adopt policies and procedures for contract administration. Code of Federal Regulations, Volume 49, Part 18, and Federal Transit Administration Circular 4220.1F also establish procedures which SANDAG must be follow when administering contracts using federal funds. All references to the Executive Director in this policy also apply to the Executive Director's designee.

#### **Policy**

##### 1. Bidding Process

A competitive bidding process shall be utilized to the greatest extent possible for all construction contracts.

##### 1.1. Bid Procedure for Small Contracts

1.1.1 For construction contracts estimated to cost \$3,000 or less, the work may be awarded without competition so long as the price is determined to be fair and reasonable. Otherwise, staff shall seek a minimum of three bids which may be either written or oral to permit prices and other terms to be compared.

1.1.2 For construction contracts estimated to cost more than \$3,000 but not more than \$50,000, the following procedures shall be followed:

1.1.2.1 Written Notices Inviting Bids (NIBs) will be sent to a minimum of three qualified bidders by mail or facsimile on the same date. The bid period will be a minimum of three calendar days. When possible, NIBs should be sent to at least two certified Disadvantaged Business Enterprise (DBE) firms. The NIB will contain the time and location for receiving and opening bids.

1.1.2.2 The contract will be awarded to the lowest responsive and responsible bidder after a Notice of Intent to Award has been issued to all bidders and a protest period of five working days has expired.

1.1.2.3 Bid bonds will only be required on bids that are \$50,000 or less when requested by the Director of Mobility Management & Project Implementation or his or her designee.

## 1.2. Bid Procedure for Contracts in Excess of \$50,000

1.2.1 Public notice of a construction contract estimated to cost more than \$50,000 shall be given by publication once a week for at least two consecutive weeks, at least three weeks before the day set for receiving bids, as follows:

1.2.1.1 In a newspaper of general circulation, published in San Diego County;

1.2.1.2 In a trade paper of general circulation published in Southern California devoted primarily to the dissemination of contract and building news among contractors and building materials supply firms (optional for projects estimated to cost less than \$100,000); and

1.2.1.3 In at least one DBE/Small business directed newspaper or trade publication and in such other minority or community newspapers as appropriate.

1.2.2 Advertisements may also be placed in other minority and community newspapers, as appropriate. Appropriate DBEs listed in the current SANDAG vendor database will be notified of any work advertised under this policy.

1.2.3 The notice shall state the time and place for receiving and opening sealed bids and shall describe, in general terms, the work to be done.

## 1.3. Contractor's Qualifications

1.3.1 SANDAG may, for prospective contractors whose bid could exceed \$500,000, adopt and apply a uniform prequalification system for rating bidders, on the basis of a standard experience questionnaire and financial statement verified under oath in respect to the contracts upon which each bidder is qualified to bid. A contractor may request to be prequalified for a predetermined contract amount prior to bidding.

1.3.2 In no event shall any bidder be awarded a contract if such contract award would result in the bidder having under contract(s), work cumulatively in excess of that authorized by its qualification rating.

## 1.4. Form of Bids

1.4.1 SANDAG shall furnish each bidder with a standard proposal form, to be filled out, executed, and submitted as its bid.

1.4.2 All bids shall be submitted in a sealed envelope accompanied by one of the following forms of bidder's security: cash, a cashier's check, certified check, or a bidder's bond executed by an admitted surety insurer and made payable to SANDAG. A bid shall not be considered unless accompanied by one of the forms of bidder's security. Bidder's security shall be at least 10 percent of the amount bid. Bidder's bonds must be issued by bonding companies registered in the State of California.

1.4.3 Late bids shall not be accepted after the time and date designated in the notice.

1.4.4 Any bid may be withdrawn any time prior to the time fixed in the notice for bid opening only by written request to the SANDAG Executive Director. The request shall be executed by the bidder or its designated representative. Bids shall not be withdrawn after the time fixed for public opening.

1.4.5 On the day specified in the notice, staff shall publicly open sealed bids and announce the apparent lowest bidder(s).

#### 1.5. Review of Bids

1.5.1 After the bids are publicly opened, the Director of Mobility Management & Project Implementation or his or her designee (hereinafter "Director"), shall review all bids in order to determine which bidder is the lowest responsive and responsible bidder. The term "lowest responsive and responsible bidder" shall mean the lowest monetary bidder (excluding taxes) whose bid is responsive and who is responsible to perform the work required by the solicitation and contract documents.

1.5.2 SANDAG may investigate the responsibility and qualifications of all bidders to whom the award is contemplated for a period not to exceed 90 days after the bid opening. The 90-day review period may be extended upon the written request by the Director and written approval by the affected bidders.

1.5.3 SANDAG reserves the right to reject any or all bids and to waive any immaterial irregularity. No bid shall be binding upon SANDAG until after the contract is signed by both the contractor and SANDAG.

1.5.4 The lowest monetary bidder's bid will be evaluated by the Director in order to determine whether or not that bid is responsive. The term "responsive" generally means that the bid has been prepared and submitted in accordance with the requirements of the solicitation and bid documents. These requirements shall generally include, but will not be limited to, the following:

1.5.4.1 Proposal and Cost Proposal - with bid amounts filled in.

1.5.4.2 Designation of Suppliers and Subcontractors - including dollar amounts.

1.5.4.3 Acknowledgment of Addenda.

- 1.5.4.4 Contractor's License Requirements.
  - 1.5.4.5 Ability to Meet Minimum Insurance Requirements.
  - 1.5.4.6 Public Contract Code 10162 Questionnaire.
  - 1.5.4.7 Bidder's Bond.
  - 1.5.4.8 Noncollusion Affidavit.
  - 1.5.4.9 Certification of Restrictions on Lobbying.
  - 1.5.4.10 Disclosure of Lobbying Activities.
  - 1.5.4.11 Certification Regarding Debarment
- 1.5.5 If the lowest monetary bidder's bid is responsive, then the bidder's qualifications will be evaluated by the Director to determine whether or not the bidder is responsible to perform the work required by the contract documents. The term "responsible" generally means that the bidder is able to demonstrate that it possess: (1) the capacity to perform the work required by the contract documents with respect to financial strength, resources available, and experience; and (2) the integrity and trustworthiness to complete performance of the work in accordance with the contract documents. The Director shall review "responsibility" of bidders based upon factors set forth below.
- 1.5.6 For all contracts in excess of \$500,000, the following uniform system of determining whether or not a bidder is "responsible" shall be applied. The Director will consider the following non-exclusive list of factors in relation to the work to be performed for this project:
- 1.5.6.1 Financial Requirements:
    - 1.5.6.1.1 Contractors shall have evidence of the availability of sufficient working capital;
    - 1.5.6.1.2 For design-bid-build projects, the largest value of all work any bidding contractor has had under contract over a previous similar time frame as the subject contract shall meet or exceed the total amount of the bid;
    - 1.5.6.1.3 For design-bid-build projects, the dollar value of at least one of the previous individual contracts listed shall be at least 50 percent of the dollar value bid on the SANDAG contract, or in the case of a Job Order Contract, at least 50 percent of the maximum amount of the Job Order Contract; and
    - 1.5.6.1.4 For design-bid-build projects, the contractor shall have successfully completed contracts during the previous five years

that together exceed five times the annual value of the SANDAG contract.

1.5.6.2 Experience Requirements:

- 1.5.6.2.1 The contractor must demonstrate organization experience on work similar to the SANDAG contract by submitting a list, covering at least the previous five years, of all projects of any type that have been completed or are under construction. The list shall contain a name, title, address, and phone number for staff to contact to verify the contract details;
- 1.5.6.2.2 The contractor shall demonstrate individual experience by submitting a list of all officers, superintendents, and engineers who will be involved in the SANDAG contract. These key personnel shall have at least three years experience on contracts where the work is similar to the SANDAG contract. The individuals listed shall have been involved at the same level of responsibility on successfully completed contracts during the previous five years that together exceeds the value of the SANDAG contract. A resume for each individual listed shall include the name, title, address, and phone number of an individual or organization who can verify the individual's experience;
- 1.5.6.2.3 The contractor shall submit a summary of all claims made in the last five years arising out of previous contracts listed (this summary shall include all claims by owner against bidder or bidder against owner, and the final status of each claim);
- 1.5.6.2.4 The contractor shall state whether or not it has defaulted on a construction project within the last two years;
- 1.5.6.2.5 The contractor shall list any violation of the Apprenticeship Requirements under a State Business and Professions Code of Labor Code found by an appropriate authority within the last two years;
- 1.5.6.2.6 The contractor shall state whether they have been found guilty of failure to pay required prevailing wages on a public contract within the last two years;
- 1.5.6.2.7 The contractor shall state whether they have been formally found to be a nonresponsible bidder, for reason other than being nonresponsive, by a public agency within the last two years;



- 1.5.6.2.8 The contractor shall list how many construction projects the bidder will be working on concurrently with the SANDAG project;
  - 1.5.6.2.9 The contractor shall state whether they have ever been terminated by an owner or client, or rejected from bidding in a public works project in the last five years;
  - 1.5.6.2.10 The contractor shall state whether a surety ever completed any portion of the work of the bidder's project within the last five years;
  - 1.5.6.2.11 The contractor shall state whether the bidder, any officer of such bidder, or any employee of such bidder who has a proprietary interest in such bidder, has ever been disqualified, removed, or otherwise prevented from bidding on, or completing a federal, state, or local government project because of a violation of a law or safety regulation, and if so, explain the circumstances; and
  - 1.5.6.2.12 For all items identified under 1.5.6.2.1 through 1.5.6.2.11 above, the contractor shall provide name of owner, title of project, contract amount, location of project, date of contract, and name of bonding company.
- 1.5.6.3 Reporting Forms: In order to demonstrate that the SANDAG financial and experience requirements are met, the contractor shall submit, when requested by SANDAG, a standard experience questionnaire and financial statement verified under oath that shall meet the requirements adopted herein.
- 1.5.6.4 Failure to provide accurate information relative to its financial status or experience may result in the debarment of the contractor from future SANDAG work.
- 1.5.6.5 Questionnaires and financial statements shall not be considered public records nor open for public inspection.
- 1.5.7 SANDAG will make its determination of responsibility based upon information submitted by bidders, and, if necessary, interviews with previous owners, clients, design professionals, or subcontractors with whom the bidder has worked. If a bidder is determined to be nonresponsible, it shall be afforded an administrative hearing upon the submission of a timely protest of such issue. Any additional evidence submitted in the course of the protest procedure shall be considered by the Director in making the recommendation to the Executive Director regarding determination of the lowest responsive and responsible bidder and award of the contract.

## 1.6. Award or Rejection of Bids

- 1.6.1 If the Director finds that the lowest monetary bidder submitted a responsive bid and that the bidder is responsible, then that bidder shall be deemed the apparent lowest responsive and responsible bidder, and the Director shall report the findings as recommendation to the Executive Director.
- 1.6.2 If the Director finds that the lowest monetary bidder's bid is not responsive or that the lowest monetary bidder is not responsible, then the Director may review the responsiveness and responsibility of the next low monetary bidder. If the Director finds that the next low monetary bidder is responsive and responsible, then that next low bidder shall be deemed the apparent lowest responsive and responsible bidder, and the Director shall report the findings as recommendations to the Executive Director. The Director may continue to review the responsiveness and responsibility of the next low monetary bidders until he/she finds the lowest monetary bidder that is also responsive and responsible, and deemed lowest responsive and responsible bidder. In the event that one or more low monetary bidders are found by the Director to be nonresponsive or nonresponsible, those bidders will be given notice and a reasonable opportunity to present additional evidence to the Director within five working days after the bidder receives the notice.
- 1.6.3 The Executive Director may authorize a Limited Notice to Proceed (LNTP) to the apparent lowest responsive and responsible bidder for an amount not to exceed \$250,000 prior to the award of the construction contract if the Executive Director determines that the award of an LNTP is justified.
- 1.6.4 If it is for the best interest of SANDAG, the Executive Director may, on refusal or failure of the successful bidder to execute the contract, award it to the second-lowest responsive and responsible bidder.
- 1.6.5 If the second-lowest responsive and responsible bidder fails to execute the contract, the Executive Director may likewise award it to the third-lowest responsible bidder.
- 1.6.6 On the failure or refusal of any bidder to execute the contract, its bidder's security shall be forfeited to SANDAG.
- 1.6.7 For all contract awards in excess of \$25,000, the successful bidder must furnish a performance bond equal to at least one-half of the contract price and a payment bond equal to one hundred percent of the contract price. Federally funded contract awards shall require a performance bond equal to one hundred percent of the contract price. Notwithstanding the foregoing, depending upon authorization from the funding source(s), the performance and payment bond requirements may be modified within the Invitation for Bids with prior approval of the Director.

- 1.6.8 Failure to furnish the required bonds shall constitute failure to execute the contract.
- 1.7. Return of Bidder's Security
- 1.7.1 SANDAG may withhold the bidder's security of the second- and third-lowest responsive and responsible bidders until the contract has been finally executed. SANDAG shall, upon request, return cash, cashier's checks, and certified checks submitted by all other unsuccessful bidders within 30 days after the bid opening, and the bidder's bonds shall be of no further effect.
- 1.8. Protests to Solicitation, Responsibility, Bid, or Award
- 1.8.1 SANDAG shall include in all procurements a procedure to be followed by interested parties who wish to protest a specification, procedure, or finding of nonresponsibility. The procedure shall include the following:
- 1.8.1.1 A requirement that protest submittals shall be in writing, be specific to the specification or procedure being protested, state the grounds for protest, and include all documentation needed to enable SANDAG to reach a decision.
- 1.8.1.2 A statement that the protest shall be submitted within clearly defined time limits prior to receiving proposals or opening bids or prior to award of contracts.
- 1.8.1.3 A statement specifying the review and determination process by SANDAG, including time limits for response.
- 1.8.1.4 Requirements for submittal of a protest reconsideration.
- 1.8.1.5 A statement regarding review of the initial protest by a protest review committee, or in the case of a protest regarding a finding of nonresponsibility by an administrative hearing officer or panel, and review of protest reconsiderations by the Executive Director, as appropriate.
- 1.8.1.6 A statement that protests will be rejected if they are not complete.
- 1.9. Procedure for Subcontractor Substitution Protest
- 1.9.1 Subcontractor substitutions shall be made only pursuant to the provisions of the Subletting and Subcontracting Fair Practices Act, Public Contract Code section 4100 et seq., as it may be amended from time to time. Notwithstanding the foregoing, nothing in this policy is intended to require SANDAG to strictly comply with the Subcontracting Fair Practices Act. The Executive Director is hereby designated to carry out all functions of the awarding authority under Section 4100 et seq.

## 1.10. Procedure for Contractors with Claims Against SANDAG on Construction Contracts

- 1.10.1 On all SANDAG construction contracts estimated to cost more than \$25,000, a section shall be included in the contract provisions that specifies how a contractor should file a "Notice of Potential Claim" and the procedures for review and disposition thereof.
- 1.10.2 Federal Transit Administration review and concurrence is required for claim settlements that exceed \$1 million if FTA funds are involved.
- 1.10.3 A list of all outstanding claims exceeding \$100,000 which involve the use of federal funds shall be included in the federal grants quarterly report.

## 1.11. Debarment Procedures for Procurement and Construction Contracts

- 1.11.1 In addition to all other remedies permitted by law, SANDAG may, upon advice of the Executive Director and Office of General Counsel, by resolution declare a bidder or contractor ineligible to bid on SANDAG procurement and construction contracts for a period not to exceed three years for any of the following grounds:
  - 1.11.1.1 two or more claims of computational, clerical, or other error in bid submission within a two year period;
  - 1.11.1.2 unjustified failure or refusal to timely provide or properly execute contract documents;
  - 1.11.1.3 unsatisfactory performance of contract;
  - 1.11.1.4 false, excessive and/or unreasonable claims while performing work for SANDAG;
  - 1.11.1.5 two or more occasions within a two-year period of failure to submit bond or insurance documents acceptable to SANDAG in the time periods required;
  - 1.11.1.6 unjustified refusal to properly perform or complete contract work or warranty performance;
  - 1.11.1.7 unjustified failure to honor or observe contractual obligations or legal requirements pertaining to the contract;
  - 1.11.1.8 conviction under a state or federal statute or municipal ordinance for fraud, bribery, theft, falsification or destruction of records, receiving stolen property or of any other similar crime;
  - 1.11.1.9 any offense or action which indicates a lack of business integrity and which could directly affect the reliability and credibility of performance of the contractor on future contracts with SANDAG;

1.11.1.10 any debarment of the contractor by another governmental agency;  
and

1.11.1.11 false statements or certifications in documents submitted as part of a bid or any supplementary documentation thereto.

1.11.2 SANDAG may permanently debar such bidder or contractor for a conviction under federal or state antitrust statutes involving public contracts or the submission of bid proposals, for any corrupt practices involving the administration or award of a contract with SANDAG, or permanent debarment of the bidder or contractor by another governmental agency.

1.11.3 The bidder or contractor shall be provided notice and an opportunity to present evidence and show cause before the Board why such ineligibility shall not be declared after the Director has established a factual basis for debarment.

1.11.4 A contractor's debarment shall be effective amongst SANDAG and any subsidiary entity. Debarment prohibits SANDAG and any subsidiary entity from executing contracts with the debarred contractor.

1.11.5 Debarment constitutes debarment of all divisions or other organizational elements of the contractor, unless the debarment decision is limited by its terms to specific divisions, organizational elements, or commodities. The debarment decision may be extended to include any affiliate of the contractor if the affiliate is (1) specifically named, and (2) given written notice of the proposed debarment and an opportunity to respond.

1.11.6 Notwithstanding the debarment of the contractor, the Board may continue contracts in existence at the time the contractor is debarred, unless the Board directs otherwise, after receiving advice from the Executive Director as to the effects of termination of an existing agreement.

## 2. Contract Administration and Contractor Assurances

2.1 SANDAG contractors must meet all applicable laws concerning labor law, labor rates, EEO and licenses. SANDAG shall ensure that the following requirements are carried out:

2.1.1 All bidders and contractors shall be licensed in accordance with the laws of California. Additionally, contractor requirements shall be guided by the provisions of Chapter 9 of Division 3 of the Business and Professions Code concerning the licensing of contractors.

