

**Metropolitan Transportation Commission
Programming and Allocations Committee**

April 9, 2014

Item Number 3a

RM2 Public Hearing

- Subject:** Conduct a public hearing for a proposed amendment to the Regional Measure 2 (RM2) program that would reassign \$88.2 million in RM2 funds among several projects, modify the scope (without redirection) on one project, and modify prior conditions on two projects.
- Background:** The RM2 program reached its 10th anniversary in March 2014. Over \$1.2 billion in RM2 capital funds of the \$1.5 billion available have been allocated. In April 2013, this Committee directed staff to develop a delivery strategy for the approximately \$225 million in unallocated RM2 project funds. Initial staff recommendations were presented to the Committee in February 2014.
- At its March 5, 2014 meeting, this Committee approved the release of the public hearing notice (Attachment A) and the opening of the comment period to consider amending the RM2 program.
- Pursuant to California Streets and Highway Code Section 30914(f), MTC is to hold a public hearing when considering changing the scope or reassigning funding of projects included in RM2. Based on the information submitted by project sponsors, and the draft recommendations presented in February and March 2014, MTC is seeking public input on proposed changes to 16 RM2 projects and a shift of \$88.2 million between RM2 projects.
- A public hearing will be conducted at today's meeting to take comments on the proposed amendment. The comment period opened on March 19, 2014 and will close on April 23, 2014. Comments received at the time of mailing are included as Attachment B. Any additional comments received will be provided at the Committee meeting. Staff will return to the Commission in May with a summary of comments received and with recommendations for adoption.
- Issues:** None.
- Recommendation:** Receive public input.
- Attachments:** Attachment A – Public Hearing Notice, including MTC Resolution No. 3801, Revised.
Attachment B – Public Comments

ATTACHMENT A

Metropolitan Transportation Commission Notice of Public Hearing

In March 2004, Bay Area voters approved Regional Measure 2 (RM2), a \$1 bridge toll increase on seven of the state-owned bridges in the Bay Area, creating approximately \$115 million annually in new funding for a list of projects to reduce traffic congestion in the region. Pursuant to Section 30914(f) of the California Streets and Highways Code, the Metropolitan Transportation Commission (MTC) is to consult with the project sponsor and hold a public hearing in advance of consideration of any request to reassign RM2 funds to another project or modify the project's scope, if a project has cost savings after completion, taking into account construction costs and future settlement claims, or if a project cannot be completed due to delivery or financing obstacles, or if a project is to be implemented with other funds.

MTC proposes to reassign \$88.2 million in RM2 funds among several projects, modify the scope (without redirection) on one project, and modify prior conditions on two projects. These proposed changes are within the same bridge corridors or for investments consistent with the intent of RM2.

At its regularly scheduled April 9, 2014 meeting, MTC's Programming and Allocations Committee will hold a public hearing on the proposed RM2 changes described in MTC Resolution No. 3801, Revised, and summarized below:

Project No. 1, BART/MUNI Connection at Embarcadero and Civic Center Stations

Current Total RM2 Funding: \$3.0 million

Proposed Total RM2 Funding: \$3.0 million

Proposed Funding Change: 0

Action: Modify Scope

Project No. 4, East to West Bay Commuter Rail Service over Dumbarton Rail Bridge

Current Total RM2 Funding: \$44.0 million

Proposed Total RM2 Funding: \$9.1 million

Proposed Funding Change: -\$34.8 million

Action: Redirect project funds to projects #29 and #40, remove project condition

Project No. 5, Vallejo Station

Current Total RM2 Funding: \$28.0 million

Proposed Total RM2 Funding: \$26.0 million

Proposed Funding Change: -\$2.0 million

Action: Redirect project funds to project #17

Project No. 6, Solano County Express Bus Intermodal Facilities

Current Total RM2 Funding: \$20.0 million

Proposed Total RM2 Funding: \$12.3 million

Proposed Funding Change: -\$7.7 million

Action: Redirect project funds and project savings to project #14

ATTACHMENT A

Project No. 9, Richmond Parkway Transit Center

Current Total RM2 Funding: \$16.0 million

Proposed Total RM2 Funding: \$3.9 million

Proposed Funding Change: -\$12.2 million

Action: Redirect project funds to project #24, modify scope

Project No. 10, Sonoma-Marin Area Rail Transit (SMART)

Current Total RM2 Funding: \$36.5 million

Proposed Total RM2 Funding: \$56.5 million

Proposed Funding Change: +\$20.0 million

Action: Receive transfer from project #11; modify scope

Project No. 11, Greenbrae Interchange/Larkspur Ferry Access Improvements

Current Total RM2 Funding: \$63.5 million

Proposed Total RM2 Funding: \$43.5 million

Proposed Funding Change: -\$20.0 million

Action: Redirect project funds to project #10, modify scope

Project No. 12, Direct HOV Lane Connector from I-680 to Pleasant Hill or Walnut Creek BART

Current Total RM2 Funding: \$15.0 million

Proposed Total RM2 Funding: \$20.4 million

Proposed Funding Change: +\$5.4 million

Action: Receive transfer from project #36

Project No. 14, Capitol Corridor Improvements in I-80/I-680 Corridor (Fairfield/Vacaville Train Station)

Current Total RM2 Funding: \$25.0 million

Proposed Total RM2 Funding: \$36.0 million

Proposed Funding Change: +\$11.0 million

Action: Receive transfers from projects #6 and #17

Project No. 17, Regional Express Bus North

Current Total RM2 Funding: \$20.0 million

Proposed Total RM2 Funding: \$18.8 million

Proposed Funding Change: -\$1.2 million

Action: Redirect project funds to project #14; receive transfer from project #5

Project No. 24, AC Transit Enhanced Bus

Current Total RM2 Funding: \$65.0 million

Proposed Total RM2 Funding: \$77.7 million

Proposed Funding Change: +\$12.8 million

Action: Receive transfers from projects #9 and #29

ATTACHMENT A

Project No. 29, Regional Express Bus Service for San Mateo, Dumbarton, and Bay Bridge Corridors

Current Total RM2 Funding: \$22.0 million

Proposed Total RM2 Funding: \$33.9 million

Proposed Funding Change: +\$11.9 million

Action: Receive transfer from project #4; redirect project savings to projects #24 and #30

Project No. 30, I-880 North Safety Improvements

Current Total RM2 Funding: \$10.0 million

Proposed Total RM2 Funding: \$12.3 million

Proposed Funding Change: +\$2.3 million

Action: Receive transfer from project #29

Project No. 31, BART Warm Springs Extension

Current Total RM2 Funding: \$186.0 million

Proposed Total RM2 Funding: \$186.0 million

Proposed Funding Change: 0

Action: Remove project condition

Project No. 36, Caldecott Tunnel Improvements

Current Total RM2 Funding: \$50.5 million

Proposed Total RM2 Funding: \$45.1 million

Proposed Funding Change: -\$5.4 million

Action: Redirect project savings to project #12

Project No. 40, Caltrain Electrification

Current Total RM2 Funding: 0

Proposed Total RM2 Funding: \$20.0 million

Proposed Funding Change: +\$20.0 million

Action: Add new project; receive transfer from project #4

Notes:

- “Redirect project funds” means funds will be redirected from the original project, which is not being completed, or has a phase or sub-element that is not being completed.
- “Redirect project savings” means the originally intended project, or a useable segment thereof, has been or will be completed, with project savings going toward other projects.

At the regularly scheduled May 14, 2014 Programming and Allocations Committee meeting, MTC staff will report on public comment and the committee will refer recommendations to the MTC Commission for final action. The MTC Commission will consider the proposed RM2 fund programming changes at the Commission’s May 28, 2014 meeting.

Bay Area residents are invited to comment on the proposed funding and scope changes to RM2 identified above and further described in MTC Resolution 3801, Revised.

ATTACHMENT A

The proposed actions are severable from each other; if any project or change is removed during the course of the hearing process, the remaining project changes shall stand.

A public hearing to receive public testimony on these proposed funding changes will be held during MTC's Programming and Allocations Committee meeting on:

Wednesday, April 9, 2014, at 9:40 a.m.

(or immediately following the Administration Committee meeting, whichever occurs later)

Joseph P. Bort MetroCenter Auditorium
101 Eighth Street, Oakland CA 94607
(across from the Lake Merritt BART Station)

Written comments may be submitted to MTC's Public Information Office at 101 Eighth Street, Oakland, CA 94607; faxed to MTC at (510) 817-5848; or sent via e-mail to info@mtc.ca.gov. Written comments must be received by MTC no later than 4:00 p.m. on April 23, 2014. Oral comments will be received at the public hearing on April 9, 2014. The comment period will close at 4:00 p.m. on April 23, 2014.

Copies of proposed MTC Resolution 3801, Revised will be available for public review beginning on March 19, 2014 at the MTC-ABAG Library, located at 101 Eighth Street in Oakland, California. The proposed resolution can also be viewed on MTC's website at <http://www.mtc.ca.gov>, or you may request a copy from the MTC Library by e-mail at library@mtc.ca.gov, or by telephone at (510) 817-5836. For more information, contact the MTC Public Information Office at (510) 817-5757.

Do you need written materials in large type or in Braille to participate in MTC or BATA meetings? Do you need a sign language interpreter or other assistance? Is English your second language? Do you need one of our documents translated? Do you need an interpreter who speaks your language present at one of our meetings?

We can help! You can request assistance by calling (510) 817-5757 or (510) 817-5769 for TDD/TTY. Visit <http://www.mtc.ca.gov> for more information. We require at least three days' notice to provide reasonable accommodation. We prefer more notice if possible. We will make every effort to arrange for assistance as soon as possible.

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Date: June 27, 2007
W.I.: 1255
Referred by: PAC
Revised: 01/28/09-C 07/22/09-C
09/28/11-C 01/25/12-C
04/24/13-C 05/28/14-C

ABSTRACT

MTC Resolution No. 3801, Revised – WITH DRAFT MAY 28, 2014 CHANGES AS NOTED
IN ATTACHMENTS (A) AND (B) – PROPOSED HEARING DATE APRIL 9, 2014

This resolution approves amendments to the Regional Measure 2 program for project scope changes, funding amounts, or addition and deletion of projects as permitted by Streets and Highways Code Section 30914 *et seq.*

This resolution includes Attachment A describing the amendments and Attachment B describing the updated Regional Measure 2 Project List.

This resolution was revised on January 28, 2009 to reassign \$91 million in RM2 funds from the East to West Bay Commuter Rail Service over the Dumbarton Rail Bridge project to the BART to Warm Springs Extension project, and to reassign \$10 million in RM2 funds from the BART Tube Seismic Strengthening project to the BART Oakland Airport Connector project.

This resolution was revised on July 22, 2009 to reassign \$37 million in RM2 funds from the BART Tube Seismic Strengthening project to the Oakland Airport Connector project.

