

LIVERMORE AMADOR VALLEY TRANSIT AUTHORITY

Alameda-San Joaquin Regional Rail Working Group

Minutes of July 12, 2017 Meeting

1. Call to Order and Pledge of Allegiance

Committee Chair Scott Haggerty called the meeting to order at 2:06pm.

2. Roll Call of Members

Members Present

Supervisor Scott Haggerty (Chair), Alameda County
Mayor Pro Tem Veronica Vargas, City of Tracy
Supervisor Bob Elliott, San Joaquin County
Vice Mayor Don Biddle, City of Dublin (alternate for David Haubert)
Mayor Jerry Thorne, City of Pleasanton
Mayor John Marchand, City of Livermore
Board Member John McPartland, BART
Board Member Steven Spedowski (Livermore), LAVTA
CEO Michael Ammann, San Joaquin Partnership
Policy Director Josh Huber, East Bay Leadership Group

Members Absent

Mayor David Haubert, City of Dublin
Board Chair Bob Johnson, SJRRC/ACE
CEO Dale Kaye, Innovation Tri-Valley Leadership Group

3. Public Comment

Robert S. Allen

Mr. Allen provided the Alameda-San Joaquin Regional Rail Working Group a statement regarding more alternatives linking BART and ACE Rail. Mr. Allen read the following statement:

BART opened its line to the Tri-Valley in 1997 with its Dublin-Pleasanton station located for its intermodal potential. Where the line crossed over a long-established rail corridor: Southern Pacific Railroad's San Ramon Branch. When that track was abandoned, Metropolitan Transportation Commission (MTC) acquired much of that rail corridor (subject to a major oil products pipeline) for transportation purposes.

BART planned an eventual line to Walnut Creek in that corridor, but the cost of grade separations needed for a standard BART line, together with popular support for the then-new Iron Horse Trail, caused BART to reconsider such a line.

ACE Forward did not even consider that rail corridor from Radum (just west of Shadow Cliffs Park) to the BART station in its EIR. Restoring the track at Radum and about three miles of track on the roadbed should be considered. It offers substantial cost savings and operating advantages.

Another way to connect ACE and BART is to extend BART in a widened I-580 median not only to Isabel, but later to Vasco and Greenville per Livermore's General Plan and beyond to near the high ACE/UP trestle over Altamont Pass Road. During ACE operations, BART would run to an

intermodal station there. Other hours it would end at Greenville/I-580 and a major park facility there.

4. Minutes

ACTION

Approved: Thorne/Vargas

Aye: Haggerty, Biddle, Marchand, Vargas, Spedowski, Elliott, McPartland, Thorne

No: None

Abstain: None

Absent: Haubert, Johnson

5. Legislative Update on AB 758

ACTION

Assemblywoman Catharine Baker provided a Legislative Update on Assembly Bill (AB) 758 to the Alameda-San Joaquin Regional Rail Working Group. AB 758 passed three committees and was planned to be heard by the Transportation Committee, but there was a pause placed on this bill. AB 758 will be a two year bill that will be voted on next year in the spring and will not be voted on this year. The reason behind taking a pause versus a vote was primarily to ensure the bill has enough consensus in the bay area that they would like to demonstrate. This will also give time for the Alameda-San Joaquin Regional Rail Working Group to study all the options available to make the BART and ACE connection and create a consensus plan to build and deliver the project. The Transportation Committee didn't feel that the Alameda-San Joaquin Regional Rail Working Group were at that point yet. Instead of having the bill amended in a way that would be fundamentally contrary to omission of what everyone is trying to accomplish it was a good option to make it a two year bill. Assemblywoman Baker strongly believes that the Alameda-San Joaquin Regional Rail Working Group bill has the right foundation. Going forward Assemblywoman Baker and Assemblywoman Eggman will continue to work with their colleagues and stake holders in the community obtaining feedback and selling AB 758. Assemblywoman Baker also encouraged the Alameda-San Joaquin Regional Rail Working Group to continue the work they are currently doing. Assemblywoman Baker stated that the Alameda-San Joaquin Regional Rail Working Group now has time to review the ACE and BART EIR's and consider the different options for a Tri-Valley connection. Assemblywoman Baker hopes that this will lay the ground work for the bill next year. Assemblywoman Baker felt very strongly that the legislation should continue to be agnostic about what are the best ways to connect BART to ACE. There are many in the Tri-Valley who believe, and with great foundation basis, that BART extending from Dublin/Pleasanton to Isabel and then to Greenville is the best option, but there are other options. Assemblywoman Baker stated that being agnostic by not picking one option over another and leaving that decision to the Alameda-San Joaquin Regional Rail Working Group is the best way with integrity to do it.