2.1.2 The contractor may not, in any case, pay workers less than the stipulated prevailing rates paid for such work or craft in the San Diego area by the contractor or any of its subcontractors, unless it is otherwise authorized by law.

2.1.3 The contractor will be responsible for complying with the provisions of the Fair Labor Standards Act of 1938 as amended.

- 2.1.4 SANDAG contractors shall be required to provide Workers' Compensation Insurance to their employees in accordance with the provisions of Section 3700 of the Labor Code. Prior to commencement of work, the contractor shall sign and file with SANDAG a certification of compliance.
- 2.1.5 Contractors must comply with the SANDAG contractor labor compliance program, which is based on the California Labor Code and the "Labor Compliance" section of the California Department of Transportation's Construction Manual.
- 2.1.6 The contractor shall comply with the EEO requirements set forth by Title VI of the 1964 Civil Rights Act on any project where Federal funds are included.
- 2.1.7 The contractor shall also comply with Sections 1431 and 1735 of the Labor Code and Sections 300 and 317 through 323 of Title 8 of the California Administrative Code, which prohibits labor discrimination and requires the contractor to submit an Equal Opportunity Program and certification fee to the Fair Employment Practice Commission for contracts over \$200,000.

### 3. Construction Contract Change Orders

- 3.1 All construction and procurement contracts may be amended by a suitable change order. The contract change orders shall be processed in accordance with SANDAG procurement and construction manual(s).
- 3.2 Construction contract change orders shall be approved by the Executive Director in accordance with SANDAG Board policies, administrative policies, and procedural manuals.
- 3.3 Except in an emergency, or in the case of a justifiable sole source procurement, a change order shall not be awarded without competitive bidding where the amount of such change order exceeds 25 percent of the price of the original or altered contract, or the change order is out of the original contract scope.
  - 3.3.1 For purposes of this section, an emergency is defined as a sudden or unforeseen situation in which, in the Executive Director's opinion, injury to persons, or significant injury to property or interruption of a public service will occur if immediate action is not taken.
- 3.4 All change orders that conflict or potentially conflict with Board-adopted policies shall be brought before the Board for decision.
- 3.5 All change orders which utilize federal funds shall conform to the Code of Federal Regulations, Volume 49, Part 18 and Federal Transit Administration Circular 4220.1F and any successors thereof, that are applicable by law.

### 4. Other Than Full and Open Competition

Normally, SANDAG will utilize a full and open competition when soliciting bids or proposals for procurements in excess of \$50,000. Under certain circumstances, however, a procurement

may be justified that does not utilize full and open competition. These procurements are known as limited competition procurements. When less than full and open competition is used, SANDAG shall solicit offers from as many potential sources as is practicable under the circumstances. Noncompetitive procurement is known as sole source procurement. Noncompetitive and limited competition procurements shall only be permitted when the conditions below are met.

4.1 When the project will be paid for in whole or in part by federal funds one of the conditions allowing a limited competition or sole source procurement set forth below in the latest version of FTA Circular 4220.1, or the equivalent from other federal funding agencies, must be met:

~~4.1.1. Unique Capability or Availability. The services are only available from one source. Services are only available from one source if one of the conditions described below is present:~~

~~4.1.1.1. Unique or Innovative Concept. Staff can demonstrate that the service consists of a unique or innovative concept or capability not available from another source. Unique or innovative concept means either a new, novel, or changed concept, approach, or method that is the product of original thinking, the details of which are kept confidential or are patented or copyrighted, and is available to SANDAG only from one source and has not in the past been available to the recipient from another source; or~~

~~4.1.1.2. Patents or Restricted Data Rights. Patent or data rights restrictions preclude competition.~~

~~4.1.2. Substantial Duplication Costs. In the case of a follow-on contract for the continued development or production of highly specialized equipment and major components thereof, when it is likely that award to another contractor would result in substantial duplication of costs that are not expected to be recovered through competition.~~

~~4.1.3. Unacceptable Delay. In the case of a follow-on contract for the continued development or production of highly specialized equipment and major components thereof, when it is likely that award to another contractor would result in unacceptable delays in fulfilling SANDAG's needs.~~

~~4.1.4. Single Bid or Proposal. Upon receiving a single bid or proposal in response to a solicitation, if staff determines that competition was adequate based on a review of the specifications for undue restrictiveness and/or a survey of potential sources that chose not to submit a bid or proposal.~~

~~4.1.5. Unusual and Compelling Urgency. SANDAG may limit the number of sources from which it solicits bids or proposals if staff documents that such an unusual and urgent need for the services exists that SANDAG would be seriously injured unless it were permitted to limit the solicitation. SANDAG may also limit the~~

~~solicitation when the public exigency or emergency will not permit a delay resulting from competitive solicitation for the services.~~

~~4.1.6. Contractual Agreement. With some exceptions, when an agency awards a grant agreement or enters into a cooperative agreement with SANDAG for a project in which the funding agency has approved the participation of a particular firm or combination of firms in the project work, the grant agreement or cooperative agreement constitutes approval of those arrangements.~~

~~4.1.7. Circumstances authorized by Federal Acquisition Regulation Part 6.3 or the federal Common Grant Rules. Examples include a statutory authorization or requirement, compliance with Department of Transportation (DOT) appropriations laws that include specific statutory requirements, with the result that only a single contractor can perform certain project work.~~

~~4.1.8. National Emergency. To maintain a facility, producer, manufacturer, or other supplier available to provide supplies or services in the event of a national emergency or to achieve industrial mobilization.~~

~~4.1.9. Research. To establish or maintain an educational or other nonprofit institution or a federally funded research and development center that has or will have an essential engineering, research, or development capability.~~

~~4.1.10. Protests, Disputes, Claims, Litigation. To acquire the services of an expert or neutral person for any current or anticipated protest, dispute, claim, or litigation.~~

~~4.1.11. International Arrangements. When precluded by the terms of an international agreement or a treaty between the United States and a foreign government or international organization, or when prohibited by the written directions of a foreign government reimbursing the recipient for the cost of the acquisition of the supplies or services for that government.~~

~~4.1.12. National Security. When the disclosure of SANDAG's needs would compromise the national security.~~

~~4.1.13. Public Interest. When SANDAG staff documents that full and open competition in connection with a particular acquisition is not in the public interest.~~

~~4.1.14. When Prohibited. Less than full and open competition is not justified under any circumstance based on:~~

~~4.1.14.1. Failure to Plan. Lack of advance planning.~~

~~4.1.14.2. Limited Availability of federal Assistance. Concerns about the amount of federal assistance available to support the procurement (for example, expiration of federal assistance previously available for award).~~



4.2 When there are no federal funds involved, additional factors may be used to justify a limited competition or sole source procurement as being within the best interest of SANDAG. For these types of procurements one of the conditions in this section (4.2) or section 4.1 must be met:

4.2.1. There is only one contractor capable of providing the work because the work is unique or highly specialized.

4.2.2. The work should be carried out by a particular contractor in the interest of economy or efficiency as a logical follow-on to work already in progress under a competitively awarded contract.

4.2.3. The cost to prepare for a competitive procurement exceeds the cost of the work.

5. Relief from Maintenance and Responsibility and Acceptance of Work

5.1 SANDAG will, upon written application by the contractor, consider granting relief from maintenance and responsibility on major elements of each major construction project as permitted in the contract specifications. The Executive Director is hereby delegated authority to grant said relief in writing to the contractor and shall report actions on contracts over \$25,000 to the Board.

5.2 SANDAG will, upon written application by the contractor, accept the entire work on major construction contracts, provided that the work has been completed, in all respects, in accordance with the contract plans and specifications. The Executive Directors is hereby delegated the authority to accept ~~contracts-such work~~ on behalf of the Board and shall report to the Board all ~~contract~~-acceptances over \$25,000.

5.2.1 In determining whether to accept the entire work on major construction projects, these procedures should be followed:

5.2.1.1 The contractor shall request acceptance in writing.

5.2.1.2 Concurrence with the request by the SANDAG Resident Engineer shall be in writing to the Executive Director and include these findings: (1) that the contract has been completed in accordance with the plans and specifications, (2) a statement as to the financial condition of the contract, and (3) a statement as to whether the contract was completed on time or with an apparent overrun.

5.2.1.3 The Executive Director shall accept the action and report the findings to the Board.

## 6. Conflict of Interest

- 6.1 A contractor is eligible for award of service contracts by SANDAG so long as the contract in question does not create an actual, potential, or apparent conflict of interest. A prohibited conflict of interest exists when, because of other activities, relationships, or contracts, a firm is or may be unable to render impartial, objective assistance or advice to SANDAG; or a firm's objectivity in performing the contract work is or might be otherwise impaired; or where a firm would receive an unfair competitive advantage. Prohibited conflicts of interest include, but are not limited to, the following situations:
- 6.1.1 Any firm that provides design services or project management services to SANDAG for a design-bid-build project will be ineligible for award of a construction contract to construct the improvements, which are the subject of the design services.
  - 6.1.2 Any firm for a design-bid-build project that provides design services to SANDAG will be ineligible for award of any contract to provide construction management services resulting from the specific project for which design services were provided.
  - 6.1.3 Any firm that provides construction management services to SANDAG for a design-bid-build project will be ineligible for award of a construction contract for which construction management services were or will be provided.
  - 6.1.4 Any firm that assists SANDAG or any of its member or affiliated agencies in the preparation of a design-build procurement document will not be allowed to participate as a bidder/offeror or join a team submitting a bid/offer in response to a design-build procurement document except under the provisions in Section 7.1.4 of Board Policy No. 016.
- 6.2 SANDAG shall not contract with, and will reject any bid or proposal submitted by, the following persons or entities, unless the Executive Director finds that special circumstances exist which justify the approval of such contract:
- 6.2.1 Persons employed by SANDAG;
  - 6.2.2 Profit-making firms or businesses in which SANDAG employees serve as officers, principals, partners, or major shareholders;  
Persons who, within the immediately preceding twelve (12) months, were employed by SANDAG and (1) were employed in positions of substantial responsibility in the area of service to be performed by the contract, or (2) participated in any way in developing the contract or its service specifications; or
  - 6.2.3 Profit-making firms or businesses in which the former employees described in subsection 6.2.3 serve as officers, principals, partners or major shareholders.

- 6.3 SANDAG staff and third parties with whom SANDAG does business shall comply with SANDAG administrative policies concerning Standard of Conduct and all relevant Board Policies.
- 6.4 A Notice of Potential for Conflict of Interest shall be included when relevant in any procurement issued by SANDAG. The Notice shall be the policy of the Board as listed herein. Any agreement issued in accordance with this policy shall include or make reference to the policy listed herein.
- 6.5 A "firm" shall be defined as any company or family of companies where there is a single parent board of directors or staff of officers who can influence the policies and actions of the design company, construction management company, and the construction company.
- 6.6 "Ineligible" firms shall include the prime consultant for the services, subcontractors for portions of the services, and affiliates of either. An affiliate is a firm that is subject to the control of the same persons through joint ownership or otherwise.
- 6.7 If there is any doubt by a firm regarding a potential conflict of interest for a specific project or function, the appropriate member of management staff, depending on type of project, will, upon written request, provide a written ruling. This procedure is encouraged prior to submittal of proposals or bids. In the event a conflict of interest is determined to exist, a written appeal may be made by the affected firm to the Executive Director within five calendar days of notice from SANDAG the conflict. The Executive Director shall determine the adequacy of the appeal and make a subsequent final decision. No further appeal shall be considered.

## 7. Job Order Contracting

A Job Order Contract (JOC) is a competitively bid, firm fixed price, indefinite quantity contract that is based upon specific unit pricing contained in a unit price book (prepared by the public agency or by independent commercial sources) setting forth detailed repair and construction items of work, including descriptions, specifications, units of measurement and individual unit prices for each item of work. The JOC includes unit pricing for work at time of award, but not the specified quantity and location of the work to be performed. At the time a Job Order is issued, the scope of work will identify the quantity and specific location of the work to be performed. A JOC may be used when it will result in a cost savings through economies of scale or expedite the delivery of work.

### 7.1 General Requirements

7.1.1 JOCs shall be awarded under written agreement subject to the following limitations:

7.1.1.1 The specifications were advertised in accordance with Board Policy No. 024, Section 1, "Bidding Process" based on the maximum potential value of the JOC.

7.1.1.2 The specifications provided for sealed competitive bidding on unit-cost terms for all labor, material, and equipment necessary to perform all work contemplated for individual Job Orders.

7.1.1.3 The JOC does not exceed a term of three years in duration.

7.1.1.4 The JOC shall only be used for the performance of minor routine or recurring construction, or for the renovation, alteration, or repair of existing public facilities.

7.1.2 JOC may not contain any provision which would guarantee the contractor cumulative Job Orders in excess of \$50,000.

## 7.2 Issuance of Job Orders

7.2.1 Following award of a JOC, Job Orders may be issued by the Executive Director in accordance with SANDAG Board Policies, administrative policies, and procedural manuals upon certification by that individual that it is not in conflict with other Board Policies and it is the best interest of SANDAG to use the JOC procurement process because one or more of the following criteria have been met:

7.2.1.1. Use of the JOC process will result in a cost savings through economies of scale or expedite the delivery of work; or

7.2.1.2. Compliance with the traditional competitive bidding requirements will not produce an advantage to SANDAG; or

7.2.1.3. Advertising for bids is undesirable because it will be practically impossible to obtain what is needed or required by an unforeseen deadline if the traditional competitive bidding method is used; or

7.2.1.4. The entity or entities providing funds for the project have authorized use of the JOC process.

7.2.2 An individual Job Order may not exceed the sum of \$2,000,000, except in the case of an emergency as defined in Section 3.3.1 of this Policy, or as specifically authorized by the Executive Director, whose authorization shall not be delegated.

7.2.3 No public work that logically should be performed as a single contractual transaction requiring the expenditure of more than \$2,000,000 shall be separated into separate Job Orders for purposes of avoiding this limitation.

7.2.4 Non-prepriced items of work may be included in Job Orders provided that the non-prepriced items are within the scope and intent of the JOC and are priced reasonably and in conformity all applicable laws, regulations and policies.

### 7.3 Job Order Contract Intergovernmental Agreements

7.3.1 The SANDAG Executive Director may permit, subject to requirements of this section and subject to such terms and conditions that the Executive Director may prescribe, any public entity, including the California Department of Transportation, or any municipal corporation, school or other special district within San Diego County, to participate via the Service Bureau in JOCs entered into by SANDAG, and may enter into any agreements necessary to do so.

### 8. Design-Build Contracting

“Design-build” contracting is a project delivery method in which both the design and construction of a project are procured from a single entity. Notwithstanding Section 1 of this Policy, SANDAG is permitted to use the design-build contracting method on transit projects in accordance with Public Contracts Code section 20209.5 et seq. A competitive negotiation process similar to the process described in Board Policy No. 016 for the procurement of services will be used to procure design build services. Selection criteria for design-build procurements shall be subject to Board approval.

### 9. Construction Manager/General Contractor Contracting

Construction Manager/General Contractor (CM/GC) contracting is a project delivery method using a best value procurement process in which a construction manager is procured to provide pre-construction services during the design phase of the project and construction services during the construction phase of the project. Notwithstanding Section 1 of this Policy, SANDAG is permitted to use the CM/GC contracting method on transit projects in accordance with Public Contracts Code 6950-6958. A competitive negotiation process similar to the process described in Board Policy No. 016 for the procurement of services will be used to procure CM/GC services. Selection criteria for CM/GC procurements shall be subject to Board approval.

### 10. Design Sequencing Contracting

"Design sequencing" contracting is a method of project delivery that enables the sequencing of design activities to permit each construction phase to commence when the design for that phase is complete, instead of requiring design for the entire project to be completed before commencing construction. This is a variation of the design-bid-build project delivery method. SANDAG is permitted to use the design sequencing contracting method on transit projects in accordance with Public Contracts Code 6950-6958.

Adopted November 2003  
Amended December 2006  
Amended December 2007  
Amended December 2008  
Amended January 2010  
Amended November 2010  
Amended February 2012  
Amended November 2012  
Amended October 2013  
Amended 2014



## BOARD POLICY NO. **028**

### **ASSET OWNERSHIP AND DISPOSITION**

#### **Purpose**

This policy establishes guidelines and procedures for the ownership and disposal of SANDAG assets.

#### 1. OWNERSHIP OF ASSETS

1.1 SANDAG, North San Diego County Transit Development Board ("NCTD"), and the Metropolitan Transit Development Board, a California Public Agency operating the Metropolitan Transit System ("MTS"), are parties to a Master Memorandum of Understanding (MOU), which among other things, describes the manner in which acquired real property and personal property will be owned and managed by the three agencies. This policy is consistent with the terms of the Master MOU and its addenda. In addition, from time to time a transfer of property from SANDAG to another entity will be appropriate if that entity will operate, maintain or have liability for the property.

#### 1.2 Real Property

1.2.1 Real property owned by NCTD, MTS, or an owner other than SANDAG ("Third Party Owner") prior to construction of a project by SANDAG shall be referred to as "Pre-Owned Property" in this Policy.

1.2.2 When SANDAG constructs physical improvements on Pre-Owned Property, the real property, including the improvements constructed by SANDAG, will be owned by the Third Party Owner, unless otherwise agreed to in writing by the parties or prohibited by an entity funding the project.

1.2.2.1 To enable SANDAG to construct improvements on MTS or NCTD Pre-Owned Property, the parties will enter into one or more addenda to the Master MOU that will set forth the legal rights and remedies between or among SANDAG and the affected operating agency(ies) ("Affected Parties") to enable SANDAG to construct the project and MTS and/or NCTD to continue necessary operations during construction.

1.2.2.2 To convey improvements developed on Pre-Owned Property to NCTD and MTS, the Affected Parties may enter into one or more addenda to the Master MOU that will set forth the legal rights and remedies amongst the parties to make the Affected Party responsible to operate and maintain the property and allocate liability for claims involving the property.