This resolution was revised on September 28, 2011 to change the project description for the SMART project to include the rail line from San Rafael to Santa Rosa, and to reassign \$1.5 million in RM2 funds from the Greenbrae Interchange/Larkspur Ferry Access Improvement project to the SMART project.

This resolution was revised on January 25, 2012, to change the project description for operating project #5 from Dumbarton Rail to Dumbarton Bus operations.

This resolution was revised on April 24, 2013, to reduce the amount of funds on RM2 project #8 (I-80 Eastbound High-Occupancy Vehicle (HOV) Lane in Contra Costa County) by \$12.8 million to reflect actual costs after project completion, and to distribute the savings to two new projects, RM2 Project #38 (Regional Express Lane Network), and RM2 Project #39 (Major

Interchange Modifications in the Vicinity of I-80 and San Pablo Dam Road in Contra Costa County).

This resolution was revised on May 28, 2014 to reassign \$88,267,135 in RM2 funds from eight projects, modify the scope for several projects, and create one new project.

Additional discussion of this revision is contained in the summary sheet to the MTC Programming and Allocations Committee dated June 13, 2007, January 14, 2009, July 8, 2009, July 13, 2011, September 14, 2011, January 11, 2012, April 10, 2013, and March 5, 2014.

Date: June 27, 2007
W.I.: 1255
Referred by: PAC

Re: Approval of Amendments to the Regional Measure 2 Program

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION No. 3801

WHEREAS, pursuant to Government Code Section 66500 *et seq.*, the Metropolitan Transportation Commission (“MTC”) is the regional transportation planning agency for the San Francisco Bay Area; and

WHEREAS, Streets and Highways Code Sections 30950 *et seq.* created the Bay Area Toll Authority (“BATA”) which is a public instrumentality governed by the same board as that governing MTC; and

WHEREAS, on March 2, 2004, voters approved Regional Measure 2, increasing the toll for all vehicles on the seven state-owned toll bridges in the San Francisco Bay Area by \$1.00, with this extra dollar funding various transportation projects within the region that have been determined to reduce congestion or to make improvements to travel in the toll bridge corridors, as identified in SB 916 (Chapter 715, Statutes of 2003), commonly referred as Regional Measure 2 (“RM2”); and

WHEREAS, RM2 establishes the Regional Traffic Relief Plan and lists specific capital projects and programs and transit operating assistance eligible to receive RM2 funding as identified in Streets and Highways Code Sections 30914(c) & (d); and

WHEREAS, RM2 assigns administrative duties and responsibilities for the implementation of the Regional Traffic Relief Plan to MTC; and

WHEREAS, BATA is to fund the projects of the Regional Traffic Relief Plan by transferring RM2 authorized funds to MTC; and

WHEREAS, Streets and Highways Code Section 30914(f) authorizes MTC to modify any RM2 program and the scope of any RM2 project, decrease its level of funding, or reassign some or all of the funds to another program or project; and

WHEREAS, MTC has been requested to make the changes in the RM2 program and projects specified in Attachment A to this resolution pursuant to Streets and Highways Code Section 30914(f) for the reasons set forth in Attachment A; and

WHEREAS, MTC has consulted with the sponsor or sponsors of each of the programs and projects listed in Attachment A; and

WHEREAS, MTC has held a public hearing concerning each such program or project on the dates specified in Attachment A; and

WHEREAS, the sponsors of each of the projects and programs listed in Attachment A have agreed to comply with the RM2 Policies and Procedures adopted by MTC; and

WHEREAS, each sponsor of a project listed in Attachment A has provided an initial project report to MTC pursuant to Streets and Highways Code Section 30914(e) or agreed to provide such a report to MTC within the time period specified by MTC in recognition of the statutory requirement that no funds may be allocated by MTC for any such project until the project sponsor submits the initial project report and the report is reviewed and approved by MTC; and

WHEREAS, based on the above-described consultations with sponsors, the information provided at public hearings, and MTC staff advice, MTC has concluded that the changes in the RM2 program and projects specified in Attachment A to this resolution are consistent with the intent of Chapter 4 of Division 17 of the Streets and Highways Code to reduce congestion or make improvements to travel in the toll bridge corridors; and

WHEREAS, Attachment B to this resolution, attached hereto and incorporated herein as though set forth at length, is the updated project list for the RM2 Program;

NOW, THEREFORE, IT IS

RESOLVED, that MTC hereby makes the changes in the RM2 program and projects specified in Attachment A and Attachment B to this resolution pursuant to Streets and Highways Code Section 30914(f) in the amounts, for the reasons, and subject to the conditions set forth in Attachment A, which is hereby incorporated into this resolution.

METROPOLITAN TRANSPORTATION COMMISSION

A handwritten signature in black ink, appearing to read "Bill Doda", written over a horizontal line.

Bill Doda, Chair

The above resolution was adopted by the Metropolitan Transportation Commission at the regular meeting of the Commission held in Oakland, California, on June 27, 2007.

Date: June 27, 2007
 W.I.: 1255
 Referred by: PAC
 Revised: 01/28/09-C 07/22/09-C
 09/28/11-C 01/25/12-C
 04/24/13-C 05/28/14-C

Attachment A
 Resolution No. 3801
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Summary of Project/Program Changes

<u>Project or Program</u>	<u>Sponsor(s)</u>	<u>Change (hearing date)</u>	<u>Reason</u>	<u>Conditions</u>
BART Tube Seismic Strengthening (Streets and Highways Code Section 30914(c)(21))	BART	Reduce funding by \$62 million (hearing date June 13, 2007)	Project is to be implemented with other funds not derived from tolls, including \$24 million from state bond financing and \$38 million from state-provided STIP funds	Contingent upon the California Transportation Commission approving an allocation of \$38 million in STIP funds to the project in FY 07-08
Oakland Airport Connector (Streets and Highways Code Section 30914(c)(23))	Port of Oakland and BART	Increase funding by \$38 million (hearing date June 13, 2007)	Local funding needed for project due to nature of procurement method	Contingent upon the allocation of STIP funds to the BART Tube Seismic Strengthening project as described above
BART Transit Capital Rehabilitation (new Streets and Highways Code Section 30914(c) project)	BART	Provide \$24 million in funding as local matching funds for BART's fixed guideway rehabilitation and replacement projects funded with federal dollars in fiscal years 2006-07 and 2007-08 (hearing date June 13, 2007)	Project is consistent with the intent of Chapter 4 of Division 17 of the Streets and Highways Code in that it will reduce congestion or make improvements to travel in the toll bridge corridors	
East to West Bay Commuter Rail Service over the Dumbarton Rail Bridge (Streets and Highways Code Section 30914(c)(4))	ACCMA, ACTIA, Capital Corridor, SMCTA	Reduce funding by \$91million (hearing dates January 14, 2009, and April 9, 2014)	a) Project not in a state of readiness to proceed cannot continue due to financing obstacles making the completion of the project unrealistic. b) Project is to be implemented with future Alameda County State	None — Alameda County Congestion Management Agency committed \$91 million in future year STIP funds to the project in December 2008 Alameda County repayment condition removed (April 9, 2014 hearing)

<u>Project or Program</u>	<u>Sponsor(s)</u>	<u>Change (hearing date)</u>	<u>Reason</u>	<u>Conditions</u>
			Improvement Program (STIP) funds to be committed by the ACCMA in December 2008	
BART Warm Springs Extension (Streets and Highways Code Section 30914(c)(31))	BART	Increase funding by \$91 million (hearing dates January 14, 2009, and April 9, 2014)	Project is ready-to-go and \$91 million helps to close the funding shortfall	None — Alameda County Congestion Management Agency committed \$91 million in future year STIP funds to the Dumbarton Rail project in December 2008 Alameda County repayment condition removed (April 9, 2014 hearing)
BART Tube Seismic Strengthening (Streets and Highways Code Section 30914(c)(21))	BART	Reduce funding by \$10 million (hearing date January 14, 2009)	Project is to be implemented with other funds not derived from tolls, including \$10 million from state Interregional Improvement Program (IIP) funds	None - California Transportation Commission programmed IIP funds to this project in July 2008
Oakland Airport Connector (Streets and Highways Code Section 30914(c)(23))	Port of Oakland and BART	Increase funding by \$10 million (hearing date January 14, 2009)	Local funding needed for project due to potential nature of procurement method	None
BART Tube Seismic Strengthening (Streets and Highways Code Section 30914(c)(21))	BART	Reduce funding by \$37,199,000 (hearing date June 10 & July 8, 2009)	Sponsor certified cost savings and use of alternate funding on project. Sponsor requested reassignment of savings to the Oakland Airport Connector project	None
Oakland Airport Connector (Streets and Highways Code Section 30914(c)(23))	Port of Oakland and BART	Increase funding by \$37,199,000 (hearing date June 10 & July 8, 2009)	Funding needed to complete project funding plan	None

<u>Project or Program</u>	<u>Sponsor(s)</u>	<u>Change (hearing date)</u>	<u>Reason</u>	<u>Conditions</u>
Sonoma Marin Area Rail Transit (Streets & Highways Code Section 30914 (c)(10))	Sonoma Marin Area Rail Transit District	Modify project description to include rail line from San Rafael to Santa Rosa, and increase funding by \$1,500,000 (hearing dates July 13, 2011 and September 14, 2011)	Funding to be directed to San Rafael to Santa Rosa segment due to funding shortfall in overall project, and funding increased due to funds being reassigned from Greenbrae Interchange/Larkspur Ferry Access Improvements.	None
Greenbrae Interchange/Larkspur Ferry Access Improvements (Streets & Highways Code Section 30914 (c)(11))	Transportation Authority of Marin	Reduce funding by \$1,500,000 (hearing dates July 13, 2011 and September 14, 2011)	Sponsor certifies use of alternate funding on project.	None
Dumbarton Rail Operations (Streets & Highways Code Section 30914 (d)(5))	NA	Modify description so funds may be used on bus operations in the Dumbarton Bridge corridor rather than rail (hearing date January 11, 2012).	The Dumbarton Rail project is experiencing financing obstacles making the completion of the project unrealistic at this time; bus operations are proposed to build ridership in the corridor in the short and long term.	None
I-80 Eastbound High-Occupancy Vehicle Lane in Contra Costa County (Streets and Highways Code Section 30914(c)(8))	California Department of Transportation	Reduce funding by \$12,825,455.43 (hearing date April 10, 2013)	Sponsor certified cost savings. Sponsor and partners requested reassignment of savings to Regional Express Lane Network and Major Interchange Modifications in the Vicinity of I-80 and San Pablo Dam Road in Contra Costa County.	None

<u>Project or Program</u>	<u>Sponsor(s)</u>	<u>Change (hearing date)</u>	<u>Reason</u>	<u>Conditions</u>
Regional Express Lane Network (new Streets and Highways Code Section 30914(c) project)	MTC (subject to delegation to the Bay Area Infrastructure Financing Authority (BAIFA), pending formal action)	Add new project and provide \$4,825,455.43 in funding (hearing date April 10, 2013)	Project is consistent with the intent of Chapter 4 of Division 17 of the Streets and Highways Code in that it will reduce congestion or make improvements to travel in the toll bridge corridors	None.
Major Interchange Modifications in the Vicinity of I-80 and San Pablo Dam Road in Contra Costa County (new Streets and Highways Code Section 30914(c) project)	Contra Costa Transportation Authority	Add new project and provide \$8 million in funding (hearing date April 10, 2013)	Project is consistent with the intent of Chapter 4 of Division 17 of the Streets and Highways Code in that it will reduce congestion or make improvements to travel in the toll bridge corridors	RM2 funds must be used on a deliverable segment.
BART/MUNI Connection at Embarcadero and Civic Center Stations (Streets & Highways Code Section 30914 (c)(1))	BART	Modify description so funds may be used on BART/MUNI elevators in Market Street corridor (hearing date April 9, 2014)	Original project cannot be completed due to delivery obstacles.	None.
East to West Bay Commuter Rail Service over the Dumbarton Rail Bridge (Streets & Highways Code Section 30914 (c)(4))	ACCMA, ACTIA, Capital Corridor, SMCTA	Reduce funding by \$34,843,000 (hearing date April 9, 2014)	Project cannot be completed due to funding obstacles. Transfer \$20,000,000 to Caltrain Electrification (new project) and \$14,843,000 to Dumbarton Express Bus (project 29).	None.