6. Consideration of Comments on ACE Forward EIR

ACTION

Executive Consultant Frank Wilson advised the Alameda-San Joaquin Regional Rail Working Group that the BART Environmental Impact Report (EIR) will be available Monday, July 31, 2017. The ACE EIR is will be complete on Monday, July 31, 2017. It is difficult for us individually and collectively to respond and react to one EIR winding down and one EIR gearing up. The Alameda-San Joaquin Regional Rail Working Group is responsible to make the decision as to where BART and ACE make the connection. Regardless of how the rail is built the Alameda-San Joaquin Regional Rail Working Group will need our own EIR. Dan Leavitt from ACE forward commented that they made a 60 day comment period and normally it is only 45 days. Dan Leavitt also stated that this is the first he has heard of a comment extension request, but that request would need to be heard by the ACE Board. Dan Leavitt asked what would be gained by extending the ACE EIR comment period to view the BART EIR and requested to have something in writing regarding an ACE EIR extension from the Alameda-San Joaquin Regional

Rail Working Group. Executive Consultant Frank Wilson responded to Dan Leavitt stating that they don't know what can be gained, but that is why they are asking. The Alameda-San Joaquin Regional Rail Working Group would like to have all the information available to make an informed decision and to compare and contrast the options. Supervisor Scott Haggerty stated that the Alameda-San Joaquin may want to comment on the Union City ACE option, but they have not seen that specific information on an EIR and would like to see how BART and ACE interconnect. Dan Leavitt stated that ACE's consultant informed him that it is typical for a few days grace period with an environmental process for additional comments after the process is closed and will still be accepted. Mayor Pro Tem Veronica Vargas responded to Dan Leavitt stating that during the EIR process there can be an extended grace period for additional comments, but those comments do not become part of the written response that are accepted and are not recorded or added to the EIR document. Executive Consultant Frank Wilson expressed that all entities are to work together in this process and coordinate, but instead is forcing us to work apart. Supervisor Scott Haggerty does not believe that BART will write a fair EIR to extend BART to Livermore and that it has been smoke and mirrors. Supervisor Scott Haggerty pointed out that millions of dollars of taxpayer money has been spent to release an EIR that says do bus. Mayor Pro Tem Veronica Vargas believes that it would take two to two and a half weeks to review the BART EIR. Andrew Tang from BART stated that he is fully confident that the BART EIR will be out on Monday, July 31, 2017 and that the BART EIR has the same four alternatives since February 2014, but there were delays on the EIR for various reasons. Andrew Tang also stated that BART going to downtown Livermore was not one of the options given in the four alternatives. In February 2014 it was decided that the BART EIR would only look at BART to Isabel. LAVTA Board Member Steven Spedowfski asked if the new BART EIR has a full service yard included. Andrew Tang responded that the product definition of BART will include a full maintenance and storage facility and is included in the EIR, this due to 12 minute headways resulting in more trains and the plan to have 10 car trains. The EIR will reveal an agreement that has been made regarding sharing the cost of the full maintenance and storage facility. LAVTA Board Member Steven Spedowfski asked what the estimated cost of the facility would be. Andrew Tang stated that it would be best to wait for the EIR to be released for the final numbers. Supervisor Scott Haggerty stated that for a five mile extensions why we would pay anything towards a yard facility that BART is getting the benefit of using when it could be built anywhere. Andrew Tang explained that Supervisor Haggerty's statements are correct that a maintenance facility would add benefit to the entire BART system and that is why there is a cost sharing agreement in place. LAVTA Board Member Steven Spedowfski would like to know if Livermore can receive credit for what Livermore already paid into the system with receiving no service from BART. Mayor Marchand stated that Livermore has given 380 million dollars as of 3 years ago.

Supervisor Scott Haggerty motioned to have a two week extension on the ACE EIR.

Approved: Haggerty/Vargas

Aye: Haggerty, Biddle, Marchand, Vargas, Spedowfski, Elliott, McPartland, Thorne

No: None

Abstain: None

Absent: Haubert, Johnson

Supervisor Scott Haggerty sent an immediate motion to BART asking them to release there EIR a week early on Monday, July 24, 2017.

Approved: Haggerty/Vargas

Aye: Haggerty, Biddle, Marchand, Vargas, Spedowfski, Elliott, McPartland, Thorne

No: None

Abstain: None

Absent: Haubert, Johnson

7. Project and Program Development - Funding

INFORMATION

Executive Consultant Frank Wilson presented a PowerPoint regarding project and program development – funding to the Alameda-San Joaquin Regional Rail Working Group. Executive Consultant Frank Wilson stated that an important early objective is to move this project to implementation by determining funding or financial engineering. There are numerous ways we can knit together funds from different sources both public and private. Metropolitan Transportation Commission (MTC) funds about 1.5 billion dollars per year and in their four year (2016-2020) funding program it is 6.3 billion dollars. MTC's long range (2016-2040) plan (Plan Bay Area) is 292 billion dollars. Funding strategies in this report govern what programs are created and then you have to look at funding sources to fund them. Various funding programs were reviewed in the presentation providing information on whether the Alameda-San Joaquin Regional Rail Working Group is eligible and the source of funds. The funding levels and diversity of sources are generous and will continue on, but there are eligibility requirements that must be met. MTC has a fund estimate tool for planning and a fund management database that is useful for analytical work. Now is the time to submit a legitimate and well thought out request for funding Executive Consultant Frank Wilson stated that the next step is to look at the most relevant and fruitful funding sources. Executive Consultant Frank Wilson suggested that Supervisor Scott Haggerty and Mayor Pro Tem Veronica Vargas put together a team that explores about how to market this project.

8. Adjournment. The next meeting date is scheduled for September 20, 2017 in Livermore, CA.

Meeting adjourned at 3:30pm.