1.2.3 When SANDAG constructs physical improvements to property acquired for the purpose of a project ("Subsequently Acquired Property"), the real property, including the improvements constructed by SANDAG, may be transferred to another entity, if permitted by the funding source of the procurement and agreed to by the parties. Notwithstanding the foregoing, the parties involved with the project may agree to have one or more other entities own Subsequently Acquired Property.

1.2.3.1 To convey the real property including improvements developed on Subsequently Acquired Property to NCTD or MTS, the Affected Parties will enter into one or more addenda to the Master MOU that will set forth the legal rights and remedies amongst the parties to make the operating agency responsible to operate and maintain the property, and allocate liability for claims involving the property to the operating agency.

1.2.3.2 In the event Subsequently Acquired Property may offer the opportunity to be further developed for other public transportation uses, SANDAG will retain the appropriate real property interest to enable it to develop such public transportation projects on the property in the future.

1.2.4 In the event real property is procured by SANDAG utilizing Federal Transit Administration ("FTA") grants, said real property may be conveyed to a Third Party Owner with FTA approval, and if agreed to by the parties.

### 1.3 Personal Property

1.3.1 All property other than real property and its associated bundle of rights will be referred to herein as "Personal Property."

1.3.2 Personal Property procured by SANDAG for the operating purposes of NCTD or MTS may be owned, operated and maintained by the operating agency if permitted by the funding source of the procurement, and if agreed to by the Affected Parties.

1.3.3 To the extent the funding source of the procurement of Personal Property requires SANDAG to retain ownership, SANDAG may convey possession of the Personal Property to one or more Third Party Owners pursuant to a lease which will obligate the Third Party Owner to operate and maintain the Personal Property and account for its use and maintenance. Said lease will require the operating agency to retain full responsibility for the operation, maintenance, and liability associated with the use and possession of the Personal Property.

1.3.4 In the event Personal Property is procured by SANDAG utilizing FTA grants, the Personal Property may be conveyed to a Third Party Owner with FTA approval, and if agreed to by the parties.

## 2. DISPOSITION PROCEDURES

2.1 SANDAG has various assets which, over time, will be deemed obsolete due to normal use and wear, or new technology, or no longer needed due to project completion, underutilization, or surplus status. Therefore, these assets become candidates for disposal. Laws governing SANDAG's purchase of such assets require the use of a competitive procurement process. Likewise, the disposal or sale of property purchased with public funds should be done so in an open competitive process, unless the property will be assigned to government or nonprofit entities and designated for public purposes. It is SANDAG policy to capitalize assets with a unit purchase value of \$5,000 or more. This policy is intended to ensure that when SANDAG disposes of personal assets or real property assets, it will be done in a manner which is in the best interests of SANDAG, within the standards and procedures set forth.

2.2 Surplus properties are made available for various public purposes, including negotiated sale to state and local governments and eligible nonprofit institutions, or are sold competitively to the general public. State and local governments, eligible public institutions, and nonprofit organizations may acquire surplus property that SANDAG no longer needs on terms that SANDAG's Transportation Committee deems are in the best interest of SANDAG's goals and public need.

2.3 Surplus property that is not conveyed to state/local governments or other eligible recipients for public purposes may be sold to private individuals and companies by competitive bid.

2.4 Methods. The method of disposal must be approved by the Transportation Committee for capital assets with an individual or aggregate actual or depreciated value of \$100,000 or more. For assets valued under \$100,000, the Executive Director may authorize disposal and the method. For audit purposes, a memorandum must be filed which certifies the depreciated value of the asset and indicates the method of disposal. ~~In either case, s~~Such methods may include, but are not ~~be~~ limited to, the following:

2.4.1 Trade-in allowance - provided that an independent appraisal is conducted to determine the value, or an analysis is conducted which certifies that the sale price is fair and reasonable.

2.4.2 Use of other government agency-sponsored competitive auctions, such as the County of San Diego.

2.4.3 Competitive sale.

2.4.4 Negotiated sale.

2.4.5 Destruction

2.4.5.2.4.6 Trash



- 2.5 Competitive Sale. Under a competitive sale, the following procedures must be followed:
  - 2.5.1 Notification to the public. This would include, at a minimum, the placing of an advertisement in a newspaper(s) of general circulation. The ad must specify the item(s) to be sold, the condition and the terms for the sale, and the date/time/place sealed bids are to be received.
  - 2.5.2 All bids must be sealed.
  - 2.5.3 Prospective bidders may be afforded an opportunity to view the item(s) being disposed.
  - 2.5.4 Award. The award will be to the highest responsive, responsible bidder.
- 2.6 Negotiated Sale. Capital assets with an individual or aggregate value in excess of \$100,000 may be disposed of on a negotiated sale basis provided a finding by the Transportation Committee by a two-thirds vote that special circumstances exist that make it in the best interest of SANDAG. Such circumstances may include the following:
  - 2.6.1 Unique item(s) may have a limited resale market.
  - 2.6.2 The financial interest of SANDAG would be best served by negotiation.
  - 2.6.3 In the case of used buses, the Transportation Committee will give specific direction on the method of disposal to be followed on a case-by-case basis considering potential financial return and available alternatives, including the sale for scrap or other nonoperating purposes to avoid use of the vehicles and resultant air pollution in California and the San Diego region. A method of disposal may be approved even though the financial benefit may be less than other methods of disposal.
  - 2.6.4 If approved, the Executive Director may be authorized to negotiate a sale price.
- 2.7 Ineligible Participants. SANDAG, NCTD, MTDB, SDTC, and SDTI employees, Board members and members of their immediate family may not participate in a competitive or negotiated sale of SANDAG capital assets.
- 2.8 Federal Grant Funded Assets. Capital assets which have been purchased with federal capital grant funds must be disposed of in a manner consistent with any applicable laws, including FTA regulations. The proceeds from such disposal will be distributed in the percent of which was provided for the original purchase unless fully depreciated.

~~2.9 Fully Depreciated Capital Assets. Capital assets with a depreciated asset value of less than \$1,000 may be disposed of by the least costly, most efficient method as determined by the Executive Director. For audit purposes, a memorandum must be filed which certifies the depreciated value of the asset and indicates the method of disposal (i.e., trash, destruction).~~

Adopted April 2004

Amended November 2010

Amended 2014



## BOARD POLICY No. **030**

### CONTINGENCY RESERVE POLICY

#### 1. Purpose

SANDAG has historically relied upon budget savings to provide adequate fiscal flexibility to accommodate unavoidable and unanticipated costs. As SANDAG has taken on more responsibilities and funding sources have become more constrained, additional tools for managing financial fluctuations and risks are warranted. Establishing ~~a~~ contingency reserves fund provides a means for dealing with emergency or high priority situations that may arise during the course of ~~the year~~ delivering projects or programs that could not otherwise be funded in the near-term.

The purpose of this policy is to provide guidelines for a contingency reserve, such as the required balance, allowable uses, required approvals, and method of replenishment. The nature of SANDAG's work includes regional planning, capital project development, and regional operations. The guidelines established below coincide with the agency's project and program needs as identified in the corresponding section of the annual Program Budget.

#### 2. Scope

##### A. Regional Planning (Overall Work Program)

#### 2.

*Contingency Reserve Fund Required Balance* - The targeted minimum amount to be maintained in the Overall Work Program (OWP) reserve account shall be equal to 5 10 percent of total budgeted annual expenditures of the ~~Overall Work Program (OWP)~~. Total annual expenditures are defined as the amount of the OWP ~~Expenditures-Expense Budget~~ contained in the ~~Sources and Application of Funds-Revenue and Expense Summary~~ chapter of the annual OWP. ~~During the years from FY 2006 to FY 2010, this minimum target will be built up incrementally. A minimum of \$500,000 will be budgeted each year until the target reserve amount is achieved. A 5 percent reserve for FY 2006 would total approximately \$2.5 million. Once the target is reached, each year's budget process~~ The year-end revenue and expense reconciliation process should will include the amount necessary to replenish or increase the contingency reserve to achieve this minimum balance, unless explicitly approved otherwise by the Executive Committee.

~~Other Deposits to Contingency Reserve Fund~~ — Any year-end budgetary savings of discretionary funding (e.g., Transportation Development Act [TDA], TransNet) will be transferred into the reserve fund.

*Applicable Fund Sources* - ~~Most federal and state planning and grant funds cannot be used to establish or replenish the contingency reserve fund.~~ Local matching funds such as Transportation Development Act TDA and TransNet, which are more discretionary in nature, will be used as the source to build and replenish this fund.

*Qualifying Uses of the Reserve Fund* – The Reserve Fund shall be used for one-time non-recurring purposes, unless otherwise approved by the Executive Committee. The following occurrences shall qualify as potential eligible uses, subject to individual approval by the Executive Committee:

- a. opportunities to advance urgent, high-priority needs;
- b. unanticipated needs relating to a crucial existing commitment; and
- c. unforeseen withdrawal or cutback of a revenue source.

*Approval for the Use of Reserve Funds* - Each proposed use of the contingency reserve fund will be subject to approval by the SANDAG Executive Committee. Each request for approval will include the specific amount needed, a justification of the need, how the need fits the funding criteria, and a discussion of any other alternatives that were examined.

*Replenishment of the Reserve Fund* - Replenishment up to the minimum target of 5 10 percent will be ~~the first priority for the use of applicable funds planned in the following year's and subsequent years'~~ budget process as needed and directed by the Board of Directors. Budgetary savings of discretionary funding (e.g., Transportation Development Act [TDA], TransNet) will be transferred into the reserve fund to maintain the minimum target.

## **B. Capital Program**

*Contingency Reserve Fund Required Balances* – Capital projects vary in nature and shall have individual contingency reserve targets to address project risks. The annual SANDAG Program Budget shall identify contingency reserve funds for each SANDAG lead capital project.

*Applicable Fund Sources* – Each SANDAG lead capital project shall include a line item for contingency reserves as part of its approved budget using the fund sources associated with the project.

*Qualifying Uses of the Reserve Funds* – The contingency reserve funds shall be used in a manner appropriate to the project's specified purposes including unanticipated costs in delivering the project or unforeseen withdrawal or cutback of a revenue source.

*Approval for the Use of Reserve Funds* - The proposed use of contingency reserve funds for capital projects will be authorized through the inclusion of the line item in the budget.

*Replenishment of the Reserve Fund* - Replenishment of capital project contingency reserves will correspond to the risks associated with the work. Should a project's funds be exhausted and if opportunities to down scope the work are not available, the project will rely on new monies/revenue or the deferral of a future capital project.

### **C. Regional Operations**

Contingency Reserve Fund Required Balances – Operational programs vary in nature and shall have individual contingency reserve targets to address project risks. The annual SANDAG Program Budget shall identify contingency reserve funds for each Operations Program.

Applicable Fund Sources – Each Operations program shall directly fund its reserves through service fees or program revenue as applicable.

Qualifying Uses of the Reserve Funds – The reserve funds shall be used in a manner appropriate to the program’s specified purposes, including unanticipated costs in delivering or operating the project; or unforeseen withdrawal or cutback of a revenue source.

Approval for the Use of Reserve Funds - The proposed use of contingency reserve funds for each Operations program will be authorized through inclusion in the budget.

Replenishment of the Reserve Fund - Replenishment of operational program shall be provided through annual budgetary savings, service/member fees, or program revenue as applicable.

Adopted June 2005

Amended December 2006

Amended 2014



## BOARD POLICY No. **032**

### **SAN DIEGO COUNTY REGIONAL TRANSPORTATION COMMISSION INTEREST RATE SWAP POLICY**

The purpose of the Interest Rate Swap Policy of the San Diego County Regional Transportation Commission (SANDAG) is to establish guidelines for the use and management of interest rate swaps and options. The "Interest Rate Swap Policy" or the "Policy" is intended to provide general procedural direction regarding the use, procurement and execution of interest rate swaps. The Policy is intended to relate to various interest rate hedging techniques, including the contractual exchange of different fixed and variable rate payment streams through interest rate swap agreements and is not intended to relate to other derivative products that SANDAG may consider.

SANDAG is authorized under California Government Code Section 5922 to enter into interest rate swaps to manage the amount and duration of rate, spread, or risk when used in combination with the issuance of bonds or notes.

#### **1. Scope and Authority**

This Interest Rate Swap Policy shall govern SANDAG's use and management of all interest rate swaps and options. While adherence to this Policy is required in applicable circumstances, SANDAG recognizes that changes in the capital markets, SANDAG's programs and other unforeseen circumstances may from time to time produce situations that are not covered by the Policy and will require modifications or exceptions to achieve policy goals. In these cases, management flexibility is appropriate provided specific authorization from the Board of Directors is obtained.

The Interest Rate Swap Policy shall be reviewed and updated at least annually and presented to the Board of Directors for approval. Day-to-day responsibility for management of interest rate swaps shall fall within the responsibilities of the Director of Finance.

SANDAG shall be authorized to enter into interest rate swap transactions only with qualified swap counterparties. The Director of Finance, in consultation with SANDAG's bond counsel and financial advisor, shall have authority to select the counterparties, so long as the criteria set forth in the Interest Rate Swap Policy are met.

#### **2. Approach and Objectives**

Interest rate swaps and options are appropriate interest rate management tools that can help SANDAG meet important financial objectives. Properly used, these instruments can increase SANDAG's financial flexibility, hedge exposure to interest rate risk, provide opportunities for interest rate savings or enhanced investment yields, and help SANDAG manage its balance sheet through better matching of assets and liabilities. Swaps should be integrated into SANDAG's overall debt program and should not be used for speculation or leverage.

Swaps are appropriate to use when they achieve a specific objective consistent with SANDAG's overall financial strategies. They may be used, for example, to lock in a current market fixed rate or create additional variable rate exposure. They may also be used to produce interest rate savings, to limit or hedge variable rate exposure, to alter the pattern of debt service payments or for asset/liability matching purposes. Swaps may be used to cap, limit or hedge variable rate payments. Options granting the right to commence or cancel an underlying swap may be used to the extent the swap itself is consistent with these guidelines or SANDAG determines there are other advantages to be derived in purchasing or granting the option; however, SANDAG must determine if the use of any such option is appropriate and warranted given the potential benefit, risks, and SANDAG's objectives. SANDAG, together with SANDAG's financial advisor and bond counsel, shall periodically review SANDAG's swap guidelines and recommend appropriate changes.

### **3. Conditions for Use of Interest Rate Swaps and Options**

#### **3.1. Rationale**

SANDAG may use interest rate swaps and options if it is reasonably determined that the proposed transaction is expected to:

3.1.1 Optimize capital structure, including schedule of debt service payments and/ or fixed vs. variable rate allocations.

3.1.2 Achieve appropriate asset/liability match.

3.1.3 Reduce risk, including:

3.1.3.1 Interest rate risk;

3.1.3.2 Tax risk; or

3.1.3.3 Liquidity renewal risk.

3.1.4 Provide greater financial flexibility.

3.1.5 Generate interest rate savings.

3.1.6 Enhance investment yields.

3.1.7 Manage exposure to changing markets in advance of anticipated bond issuances (through the use of anticipatory hedging instruments).

#### **3.2. Benefit Expectation**

Financial transactions, using fixed rate swaps or other derivative products, should result in debt service savings of at least 2% when compared to the projected debt service SANDAG would consider for traditional bonds or notes. This threshold will serve as a guideline and will not apply should the transaction, in SANDAG's sole judgment, meet any of the other objectives outlined herein. The debt service savings target reflects the

greater complexity and higher risk of derivative financial instruments. Such comparative savings analyses shall include, where applicable, the consideration of the probability (based on historical interest rate indices, where applicable, or other accepted analytic techniques) of the realization of savings for both the derivative and traditional structures.

For example, assuming a refunding of \$100 million of existing bonds, if a traditional fixed rate advance refunding that does not use derivative products would have a present value savings threshold of \$5.0 million, which is 5.0% of the refunded par, then a refunding structure utilizing a derivative product would have to achieve a threshold of \$7.0 million in present value savings, or 7.0% of the refunded par. Therefore, the transaction utilizing a swap or other derivative product would have to generate an additional \$2.0 million to meet the target. Such analysis should consider structural differences in comparing traditional vs. derivative alternatives, e.g., the non-callable nature of derivative transactions.

For variable rate or other swap transactions that do not result in a fixed interest rate, SANDAG will evaluate any additional value generated through the transaction in assessing the benefits of proceeding, including the ability to meet the objectives outlined herein. These benefits include, for example, managing interest rate or tax risk, optimizing the capital structure or further reducing interest expense.

In determining any benefit in implementing a fixed-to-variable swap, the cost of remarketing, in addition to the cost of credit enhancement or liquidity fees, must be added to the projected variable rate of the bonds or notes. Such a calculation should consider the trading performance of comparable bonds or notes and any trading premium resulting from a specific form of credit enhancement or liquidity and/or any impact related to broader industry trends.

### 3.3. Maximum Notional Amount

SANDAG will limit the total notional amount of outstanding interest rate swaps based on the proper management of risks, calculation of termination exposure, and development of a contingency plan. The total "net notional amount" of all swaps related to a bond or note issue should not exceed the outstanding or expected to be issued par amount of the related bonds or notes. For purposes of calculating the net notional amount, credit shall be given to any fixed versus variable rate swaps that offset for a specific bond or note transaction

### 3.4. Maximum Maturity

SANDAG shall determine the appropriate term for an interest rate swap agreement on a case-by-case basis. In connection with the issuance or carrying of bonds or notes, the term of the swap agreement between SANDAG and a qualified swap counterparty shall not extend beyond the final maturity date of the related bonds or notes.



### 3.5. Liquidity Considerations

SANDAG shall consider the impact of any variable rate bonds or notes issued in combination with an interest rate swap on the availability and cost of liquidity support for other variable rate programs. SANDAG recognizes that there is a limited supply of letter of credit or liquidity facility support for SANDAG's variable rate bonds or notes, and the usage of liquidity support in connection with an interest rate swap may result in higher overall financing costs. SANDAG shall consider the benefits of not using liquidity when using a fixed rate bond in conjunction with a swap to variable to create synthetic variable rate debt.