<u>Project or Program</u>	<u>Sponsor(s)</u>	<u>Change (hearing date)</u>	<u>Reason</u>	<u>Conditions</u>
Vallejo Station (Streets & Highways Code Section 30914 (c)(5))	City of Vallejo	Reduce funding by \$2 million (hearing date April 9, 2014)	Sponsor certified ability to complete project phase with less than available funding. Sponsor requested reassignment of funding to Vallejo Curtola Transit Center project under Regional Express Bus North (project 17).	None.
Solano County Express Bus Intermodal Facilities (Streets & Highways Code Section 30914 (c)(6))	Solano Transportation Authority	Reduce funding by \$7,748,578. (hearing date April 9, 2014)	Project cannot be completed due to funding obstacles on subproject 6.3 (Fairfield Transit Center). Sponsor request to transfer \$5,485,000 from Fairfield Transit Center to Fairfield/Vacaville Train Station (project 14). Sponsor certified \$2,263,578 in project savings from subproject 6.4 (Vacaville Intermodal Facility) and requested transfer to Fairfield/Vacaville Train Station (project 14).	None.
Richmond Parkway Transit Center (Streets & Highways Code Section 30914 (c)(9))	AC Transit	Reduce funding by \$12,150,000 (hearing date April 9, 2014)	Parking structure portion of project cannot be completed or operated due to funding obstacles. Sponsor requested reassignment of funds to AC Transit Enhanced Bus (project 24).	

<u>Project or Program</u>	<u>Sponsor(s)</u>	<u>Change (hearing date)</u>	<u>Reason</u>	<u>Conditions</u>
Sonoma-Marín Area Rail Transit (Streets & Highways Code Section 30914 (c)(10))	SMART	Modify description to allow funds to be eligible for construction of Larkspur extension and related elements. Increase funding by \$20,000,000. (hearing date April 9, 2014)	Receive transfer of funds from Greenbrae Interchange/ Larkspur Ferry Access Improvements (project 11).	None.
Greenbrae Interchange/Larkspur Ferry Access Improvements (Streets & Highways Code Section 30914 (c)(11))	Transportation Authority of Marin	Modify description to remove freeway interchange element. Reduce project funding by \$20 million. (hearing date April 9, 2014)	Elements of original project cannot be completed due to delivery obstacles. Transfer \$20 million to SMART (project 10).	None.
Direct High-Occupancy Vehicle Lane Connector from I-680 to Pleasant Hill or Walnut Creek BART (Streets & Highways Code Section 30914 (c)(12))	Contra Costa Transportation Authority	Increase funding by \$5,425,000. (hearing date April 9, 2014)	Funding needed to complete project funding plan. Transfer from Caldecott Tunnel Improvements (project 36) savings.	None.
Capitol Corridor Improvements in Interstate 80/Interstate 680 Corridor (Fairfield/Vacaville Train Station) (Streets & Highways Code Section 30914 (c)(14))	Solano Transportation Authority and Capitol Corridor Joint Powers Authority	Increase funding by \$10,950,126. (hearing date April 9, 2014)	Funding needed to complete project funding plan. Transfer of \$3,201,548 from Regional Express Bus North (project 17) and \$7,748,578 from Solano County Express Bus Intermodal Facilities (project 6).	None.

<u>Project or Program</u>	<u>Sponsor(s)</u>	<u>Change (hearing date)</u>	<u>Reason</u>	<u>Conditions</u>
Regional Express Bus North (Streets & Highways Code Section 30914 (c)(17))	Metropolitan Transportation Commission	Reduce funding by \$1,201,548. (hearing date April 9, 2014)	<p>Funding needed to complete project funding plan for subproject 17.1 (Vallejo Curtola Transit Center). Transfer of \$2,000,000 from Vallejo Station (project 5) to Vallejo Curtola Transit Center to meet funding gap.</p> <p>Subproject 17.2 (Fairfield Transit Center) cannot be completed due to delivery obstacles. Sponsor request to transfer \$2,250,000 from Fairfield Transit Center to Fairfield/Vacaville Train Station (project 14).</p> <p>Sponsor certified \$951,548 in project savings from subproject 17.3 (Vacaville Intermodal Facility) and requested transfer to Fairfield/Vacaville Train Station (project 14).</p>	None.
AC Transit Enhanced Bus (Streets & Highways Code Section 30914 (c)(24))	AC Transit	Increase funding by \$12,760,172. (hearing date April 9, 2014)	Funding needed to complete project funding plan. Transfer of \$12,150,000 from Richmond Parkway Transit Center (project 9), and \$610,172 in project savings from Regional Express Bus Service for San Mateo, Dumbarton, and Bay Bridge Corridors (project 29).	None.

<u>Project or Program</u>	<u>Sponsor(s)</u>	<u>Change (hearing date)</u>	<u>Reason</u>	<u>Conditions</u>
Regional Express Bus Service for San Mateo, Dumbarton, and Bay Bridge Corridors (Streets & Highways Code Section 30914 (c)(29))	AC Transit, ACTC	Increase funding by \$11,9323,828. (hearing date April 9, 2014)	Project savings: Transfer \$610,172 in project savings to AC Transit Enhanced Bus (project 24) and \$2,300,000 in project savings to I-880 North Safety Improvements (project 30). Additional funding: Receive transfer of \$14,843,000 from Dumbarton Rail (project 4) for Dumbarton Express Bus.	None.
I-880 North Safety Improvements (Streets & Highways Code Section 30914 (c)(30))	ACTC, City of Oakland, California Department of Transportation	Increase funding by \$2,300,000. (hearing date April 9, 2014)	Funding needed to complete project funding plan. Transfer from Regional Express Bus Service for San Mateo, Dumbarton, and Bay Bridge Corridors (project 29) savings.	None.
Caldecott Tunnel Improvements (Streets & Highways Code Section 30914 (c)(36))	Contra Costa Transportation Authority	Reduce funding by \$5,425,000. (hearing date April 9, 2014)	Project savings. Transfer to Direct HOV Lane Connector from I-680 to Pleasant Hill or Walnut Creek BART (project 12).	None.
Caltrain Electrification (new Streets & Highways Code Section 30914 (c) project)	Caltrain	Add new project and provide \$20 million in funding (hearing date April 9, 2014)	Transfer of funds from Dumbarton Rail (project 4).	None.

Date: June 27, 2007
W.I.: 1255
Referred by: PAC
Revised: 01/28/09-C 07/22/09-C
09/28/11-C 01/25/12-C
04/24/13-C 05/28/14-C

Attachment B
Resolution No. 3801
Page 1 of 10

Regional Measure 2 Program: Project List as Amended
(changes are noted in italics)

Streets and Highways Code Sections 30914(c)

- (1) ~~BART/MUNI Connection at Embarcadero and Civic Center Stations. Provide direct access from the BART platform to the MUNI platform at the above stations and equip new fare gates that are TransLink® ready. BART/MUNI access on Market Street Corridor. Provide increased elevator access to BART and MUNI platforms at Powell Street and other stations as funding allows.~~ Three million dollars (\$3,000,000). The project sponsor is BART. *(Project description modification hearing date: April 9, 2014.)*
- (2) MUNI Metro Third Street Light Rail Line. Provide funding for the surface and light rail transit and maintenance facility to support MUNI Metro Third Street Light Rail service connecting to Caltrain stations and the E-Line waterfront line. Thirty million dollars (\$30,000,000). The project sponsor is MUNI.
- (3) MUNI Waterfront Historic Streetcar Expansion. Provide funding to rehabilitate historic streetcars and construct trackage and terminal facilities to support service from the Caltrain Terminal, the Transbay Terminal, and the Ferry Building, and connecting the Fisherman's Wharf and northern waterfront. Ten million dollars (\$10,000,000). The project sponsor is MUNI.
- (4) East to West Bay Commuter Rail Service over the Dumbarton Rail Bridge. Provide funding for the necessary track and station improvements and rolling stock to interconnect the BART and Capitol Corridor at Union City with Caltrain service over the Dumbarton Rail Bridge, and interconnect and provide track improvements for the ACE line with the same Caltrain service at Centerville. Provide a new station at Sun Microsystems in Menlo Park. The project is jointly sponsored by the San Mateo County Transportation Authority, Capitol Corridor, the Alameda County Congestion Management Agency, and the Alameda County Transportation Improvement Authority. One hundred thirty-five million dollars (\$135,000,000); *Funding reduced by \$91 million (hearing date January 14, 2009); funding reduced by \$34,843,000 and prior condition removed (hearing date April 9, 2014). Present amount: nine million fifty-seven thousand dollars (\$9,057,000).*

- (5) Vallejo Station. Construct intermodal transportation hub for bus and ferry service, including parking structure, at site of Vallejo's current ferry terminal. Twenty-eight million dollars (\$28,000,000). The project sponsor is the City of Vallejo. *Funding reduced by \$2,000,000 (hearing date April 9, 2014). Present amount: twenty-six million dollars (\$26,000,000).*
- (6) Solano County Express Bus Intermodal Facilities. Provide competitive grant fund source, to be administered by the Metropolitan Transportation Commission. Eligible projects are Curtola Park and Ride, Benicia Intermodal Facility, Fairfield Transportation Center and Vacaville Intermodal Station. Priority to be given to projects that are fully funded, ready for construction, and serving transit service that operates primarily on existing or fully funded high-occupancy vehicle lanes. Twenty million dollars (\$20,000,000). The project sponsor is Solano Transportation Authority. *Funding reduced by \$7,748,578 (hearing date April 9, 2014). Present amount: twelve million, two hundred fifty-one thousand, four hundred twenty-two dollars (\$12,251,422).*
- (7) Solano County Corridor Improvements near Interstate 80/Interstate 680 Interchange. Provide funding for improved mobility in corridor based on recommendations of joint study conducted by the Department of Transportation and the Solano Transportation Authority. Cost-effective transit infrastructure investment or service identified in the study shall be considered a high priority. One hundred million dollars (\$100,000,000). The project sponsor is Solano Transportation Authority.
- (8) Interstate 80: Eastbound High-Occupancy Vehicle (HOV) Lane Extension from Route 4 to Carquinez Bridge. Construct HOV-lane extension. Fifty million dollars (\$50,000,000). *Funding decreased by \$12,825,455.43 (hearing date April 10, 2013); present amount thirty-seven million, one hundred seventy four thousand, five hundred forty four dollars and fifty seven cents (\$37,174,544.57).* The project sponsor is the Department of Transportation.
- (9) Richmond Parkway Transit Center. Construct ~~parking structure and associated improvements to expand bus parking capacity~~ *parking structure and associated improvements to expand bus parking capacity and/or amenities, or to improve access.* Sixteen million dollars (\$16,000,000). The project sponsor is Alameda-Contra Costa Transit District, in coordination with West Contra Costa Transportation Advisory Committee, Western Contra Costa Transit Authority, City of Richmond, and the Department of Transportation. *Funding reduced by \$12,150,000 (hearing date April 9, 2014). Present amount: three million, eight hundred fifty thousand dollars (\$3,850,000).*
- (10) Sonoma-Marin Area Rail Transit District (SMART). Construct rail system from San Rafael to Santa Rosa and make improvements to the Cal Park Hill Tunnel to

allow for future extension to Larkspur; *construct Larkspur extension and related elements.* Thirty-five million dollars (\$35,000,000). *Funding increased by \$1,500,000 (hearing date September 14, 2011); funding increased by \$20,000,000 (hearing date April 9, 2014). Present amount: Fifty-six million, five hundred thousand dollars (\$56,500,000).* The project sponsor is SMART. *(Project description changed: hearing dates July 13, 2011, September 14, 2011, and April 9, 2014.)*

- (11) Greenbrae Interchange/Larkspur Ferry Access Improvements. Provide enhanced regional and local access around the Greenbrae Interchange to reduce traffic congestion and provide multimodal access to the Richmond-San Rafael Bridge and Larkspur Ferry Terminal by *constructing a new full service diamond interchange at Wornum Drive south of the Greenbrae Interchange, extending a multiuse pathway from the new interchange at vicinity of* Wornum Drive to East Sir Francis Drake Boulevard and the Cal Park Hill rail right-of-way, adding a new lane to East Sir Francis Drake Boulevard and rehabilitating the Cal Park Hill Rail Tunnel and right-of-way approaches for bicycle and pedestrian access to connect the San Rafael Transit Center with the Larkspur Ferry Terminal. Sixty-five million dollars (\$65,000,000). *Funding reduced by \$1,500,000 (hearing dates July 13, 2011 and September 14, 2011.); funding reduced by \$20,000,000 (hearing date April 9, 2014). Present amount is forty-three million five hundred thousand dollars (\$43,500,000.)* The project sponsor is *Transportation Authority of Marin.*
- (12) Direct High-Occupancy Vehicle (HOV) lane connector from Interstate 680 to the Pleasant Hill or Walnut Creek BART stations or in close proximity to either station or as an extension of the southbound Interstate 680 High-Occupancy Vehicle Lane through the Interstate 680/State Highway Route 4 interchange from North Main in Walnut Creek to Livorna Road. The County Connection shall utilize up to one million dollars (\$1,000,000) of the funds described in this paragraph to develop options and recommendations for providing express bus service on the Interstate 680 High-Occupancy Vehicle Lane south of the Benicia Bridge in order to connect to BART. Upon completion of the plan, the Contra Costa Transportation Authority shall adopt a preferred alternative provided by the County Connection plan for future funding. Following adoption of the preferred alternative, the remaining funds may be expended either to fund the preferred alternative or to extend the high-occupancy vehicle lane as described in this paragraph. Fifteen million dollars (\$15,000,000). *Funding increased by \$5,425,000 (hearing date April 9, 2014). Present amount: twenty million, four hundred twenty-five thousand dollars (\$20,425,000).* The project is sponsored by the Contra Costa Transportation Authority.
- (13) Rail Extension to East Contra Costa/E-BART. Extend BART from Pittsburg/Bay Point Station to Byron in East Contra Costa County. Ninety-six million dollars

(\$96,000,000). Project funds may only be used if the project is in compliance with adopted BART policies with respect to appropriate land use zoning in vicinity of proposed stations. The project is jointly sponsored by BART and Contra Costa Transportation Authority.

- (14) Capitol Corridor Improvements in Interstate 80/Interstate 680 Corridor. Fund track and station improvements, including the Suisun Third Main Track and new Fairfield Station. Twenty-five million dollars (\$25,000,000). *Funding increased by \$10,950,126 (hearing date April 9, 2014). Present amount: thirty-five million, nine hundred fifty thousand, one hundred twenty-six dollars (\$35,950,126).* The project sponsor is Capitol Corridor Joint Powers Authority and the Solano Transportation Authority.
- (15) Central Contra Costa Bay Area Rapid Transit (BART) Crossover. Add new track before Pleasant Hill BART Station to permit BART trains to cross to return track towards San Francisco. Twenty-five million dollars (\$25,000,000). The project sponsor is BART.
- (16) Benicia-Martinez Bridge: New Span. Provide partial funding for completion of new five-lane span between Benicia and Martinez to significantly increase capacity in the I-680 corridor. Fifty million dollars (\$50,000,000). The project sponsor is the Bay Area Toll Authority.
- (17) Regional Express Bus North. Competitive grant program for bus service in Richmond-San Rafael Bridge, Carquinez, Benicia-Martinez and Antioch Bridge corridors. Provide funding for park and ride lots, infrastructure improvements, and rolling stock. Eligible recipients include Golden Gate Bridge Highway and Transportation District, Vallejo Transit, Napa VINE, Fairfield-Suisun Transit, Western Contra Costa Transit Authority, Eastern Contra Costa Transit Authority, and Central Contra Costa Transit Authority. The Golden Gate Bridge Highway and Transportation District shall receive a minimum of one million six hundred thousand dollars (\$1,600,000). Napa VINE shall receive a minimum of two million four hundred thousand dollars (\$2,400,000). Twenty million dollars (\$20,000,000). *Funding reduced by \$1,201,548 (hearing date April 9, 2014). Present amount: Eighteen million, seven hundred ninety-eight thousand, four hundred fifty-two dollars (\$18,798,452).* The project sponsor is the Metropolitan Transportation Commission.
- (18) TransLink. Integrate the Bay Area's regional smart card technology, TransLink, with operator fare collection equipment and expand system to new transit services. Twenty-two million dollars (\$22,000,000). The project sponsor is the Metropolitan Transportation Commission.

- (19) **Real-Time Transit Information.** Provide a competitive grant program for transit operators for assistance with implementation of high-technology systems to provide real-time transit information to riders at transit stops or via telephone, wireless, or Internet communication. Priority shall be given to projects identified in the commission's connectivity plan adopted pursuant to subdivision (d) of Section 30914.5. Twenty million dollars (\$20,000,000). The funds shall be administered by the Metropolitan Transportation Commission.

- (20) **Safe Routes to Transit: Plan and construct bicycle and pedestrian access improvements in close proximity to transit facilities.** Priority shall be given to those projects that best provide access to regional transit services. Twenty-two million five hundred thousand dollars (\$22,500,000). City Car Share shall receive two million five hundred thousand dollars (\$2,500,000) to expand its program within approximately one-quarter mile of transbay regional transit terminals or stations. The City Car Share project is sponsored by City Car Share and the Safe Routes to Transit project is jointly sponsored by the East Bay Bicycle Coalition and the Transportation and Land Use Coalition. These sponsors must identify a public agency cosponsor for purposes of specific project fund allocations.

- 21) **BART Tube Seismic Strengthening.** Add seismic capacity to existing BART tube connecting the east bay with San Francisco. The project sponsor is BART. Forty-three million dollars (\$143,000,000); *funding reduced by \$62 million (hearing date June 13, 2007); funding reduced by \$10 million (hearing date January 14, 2009); funding reduced by \$37,199,000 (hearing dates June 10, 2009 and July 8, 2009). Present Amount: Thirty-three million eight hundred one thousand dollars (\$33,801,000).*

- (22) **Transbay Terminal/Downtown Caltrain Extension.** A new Transbay Terminal at First and Mission Streets in San Francisco providing added capacity for transbay, regional, local, and intercity bus services, the extension of Caltrain rail services into the terminal, and accommodation of a future high-speed passenger rail line to the terminal and eventual rail connection to the east bay. Eligible expenses include project planning, design and engineering, construction of a new terminal and its associated ramps and tunnels, demolition of existing structures, design and development of a temporary terminal, property and right-of-way acquisitions required for the project, and associated project-related administrative expenses. A bus- and train-ready terminal facility, including purchase and acquisition of necessary rights-of-way for the terminal, ramps, and rail extension, is the first priority for toll funds for the Transbay Terminal/Downtown Caltrain Extension Project. The temporary terminal operation shall not exceed five years. One hundred fifty million dollars (\$150,000,000). The project sponsor is the Transbay Joint Powers Authority.

- (23) Oakland Airport Connector. New transit connection to link BART, Capitol Corridor and AC Transit with Oakland Airport. The Port of Oakland shall provide a full funding plan for the connector. The project sponsors are the Port of Oakland and BART. Thirty million dollars (\$30,000,000); *funding increased by \$38 million (hearing date June 13, 2007); funding increased by \$10 million (hearing date January 14, 2009); funding increased by \$37,199,000 (hearing dates June 10, 2009 and July 8, 2009)*. Present Amount: *One hundred fifteen million one hundred ninety-nine thousand dollars (\$115,199,000)*.
- (24) AC Transit Enhanced Bus-Phase 1 on Telegraph Avenue, International Boulevard, and East 14th Street (Berkeley-Oakland-San Leandro). Develop enhanced bus service on these corridors, including bus bulbs, signal prioritization, new buses, and other improvements. Priority of investment shall improve the AC connection to BART on these corridors. Sixty-five million dollars (\$65,000,000). *Funding increased by \$12,760,172 (hearing date April 9, 2014). Present amount: seventy-seven million, seven hundred sixty thousand, one hundred seventy-two dollars (\$77,760,172)*. The project sponsor is AC Transit.
- (25) ~~Commute Ferry Service for Alameda/Oakland/Harbor Bay~~. Transbay Commute Ferry Service. Purchase two vessels for ferry services between Alameda and Oakland areas and San Francisco. Second vessel funds to be released upon demonstration of appropriate terminal locations, new transit-oriented development, adequate parking, and sufficient landside feeder connections to support ridership projections. Twelve million dollars (\$12,000,000). The project sponsor is Water Transit Authority. If the Water Transit Authority demonstrates to the Metropolitan Transportation Commission that it has secured alternative funding for the two vessel purchases described in this paragraph, the funds may be used for terminal improvements.
- (26) Commute Ferry Service for Berkeley/Albany. Purchase two vessels for ferry services between the Berkeley/Albany Terminal and San Francisco. Parking access and landside feeder connections must be sufficient to support ridership projections. Twelve million dollars (\$12,000,000). The project sponsor is Water Transit Authority. If the Water Transit Authority demonstrates to the Metropolitan Transportation Commission that it has secured alternative funding for the two vessel purchases described in this paragraph, the funds may be used for terminal improvements. If the Water Transit Authority does not have an entitled terminal site within the Berkeley/Albany catchment area by 2010 that meets its requirements, the funds described in this paragraph and the operating funds described in paragraph (7) of subdivision (d) shall be transferred to another site in the East Bay. The City of Richmond shall be given first priority to receive this transfer of funds if it has met the planning milestones identified in its special study developed pursuant to paragraph (28).