### 3.6. Call Option Value Considerations

When considering the relative advantage of an interest rate swap to fixed rate bonds, SANDAG will consider the value of the call option on fixed rate bonds, or the cost of including a call or cancellation option in a swap. The value derived from the ability to call bonds at a future date is foregone when using a "non-callable" swap for the remaining term of the bonds. While fixed rate bonds are typically structured with a call provision at a certain time, after which the bonds may be refunded, this opportunity may be lost through the utilization of a long-dated "non-callable" swap, impairing SANDAG's ability to reap economic savings, unless this option is specifically included under the swap.

## **4. Interest Rate Swap Features**

### 4.1 Interest Rate Swap Agreement

SANDAG will use terms and conditions as set forth in the International Swap and Derivatives Association, Inc. ("ISDA") Master Agreement. The swap agreement between SANDAG and each swap counterparty shall include payment, term, security, collateral, default, remedy, termination, and other terms, conditions, provisions and safeguards as SANDAG, in consultation with its bond and general counsel and financial advisor, deems necessary or desirable.

Subject to the provisions contained herein, the terms of SANDAG's swap agreement shall use the following guidelines:

4.1.1 SANDAG's downgrade provisions triggering termination shall in no event be worse than those affecting the counterparty.

4.1.2 Governing law for swaps will be New York or California.

4.1.3 The specified indebtedness related to credit events in any swap agreement should be narrowly defined and refer only to indebtedness of SANDAG that could have a materially adverse affect on SANDAG's ability to perform its obligations under the swap.

- 4.1.4 Collateral thresholds for the swap provider, and for SANDAG if applicable, should be set on a sliding scale reflective of credit ratings of the swap provider or guarantor. Collateral should be held by an independent third party.
  - 4.1.5 Eligible collateral is outlined in Appendix A.
  - 4.1.6 Termination value should be set by a “market quotation” methodology, unless SANDAG deems an alternative methodology to be appropriate.
  - 4.1.7 SANDAG will consider the use of swap insurance to mitigate possible termination risk and also to mitigate the need for SANDAG to post collateral under the Credit Support Annex.
- 4.2 Interest Rate Swap Counterparties

4.2.1 Credit Criteria

SANDAG will only do business with highly rated counterparties or counterparties whose obligations are supported by highly rated parties. SANDAG will structure swap agreements to protect itself from credit deterioration of counterparties, including the use of credit support annexes or other forms of credit enhancement to secure counterparty performance. Such protection shall include any terms and conditions in SANDAG’s sole discretion are necessary or appropriate or in SANDAG’s best interest.

SANDAG will make its best efforts to work with qualified swap counterparties that at the time of execution of a swap transaction have a general credit rating of: (i) at least “Aa3” or “AA-” by one of the nationally recognized rating agencies and not rated lower than “A2” or “A” by any nationally recognized rating agency, or (ii) have a “AAA” subsidiary as rated by at least one nationally recognized credit rating agency. The nationally recognized rating agencies are Moody’s Investors Services, Inc., Standard and Poor’s Rating Services, and Fitch Ratings.

For lower rated (below “AA-”) counterparties, SANDAG will seek credit enhancement in the form of:

- 4.2.1.1 Contingent credit support or enhancement;
- 4.2.1.2 Collateral consistent with the policies contained herein;
- 4.2.1.3 Ratings downgrade triggers; or
- 4.2.1.4 Guaranty of parent, if any.

In addition, qualified swap counterparties must have a demonstrated record of successfully executing swap transactions as well as creating and implementing innovative ideas in the swap market.

#### 4.2.2 Swap Dealers

Each swap counterparty with which SANDAG executes a swap transaction will be registered with the Commodity Futures Trading Commission ("CFTC") as a "swap dealer."

#### 4.3 Limitations on Termination Exposure to a Single Counterparty

In order to diversify SANDAG's counterparty credit risk, and to limit SANDAG's credit exposure to any one counterparty, limits will be established for each counterparty based upon both the credit rating of the counterparty as well as the relative level of risk associated with each existing and proposed swap transaction. The guidelines below provide general termination exposure guidelines with respect to whether SANDAG should enter into an additional transaction with an existing counterparty. SANDAG may make exceptions to the guidelines at any time to the extent that the execution of a swap achieves one or more of the goals outlined in these guidelines or provides other benefits to SANDAG. In general, the maximum Net Termination Exposure, as defined below, to any single counterparty should be set so that it does not exceed a prudent level as measured against the available financial resources of SANDAG.

Such guidelines will also not mandate or otherwise force automatic termination by SANDAG or the counterparty. Maximum Net Termination Exposure is not intended to impose retroactively any terms and conditions on existing transactions. Such provisions will only act as guidelines in making a determination as to whether or not a proposed transaction should be executed given certain levels of existing and projected net termination exposure to a specific counterparty. Additionally, the guidelines below are not intended to require retroactively additional collateral posting for existing transactions. Collateral posting guidelines are described in the "Collateral Requirements" section below. The calculation of net termination exposure per counterparty will take into consideration multiple transactions, some of which may offset the overall exposure to SANDAG.

Under this approach, SANDAG will set limits on individual counterparty exposure based on existing as well as new or proposed transactions. The sum of the current market value and the projected exposure shall constitute the Maximum Net Termination Exposure. For outstanding transactions, current exposure will be based on the market value as of the last quarterly swap valuation report provided by the financial advisor. Projected exposure shall be calculated based on the swap's potential termination value taking into account possible adverse changes in interest rates as implied by historical or projected measures of potential rate changes applied over the remaining term of the swap.

For purposes of this calculation, SANDAG shall include all existing and projected transactions of an individual counterparty and all transactions will be analyzed in aggregate such that the maximum exposure will be additive.

The exposure thresholds, which will be reviewed periodically by SANDAG to ensure that they remain appropriate, will also be tied to credit ratings of the counterparties and

whether or not collateral has been posted as shown in the table below. If a counterparty has more than one rating, the lowest rating will govern for purposes of the calculating the level of exposure.

The following chart provides the Maximum Net Termination Exposure to a swap counterparty given the lowest credit rating.

<b>Credit Rating Category</b>	<b>Maximum Collateralized Exposure</b>	<b>Maximum Uncollateralized Exposure</b>	<b>Maximum Total Termination Exposure</b>
AAA	Not applicable	\$50 million	\$100 million
AA	\$50 million	\$50 million	\$100 million
A	\$30 million	\$15 million	\$45 million
Below A	\$30 million	None	\$30 million

If the exposure limit is exceeded by a counterparty, SANDAG shall conduct a review of the exposure limit per counterparty. SANDAG, in consultation with its bond counsel and financial advisor, shall explore remedial strategies to mitigate this exposure.

#### 4.4 Collateral Requirements

As part of any swap agreement, SANDAG may require collateralization or other forms of credit enhancements to secure any or all swap payment obligations. As appropriate, SANDAG may require collateral or other credit enhancement to be posted by each swap counterparty under the following circumstances:

4.4.1 Each counterparty to SANDAG may be required to post collateral (subject to applicable thresholds) if the credit rating of the counterparty or parent falls below the "AA" category. Additional collateral for further decreases in credit ratings of each counterparty shall be posted by each counterparty in accordance with the provisions contained in the Credit Support Annex of the ISDA Agreement between each counterparty and SANDAG.

4.4.2 Threshold amounts shall be determined by SANDAG on a case-by-case basis. SANDAG will determine the reasonable threshold limits for the initial deposit and for increments of collateral posting thereafter.

4.4.3 In determining maximum uncollateralized exposure, SANDAG shall also consider and include, as applicable, financial exposure to the same corporate entities that it may have through other forms of financial dealings, such as securities lending agreements and commercial paper investments.

4.4.4 Collateral shall be deposited with a third party trustee, or as mutually agreed upon between SANDAG and the counterparty.

4.4.5 A list of acceptable securities that may be posted as collateral and the valuation of such collateral will be determined and mutually agreed upon during negotiation

of the swap agreement with each swap counterparty. A complete list of acceptable securities and valuation percentages are included as Attachment A.

4.4.6 The market value of the collateral shall be determined on at least a weekly basis, or more frequently if SANDAG determines it is in SANDAG’s best interest given the specific collateral security.

4.4.7 SANDAG shall determine on a case-by-case basis whether other forms of credit enhancement are more beneficial to SANDAG.

4.5 Swap Insurance

If, after a cost/benefit analysis, it is determined that it would be beneficial to insure the interest rate swap, swap insurance will be pursued.

4.6 Security and Source of Repayment

SANDAG will generally use the same security and source of repayment (pledged revenues) for the interest rate swap as is used for the related bond or note issue.

4.7 Prohibited Interest Rate Swap Features

SANDAG will not use interest rate swaps that are: (i) speculative or create extraordinary leverage or risk, (ii) lack adequate liquidity to terminate without incurring a significant bid/ask spread, (iii) provide insufficient price transparency to allow reasonable valuation, or (iv) are used as investments.

**5. Evaluation and Management of Interest Rate Swap Risks**

Prior to the execution of any swap transaction, SANDAG’s Director of Finance, financial advisor and bond counsel shall evaluate the proposed transaction and report the findings to SANDAG’s Board. Such a review shall include the identification of the proposed benefit and potential risks. As part of this evaluation, SANDAG shall compute the Maximum Net Termination Exposure to the proposed swap counterparty.

5.1 Evaluation Methodology

SANDAG will review the following areas of potential risk for new and existing interest rate swaps:

Type of Risk	Description	Evaluation Methodology
Basis Risk	The mismatch between actual variable rate debt service and variable rate indices used to determine swap payments.	SANDAG will review historical trading differentials between the variable rate bonds or notes and the index.
Tax Risk	The risk created by potential tax events that could affect swap payments.	SANDAG will review the tax events in proposed swap agreements. It will also evaluate the impact of potential changes in tax law on LIBOR indexed swaps.
Counterparty Risk	The risk that the counterparty	SANDAG will monitor exposure levels,

Type of Risk	Description	Evaluation Methodology
	fails to make required payments.	ratings thresholds and collateralization requirements.
Termination Risk	The risk that the transaction is terminated in a market dictating termination payment by SANDAG.	SANDAG will compute its termination exposure for all existing and proposed swaps at market value and under a worst-case scenario. SANDAG will consider use of swap insurance to mitigate this risk.
Rollover Risk	The mismatch of the maturity of the swap and the maturity of the underlying bonds or notes.	SANDAG will determine its capacity to issue variable rate bonds or notes that may be outstanding after the maturity of the swap.
Liquidity Risk	The inability to continue or renew a liquidity facility.	SANDAG will evaluate the expected availability of liquidity support for swapped and unhedged variable rate debt and will consider the use of variable rate debt that does not require liquidity (e.g., auction rate securities)
Credit Risk	The occurrence of an event modifying the credit rating of the issuer or its counterparty.	SANDAG will monitor the ratings of its counterparties and insurers.

## 5.2 Managing Interest Rate Swap Risks

### 5.2.1 Annual Report to the Board

Staff will evaluate the risks associated with outstanding interest rate swaps at least annually and provide a written evaluation to the Board of Directors. This evaluation will include the following information:

- 5.2.1.1 A description of all outstanding interest rate swaps, including related bond series, types of swaps, rates paid and received by SANDAG, existing notional amount, average life and remaining term of each swap agreement and the current termination value of outstanding swaps.
- 5.2.1.2 Separately for each swap, the actual debt service requirements versus the projected debt service on the swap transaction. For any swap used as part of a refunding, the actual cumulative savings versus the projected savings at the time the swap was executed.
- 5.2.1.3 The credit ratings of each swap counterparty, parent, guarantor and credit enhancer insuring the swap payments, if any.
- 5.2.1.4 Actual collateral posting by swap counterparty, if any, per swap agreement and in total by swap counterparty.
- 5.2.1.5 Information concerning any material event involving outstanding swap agreements, including a default by a swap counterparty, counterparty downgrade or termination.

5.2.1.6 An updated contingency plan to replace, or fund a termination payment in the event an outstanding swap is terminated.

5.2.1.7 The status of any liquidity support used in connection with interest rate swaps, including the remaining term and current fee.

SANDAG shall review the Interest Rate Swap Policy with the Board at least annually.

#### 5.2.2 Contingency Plan

SANDAG shall determine the termination exposure of each of its swaps and its total swap termination payment exposure at least annually and prepare a contingency plan to either replace the swaps or fund the termination payments, if any, in the event one or more outstanding swaps are terminated. SANDAG shall assess its ability to obtain replacement swaps and identify revenue sources to fund potential termination payments.

### 5.3 Terminating Interest Rate Swaps

#### 5.3.1 Optional Termination

SANDAG will structure interest rate swaps to include optional termination at the current market valuation, which would allow SANDAG to terminate a swap prior to its maturity if it is determined that it is financially advantageous to do so, but will not provide this right to the counterparty.

#### 5.3.2 Mandatory Termination

In the event a swap is terminated as a result of a termination event such as a default or credit downgrade of either counterparty, SANDAG will evaluate whether it is financially advantageous to obtain a replacement swap or, depending on market value, make or receive a termination payment.

In the event SANDAG makes a swap termination payment, SANDAG shall attempt to follow the process identified in its swap contingency plan. SANDAG shall also evaluate the economic costs and benefits of incorporating a provision into the swap agreement that will allow SANDAG to make termination payments over time.

## 6. Disclosure and Financial Reporting

SANDAG will take steps to ensure that there is full and complete disclosure of all interest rate swaps to the SANDAG Board of Directors, rating agencies and in disclosure documents. With respect to its financial statements, SANDAG will adhere to the guidelines for the financial reporting of interest rate swaps as set forth by the Government Accounting Standards Board.

## **7. Dodd-Frank Act**

### **7.1 Conformance to Dodd-Frank**

It is the intent of SANDAG to conform this Policy to the requirements relating to legislation and regulations for derivatives transactions under Title VII of the Dodd-Frank Wall Street Reform and Consumer Protection Act, as supplemented and amended from time to time, including any regulations promulgated in connection therewith (herein collectively referred to as "Dodd-Frank"). Pursuant to such intent, it is the policy of SANDAG that, with respect to each interest rate swap: (i) each swap advisor engaged or to be engaged by SANDAG will function as the designated qualified independent representative of SANDAG, sometimes referred to as the "Designated QIR"; (ii) each swap advisor will agree to meet and meets the requirements specified in CFTC Regulation 23.450(b)(1) or any successor regulation thereto (herein referred to as the "Representative Regulation"); (iii) each swap advisor will provide a written certification to SANDAG to the effect that such swap advisor agrees to meet and meets the requirements specified in the Representative Regulation; (iv) SANDAG will monitor the performance of each swap advisor consistent with the requirements specified in the Representative Regulation; (v) SANDAG will exercise independent judgment in consultation with its swap advisor in evaluating all recommendations, if any, presented by any swap dealer with respect to transactions authorized pursuant to this Policy; and (vi) SANDAG will rely on the advice of its swap advisor with respect to interest rate swaps authorized pursuant to this Policy and will not rely on recommendations, if any, presented by any swap dealer with respect to interest rate swaps authorized pursuant to this Policy.

### **7.2 Legal Entity Identifier**

SANDAG shall obtain and maintain current at all times a "legal entity identifier" from a firm designated by the CFTC to provide such numbers.

### **7.3 Clearing**

In connection with the execution of any swap entered into on or after September 9, 2013, SANDAG shall complete and maintain, as required by the CFTC, an annual filing regarding how it generally meets its financial obligations associated with entering into uncleared swaps.

### **7.4 Recordkeeping**

Comprehensive records shall be maintained, either in paper or electronic form, of any interest rate swap entered into by SANDAG for at least five (5) years following the termination thereof. Such records shall be retrievable within five (5) business days and shall be open to inspection by the CFTC.

Adopted: November 2005

Amended November 2013



**APPENDIX A: ACCEPTABLE COLLATERAL**

SECURITY	VALUATION PERCENTAGE
(A) Cash	100%
(B) (x) Negotiable debt obligations issued by the U.S. Treasury Department or the Government National Mortgage Association (“Ginnie Mae”), or (y) mortgage backed securities issued by Ginnie Mae (but with respect to either (x) or (y) excluding interest only or principal only stripped securities, securities representing residual interests in mortgage pools, or securities that are not listed on a national securities exchange or regularly quoted in a national quotation service) and in each case having a remaining maturity of:	
(i) less than one year	99%
(ii) greater than one year but less than 10 years	98%
(iii) greater than 10 years	95%
(C) (x) Negotiable debt obligations issued by the Federal Home Loan Mortgage Corporation (“Freddie Mac”) or the Federal Home Loan Mortgage Association (“Fannie Mae”) or (y) mortgage backed securities issued by Freddie Mac or Fannie Mae but excluding interest only or principal only stripped securities, securities representing residual interests in mortgage pools, or securities that are not listed on a national securities exchange or regularly quoted in a national quotation service.	95%
(D) Any other collateral acceptable to SANDAG’s sole discretion.	The valuation percentage shall be determined by the Valuation Agent from time to time and in its reasonable discretion.

For example, if a counterparty is required to post \$1.0 million of collateral and wished to use Ginnie Mae’s with five years remaining to maturity, it would be required to post \$1,052,632 ( $\$1.0 \text{ million} / 0.95$ ) to satisfy the collateral requirement.

## **APPENDIX B: GLOSSARY OF TERMS**

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### **Asset/Liability Matching**

Matching the term and amount of assets and liabilities in order to mitigate the impact of changes in interest rates.

### **Bid/Ask Spread**

The difference between the bid price (at which a market maker is willing to buy) and the ask price (at which a market maker is willing to sell).

### **Call Option**

The right to buy an underlying asset (e.g. a municipal bond) after a certain date at a certain price. A call option is frequently embedded in a municipal bond, giving the issuer the right to buy, or redeem, the bonds at a certain price.

### **Collateral**

Assets pledged to secure an obligation. The assets are potentially subject to seizure in event of default.

### **Downgrade**

A negative change in credit ratings.