- (27) Commute Ferry Service for South San Francisco. Purchase two vessels for ferry services to the Peninsula. Parking access and landside feeder connections must be sufficient to support ridership projections. Twelve million dollars (\$12,000,000). The project sponsor is Water Transit Authority. If the Water Transit Authority demonstrates to the Metropolitan Transportation Commission that it has secured alternative funding for the two vessel purchases described in this paragraph, the funds may be used for terminal improvements.
- (28) Water Transit Facility Improvements, Spare Vessels, and Environmental Review Costs. Provide two backup vessels for water transit services, expand berthing capacity at the Port of San Francisco, and expand environmental studies and design for eligible locations. Forty-eight million dollars (\$48,000,000). The project sponsor is Water Transit Authority. Up to one million dollars (\$1,000,000) of the funds described in this paragraph shall be made available for the Water Transit Authority to study accelerating development and other milestones that would potentially increase ridership at the City of Richmond ferry terminal.
- (29) Regional Express Bus Service for San Mateo, Dumbarton, and Bay Bridge Corridors. Expand park and ride lots, improve HOV access, construct ramp improvements, and purchase rolling stock. Twenty-two million dollars (\$22,000,000). *Funding increased by \$11,932,828 (hearing date April 9, 2014). Present amount: thirty-three million, nine hundred thirty-two thousand, eight hundred twenty-eight dollars (\$33,932,828). The project sponsors are AC Transit, Alameda County Transportation Commission, and the Dumbarton Bridge Regional Operations Consortium member agencies.*
- (30) I-880 North Safety Improvements. Reconfigure various ramps on I-880 and provide appropriate mitigations between 29th Avenue and 16th Avenue. Ten million dollars (\$10,000,000). *Funding increased by \$2,300,000 (hearing date April 9, 2014). Present amount: twelve million, three hundred thousand dollars (\$12,300,000).* The project sponsors are Alameda County *Transportation Commission*, City of Oakland, and the Department of Transportation.
- (31) BART Warm Springs Extension. Extension of the existing BART system from Fremont to Warm Springs in southern Alameda County. Up to ten million dollars (\$10,000,000) shall be used for grade separation work in the City of Fremont necessary to extend BART. The project would facilitate a future rail service extension to the Silicon Valley. The project sponsor is BART. Ninety-five million dollars (\$95,000,000) *Funding increased by \$91 million (hearing date January 14, 2009). Prior condition removed (hearing date April 9, 2014). Present Amount: One hundred eighty-six million dollars (\$186,000,000).*

- (32) I-580 (Tri Valley) Rapid Transit Corridor Improvements. Provide rail or High-Occupancy Vehicle lane direct connector to Dublin BART and other improvements on I-580 in Alameda County for use by express buses. Sixty-five million dollars (\$65,000,000). The project sponsor is Alameda County Congestion Management Agency.
- (33) Regional Rail Master Plan. Provide planning funds for integrated regional rail study pursuant to subdivision (f) of Section 30914.5. Six million five hundred thousand dollars (\$6,500,000). The project sponsors are Caltrain and BART.
- (34) Integrated Fare Structure Program. Provide planning funds for the development of zonal monthly transit passes pursuant to subdivision (e) of Section 30914.5. One million five hundred thousand dollars (\$1,500,000). The project sponsor is the TransLink® Consortium.
- (35) Transit Commuter Benefits Promotion. Marketing program to promote tax-saving opportunities for employers and employees as specified in Section 132(f)(3) or 162(a) of the Internal Revenue Code. Goal is to increase the participation rate of employers offering employees a tax-free benefit to commute to work by transit. The project sponsor is the Metropolitan Transportation Commission. Five million dollars (\$5,000,000).
- (36) Caldecott Tunnel Improvements. Provide funds to plan and construct a fourth bore at the Caldecott Tunnel between Contra Costa and Alameda Counties. The fourth bore will be a two-lane bore with a shoulder or shoulders north of the current three bores. The County Connection shall study all feasible alternatives to increase transit capacity in the westbound corridor of State Highway Route 24 between State Highway Route 680 and the Caldecott Tunnel, including the study of the use of an express lane, high-occupancy vehicle lane, and an auxiliary lane. The cost of the study shall not exceed five hundred thousand dollars (\$500,000) and shall be completed not later than January 15, 2006. Fifty million five hundred thousand dollars (\$50,500,000). *Funding reduced by \$5,425,000 (hearing date April 9, 2014). Present amount: forty-five million, seventy-five thousand dollars (\$45,075,000).* The project sponsor is the Contra Costa Transportation Authority.
- (37) *BART Transit Capital Rehabilitation. Provide local matching funds to BART's fixed guideway rehabilitation and replacement projects funded with federal dollars in FY 06-07 and FY 07-08. Twenty-four million dollars (\$24,000,000). The project sponsor is BART. (New project added: hearing date June 13, 2007)*
- (38) *Regional Express Lane Network. Provide funds to plan and construct express/toll lanes. Priority will be given to conversion of the High-Occupancy Vehicle (HOV) lanes on Interstate 80 in Alameda and Contra Costa Counties to express lanes.*

Four million, eight hundred twenty five thousand, four hundred fifty five dollars and forty three cents (\$4,825,455.43). The project sponsor is MTC (subject to delegation to the Bay Area Infrastructure Financing Authority (BAIFA), pending formal action). (New project added: hearing date April 10, 2013)

- (39) *Major Interchange Modifications in the Vicinity of I-80 and San Pablo Dam Road in Contra Costa County. Provide funds to plan and construct interchange improvements in the vicinity of Interstate 80 and San Pablo Dam Road to reduce congestion and improve traffic safety. Eight million dollars (\$8,000,000). The project sponsor is the Contra Costa Transportation Authority. (New project added: hearing date April 10, 2013)*

(40) Caltrain Electrification. Provide funding for the electrification of Caltrain. Twenty million dollars (\$20,000,000). The project sponsor is Caltrain.

Streets and Highways Code Sections 30914(d)

Not more than 38 percent of the revenues generated from the toll increase shall be made available annually for the purpose of providing operating assistance for transit services as set forth in the authority's annual budget resolution. The funds shall be made available to the provider of the transit services subject to the performance measures described in Section 30914.5. If the funds cannot be obligated for operating assistance consistent with the performance measures, these funds shall be obligated for other operations consistent with this chapter.

Except for operating programs that do not have planned funding increases and subject to the 38-percent limit on total operating cost funding in any single year, following the first year of scheduled operations, an escalation factor, not to exceed 1.5 percent per year, shall be added to the operating cost funding through fiscal year 2015 -16, to partially offset increased operating costs. The escalation factors shall be contained in the operating agreements described in Section 30914.5. Subject to the limitations of this paragraph, the Metropolitan Transportation Commission may annually fund the following operating programs as another component of the Regional Traffic Relief Plan:

- (1) Golden Gate Express Bus Service over the Richmond Bridge (Route 40). Two million one hundred thousand dollars (\$2,100,000).
- (2) Napa Vine Service terminating at the Vallejo Intermodal Terminal. Three hundred ninety thousand dollars (\$390,000).
- (3) Regional Express Bus North Pool serving the Carquinez and Benicia Bridge Corridors. Three million four hundred thousand dollars (\$3,400,000).

- (4) Regional Express Bus South Pool serving the Bay Bridge, San Mateo Bridge, and Dumbarton Bridge Corridors. Six million five hundred thousand dollars (\$6,500,000).
- (5) Dumbarton ~~Rail~~ Bus. Five million five hundred thousand dollars (\$5,500,000) *(Eligibility changed from Rail to Bus; hearing date January 11, 2012.)*
- (6) San Francisco Bay Area Water Emergency Transportation Authority, Alameda/Oakland/Harbor Bay, Berkeley/Albany, South San Francisco, Vallejo, or other transbay ferry service. A portion of the operating funds may be dedicated to landside transit operations. Fifteen million three hundred thousand dollars (\$15,300,000).
- (7) Owl Bus Service on BART Corridor. One million eight hundred thousand dollars (\$1,800,000).
- (8) MUNI Metro Third Street Light Rail Line. Two million five hundred thousand dollars (\$2,500,000) without escalation.
- (9) AC Transit Enhanced Bus Service on Telegraph Avenue, International Boulevard, and East 14th Street in Berkeley-Oakland-San Leandro. Three million dollars (\$3,000,000) without escalation.
- (10) TransLink, three-year operating program. Twenty million dollars (\$20,000,000) without escalation.
- (11) San Francisco Bay Area Water Emergency Transportation Authority, regional planning and operations. Three million dollars (\$3,000,000) without escalation.

ATTACHMENT B – PUBLIC COMMENTS*

Programming and Allocations Committee

April 9, 2014

Item 3a: RM2 Public Hearing

*Includes public comments received at the time of committee packet mail-out. Public comment period will close on April 23, 2014.

From **Richard Brand**

Date: Mar 8, 2014 pages 1 of 2

To **Commissioners,
Metropolitan Transit Commission**

Cc: **Palo Alto Daily Post**

Subject: **Re-Allocation of committed funding Dumbarton Bridge**

I recommend that you add a hiding on your web site for "Contact Us" which includes an email address for citizen's input like mine. I had to find my fax and then plug it in to send you this submission.

FAX

JUST SAY NO.

I request that the committed funding for the renovation of the Dumbarton Rail corridor NOT be reassigned for the following reasons.

I live in the Palo Alto and we have been working (and paying) since the '90's to get this sorely need rail link established. The secondary effects of traffic backed up to cross the Dumbarton bridge are affecting all of our arterials including University Ave. which is the main road through our downtown. It is also the major cause of gridlock on highway 101 both north and southbound.

Rail via CalTrain is the major form of alternative transit in and out of Palo Alto and a rail link to the East Bay has to be developed, especially as our city is being pushed to develop more high-density housing by ABAG.