### **Forward Starting Swap**

Interest rate swap that starts at some time in the future. Used to lock-in current interest rates.

### **Hedge**

A transaction that reduces the interest rate risk of an underlying security.

### **Interest Rate Exchange Agreement**

An agreement detailing the contractual exchange of interest payment streams between counterparties. Often the exchange of a fixed and a floating interest rate between two parties. Also called an interest rate swap.

### **Interest Rate Swap**

An agreement detailing the contractual exchange of interest payment streams between counterparties. Often the exchange of a fixed and a floating interest rate between two parties. Also called an interest rate exchange agreement.

### **Liquidity Support:**

An agreement by a bank to make payment on a variable rate security to assure investors that the security can be sold.

### **LIBOR**

London Interbank Offered Rate. Often used as an index to compute the variable rate paid on an interest rate swap.

### **Maximum Net Termination Exposure**

The aggregate termination payment for all existing and projected swap transactions that would be paid by an individual counterparty. For purposes of this calculation, the aggregate termination payment is equal to: (i) the termination payment based on the market value of all existing swaps, plus (ii) the expected worst-case termination payment of the proposed transaction. The expected worst-case termination payment shall be calculated assuming interest rates, as measured by the appropriate index (typically the Bond Buyer Revenue Bond Index or Bond Market Association), increase (or decrease) by two standard deviations from the sample mean over a period of time corresponding to the term of the swap.

### **Notional Amount**

The amount used to determine the interest payments on a swap.

### **Termination Payment**

A payment made by a counterparty that is required to terminate the swap. The payment is commonly based on the market value of the swap, which is computed using the rate of the initial swap and the rate on a replacement swap.



## BOARD POLICY No. **035**

### COMPETITIVE GRANT PROGRAM PROCEDURES

#### Applicability and Purpose of Policy

This Policy applies to ~~the following all~~ grant programs administered through SANDAG, whether from *TransNet* or another source, including but not limited to the Smart Growth Incentive Program, Environmental Mitigation Program, Bike and Pedestrian Program, Senior Mini Grant Program, ~~Job Access Reverse Commute, New Freedom, and Section 5310 Elderly & Persons with Disabilities Transportation Program~~ Federal Transit Administration grant programs, and Active Transportation Grant Program.

Nothing in this Policy is intended to supersede federal or state grant rules, regulations, statutes, or contract documents that conflict with the requirements in this Policy. There are never enough government grant funds to pay for all of the projects worthy of funding in the San Diego region. For this reason, SANDAG awards grant funds on a competitive basis that takes the grantees' ability to perform their proposed project on a timely basis into account. SANDAG intends to hold grantees accountable to the project schedules they have proposed in order to ensure fairness in the competitive process and encourage grantees to get their projects implemented quickly so that the public can benefit from the project deliverables as soon as possible.

#### Procedures

##### 1. Project Milestone and Completion Deadlines

1.1. When signing a grant agreement for a competitive program funded and/or administered by SANDAG, grant recipients must agree to the project delivery objectives and schedules in the agreement. In addition, a grantee's proposal must contain a schedule that falls within the following deadlines. Failure to meet the deadlines below may result in revocation of all grant funds not already expended. The final invoice for capital, planning, or operations grants must be submitted prior to the applicable deadline.

1.1.1. Funding for Capital Projects. If the grant will fund a capital project, the project must be completed according to the schedule provided in the grant agreement, but at the latest, any necessary construction contract must be awarded within two years following execution of the grant agreement, and construction must be completed within eighteen months following award of the construction contract. Completion of construction for purposes of this policy shall be when the prime construction contractor is relieved from its maintenance responsibilities. If no construction contract award is necessary, the construction project must be complete within eighteen months following execution of the grant agreement.

1.1.2. Funding for Planning Grants. If the grant will fund planning, the project must be completed according to the schedule provided in the grant agreement, but at the latest, any necessary consultant contract must be awarded within one year following execution of the grant agreement, and the planning project must be complete within two years following award of the consultant contract. Completion

of planning for purposes of this policy shall be when grantee approves the final planning project deliverable. If no consultant contract award is necessary, the planning project must be complete within two years of execution of the grant agreement.

1.1.3 Funding for Operations Grants. If the grant will fund operations, the project must be completed according to the schedule provided in the grant agreement, but at the latest, any necessary services contract for operations must be awarded within one year following execution of the grant agreement, and the operations must commence within six months following award of the operations contract. If no services contract for operations is necessary, the operations project must commence within one year of execution of the grant agreement.

1.1.4 Funding for Equipment or Vehicles Grants. If the grant will fund equipment or vehicles, the project must be completed according to the schedule provided in the grant agreement, but at the latest, any necessary purchase contracts for equipment or vehicles must be awarded within one year following execution of the grant agreement, and use of the equipment or vehicles for the benefit of the public must commence within six months following award of the purchase contract.

## 2. Project Milestone and Completion Deadline Extensions

2.1. Schedules within grant agreements may include project scopes and schedules that will identify interim milestones in addition to those described in Section 1 of this Policy. Grant recipients may receive extensions on their project schedules of up to six months for good cause. Extensions of up to six months aggregate that would not cause the project to miss a completion deadline in Section 1 may be approved by the SANDAG Executive Director. Extensions beyond six months aggregate or that would cause the project to miss a completion deadline in Section 1 must be approved by the Policy Advisory Committee that has been delegated the necessary authority by the Board. For an extension to be granted under this Section 2, the following conditions must be met:

2.1.1. For extension requests of up to six months, the grantee must request the extension in writing to the SANDAG Program Manager at least two weeks prior to the earliest project schedule milestone deadline for which an extension is being requested. The Executive Director or designee will determine whether the extension should be granted. The Executive Director's action will be reported out to the Board in following month's report of delegated actions.

2.1.2. A grantee seeking an extension must document previous efforts undertaken to maintain the project schedule, explain the reasons for the delay, explain why the delay is unavoidable, and demonstrate an ability to succeed in the extended time frame the grantee proposes.

2.1.3. If the Executive Director denies an extension request under this Section 2, the grantee may appeal within ten business days of receiving the Executive Director's response to the responsible Policy Advisory Committee by sending the appeal to the SANDAG Program Manager.

2.1.4. Extension requests that are rejected by the Policy Advisory Committee will result in termination of the grant agreement and obligation by the grantee to return to SANDAG any unexpended funds within 30 days. Unexpended funds are

funds for project costs not incurred prior to rejection of the extension request by the Policy Advisory Committee.

### 3. Project Delays and Extensions in Excess of Six Months

3.1. Requests for extensions in excess of six months, or that will cause a project to miss a completion deadline in Section 1 (including those projects that were already granted extensions by the Executive Director and are again falling behind schedule), will be considered by the Policy Advisory Committee upon request to the SANDAG Program Manager.

3.2. A grantee seeking an extension must document previous efforts undertaken to maintain the project schedule, explain the reasons for the delay, explain why the delay is unavoidable, and demonstrate an ability to succeed in the extended time frame the grantee proposes. The grantee must provide the necessary information to SANDAG staff to place in a report to the Policy Advisory Committee. If sufficient time is available, and the grant utilized *TransNet* funds, the request will first be taken to the Independent Taxpayer Advisory Committee (ITOC) for a recommendation. The grantee should make a representative available at the meeting to present the information to, and/or answer questions from, the ITOC and Policy Advisory Committee.

3.3. The Policy Advisory Committee will only grant an extension under this Section 3 for extenuating circumstances that the grantee could not have reasonably foreseen.

### 4. Resolution and Execution of the Grant Agreement

4.1. Two weeks prior to the review by the Policy Advisory Committee of the proposed grants, prospective grantees must submit a resolution from their authorized governing body that includes the provisions in this Subsection 4.1. Failure to provide a resolution that meets the requirements in this Subsection 4.1 will result in rejection of the application and the application will be dropped from consideration with funding going to the next project as scored by the evaluation committee. In order to assist grantees in meeting this resolution deadline, when SANDAG issues the call for projects it will allow at least 90 days for grant application submission.

4.1.1. Grantee governing body commits to providing the amount of matching funds set forth in the grant application.

4.1.2. Grantee governing body authorizes staff to accept the grant funding and execute a grant agreement if an award is made by SANDAG.

4.2. Grantee's authorized representative must execute the grant agreement within 45 days from the date SANDAG presents the grant agreement to the prospective grantee for execution. Failure to meet the requirements in this Subsection 4.2 may result in revocation of the grant award.

### 5. Increased Availability of Funding Under this Policy

5.1. Grant funds made available as a result of the procedures in this Policy may be awarded to the next project on the recommended project priority list from the most recent project selection process, or may be added to the funds available for the next project funding cycle, at the responsible Policy Advisory Committee's discretion. Any project that

loses funding due to failure to meet the deadlines specified in this Policy may be resubmitted to compete for funding in a future call for grant applications.

Adopted: January 2010

Amended: 2014



**BOARD OF DIRECTORS  
NOVEMBER 21, 2014**

**ACTION REQUESTED - INFORMATION**

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**ACCELERATED TRANSPORTATION NETWORK**

File Number 3102000

**Introduction**

On September 12, 2014, the Board of Directors accepted the Preferred Transportation Network (Preferred Network) for San Diego Forward: The Regional Plan.

As part of the action, the Board of Directors requested that staff estimate the cost of an accelerated transportation network that would advance public transit and active transportation projects within the first 10 years of the Plan, by the year 2025. The network will be modeled using the Board-approved performance measures. The purpose of the analysis is to inform future planning efforts and funding strategies.

**Discussion**

Attachment 1 lists the transit projects included in the Preferred Network and indicates the phase year that the project is assumed to be operational. The table also shows the list of projects for two accelerated transit networks, one with Managed Lanes (Accelerated Network A) that support transit and one without Managed Lanes that support transit (Accelerated Network B). Attachment 2 lists the active transportation projects and programs included in the Preferred Network. The accelerated network would advance all of the listed projects and programs by 2025.

Staff will perform an analysis of the two accelerated transportation networks using the performance measures adopted by the Board of Directors in March 2014. Estimates also will be developed to determine costs to advance implementation of the selected projects and programs within the first 10 years of the plan. In addition, potential funding sources will be identified.

**Next Steps**

Preliminary results of the analysis will be presented to the Transportation Committee for information in January and discussed with the Board of Directors at the Board Retreat at the end of January.

GARY L. GALLEGOS  
Executive Director

Attachments: 1. Preferred and Accelerated Transit Networks - Project List and Phase Year  
2. Preferred and Accelerated Active Transportation Network - Projects List and Phase Year

Key Staff Contact: Coleen Clementson, (619) 699-1944, coleen.clementson@sandag.org



Preferred and Accelerated Transit Networks - Project List and Phase Year

Transit Facilities			Preferred Network	Accelerated Network A (with Managed Lanes)	Accelerated Network B (without Managed Lanes)
Service	Route	Description			
COASTER	398	COASTER double tracking (20-minute peak frequencies and current 120-minute off-peak frequencies)	2020	2020	2020
COASTER	398	COASTER double tracking (20-minute peak frequencies and 60-minute off-peak frequencies, and grade separation)	2035	2025	2025
COASTER	398	COASTER double tracking Phase 2050 (completes double tracking; includes Del Mar Tunnel)	2050	2025	2025
SPRINTER	399	SPRINTER efficiency improvements (20-minute frequencies)	2025	2025	2025
SPRINTER	399	Double tracking Oceanside to Escondido; includes 10-minute frequencies and six rail grade	2035	2025	2025
SPRINTER	399	Branch Extension to Westfield North County	2050	2025	2025
SPRINTER	588	SPRINTER Express	2050	2025	2025
Trolley	510	Mid-Coast Trolley Extension	2019	2019	2019
Trolley	510	Phase I - Blue Line Frequency Enhancements and rail grade separations, Blue/Orange Track Connection at 12th/Imperial	2035	2025	2025
Trolley	510	Phase II - Blue Line rail grade separations (two)	2050	2025	2025
Trolley	520	Orange Line Frequency Enhancements and four rail grade separations	2035	2025	2025
Trolley	560	SDSU to Downtown via El Cajon Blvd/Mid-City (transition of Mid-City Rapid to Trolley)	2050	2025	2025
Trolley	561	UTC to Mira Mesa via Sorrento Mesa/Carroll Canyon (extension of Route 510) - COASTER Connection Segment	2035	2025	2025
Trolley	562	Phase I - San Ysidro to Kearny Mesa via Mission Valley, Mid-City, National City/Chula Vista via Highland Ave/4th Ave	2035	2025	2025
Trolley	562	Phase II - Kearny Mesa to Carmel Valley	2050	2025	2025
Trolley	563	Phase I - Pacific Beach to Balboa; Kearny Mesa to El Cajon Transit Center	2050	2025	2025
Trolley	563	Phase II - Balboa to Kearny Mesa	2050	2025	2025
BRT	90	El Cajon Transit Center/Grossmont to San Diego International Airport ITC via SR 94, City College (peak only)	2035	2025	2025
BRT	610	Temecula (peak only) Extension of Escondido to Downtown BRT	2050	2025	2025
BRT	628	South Bay BRT (Otay Mesa to Downtown)	2016	2016	2016
BRT	640A/640B	Route 640A: I-5 - San Ysidro to Old Town Transit Center via City College Route 640B: I-5 Iris Trolley/Palomar to Kearny Mesa via City College	2035	2025	2025
BRT	650	Chula Vista to Palomar Airport Road Business Park via I-805/I-5 (peak only)	2050	2025	2025
BRT	653	Mid City to Palomar Airport Road via Kearny Mesa/I-805/I-5	2050	2025	2025
BRT	870	El Cajon to UTC via Santee, SR 52, I-805	2050	2025	2025
BRT	890	El Cajon to Sorrento Mesa via SR 52, Kearny Mesa	2050	2025	2025
BRT	688/689/690	San Ysidro to Sorrento Mesa via I-805/I-15/SR-52 Corridors; Otay Mesa Port of Entry (POE) to UTC/Torrey Pines via Otay Ranch/Millennia,I-805 Corridor; Mid City to Sorrento Mesa via I-805 Corridor (Peak Only)	2035	2025	2025
BRT	SR 163 DARs	Kearny Mesa to Downtown via SR 163. Stations at Sharp/Children's Hospital and Hillcrest, + DAR at SR 163/Fashion Valley Transit Center	2025	2025	2025
BRT	905	BRT/Rapid extension of Iris to Otay Mesa Point of Entry (POE) with new service to Otay Mesa East POE	2020	2020	2020

Preferred and Accelerated Transit Networks - Project List and Phase Year

Rapid	550	SDSU to Palomar Station via East San Diego, Southeast San Diego, National City	2025	2025	2025
Rapid	2	North Park to Downtown San Diego via 30th St	2025	2025	2025
Rapid	10	La Mesa to Ocean Beach via Mid-City, Hillcrest, Old Town	2025	2025	2025
Rapid	11	Spring Valley to SDSU via Southeast San Diego, Downtown, Hillcrest, Mid-City	2035	2025	2025
Rapid	28	Point Loma to Kearny Mesa via Old Town, Linda Vista	2035	2025	2025
Rapid	30	Old Town to Sorrento Mesa via Pacific Beach, La Jolla, UTC	2035	2025	2025
Rapid	41	Fashion Valley to UTC/UCSD via Linda Vista and Clairemont	2035	2025	2025
Rapid	103	Solana Beach to Sabre Springs BRT station via Carmel Valley	2050	2025	2025
Rapid	120	Kearny Mesa to Downtown	2025	2025	2025
Rapid	440	Carlsbad to San Marcos via Palomar Airport Road	2050	2025	2025
Rapid	471	Downtown Escondido to East Escondido	2050	2025	2025
Rapid	473	Phase I - Solana Beach to UTC/UCSD via Hwy 101 Coastal Communities, Carmel Valley	2035	2025	2025
Rapid	473	Phase II - Oceanside to Solana Beach via Hwy 101 Coastal Communities	2050	2025	2025
Rapid	474	Oceanside to Vista via Mission Ave/Santa Fe Road Corridor	2050	2025	2025
Rapid	477	Camp Pendleton to Carlsbad Village via College Blvd, Plaza Camino Real	2050	2025	2025
Rapid	635	Eastlake to Palomar Trolley via Main Street Corridor	2035	2025	2025
Rapid	636	SDSU to Spring Valley via East San Diego, Lemon Grove, Skyline	2050	2025	2025
Rapid	637	North Park to 32nd Street Trolley via Golden Hill	2050	2025	2025
Rapid	638	Iris Trolley to Otay Mesa via Otay, Airway Dr, SR 905 Corridor	2035	2025	2025
Rapid	709	H Street Trolley to Millennia via H Street Corridor, Southwestern College	2025	2025	2025
Rapid	910	Coronado to Downtown via Coronado Bridge	2035	2025	2025
Streetcar	553	Downtown San Diego: Little Italy to East Village	2035	2025	2025
Streetcar	554	Hillcrest/Balboa Park/Downtown San Diego Loop	2025	2025	2025
Streetcar	555	30th St to Downtown San Diego via North Park/Golden Hill	2035	2025	2025
Streetcar	565	Mission Beach to La Jolla via Pacific Beach	2050	2025	2025
Shuttle	-	San Marcos Shuttle (Capital cost to be funded by the City of San Marcos)	2020	2020	2020
Airport Express	-	Airport Express Routes (Capital cost to be funded by aviation and other private funds)	2020	2020	2020
Intermodal	-	San Diego International Airport ITC	2025	2025	2025
Intermodal	-	Phase I - San Ysidro ITC	2035	2025	2025
Intermodal	-	Phase II - San Ysidro ITC	2050	2025	2025
SR 15	235, 280/290, 653, and Airport Express to Rodriquez Intl Airport	SR 15 (I-805 to I-8) Transit Lanes	2016	2016	2016
Local Bus	Various	Local Bus Routes - 15 minutes in key corridors	2020	2020	2020
Local Bus	Various	Local Bus Routes - 15 minutes in key corridors	2035	2025	2025
Other	-	Other Improvements (Vehicles, transit system rehabilitation, regulatory compliance, park & ride)	2020	2020	2020
Other	-	Other Improvements (Vehicles, transit system rehabilitation, regulatory compliance, park & ride)	2035	2025	2025
Other	-	Other Improvements (Vehicles, transit system rehabilitation, regulatory compliance, park & ride)	2050	2025	2025

**Preferred and Accelerated Transit Networks - Project List and Phase Year**

<b>Managed Lanes / Toll Lanes - THAT SUPPORT TRANSIT</b>					<b>Supporting BRT Routes</b>	<b>Preferred Network</b>	<b>Accelerated Network A (with Managed Lanes)</b>	<b>Accelerated Network B (without Managed Lanes)</b>
<b>Freeway</b>	<b>From</b>	<b>To</b>	<b>Existing</b>	<b>With Improvements</b>				
I-5	SR 905	SR 15	8F/10F	8F/10F+2ML	Route 640	2035	2025	
I-5	I-5/I-805 Merge	SR 78	8F/14F+2ML	8F/14F+4ML	Routes 650, 653	2035	2025	
SR 15	I-5	I-805	6F	6F+2ML	Route 235, 610	2035/2050	2025	
I-15	Viaduct		8F	8F+2ML	Route 690	2050	2025	
SR 52	I-805	SR 125	4F/6F	4F/6F+2ML	Routes 653, 654, 690, 870, 890	2050	2025	
SR 94	I-805	SR 125	8F	8F+2ML	Route 90	2050	2025	
SR 125	SR 94	I-8	8F	8F+2ML	Route 90	2050	2025	
I-805	SR 905	Palomar St	8F	8F+2ML	Route 688	2035	2025	
I-805	SR 54	Carroll Canyon Rd	8F+2ML	8F+4ML	Routes 628, 650, 653, 688, 689, 870, 890	2035/2050	2025	
<b>ML Connectors - THAT SUPPORT TRANSIT</b>						<b>Preferred Network</b>	<b>Accelerated Network A (with Managed Lanes)</b>	<b>Accelerated Network B (without Managed Lanes)</b>
<b>Freeway</b>	<b>Intersecting Freeway</b>	<b>Movement</b>						
SR 15	SR 94	South to West & East to North				2035	2025	
I-805	SR 52	West to North & South to East				2050	2025	

<b>Preferred and Accelerated Active Transportation Network - Project List and Phase Year</b>						
<b>#</b>	<b>Project</b>	<b>Jurisdiction(s)</b>	<b>Funding Through Project Phase</b>	<b>Early Action Program</b>	<b>Preferred Network</b>	<b>Accelerated Network A/B</b>
1	Uptown - Fashion Valley to Downtown San Diego	San Diego	Const.	✓	2020	20 <u>2025</u>
2	Uptown - Old Town to Hillcrest	San Diego	Const.	✓	2020	20 <u>2025</u>
3	Uptown - Hillcrest to Balboa Park	San Diego	Const.	✓	2020	
4	North Park - Mid-City - Hillcrest to Kensington	San Diego	Const.	✓	2020	20 <u>2025</u>
5	North Park - Mid-City - Hillcrest to City Heights (Hillcrest-El Cajon Corridor)	San Diego	Const.	✓	2020	
6	North Park - Mid-City - City Heights	San Diego	Const.	✓	2020	20 <u>2025</u>
7	North Park - Mid-City - Hillcrest to City Heights (City Heights - Old Town Corridor)	San Diego	Const.	✓	2020	
8	North Park - Mid-City - City Heights to Rolando	San Diego	Const.	✓	2020	20 <u>2025</u>
9	San Diego River Trail - Qualcomm Stadium	San Diego	Const.	✓	2020	
10	Coastal Rail Trail San Diego - Rose Creek	San Diego	Const.	✓	2020	20 <u>2025</u>
11	Bayshore Bikeway - Main St to Palomar	Chula Vista/Imperial Beach	Const.	✓	2020	
12	Coastal Rail Trail Encinitas - Chesterfield to G	Encinitas	Const.	✓	2020	20 <u>2025</u>
13	Coastal Rail Trail Encinitas - Chesterfield to Solana Beach	Encinitas	Eng.	✓	2020	
14	Inland Rail Trail (combination of four projects)	San Marcos, Vista, Co. of SD	Const.	✓	2020	20 <u>2025</u>
15	Coastal Rail Trail Oceanside - Wisconsin to Oceanside Blvd.	Oceanside	Const.	✓	2020	
16	Plaza Bonita Bike Path	National City	Const.	✓	2020	20 <u>2025</u>
17	Bayshore Bikeway - National City Marina to 32nd St	San Diego/ National City	Const.	✓	2020	
18	I-15 Mid-City - Adams Ave to Camino Del Rio S	San Diego	Const.	✓	2020	20 <u>2025</u>
19	Pershing and El Prado - North Park to Downtown San Diego	San Diego	Const.	✓	2020	
20	Pershing and El Prado - Cross-Park	San Diego	Const.	✓	2020	20 <u>2025</u>
21	San Ysidro to Imperial Beach - Bayshore Bikeway Connection (Border Access)	Imperial Beach/ San Diego	ROW	✓	2020	
22	San Ysidro to Imperial Beach - Bayshore Bikeway Connection (Imperial Beach Connector)	Imperial Beach/ San Diego	ROW	✓	2020	20 <u>2025</u>
23	Terrace Dr/Central Ave - Adams to Wightman	San Diego	Const.	✓	2020	20 <u>2025</u>
24	San Diego River Trail - I 805 to Fenton	San Diego	Const.	✓	2020	
25	San Diego River Trail - Short gap connections	San Diego	Const.	✓	2020	20 <u>2025</u>
26	Coastal Rail Trail Encinitas - Leucadia to G St	Encinitas	Const.	✓	2020	
27	San Ysidro to Imperial Beach - Bayshore Bikeway Connection	Imperial Beach/ San Diego	Const.	✓	2020	20 <u>2025</u>
28	Bayshore Bikeway - Barrio Logan	San Diego	ROW	✓	2035	2025
29	San Diego River Trail - Father Junipero Serra Trail to Santee	Santee	ROW	✓	2035	2025
30	Downtown to Southeast connections - East Village	San Diego	ROW	✓	2035	2025
31	Downtown to Southeast connections - Downtown San Diego to Encanto	San Diego	ROW	✓	2035	2025
32	Downtown to Southeast connections - Downtown San Diego to Golden Hill	San Diego	ROW	✓	2035	2025
33	Coastal Rail Trail San Diego - UTC	San Diego	ROW	✓	2035	2025
34	Coastal Rail Trail San Diego - Rose Canyon	San Diego	ROW	✓	2035	2025

**Preferred and Accelerated Active Transportation Network - Project List and Phase Year**

#	Project	Jurisdiction(s)	Funding Through Project Phase	Early Action Program	Preferred Network	Accelerated Network A/B
35	Coastal Rail Trail San Diego - Pac Hwy (W. Washington Street to Laurel Street)	San Diego	Const.	✓	2035	2025
36	Coastal Rail Trail San Diego - Pac Hwy (Laurel Street to Santa Fe Depot)	San Diego	Const.	✓	2035	2025
37	Coastal Rail Trail San Diego - Encinitas Chesterfield to Solana Beach	Encinitas	Const.	✓	2035	2025
38	Coastal Rail Trail San Diego – Pac Hwy (Taylor Street to W. Washington Street)	San Diego	Const.	✓	2035	2025
39	Coastal Rail Trail San Diego- Pac Hwy (Fiesta Island Road to Taylor Street)	San Diego	Const.	✓	2035	2025
40	San Diego River Trail - Father Junipero Serra Trail to Santee	Santee	Const.	✓	2035	2025
41	Bayshore Bikeway - Barrio Logan	San Diego	Const.	✓	2035	2025
42	Downtown to Southeast connections	San Diego	Const.	✓	2035	2025
43	Coastal Rail Trail San Diego - UTC	San Diego	Const.	✓	2035	2025
44	City Heights /Encanto/Lemon Grove	Lemon Grove/ San Diego	Const.	✓	2035	2025
45	City Heights/Fairmount Corridor	San Diego	Const.	✓	2035	2025
46	Rolando to Grossmont/La Mesa	La Mesa/ El Cajon/ San Diego	Const.	✓	2035	2025
47	La Mesa/Lemon Grove/El Cajon connections	Lemon Grove/ La Mesa	Const.	✓	2035	2025
48	Coastal Rail Trail - Rose Canyon	San Diego	Const.	✓	2035	2025
49	San Diego River Trail - Qualcomm Stadium to Ward Rd	San Diego	Const.	✓	2035	2025
50	San Diego River Trail - Rancho Mission Road to Camino Del Rio North	San Diego	Const.	✓	2035	2025
51	Coastal Rail Trail San Diego - Rose Creek Mission Bay Connection	San Diego	Const.	✓	2035	2025
52	Coastal Rail Trail Carlsbad - Reach 4 Cannon to Palomar Airport Rd.	Carlsbad	Const.	✓	2035	2025
53	Coastal Rail Trail Carlsbad - Reach 5 Palomar Airport Road to Poinsettia Station	Carlsbad	Const.	✓	2035	2025
54	Coastal Rail Trail Encinitas - Carlsbad to Leucadia	Encinitas	Const.	✓	2035	2025
55	Coastal Rail Trail Del Mar	Del Mar	Const.	✓	2035	2025
56	Coastal Rail Trail San Diego - Del Mar to Sorrento via Carmel Valley	Del Mar/ San Diego	Const.	✓	2035	2025
57	Coastal Rail Trail San Diego - Carmel Valley to Roselle via Sorrento	San Diego	Const.	✓	2035	2025
58	Coastal Rail Trail San Diego - Roselle Canyon	San Diego	Const.	✓	2035	2025
59	Chula Vista National City connections	Chula Vista/ National City	Const.	✓	2035	2025
60	Pacific Beach to Mission Beach	San Diego	Const.	✓	2035	2025
61	Ocean Beach to Mission Bay	San Diego	Const.	✓	2035	2025
62	San Diego River Trail - Bridge connection (Sefton Field to Mission Valley YMCA)	San Diego	Const.	✓	2035	2025
63	San Diego River Trail - Mast Park to Lakeside baseball park	Santee	Const.	✓	2035	2025
64	I-8 Flyover - Camino del Rio S to Camino del Rio N	San Diego	Const.	✓	2035	2025
65	Coastal Rail Trail Oceanside - Broadway to Eaton	Oceanside	Const.	✓	2035	2025
66	El Cajon - Santee connections	El Cajon/ La Mesa/Santee	Const.	✓	2035	2025

**Preferred and Accelerated Active Transportation Network - Project List and Phase Year**

#	Project	Jurisdiction(s)	Funding Through Project Phase	Early Action Program	Preferred Network	Accelerated Network A/B
67	San Diego River Trail - Father JS Trail to West Hills Parkway	San Diego	Const.	✓	2035	2025
68	Inland Rail Trail Oceanside	Oceanside	Const.	✓	2035	2025
69	Coastal Rail Trail Carlsbad - Reach 3 Tamarack to Cannon	Carlsbad	Const.	✓	2035	2025
70	Clairemont Drive (Mission Bay to Burgener)	San Diego	Const.	✓	2035	2025
71	Harbor Drive (Downtown to Ocean Beach)	San Diego	Const.	✓	2035	2025
72	Mira Mesa Bike Boulevard	San Diego	Const.	✓	2035	2025
73	Sweetwater River Bikeway Ramps	National City	Const.	✓	2035	2025
74	Coastal Rail Trail Oceanside - Alta Loma Marsh bridge	Oceanside	Const.	✓	2035	2025
75	Coastal Rail Trail San Diego - Mission Bay (Clairemont to Tecolote)	San Diego	Const.	✓	2035	2025
76	Bayshore Bikeway Coronado - Golf course adjacent	Coronado	Const.	✓	2035	2025
77	San Luis Rey River Trail	Oceanside, Unincorporated	Const.		2050	2025
78	Encinitas-San Marcos Corridor – Double Peak Dr. to San Marcos Blvd.	San Marcos	Const.		2050	2025
79	Escondido Creek Bikeway – Quince St. to Broadway	Escondido	Const.		2050	2025
80	Escondido Creek Bikeway – Escondido Creek to Washington Ave.	Escondido	Const.		2050	2025
81	Escondido Creek Bikeway – 9 <sup>th</sup> Ave. to Escondido Creek	Escondido	Const.		2050	2025
82	Escondido Creek Bikeway – El Norte Pkwy to northern bikeway terminus	Escondido	Const.		2050	2025
83	Encinitas to San Marcos Corridor – Leucadia Blvd. to El Camino Real	Carlsbad, Encinitas	Const.		2050	2025
84	I-15 Bikeway – Via Rancho Pkwy. to Lost Oak Ln.	Escondido	Const.		2050	2025
85	I-15 Bikeway – Rancho Bernardo Community Park to Lake Hodges Bridge	San Diego	Const.		2050	2025
86	I-15 Bikeway – Camino del Norte to Aguamiel Rd.	San Diego	Const.		2050	2025
87	I-15 Bikeway – Poway Rd. interchange to Carmel Mountain Rd.	San Diego	Const.		2050	2025
88	SR-56 Bikeway – Azuaga St. to Rancho Penasquitos Blvd.	San Diego	Const.		2050	2025
89	I-15 Bikeway – Murphy Canyon Rd. to Affinity Ct.	San Diego	Const.		2050	2025
90	SR-56 Bikeway – El Camino Real to Caminito Pointe	San Diego	Const.		2050	2025
91	SR-52 Bikeway – I-5 to Santo Rd.	San Diego	Const.		2050	2025
92	SR-52 Bikeway – SR-52/Mast Dr. to San Diego River Trail	San Diego	Const.		2050	2025
93	I-8 Corridor – San Diego River Trail to Riverside Dr.	Unincorporated	Const.		2050	2025
94	I-805 Connector – Bonita Rd. to Floyd Ave.	Chula Vista, Unincorporated	Const.		2050	2025
95	SR-125 Connector – Bonita Rd. to US-Mexico Border	Chula Vista, San Diego	Const.		2050	2025
96	SR-905 Connector – E. Beyer Blvd. to US-Mexico Border	San Diego, Unincorporated	Const.		2050	2025
97	El Camino Real Bike Lanes – Douglas Dr. to Mesa Dr.	Oceanside	Const.		2050	2025
98	Vista Way Connector from Arcadia	Vista, Unincorporated	Const.		2050	2025

**Preferred and Accelerated Active Transportation Network - Project List and Phase Year**

#	Project	Jurisdiction(s)	Funding Through Project Phase	Early Action Program	Preferred Network	Accelerated Network A/B
99	I-15 Bikeway – W. Country Club Ln. to Nutmeg St.	Escondido	Const.		2050	2025
100	El Camino Real Bike Lanes – Marron Rd. to SR-78 offramp	Carlsbad	Const.		2050	2025
101	Carlsbad to San Marcos Corridor – Paseo del Norte to Avenida Encinas	Carlsbad	Const.		2050	2025
102	Encinitas to San Marcos Corridor – Kristen Ct. to Ecke Ranch Rd.	Encinitas	Const.		2050	2025
103	Encinitas to San Marcos Corridor – Encinitas Blvd./I-5 Interchange	Encinitas	Const.		2050	2025
104	Mira Mesa Corridor – Reagan Rd. to Parkdale Ave.	San Diego	Const.		2050	2025
105	Mira Mesa Corridor – Scranton Rd. to I-805	San Diego	Const.		2050	2025
106	Mira Mesa Corridor – Sorrento Valley Rd. to Sorrento Valley Blvd.	San Diego	Const.		2050	2025
107	Mid-County Bikeway – I-5/Via de la Valle Interchange	San Diego	Const.		2050	2025
108	Mid-County Bikeway – Rancho Santa Fe segment	San Diego, Unincorporated	Const.		2050	2025
109	El Camino Real Bike Lanes – Manchester Ave. to Tennis Club Dr.	Encinitas	Const.		2050	2025
110	Mid-County Bikeway – Manchester Ave./I-5 Interchange to San Elijo Ave.	Encinitas	Const.		2050	2025
111	Central Coast Corridor – Van Nuys St. to San Rafael Pl.	San Diego	Const.		2050	2025
112	Clairemont – Centre-City Corridor – Coastal Rail Trail to Genesee Ave.	San Diego	Const.		2050	2025
113	SR-125 Corridor – Mission Gorge Rd. to Glen Vista Way	Santee	Const.		2050	2025
114	SR-125 Corridor – Prospect Ave. to Weld Blvd.	Santee, El Cajon	Const.		2050	2025
115	I-8 Corridor – Lakeside Ave. to SR-67	Unincorporated	Const.		2050	2025
116	I-8 Corridor – Willows Rd. to SR-79	Unincorporated	Const.		2050	2025
117	E. County Northern Loop – N. Marshall Ave. to El Cajon Blvd.	El Cajon	Const.		2050	2025
118	E. County Northern Loop – Washington Ave. to Dewitt Ct.	El Cajon	Const.		2050	2025
119	E. County Northern Loop – SR-94 onramp to Del Rio Rd.	Unincorporated	Const.		2050	2025
120	E. County Southern Loop – Pointe Pkwy. To Omega St.	Unincorporated	Const.		2050	2025
121	SR-125 Corridor – SR-94 to S of Avocado St.	Unincorporated	Const.		2050	2025
123	Centre City – La Mesa Corridor – Gateside Rd. to Campo Rd.	La Mesa, Unincorporated	Const.		2050	2025
124	Bay to Ranch Bikeway – River Ash Dr. to Paseo Ranchero	Chula Vista	Const.		2050	2025
125	Mid-County Bikeway – San Elijo Ave. to 101 Terminus	Encinitas	Const.		2050	2025
126	Central Coast Corridor – Van Nuys St.	San Diego	Const.		2050	2025
127	E. County Northern Loop – El Cajon Blvd. to Washington Ave.	El Cajon	Const.		2050	2025
128	E. County Northern Loop – Calavo Dr. to Sweetwater Springs Blvd.	Unincorporated	Const.		2050	2025
129	Central Coast Corridor – Torrey Pines Rd. to Nautilus St.	San Diego	Const.		2050	2025
130	Central Coast Corridor – Via Del Norte to Van Nuys St.	San Diego	Const.		2050	2025
131	Kearny Mesa to Beaches Corridor – Ingraham St. from Garnet Ave. to Pacific Beach Dr.	San Diego	Const.		2050	2025