Palo Alto is underserved by our county transit system the VTA and San Mateo County is cutting back on its SAMTrans service to our city.

BART does not even serve SFO directly anymore from our city. Previously there was a shuttle bus from the Millbrae CalTrain station. When the huge Millbrae transit facility was built and BART extended to SFO, the shuttle was stopped when BART replaced it. Now BART has dropped that service and we have nothing.

Therefore I am asking the MTC to remain equitable and not transfer funding to the East Bay BART project which will not provide any even long term relief for the conditions listed above. We need that cross bay link even more now as the technology industry thrives, our population grows, our highways are at capacity and we are being pushed to develop more housing.

**Sincerely,
Richard C. Brand
Palo Alto**



Cc: PA Daily Post



February 03, 2014

Mr. Steve Heminger
Executive Director
Metropolitan Transportation Commission
VIA E-MAIL: sheminger@mtc.ca.gov

RE: Recommendation for use of Regional Measure 2 Funds to improve mobility in the most congested area of Marin County by building the North South Greenway Central Marin Ferry Connection Phase II

Dear Mr. Heminger:

Transportation Alternatives for Marin is a non-profit corporation whose mission is to promote pedestrian and bicycle transportation, particularly in the United States. Our mission is advanced through promoting pedestrian and bicycle transportation in Marin County, California, and the demonstration that investment in integrated bicycle and pedestrian infrastructure, combined with education, can carry a material portion of the overall transportation load and serve as an intermodal promoter.

Transportation Alternatives for Marin recommends that the Metropolitan Transportation Commission (MTC) fund and have the Transportation Authority of Marin (TAM) build the Central Marin Ferry Connection (CMFC) Phase II section of the North South Greenway with funds from Regional Measure 2.

All requests for funding herein are expressly described in the Regional Measure 2 enabling legislation. See Exhibit "A".

The North South Greenway completes multimodal connections from the Ross Valley and South Marin to the Larkspur Ferry and the soon-to-be built Larkspur SMART Station. This segment of the North South Greenway is an important segment of the 9-county regional Bay Trail, from where the Central Marin Ferry Connection Phase I segment will end on the north edge of Corte Madera Creek (see Attachment "B" for computer rendering of CMFC Phase I to be built in 2014), to the Sandra Marker Trail (across Corte Madera Creek, along the railroad right-of-way). [Central Marin Ferry Connection Phase II, Preferred Alternative.]

We also recommend that the MTC fund intersection surface improvements on Wornum Drive for \$500,000 and a \$250,000 study for grade separated crossings at Redwood Highway and Tamal Vista Blvd. on the North South Greenway (This is the North South Greenway crossing of Highway 101.) which would connect the Sandra Marker Trail with the Central Marin Ferry Connection. Both of these funding allocations were made by the TAM Board of Commissioners on September 26, 2013.

We recommend splitting the above described portion of the CMFC Phase II project for the North South Greenway into three sections:

1. Corte Madera Creek bicycle/pedestrian bridge overcrossing.
 - a. This section needs to be environmentally cleared and built.



TRANSPORTATION ALTERNATIVES FOR MARIN

- b. The estimated costs for clearances and construction are \$15 million.
 - c. The Transportation Authority of Marin has done a comprehensive study and this alignment was identified as the preferred alternative alignment.
 - d. The Transportation Authority of Marin has already done preliminary engineering on the preferred alternative alignment.
2. Redwood Highway and Wornum Drive to the trestle approach near the trailer park on the south side of Corte Madera Creek.
- a. This section should be environmentally cleared and built.
 - b. The estimated costs for clearances and construction are \$5 million.
 - c. The Transportation Authority of Marin has done a comprehensive study and this alignment was identified as the preferred alternative alignment.
 - d. The Transportation Authority of Marin has already done preliminary engineering on the preferred alternative alignment.
3. Connecting the Sandra Marker Trail to the east side of Redwood Highway.
- a. Wornum Drive intersection surface improvements
 - 1) Estimated Cost \$500,000
 - b. This section needs to be studied to determine the optimal grade separation design at:
 - 1) Wornum Drive and Tamal Vista Boulevard; and
 - 2) Wornum Drive and Redwood Highway
 - c. The requested amount for the grade separated study is \$250,000.

Each of the sections of the North South Greenway identified above has "independent utility." Each section provides a function independent of one another and can be environmentally cleared and built as separate projects if necessary.

We recommend that the MTC use Regional Measure 2 to fund:

- (1) Pre-construction tasks are required including, the environmental review, design, and permitting for all three sections of the CMFC Phase II sections of the North South Greenway as described above and shown on Attachment "C;" and
- (2) The construction of Sections 1 and 2 as pre-construction tasks are completed.

Completing the North South Greenway should be the primary transportation improvement made with the remaining Regional Measure 2 funds. The Central Marin Ferry Connection Phase II sections of the North South Greenway improvements are consistent with the legislative intent of Regional Measure 2, as shown in Attachment "A". Additionally, the three priority sections of the North South Greenway listed above provide flexibility as they can be grouped with either freeway improvements or SMART allocations.

Completion of the North South Greenway and Central Marin Ferry Connection Phase II has the overwhelming support of the community, including the school districts and the city councils of Corte Madera and Larkspur.

On Monday, August 26, 2013 the TAM's Greenbrae Corridor Improvements Project Working Group unanimously supported key recommendations requested by MCBC, The



TTRANSPORTATION AALTERNATIVES FOR MMARIN

San Francisco Bay Trail Project, Transportation Alternatives for Marin, and Marin Deserves Better including:

- Construction of a new separated bicycle/pedestrian bridge crossing Corte Madera Creek.
- Construction of a multi-use pathway from Redwood Highway at Wornum Drive, behind Trader Joe's/Cost Plus (adjacent to and on the west side of the SMART train tracks), to the area just south of Corte Madera Creek.
- Construction of grade separated crossings at Tamal Vista Boulevard (near DMV) and under Redwood Highway (on east side of the Highway 101) at Wornum Drive.

The following groups support making the North South Greenway from the Sandra Marker Trail to the Cal Park Hill Tunnel a priority for the use of Marin's Regional Measure 2 funds:

1. City of Larkspur;
2. Town of Corte Madera;
3. Tamalpais Union High School District;
4. Larkspur-Corte Madera School District;
5. Transportation Authority of Marin Advisory Group;
(See Attachment "D")

If any Regional Measure 2 funding goes to SMART, we request that the SMART Board of Directors agree to the following to promote the construction of Regional Measure 2 projects (as described in the original legislation) as follows:

1. SMART agrees to fully cooperate with the planning, environmental clearance, and the building of the North South Greenway CMFC Phase II;
2. SMART agrees to immediately notify the lessees on the SMART right-of-way that are on land that would be used by the CMFC Phase II North South Greenway to vacate by June 1, 2014;
3. SMART agrees to pay for maintenance expenses for the North South Greenway sections on SMART right-of-way for the first ten years of operation from the north side of Corte Madera Creek to the spur at the Corte Madera border.
4. SMART agrees to build the multiuse path described in its enabling legislation, Measure Q, from the Larkspur SMART station to the San Rafael SMART station at the same time the train line is built.

Thank you again for the opportunity to provide recommendations to build optimal transportation projects in Marin County with Marin's Regional Measure 2 funding allocation as set forth in the original legislation.

Respectfully submitted,

Patrick M. Seidler
President

Attachment "A"

Section 309.14(a - f) Excerpted from the STREETS AND HIGHWAYS CODE SECTION 30910-30922

30914. (a) In addition to any other authorized expenditures of toll bridge revenues, the following major projects may be funded from toll revenues of all bridges:

(c) If the voters approve a toll increase in 2004 pursuant to Section 30921, the authority shall, consistent with the provisions of subdivisions (d) and (f), fund the projects described in this subdivision and in subdivision (d) that shall collectively be known as the Regional Traffic Relief Plan by bonding or transfers to the Metropolitan Transportation Commission. These projects have been determined to reduce congestion or to make improvements to travel in the toll bridge corridors, from toll revenues of all bridges:

If Regional Measure 2 passes...

(10) Sonoma-Marina Area Rail Transit District (SMART) Extension to Larkspur or San Quentin. Extend rail line from San Rafael to a ferry terminal at Larkspur or San Quentin. Thirty-five million dollars (\$35,000,000). Up to five million dollars (\$5,000,000) may be used to study, in collaboration with the Water Transit Authority, the potential use of San Quentin property as an intermodal water transit terminal. The project sponsor is SMART.

Already allocated to SMART

(11) Greenbrae Interchange/Larkspur Ferry Access Improvements. Provide enhanced regional and local access around the Greenbrae Interchange to reduce traffic congestion and provide multimodal access to the Richmond-San Rafael Bridge and Larkspur Ferry Terminal by constructing a new full service diamond interchange at Wornum Drive south of the Greenbrae Interchange, extending a multiuse pathway from the new interchange at Wornum Drive to East Sir Francis Drake Boulevard and the Cal Park Hill light-railway, adding a new lane to East Sir Francis Drake Boulevard and rehabilitating the Cal Park Hill Rail Tunnel and light-of-way approaches for bicycle and pedestrian access to connect the San Rafael Transit Center with the Larkspur Ferry Terminal. Sixty-five million dollars (\$65,000,000). The project sponsor is the Marin County Congestion Management Agency.