**Preferred and Accelerated Active Transportation Network - Project List and Phase Year**

#	Project	Jurisdiction(s)	Funding Through Project Phase	Early Action Program	Preferred Network	Accelerated Network A/B
132	Kearny Mesa to Beaches Corridor – Clairemont Dr. to Genesee Ave.	San Diego	Const.		2050	2025
133	Kearny Mesa to Beaches Corridor – Genesee Ave. to Linda Vista Dr.	San Diego	Const.		2050	2025
134	Bay to Ranch Bikeway – E. J St. from 2 <sup>nd</sup> Ave. to Paseo Del Rey	Chula Vista	Const.		2050	2025
135	Chula Vista Greenbelt – Bay Blvd. to Oleander Ave.	Chula Vista	Const.		2050	2025
136	Other Active Transportation Programs and Projects <sup>1</sup>	Various	Various		2020/ 2035/ 2050	2025

1 Includes: Safe Routes to Transit at new transit station areas, local bike projects, local pedestrian/safety/traffic calming projects, regional bicycle and pedestrian programs, regional Safe Routes to School Implementation

Abbreviation Notes: Const.: Construction; ROW: Right-of-Way; Eng.: Engineering





## Project Overview

- *TransNet* Early Action Project
- 11-mile extension of San Diego Trolley Blue Line
- Santa Fe Depot to Westfield UTC
- Nine new stations (parking at five)
- 21,000 daily boardings north of Old Town

**SANDAG** 2

## Final SEIS/SEIR

- SANDAG and FTA completed the Final SEIS/SEIR
- Final SEIS/SEIR is a joint NEPA/CEQA document
- SANDAG is lead agency for CEQA
- FTA is lead agency for NEPA



3

## Final SEIS/SEIR

- FTA issued Record of Decision on Final SEIS - October 15
- Completes NEPA review
- SANDAG Board to consider Final SEIR
  - Complete CEQA review
  - Approve the project



4

## Final SEIS/SEIR

- Final SEIS/SEIR:
  - Evaluates Refined Build Alternative
  - Responds to comments on Draft and Supplement
- Draft SEIS/SEIR available for 60-day review ending July 2013
  - Over 1,400 comments



5

## Final SEIS/SEIR

- November 2013, the Board approved Refined Build Alternative for evaluation in Final SEIS/SEIR
- May 2014 Board amended Refined Build Alternative



6

## Final SEIS/SEIR



- Supplement evaluated potential impacts to San Diego Fairy Shrimp
- Supplement available for 45-day review ending September 2014
- Six comments received

## Final SEIS/SEIR

- Final SEIS/SEIR analyzes impacts of the Refined Build Alternative
- Final SEIS/SEIR finds impacts would be avoided, minimized or mitigated to a level below significance
- Exceptions:
  - Transportation impacts on one roadway segment and two intersections
  - Construction impacts on transportation, air quality, noise and vibration

## Final SEIS/SEIR

- Construction would contribute to significant cumulative impacts
  - transportation
  - air quality
  - paleontological
  - socioeconomic
  - community



9

## Final SEIS/SEIR

- Notice of Completion filed October 29
- Final SEIS/SEIR distributed to agencies, organizations and individuals
- Notice of Availability in Federal Register – November 7
- Final SEIS/SEIR available for review – SANDAG offices, libraries, project website [www.SANDAG.org/Midcoast](http://www.SANDAG.org/Midcoast)



10

## Resolution No. RTC 2015-03

- Certifies Final SEIR
- Adopts:
  - CEQA Findings
  - Statement of Overriding Considerations
  - Mitigation, Monitoring and Reporting Program

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## CEQA Findings

- CEQA Findings prepared for:
  - Every significant impact in SEIR
  - Mitigation measure proposed in comments and not adopted

The SANDAG logo is located in the bottom right corner of the slide. It consists of the word "SANDAG" in a bold, black, sans-serif font, with a yellow arrow pointing to the right integrated into the letter "G".

## Statement of Overriding Considerations

- After adoption of feasible mitigation measures the project will have significant impacts
- Statement of Overriding Considerations concludes that specific benefits of the project outweigh the significant and unavoidable impacts identified in the SEIR

## Mitigation Monitoring and Reporting Program

- Mitigation Monitoring and Reporting Program prepared for project
- Program ensures compliance with mitigation measures in SEIR

## Resolution No. RTC 2015-04

- Resolution No. RTC 2015-04 approves the Mid-Coast Corridor Transit Project



## Next Steps

- Next Steps:
  - If the Board adopts Resolution No. RTC 2015-03, a Notice of Determination would be filed and complete the environmental review process under CEQA
  - Board adoption of Resolution No. RTC 2015-04 would approve the Refined Build Alternative



## Recommendation

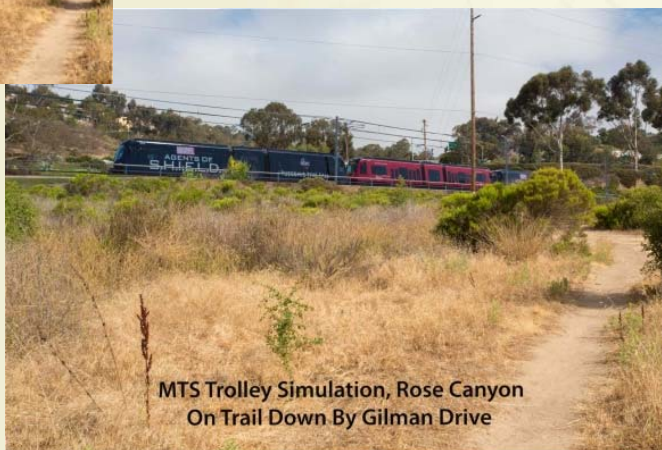
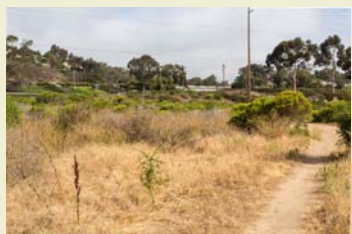
*The Board of Directors is asked to:*

- 1) Adopt Resolution No. RTC 2015-03, certifying the Final Subsequent Environmental Impact Report for the Mid-Coast Corridor Transit Project and adopting Findings of Fact, a Statement of Overriding Considerations, and a Mitigation Monitoring and Reporting Program, and;
- 2) adopt Resolution No. RTC 2015-04, approving the Mid-Coast Corridor Transit Project.

## Questions?



# Friends of Rose Canyon Simulation 1



MTS Trolley Simulation, Rose Canyon  
On Trail Down By Gilman Drive

# SANDAG Simulation 1




## Friends of Rose Canyon Simulation 2



Simulated view of LRT from public trail  
in Rose Canyon Open Space Park


## SANDAG Simulation 2





## Accelerated Transportation Network


Board of Directors - November 21, 2014



### Board Direction- September 2014

- Preferred Transportation Network accepted for San Diego Forward: The Regional Plan
- Direction to analyze network that advances public transit and active transportation within first 10 years
- Analysis to support future planning and funding strategies

2



## 2025 Preferred Transit Network



3

## 2025 Accelerated Transit Network

- Advances public transit in first 10 years



4

### 2025 Accelerated Transit Network A (with Managed Lanes)

- Advances public transit and supporting Managed Lanes in first 10 years



5

### 2025 Accelerated Transit Network B (without Managed Lanes)

- Advances public transit within first 10 years



6

## 2025 Preferred Active Transportation Network

Includes EAP bike projects and a portion of total planned active transportation programs



7

## 2025 Accelerated Active Transportation Network

Includes all regional bike projects and all planned active transportation programs



8

## Next Steps

- Conduct Accelerated network performance analysis
- Estimate capital and operational costs
- Identify potential funding sources
- Report results to Transportation Committee in January
- Board of Directors discussion in January





November 21, 2014

Jack Dale, SANDAG Board Chair  
 San Diego Association of Governments (SANDAG)  
 401 B Street, Suite 800  
 San Diego, CA 92101

**RE: Accelerated Alternative Scenario**

Dear SANDAG Board Chair Dale and Honorable Members of the Board:

The Transportation Justice Community called on SANDAG to develop an alternative transportation network scenario that puts investing in transit and biking/walking projects first before building freeway projects. We appreciate SANDAG's announcement that they will develop an alternative transportation network scenario in response to our request. However, what SANDAG staff is developing does not completely reflect what the community asked for. The alternative scenario that SANDAG is developing does move transit and bike/walk projects to occur within the first phase of the plan (first 10 years). We support this proposal and it is a good thing, since it helps achieve Transportation Justice. Nevertheless, the SANDAG proposal falls short by not moving any of the freeway expansion projects to the last phase of the plan. This approach defeats the purpose of examining the impacts of putting transit first for the following reasons:

- Allowing freeways to expand BEFORE transit and active transportation, is problematic because it will deter people from using transit, negatively impact air quality, further contribute to climate change, and inefficiently use limited public funds; and
- The proposed SANDAG process denies the public the opportunity to evaluate the true impacts of 'transit first' because it will not be completed in the same process as the SANDAG "preferred" alternative (this means that the alternative scenario will not really be an option for the SANDAG Board to consider when it is time to take a vote because it will not be analyzed in the same level and timeframe).

The alternate scenario analysis SANDAG should focus on specific transit corridors such as the San Diego urban core (which includes the trolley ring and south to National City), Coaster, and Sprinter. We believe that the following types of transit projects are examples of what should be prioritized within the first phase of the plan (next 10-15 years) that would most benefit overburdened communities.

*Figure 1: Below is a list of project examples that can greatly benefit "overburdened communities" and can led to Transportation Justice. This is not a comprehensive list of the transportation network that will be required to reduce VMT, GHG, air pollution significantly or increase transit accessibility and ridership, or improve public health and safety. These projects just serve as a list of examples of the types of projects that need to be prioritized in a transportation network to lead to transportation justice outcomes.*

Service	Route	Project Description	Unconstrained/ Blended Scenario	Phase	Cost (2014) Millions
Trolley	550	SDSU to Palomar Station via East San Diego, SE San Diego, National City	<b>Unconstrained</b>	-	\$1,581.50
Trolley	520	Orange Line Frequency Enhancements and rail grade separations	Blended Scenario	2035	\$267
Trolley	560	SDSU to Downtown via El Cajon Blvd.	Blended Scenario	<b>2050</b>	\$2,390
Trolley	562	Trolley San Ysidro to Kearney Mesa	Blended Scenario	2035	\$2,333
Trolley	540	Blue Line Express- Santa Fe Depot to San Ysidro via Downtown	<b>Unconstrained</b>	-	\$390.60

Sprinter	399	Double Tracking (includes all Sprinter improvements and extension to South Escondido)	Only part of it is in the Blended Scenario	2035, 2050	\$945.50
Rapid	637	North Park to 32nd Street Trolley via Golden Hill	Blended Scenario	2050	\$33
Rapid	11	Spring Valley to SDSU via SE San Diego, Downtown, Hilcrest, Mid-City	Blended Scenario	2035	\$113
Coaster	398	Double Tracking (includes all Coaster improvements, positive train control, extension to National City, and Camp Pendleton)	Blended Scenario	2020, 2035, 2050	\$2,901.60
BRT	890	El Cajon to Sorrento Mesa via SR 52, Kearny Mesa	Blended Scenario	2050	\$12
				<b>Total</b>	<b>\$10,967.20</b>

SANDAG should also specifically postpone the following types of freeway projects to the last phase of the plan (2050), to be evaluated at a later time, because they will most negatively impact overburdened communities. In this framework, prioritizing funding for transit projects first can make a transit first approach a reality. For example, the I-5 expansion (4 more lanes from La Jolla to Oceanside) will cost \$3.5 Billion project with another billion for the connectors. To double track the Coaster from National City to Camp Pendleton, SANDAG has estimated that it would take \$2.901 Billion. Thus, double tracking is doable if SANDAG reallocates funding. By double tracking SANDAG can accommodate the anticipated 15% increase on highway demand on I-5 into 2050 and significantly reduce Vehicle Miles Traveled (VMT) in the corridor.

Figure 2: The following list is an EXAMPLE of freeway projects that should be moved to the last phase of the project listing to be evaluated at a later time because they will negatively impact overburdened communities most. Projects in grey signify parts of the project corridor that do not necessarily run through overburden communities. However, the project must be taken in its entirety because decisions on the same and adjacent corridors, outside of those that run through overburden communities, can potentially negatively affect them. Below is not a comprehensive list of the freeway projects that should be postponed (our position remains that all freeway projects should be postponed to the last phase), but these serve as good examples of the types of freeway projects that most negatively impact overburdened communities.

Project #	Funded by	Freeway	From	To	Existing/Expansion	BRT Routes	Cost (2014) Millions	Phase	Status
57A	TransNet	I-5	SR 905	Palomar St.	8F+2ML	640	\$141	2035	
57B	TransNet	I-5	Palomar St	SR 54	8F+2ML	640	\$167	2035	
57C	TransNet	I-5	SR 54	SR 15	10F+2ML	640	\$343	2035	
58	TransNet	I-5	I-8	La Jolla Village Dr	8F/10F+2ML		\$556	2050	Final Environmental
59A	TransNet	I-5	La Jolla Village Dr	I-5/805 Merge	8F+2ML		\$136	2025	Final Environmental
59B	TransNet	I-5	I-5/I-805 Merge	SR 56	8F/14F+4ML	650	\$91	2035	
59C	TransNet	I-5	SR 56	Manchester Ave	8F+4ML	650, 653	\$455	2035	
59D	TransNet	I-5	Manchester Ave	SR 78	8F+2ML	650, 653	\$606	2020	Design
59E	TransNet	I-5	Manchester Ave	SR 78	8F+2ML/8F+4ML	650, 653	\$1,076	2035	Design
59F	TransNet	I-5	SR 78	Vandegrift Blvd	8F+2ML		\$76	2025	
59G	TransNet	I-5	SR 78	Vandegrift Blvd	8F+2ML/8F+4ML		\$606	2050	
59F	TransNet	I-5	SR 78	Vandegrift Blvd	8F+2ML		\$76	2025	
60		I-5	Vandegrift Blvd	Orange County	8F+4T		\$1,813	2050	
62		SR 15	I-5	SR 94	6F+2F+2ML		\$136	2050	
63	TransNet	SR 15	SR 94	I-805	6F+2ML	235, 610	\$30	2035	

64		I-15	Viaduct		8F+2ML	235, 610, 653, 690	\$843	2035		
65	TransNet	I-15	I-8	SR 163	8F+2ML	235, 610, 653, 690	\$56	2025		
71	TransNet	SR 94	I-5	I-805	8F+2ML	90, 235, 610, 628	\$485	2025	Draft Environmental in Process	
72	TransNet	SR 94	I-805	SR 125	8F+2ML	90	\$369	2050		
90	TransNet	SR 94	SR 125	Avocado Blvd	4F/6F		\$111	2050		
91	TransNet	SR 94	Avocado Blvd	Steele Canyon Rd	4C/6C		\$131	2050		
<b>Total</b>								<b>\$8,303</b>		

We request that the Board give staff direction to move freeway projects to the last phase of the model and allow an outcomes based Transportation Justice Scenario that puts transit first be a part of the Environmental Review process. We look forward to further engaging in constructive dialogue to move the region forward in a sustainable and equitable direction towards transportation justice.

Sincerely,

*Monique J. López*

Monique G. López, M.A., M.C.R.P.  
Policy Advocate, Transportation Justice  
Environmental Health Coalition



November 21, 2014

SANDAG  
Board of Directors, Honorable Chair Jack Dale  
401 B Street, Suite 800  
San Diego, CA 92101

**RE: Requested Components of a Third Scenario for Regional Plan**

Chair Dale and SANDAG Boardmembers,

Thank you to staff and the Board for pursuing this 3<sup>rd</sup> scenario to the Regional Plan. We are grateful to be able to have this discussion about a transportation scenario that advances transit and active transportation projects into the first 10 years of the plan.

Based on the performance of the preferred scenario, an alternate scenario is necessary to show the type of transportation projects needed to accomplish our region's air quality, public health, active transportation and climate goals. The preferred scenario showed that after investments in the next 36 years, transit trips were increased regionwide by only 1.5%, minutes of physical activity increased 2 minutes, safety for bicyclists and pedestrians was only moderately improved, and daily travel times on transit will continue to be nearly double those of driving alone.

The scenario outlined before you today, the Accelerated Transportation Network, does, as the Board requested, advance transit and active transportation projects within the first 10 years of the Plan. We expected the Board request would also include additional model components to provide a more comprehensive analysis of a successful transit system in our region. To that end, we will offer support for the Accelerated Network so long as it includes the following components:

- Include the entire unconstrained active transportation network in the first decade to capture projects such as Safe Routes to Transit retrofit projects which are currently NOT part of the preferred scenario.
- For Accelerated Network B – transit without managed lanes – include dedicated transit lines in existing general purpose lanes instead of mixing transit with vehicles.
- Delay highway expansion projects such as Highway 94. We have seen the change in regional land use contracting from what was previously sprawling east into open space and becoming more compact along the coastal corridor.
- Include urban transit projects from the unconstrained network that allow for a greater % of residents or employment areas to be within ½ mile of high frequency transit. These could

include: Route 561 connecting UTC to Mira Mesa, Route 566 connecting Palomar Street to UTC via Mid-City and Kearny Mesa, and BRT route 652 connecting Downtown to UTC.

- Include performance metrics on a corridor scale to see more refined results.

We repeat our request to have this scenario included as part of the EIR. However, if only a parallel analysis, we request that SANDAG pursue a more comprehensive scenario that will provide important information about the range of choices available for the benefit of the public and decision makers.