1. TAM has said this cannot be done

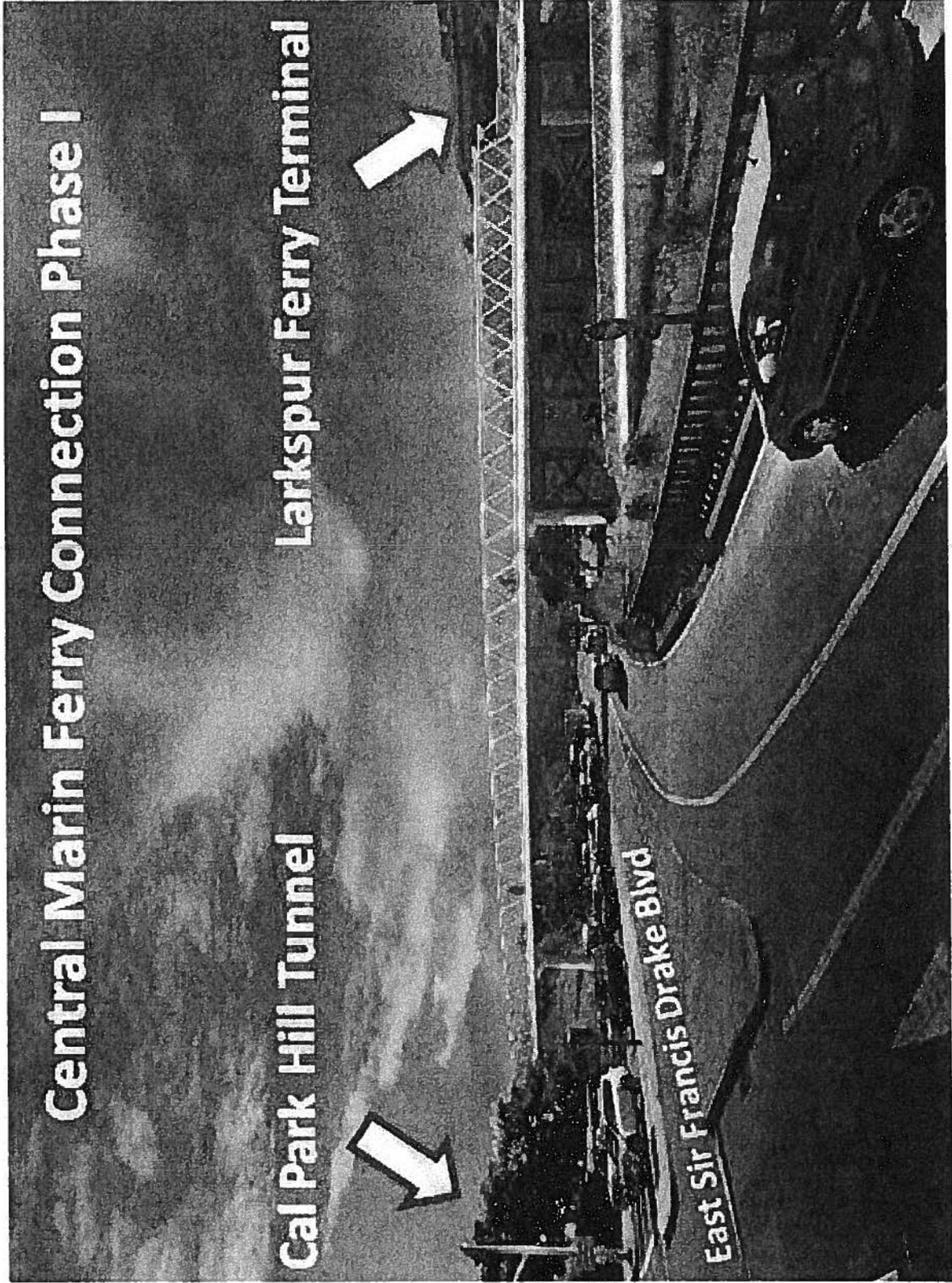
2. Wornum Drive Grade Separated Crossings and Phase II Central Marin Ferry Connection

3. Completed years ago by Larkspur

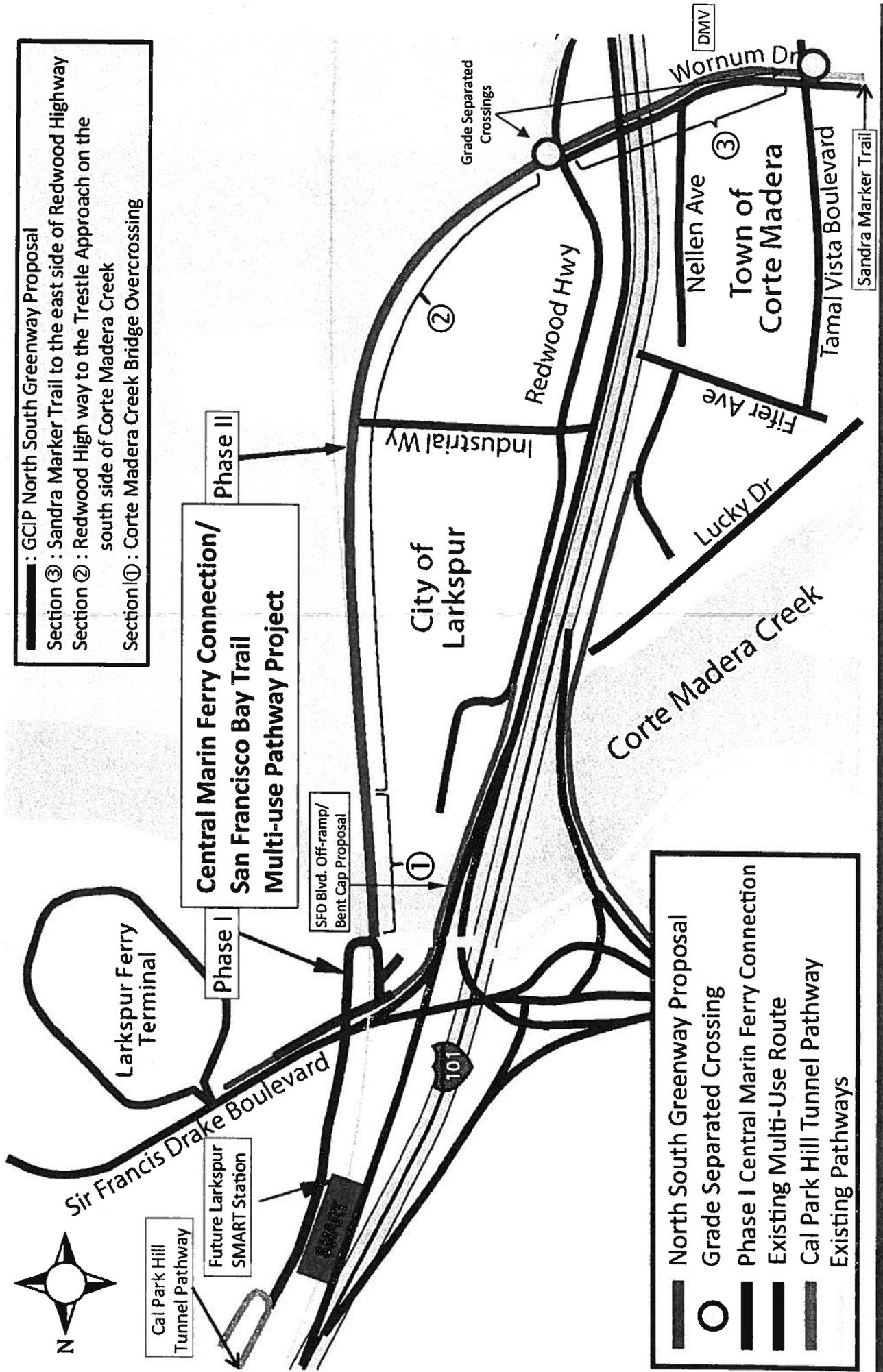
4. Cal Park Hill Tunnel Opened in 2010, and Phase I Central Marin Ferry Connection starts construction in 2014

The requests to fund the construction and tasks necessary to build the North South Greenway from Wornum Drive to the Central Marin Ferry Connection falls within the funding directive of Regional Measure 2. The North South Greenway is the "multiuse pathway" mentioned here in the legislative language.

Attachment "B"



COMPLETE THE NORTH SOUTH GREENWAY CONNECTING THE ROSS VALLEY TO SMART AND THE LARKSPUR FERRY



**CITY OF LARKSPUR
RESOLUTION No. 69/13**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LARKSPUR
SUPPORTING THE INCLUSION OF VARIOUS IMPROVEMENTS AS PART OF
CALTRANS' HIGHWAY 101 GREENBRAE/TWIN CITIES CORRIDOR
IMPROVEMENTS PROJECT**

WHEREAS, Caltrans and the Transportation Authority of Marin (TAM) are considering a major freeway improvement project in the Greenbrae/101 corridor (Greenbrae/101 Project) that currently does not include the completion of the Larkspur/Corte Madera section of the North-South Greenway from the Sandra Marker Trail from Wornum Drive along the railroad right of way over the Corte Madera Creek connecting to the Cal Park Hill Tunnel on a new bicycle/pedestrian bridge;

WHEREAS, the existing bicycle/pedestrian path on Wornum Drive would be enhanced by additional safety improvements to the connection between the communities on the west and bay side of Highway 101, which is of particular concern for school age children;

WHEREAS, the enabling legislation for Regional Measure 2, which is one of the funding sources for the Greenbrae/ 101 Project, identifies the construction of a path from Wornum Drive to the Cal Park Hill Tunnel;

WHEREAS, safety enhanced multi-modal transportation improvements must be included in the project to encourage bicycle/pedestrian use and safety, to reduce traffic congestion and improve the quality of life; and,

WHEREAS, residents of Larkspur and Marin County will walk and bicycle more if the paths are safe and separate (from automobile crossings at grade), direct, flat, and esthetically pleasing.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Larkspur resolves

1. The City Council supports including in the Greenbrae/101 Project in the completion of the Larkspur/Corte Madera section of the North-South Greenway from the Sandra Marker Trail at Wornum Drive and Tamal Vista to the Redwood Highway, and continuing along the railroad right-of-way from the Redwood Highway over Corte Madera Creek on a new bicycle/pedestrian bridge, following the Preferred Alternative in both the 2004 Larkspur and Bay Trail Study and the 2007 TAM Central Marin Ferry Connection Feasibility Memorandum.
2. The City Council supports including in the Greenbrae/101 Project underpasses on the North South Greenway at Tamal Vista, any new freeway off ramps, and the

Attachment "D"

Redwood Highway as the Greenway passes parallel with Wornum Drive under Highway 101 so that the North South Greenway would be fully safe and separate (no pedestrian or bicycle crossings of roadways at the same grade) from the Sandra Marker Trail to the Cal Park Hill Tunnel as shown in the drawing dated June 3, 2013 by Joe Breeze entitled Conceptual North-South Greenway Bike-Ped Underpass 2.1 Along Wornum Way.

IT IS HEREBY CERTIFIED that the City Council of the City of Larkspur duly introduced and regularly adopted the foregoing resolution at a regular meeting held on the 21st day of August, 2013, by the following vote, to wit:

AYES: COUNCILMEMBER:

NOES: COUNCILMEMBER:

ABSENT: COUNCILMEMBER:

ABSTAIN: COUNCILMEMBER:

MAYOR

ATTEST:

CITY CLERK

**CITY OF LARKSPUR
RESOLUTION No. 70/13**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LARKSPUR
ENCOURAGING INCLUSION WITHIN THE SCOPE OF THE HIGHWAY 101
GREENBRAE/TWIN CITIES CORRIDOR IMPROVEMENTS PROJECT THOSE
BICYCLE AND PEDESTRIAN IMPROVEMENTS THAT ARE CONSISTENT WITH
THE PROJECT AND EXISTING LOCAL AND REGIONAL PLANNING DOCUMENTS**

WHEREAS, the Larkspur City Council is committed to the provision of safe bicycle and pedestrian routes within its jurisdiction;

WHEREAS, Caltrans and the Transportation Authority of Marin (TAM) are considering a major freeway improvement project in the Greenbrae/101 corridor (Greenbrae/101 Project) with project elements within the jurisdiction of Larkspur;

WHEREAS, it is anticipated that the final Greenbrae/101 Project scope will include improvements for bicycle and pedestrian routes;

WHEREAS, several local and regional agencies, including, but not limited to, the City of Larkspur, the Town of Corte Madera, the County of Marin, TAM, and the Association of Bay Area Governments, have adopted various plans that identify bicycle and pedestrian improvements within the Greenbrae/101 Project Area;

WHEREAS, it is a goal of the City of Larkspur to realize improved bicycle and pedestrian connectivity between the City's existing networks on the north and south sides of Corte Madera Creek;

WHEREAS, it is a goal of the City of Larkspur to maintain and improve bicycle and pedestrian connectivity between the west and east sides of Highway 101;

WHEREAS, the City Council is aware that members of the Marin community have proposed that the Greenbrae/101 Project include bicycle and pedestrian improvements that are not currently identified as part of the Project; and

WHEREAS, the City Council is also aware that the planning processes to include these elements in the Greenbrae/101 Project may require more time and the coordination of more regulatory agencies than is feasible within the time constraints of the overall Greenbrae/101 Project.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Larkspur encourages TAM to consider the feasibility of including addition bicycle and pedestrian improvements that are consistent with the adopted plans of those agencies whose jurisdiction includes all or a portion of the Project Area.