Respectfully submitted,



James D. Stone  
Executive Director,  
Circulate San Diego



Debra Kelly  
Regional Director of Programs and Advocacy,  
American Lung Association, San Diego

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dawe@scmv.com  
(619) 685-3060

November 18, 2014

Via Electronic Mail

John Kirk  
General Counsel  
SANDAG  
401 B Street, Suite 800  
San Diego, CA 92101-4231

Re: **Sheraton Hotel – Sound wall assessment  
Mid-Coast Corridor Transit Project**

Dear Mr. Kirk:

Our firm represents Bartell Hotels, the owner of the Sheraton Hotel located at 3299 Holiday Court, La Jolla, concerning the Mid-Coast Corridor Transit Project (“Transit Project”).

We informed SANDAG by our letter dated July 17, 2013 (Attachment “A”), that the proposed construction of an elevated aerial track a few feet from the Sheraton Hotel’s eastern property line would result in significant environmental impacts on our client’s hotel and the hotel’s guests.

By letter dated June 27, 2014 (Attachment “B”), SANDAG Senior Legal Counsel, Gregory Rodriguez, notified our client, Bartell Hotels, that SANDAG had concluded that it does not have to respond to peak noise events, such as the peak noise generated by a passing train, and that noise impacts associated with the proposed Mid-Coast Corridor Transit Project would be fully mitigated by a four foot sound wall.

SANDAG’s lack of full disclosure of the project’s noise impacts and lack of adequate mitigation measures to reduce to an appropriate level the impacts of the elevated railway within a few feet of the property line of our client’s hotel is unacceptable. (In fact, our client’s representative, Richard Bartell, a well-respected leader of the San Diego hospitality industry, is of the opinion that the failure of SANDAG to provide adequate mitigation of the environmental impacts of the proposed aerial transit line immediately adjacent to the Sheraton Hotel property line, will impair significantly the ability to continue to operate the hotel.)

SANDAG classifies the hotel as a Class 2 land use category meaning the hotel is a place where people normally sleep and where a nighttime sensitivity to noise is assumed to be of utmost importance. No guest likes to be awakened or prevented from being able to go to sleep by excessive noise, particularly peak noise events, that likely will interrupt a person’s sleep.

John Kirk  
General Counsel  
November 18, 2014  
Page 2

Our client's consultant, ARUP, has noted that on page 521 of the "Final Supplemental Environmental Impact Statement/Subsequent Environmental Impact Report for the Mid-Coast Corridor Transit Project" SANDAG contends that "single event noise from trolley passbys is anticipated to be within the same range experienced in the existing sound environment and is not expected to alter the current sleeping environment at the hotel". SANDAG's subjective response to the question of noise impact opens up the question whether a regular noise event every 5 or 10 minutes from a trolley can be considered the same as providing a "sleeping environment" despite occasional truck passbys on the surrounding roads. We certainly think this warrants further discussion.

This is recognized by the Federal Transit Administration's Transit Noise and Vibration Impact Assessment, which establishes noise impact criteria for light rail projects and other mass transit projects. This assessment manual requires SANDAG to analyze peak noise events to fully satisfy the disclosure requirements of NEPA. On this issue, the manual states:

Although the maximum noise level ( $L_{max}$ ) is not used in this manual as the basis for the noise impact criteria for transit project, it is a useful metric for providing a fuller understanding of the noise impact from some transit operation. Specifically, rail transit characteristically produces high intermittent noise levels which may be objectionable depending on the distance from the alignment. **Thus, it is recommended that  $L_{max}$  information be provided in environmental documents to supplement the noise impact assessment and to help satisfy the "full disclosure" requirements of NEPA.** Procedures for computing the  $L_{max}$  for a single train passby are provided in Appendix F.<sup>1</sup> (emphasis added.)

Federal law also requires the Federal Transit Administration before approving a construction grant to make a finding that "... (iii) no adverse environmental effect is likely to result from the project, or no feasible and prudent alternative to the effect exists and all reasonable steps have been taken to minimize the effect."<sup>2</sup>

In addition, the proposed project must also comply with the California Environmental Quality Act, which also requires disclosure of peak noise events.

Unfortunately, SANDAG's analysis does not disclose or account for the high intermittent noise levels from individual train events from the project. Our consultant's analysis also found that:

- With the proposed 4-foot barrier mitigation, intermittent noise throughout most of the day and during sensitive times of the night when people are trying to sleep (from 7:30PM-5:00AM) will be 65 dB(A)  $L_{max}$ .

---

<sup>1</sup> Federal Transit Administration's Transit Noise and Vibration Impact Assessment, May 2006, p. 3-9.

<sup>2</sup> 49 U.S.C. §5324(b)(3)(A).

John Kirk  
General Counsel  
November 18, 2014  
Page 2

- According to our client's consultant, increasing barrier height from 4 feet to 6 feet will reduce train noise by up to 4 dB for east-facing rooms, thus bringing train noise into line with measured ambient levels.


By taking the simple step of increasing the barrier height from 4 feet to 6 feet, the proposed project's noise impacts could be further mitigated. This is feasible and practical.

We request that SANDAG reconsider and evaluate the Mid-Coast Corridor Transit Project's peak noise levels and that SANDAG agree to increase the barrier height from 4 feet to 6 feet.

We request a meeting with appropriate SANDAG staff, consultants and counsel within the next seven days to resolve the differences in analyses by the respective consultants.

Thank you for your consideration of the foregoing.

Very truly yours,



James R. Dawe, Esq.  
Seltzer Caplan McMahon Vitek  
A Law Corporation

JRD:jt

Attachments

cc: Bartell Hotels (via electronic mail w/attachments)  
Amberlynn Deaton, Senior Legal Counsel (via electronic mail w/attachments)  
Leslie Blanda, Project Development Program Manager (via electronic mail w/attachments)  
Greg Gastelum, Principal Engineer (via electronic mail w/attachments)





# DELANO & DELANO

November 19, 2014

VIA E-MAIL & U.S. MAIL

SANDAG Board of Directors  
401 B. Street, Suite 800  
San Diego, CA 92101

Re: Mid-Coast Corridor Transit Project and SEIS/SEIR

Dear SANDAG Board of Directors:

These comments are submitted on behalf of Friends of Rose Canyon regarding the proposed Mid-Coast Corridor Transit Project ("Project") and Supplemental Environmental Impact Statement/Subsequent Environmental Impact Report ("EIS/EIR").

Friends of Rose Canyon and other parties submitted extensive comments noting several significant problems with the draft EIS/EIR. Rather than substantively responding to these critiques, the "responses to comments" spend several pages largely ignoring the substantive critiques. For example, in a July 17, 2013 letter, I noted:

[T]he EIS/EIR acknowledges Project elements like "aerial structures, catenaries, bridges, retaining walls, topographic and grading changes, tree and vegetation removal, shade shelters, passenger platform areas, and station area parking lots and parking structures," yet there is absolutely no discussion how these or other Project elements will impact the important scenic resources within Rose Canyon Open Space Park. EIS/EIR at 4-46.

Yet the response to this comment was that "[n]one of these elements ... would be located within Rose Canyon Open Space Park." EIS/EIR, Vol. 3 at 242. This response was both misleading and beside the point. The tracks are immediately adjacent to the park. See Visual Impacts Technical Report, Appendix D. There is not a visual barrier between those tracks and the park; hence, the fact that certain Project elements will not be "located within" the park means little if anything. Such a response is insufficient. *Cleary v. County of Stanislaus* (1981) 118 Cal.App.3d 348, 357.

Another example of a failure to provide a substantive response concerned my observation that the draft EIS/EIR had failed to consider "views or visual impacts from within Rose Canyon Open Space Park." I noted that the EIS/EIR only considered views from above the park. The response to this comment was that the Project "has been designed to minimize impacts to recreation within" the park. EIS/EIR, Vol. 3 at 241.

EVERETT L. DELANO III  
Admitted in California and Colorado

M. DARE DELANO  
Admitted in California and New York

220 W. Grand Avenue  
Escondido, CA 92025

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Yet the response provided no information as to what efforts had been undertaken to “minimize impacts” other than to say that there are other existing tracks adjacent to the Project alignment. *Id.* The response also stated:

[I]n response to comments on the Draft SEIS/SEIR, SANDAG conducted a more detailed assessment of visual resource impacts within Rose Canyon Open Space Park and Marian Bear Memorial Park, which verified the conclusions reached in the Draft SEIS/SEIR that, with mitigation, no adverse or significant impacts will occur within the parks.

*Id.* Yet again, the response did not identify any mitigation. And Table 4-5 does not identify any mitigation for locations within Rose Canyon Open Space Park.

The EIS/EIR does acknowledge significant impacts to the park associated with the loss of trees and vegetation. EIS/EIR at 4-56. It claims those losses would be mitigated to a level of insignificance. *Id.* at 4-57. However, there is no explanation what specific mitigation will be accomplished, nor is there any analysis of whether such mitigation is feasible, particularly since Master Response 17 itself asserts that space within the MTS right-of-way is very limited. Such lack of specificity in mitigation is insufficient. *See Communities for a Better Environment v. City of Richmond* (2010) 184 Cal.App.4<sup>th</sup> 70, 92.

Additionally, a review of the “more detailed assessment” reveals that it largely ignored park locations where impacts were likely to be more severe, choosing instead to focus on those locations within the park that are farther removed from the Project. *See Visual Impacts Technical Report, Appendix D.* In comments on the draft EIS/EIR, Friends of Rose Canyon submitted mapping and simulations demonstrating how the Project would impact visual resources in the park. These submittals also demonstrate locations substantially closer to Project features than those provided by SANDAG’s “more detailed assessment.”

CEQA Guidelines Section 15088(c) requires more from responses to comments. It provides:

The written response shall describe the disposition of significant environmental issues raised (e.g., revisions to the proposed project to mitigate anticipated impacts or objections). In particular, the major environmental issues raised when the lead agency's position is at variance with recommendations and objections raised in the comments must be addressed in detail giving reasons why specific comments and suggestions were not accepted. There must be good faith, reasoned analysis in response. Conclusory statements unsupported by factual information will not suffice.

Unfortunately, the EIS/EIR contains numerous conclusory statements unsupported by factual information. For example, in asserting that the Project would not result in significant impacts, the EIS/EIR ignores its own limited visual simulations, which themselves reveal that impacts will be significant. *See* Visual Impacts Technical Report, Appendix D.

Furthermore, the failings of the EIS/EIR are not limited either to its inadequate responses or to a failing to adequately address visual resource impacts. Its failings are rampant throughout the many pages of documents.

For example, responses to comments from noise experts Eilar Associates, Inc. repeatedly assert that noise impacts to Rose Canyon Open Space Park will be less than significant. Master Response 14 notes that in “response to comments on the Draft EIS/EIR, SANDAG completed additional noise analysis within” the park. Yet the claimed “analysis” does not support the assertions of insignificant impacts.


Eilar Associates noted that the “primary noise source in Rose Canyon is from I-5,” but also noted that noise from a trolley will be intermittent in nature and that such “noise is much more noticeable than a steady, consistent noise source.” Rather than acknowledging this intermittent impact, the response merely alleges that the Project “will not exceed FTA noise impact criteria ....” EIS/EIR, Vol. 3 at 253.

Eilar Associates also commented that individual trolleys could generate noise in the park “exceeding 77 – 83 dBA.” Yet the response failed entirely to address this noise impact, asserting that noise impacts should be averaged over an hour: “The maximum passby noise level is not the noise associated with noise impacts.” EIS/EIR, Vol. 3 at 254. And a later response dismissed consideration of the “highest noise level, experienced for less than a second, when a train passes by.” But the temporary nature of a noise impact does not make it insignificant. *See Berkeley Keep Jets Over the Bay Comm. v. Board of Port Commissioners* (2001) 91 Cal.App.4<sup>th</sup> 1344, 1380 – 81. Averaging noise impacts of a trolley passing by does not provide a realistic assessment of the Project’s impacts.

Furthermore, as discussed in my prior letter, the Section 4(f) evaluation is insufficient. Among other things, the Project will result in temporary occupancy of Rose Canyon every time a trolley passes, causing noise and other impacts. *See* 23 C.F.R. § 774.13. The Project also results in a constructive use of the park. *See id.* § 774.15.

Accordingly, Friends of Rose Canyon requests that you reject the Project and EIS/EIR.

Sincerely,



Everett DeLano

Comments re Mid-Coast Corridor Transit Project and SEIS/SEIR  
November 19, 2014  
Page 4 of 4

cc: Leslie Rogers, Federal Transit Administration  
Leslie Blanda, SANDAG

Mayor Kevin Faulconer  
City Council President Todd Gloria  
City Administration Building  
202 C. Street  
San Diego, Ca. 92101

October 24, 2014

Subject: Potential Savings of \$ 900 Million That Could Be Used for Needed Infrastructure

Dear Mayor Kevin Faulconer and City Council President Todd Gloria,

This proposal ties to our attached letter dated October 6, 2014 involving resident safety, reducing waste of taxpayer monies, and infrastructure needs. Please see the attached proposed map for the Mid-Coast Corridor Transit Project. This proposal developed by members of our neighborhood group provides the following benefits:

1. Establishes a desirable Coaster, Trolley, and Bus Transit Center at the Gilman Drive and La Colony Drive location. This solution would connect passengers from La Jolla, University City, and pick up riders coming from the east on the 52.
2. Eliminates construction of all the expensive elevated railway structure.
3. Saves potentially \$ 900 million in taxpayer monies that could better be spent on other infrastructure needs.
4. Eliminates traffic gridlock, neighborhood safety, blight, and noise concerns for the La Jolla Village Square neighborhood, San Diego Temple, La Jolla Colony neighborhood, and other neighborhood concerns with the current plan.
5. In 2010 comprehensive SuperLoop bus service was established for the entire UCSD and University City area. This proposal would compliment and enhance that service.
6. Eliminates long term operating and maintenance costs for an elevated railway structure.
7. Eliminates environmental pollution involving an elevated railway structure.

Students in a university area do not need an elevated railway system. Development in a university area occurs naturally. There is no need for an elevated railway system.

Thank you and the City Council for all the great work being done for the benefit of the residents and neighborhoods of San Diego.

A copy of this communication is also being provided to the SANDAG Board of Directors.

Respectfully yours,

  
Steve Arndt

Friends of La Jolla Village Square, San Diego Temple, La Jolla Colony, and the University Neighborhoods

# Mid-Coast Corridor Transit Project Proposed Terminus at Gilman Drive



## Mid-Coast Corridor Transit Project

- Trolley - Green Line
- Trolley - Blue Line
- Trolley - Orange Line
- - - - COASTER Line
- Trolley Station
- Transit Center
- COASTER Station

### Alignment

- Trolley - Future Blue Line Service on Existing Tracks
- - - - Trolley - Future Blue Line Extension At-Grade
- ▬▬▬▬ Trolley - Future Blue Line Extension - Aerial
- ▬▬▬▬ Trolley - Future Blue Line Extension - Undercrossing
- Future Trolley Station
- ⌘ New Park-and-Ride Facility
- Transit Center with a Future Trolley Station



Mayor Kevin Faulconer  
City Council President Todd Gloria  
City Administration Building  
202 C. Street  
San Diego, Ca. 92101

October 6, 2014

Subject: Resident Safety, Reducing Waste of Taxpayer Monies, and Infrastructure

Dear Mayor Kevin Faulconer and City Council President Todd Gloria,

Neighborhood safety as a primary goal is so very important to the lives of residents. Thank you and the City Council for this leadership.

Reducing the waste of taxpayer money is also key for the long term stability of this city and for the lives of the residents.

Here is one recommendation that ties to both neighborhood safety and reducing waste of taxpayer money.

1. Forgo the construction of a railway parking garage and elevated trolley stop at La Jolla Village Square (LJVS) entirely, as three other La Jolla stops are planned nearby at the VA, Pepper Canyon, and Voight Drive. This alternative is favored by our La Jolla community, which believes that the LJVS parking garage/trolley stop is not only unnecessary, but would bring increased safety issues involving congestion, traffic gridlock, crime, and also bring visual blight and additional noise.

San Diego visitors and residents would be shocked to see an elevated concrete railway structure crossing in front of the beautiful San Diego Temple. An elevated railway structure crossing Interstate 5 at this landmark location needs to be reconsidered. SANDAG should reveal an artist rendering to the public showing the elevated railway structure crossing Interstate 5 in front of this treasure and landmark of San Diego. Public input should be obtained on the impacts and placement of this construction.

Residents since July have been forwarding to you their comments on the [lajollapetition.com](http://lajollapetition.com) website. If you have not had a chance to see the recent comments, just log on to the website and review their respectful voices. For your convenience please find enclosed a copy of these resident comments.

550 residents have now signed our petition showing their opposition to this project at LJVS because of the safety issues, and because it is an extreme waste of taxpayer money. The elevated concrete structure with wires and poles would be a disaster for this beautiful area.

In 2010 the Superloop bus service just started at LJVS. Studies have found that buses are far less expensive than the long term operational costs of light rail.

With last months approved expansion of Interstate 5 by the California Coastal Commission, the facts have changed. Part of their plan from what we read is to add an extra set of tracks for the railroad corridor.

The Mid-Coast Corridor Transit Project also shows an **Alternate Route** using the railroad corridor to Genesee Ave. Please see the attached map. We understand that the original engineering plan was to run the tracks underground at the UTC Westfield Shopping Mall. Instead of underground which would have been very costly, why not elevate the tracks in the railroad corridor and connect with the planned rail station which is only four blocks away on Genesee?

The bottom line is that the infrastructure already exists in the railroad corridor. Utilizing this infrastructure would save millions and millions of taxpayer dollars. In addition, the Coaster is underutilized, as there is no current connection to UTC Westfield or other nearby areas to Genesee Ave. and east of the I-805 where growth is occurring.

At a SANDAG meeting downtown in July we heard that the Mid-Coast Corridor Transit Project would sustain SANDAG. The goal should be improving the City and the lives of its residents through safety and wise use of taxpayer money.

A better plan is needed for the future infrastructure needs.

Respectfully yours,



Steve Arndt