Attachment "D"

NOW, THEREFORE, BE IT RESOLVED, that the City Council believes that the final scope for the Greenbrae/101 Project should include as many elements as possible that improve and enhance safe travel between the CalPark Hill Tunnel and the Sandra Marker Trail.

IT IS HEREBY CERTIFIED that the City Council of the City of Larkspur duly introduced and regularly adopted the foregoing resolution at a regular meeting held on the 21st day of August, 2013, by the following vote, to wit:

AYES: COUNCILMEMBER:

NOES: COUNCILMEMBER:

ABSENT: COUNCILMEMBER:

ABSTAIN: COUNCILMEMBER:

MAYOR

ATTEST:

CITY CLERK

RESOLUTION NO. 11/2013

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF CORTE MADERA SUPPORTING THE INCLUSION OF VARIOUS IMPROVEMENTS AS PART OF CALTRANS' HIGHWAY 101 GREENBRAE/TWIN CITIES CORRIDOR IMPROVEMENTS PROJECT AS RECOMMENDED BY THE TOWN'S BICYCLE PEDESTRIAN ADVISORY COMMITTEE (BPAC)

WHEREAS, Caltrans and the Transportation Authority of Marin (TAM) are considering a major freeway improvement project in the Greenbrae/101 corridor (Greenbrae/101 Project) that currently does not include the completion of the Larkspur/Corte Madera section of the North-South Greenway from the Sandra Marker Trail from Wornum Drive along the railroad right of way over the Corte Madera Creek connecting to the Cal Park Hill Tunnel on a new bicycle/pedestrian bridge;

WHEREAS, the existing bicycle/pedestrian path on Wornum Drive would be enhanced by additional safety improvements to the connection between the communities on the west and bay side of Highway 101, which is of particular concern for school age children;

WHEREAS, the enabling legislation for Regional Measure 2, which is one of the funding sources for the Greenbrae/101 Project, identifies the construction of a path from Wornum Drive to the Cal Park Hill Tunnel;

WHEREAS, safety enhanced multi-modal transportation improvements must be included in the project to encourage bicycle/pedestrian use and safety, to reduce traffic congestion and improve the quality of life; and,

WHEREAS, residents of Corte Madera and Marin County will walk and bicycle more if the paths are safe and separate (from automobile crossings at grade), direct, flat, and esthetically pleasing.

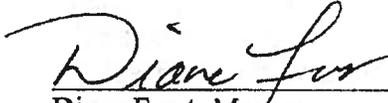
NOW THEREFORE, BE IT RESOLVED:

1. The Town Council of the Town of Corte Madera supports including in the Greenbrae/101 Project in the completion of the Larkspur/Corte Madera section of the North-South Greenway from the Sandra Marker Trail at Wornum Drive and Tamal Vista to the Redwood Highway, and continuing along the railroad right-of-way from the Redwood Highway over Corte Madera Creek on a new bicycle/pedestrian bridge, following the Preferred Alternative in both the 2004 Larkspur and Bay Trail Study and the 2007 TAM Central Marin Ferry Connection Feasibility Memorandum.
2. The Town Council supports including in the Greenbrae/101 Project underpasses on the North South Greenway at Tamal Vista, any new freeway off ramps, and the Redwood Highway as the Greenway passes parallel with Wornum Drive under Highway 101 so that the North South Greenway would be fully safe and separate (no pedestrian or bicycle crossings of roadways at the same grade) from the Sandra Marker Trail to the Cal Park Hill Tunnel as shown in the drawing dated June 3, 2013 by Joe Breeze entitled Conceptual North-South Greenway Bike-Ped Underpass 2.1 Along Wornum Way.

Attachment "D"

I HEREBY CERTIFY that the foregoing Resolution was duly and regularly adopted by the Town Council of the Town of Corte Madera of Marin County at a regular meeting thereof held on June 4, 2013, to wit:

AYES: Furst, Condon, Lappert, Ravasio
NOES: None
ABSENT: None



Diane Furst, Mayor

ATTEST:



Lisa Harper, Interim Town Clerk

TAMALPAIS UNION HIGH SCHOOL DISTRICT
Larkspur, California

RESOLUTION #13

RESOLUTION OF THE BOARD OF TRUSTEES
OF THE TAMALPAIS UNION HIGH SCHOOL DISTRICT
SUPPORTING THE NORTH SOUTH GREENWAY AND UNDER-CROSSINGS AT WORNUM DRIVE

WHEREAS, it is the understanding of the Tamalpais Union High School District Board of Trustees ("Board") that Caltrans and Transportation Authority of Marin are considering a major freeway improvement project in the Greenbrae/Twin Cities corridor that does not include the completion of the Larkspur/Corte Madera section of the North South Greenway from Wornum Drive along the railroad right of way over the Corte Madera Creek on a new bicycle/pedestrian bridge;

WHEREAS, the existing bike/pedestrian path on Wornum Drive offers a reasonably safe connection between the communities on the west and east sides of Highway 101. The Board understands that the proposed Caltrans and Transportation Authority of Marin improvement project would add an off-ramp and bus stop at Wornum Drive that would cross the existing bike/pedestrian path, creating increased conflict points with motor-vehicle traffic. The Caltrans and Transportation Authority of Marin improvement project would also add an on-ramp and second off-ramp at Wornum Drive that would bring considerably more motor-vehicle traffic onto the street. These proposed improvements would make the area significantly more dangerous for bicyclists and pedestrians.

WHEREAS, the Board believes that better multi-modal transportation improvements need to be included in the Greenbrae/Twin Cities Corridor Improvement Project so as to encourage bicycle/pedestrian use by students, parents, teachers, and the community as a whole, to reduce traffic congestion and improve the quality of life. The community will walk and bike more if the paths are safe and separate, direct, flat, and aesthetically pleasing.

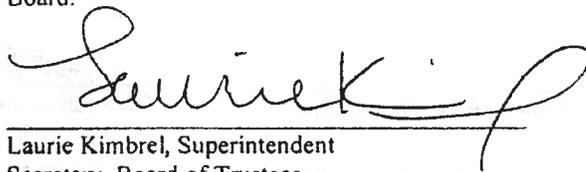
NOW, THEREFORE, BE IT RESOLVED that the Board:

- 1) Supports including in the Greenbrae/Twin Cities Corridor Improvement Project, the completion of the Larkspur/Corte Madera section of the North South Greenway from Wornum Drive along the railroad right of way over Corte Madera Creek on a new bicycle/pedestrian bridge;
- 2) Supports including in the Greenbrae/Twin Cities Corridor Improvement Project, Joe Breeze's plan to improve the bike/pedestrian path at Wornum Drive with under-crossings at Tamal Vista Drive and at Redwood Highway to create a safe and separate connection.

PASSED AND ADOPTED at a regular meeting of the Governing Board of the Tamalpais Union High School District on this 22nd day of May, 2013 by the following vote, to wit:

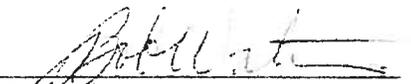
AYES: 5
 NOES: 0
 ABSENT: 0

I, Laurie Kimbrel, Secretary to the Board of Trustees, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Board of Trustees of the TAMALPAIS UNION HIGH SCHOOL DISTRICT at their meeting on May 22, 2013, which Resolution is on file in the office of said Board.



Laurie Kimbrel, Superintendent
Secretary, Board of Trustees
Tamalpais Union High School District

ATTEST:



Bob Walter
Clerk, Board of Trustees
Tamalpais Union High School District

LARKSPUR-CORTE MADERA SCHOOL DISTRICT
Larkspur, California

RESOLUTION 2012/13-22
SUPPORTING THE NORTH SOUTH GREENWAY AND UNDER-CROSSINGS AT WORNUM DRIVE

WHEREAS, it is the Larkspur-Corte Madera School District Board of Trustees' ("Board") understanding that Caltrans and Transportation Authority of Marin are considering a major freeway improvement project in the Greenbrae/Twin Cities Corridor that does not include the completion of the Larkspur/Corte Madera section of the North South Greenway from Wornum Drive along the railroad right of way over the Corte Madera Creek on a new bicycle/pedestrian bridge;

WHEREAS, the existing bike/pedestrian path on Wornum Drive offers a reasonably safe connection between the communities on the west and east sides of Highway 101. The Board understands that the proposed Caltrans and Transportation Authority of Marin improvement project would add an off-ramp and bus stop at Wornum Drive that would cross the existing bike/pedestrian path, creating increased conflict points with motor-vehicle traffic. The Caltrans and Transportation Authority of Marin improvement project would also add an on-ramp and second off-ramp at Wornum Drive that would bring considerably more motor-vehicle traffic onto the street. These proposed improvements would make the area significantly more dangerous for bicyclists and pedestrians; and,

WHEREAS, the Board believes that better multi-modal transportation improvements need to be included in the Greenbrae/Twin Cities Corridor Improvement Project so as to encourage bicycle/pedestrian use by students, parents and teachers, and the community as a whole, to reduce traffic congestion and improve the quality of life. The community will walk and bike more if the paths are safe and separate, direct and flat, and aesthetically pleasing.

BE IT RESOLVED:

1. The Board supports including in the Greenbrae/Twin Cities Corridor Improvement Project the completion of the Larkspur/Corte Madera section of the North South Greenway from Wornum Drive along the railroad right of way over Corte Madera Creek on a new bicycle/pedestrian bridge.
2. The Board supports including in the Greenbrae/Twin Cities Corridor Improvement Project, the attached conceptual plan to improve the bike/pedestrian path at Wornum Drive with under-crossings at Tamal Vista Drive and at Redwood Highway to create a safe and separate connection.

PASSED AND ADOPTED by the Board at its meeting on June 19, 2013, by the following vote:

AYES: 5
NOES: 0
ABSENT/NOT VOTING: 0

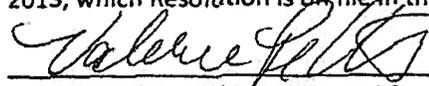


Sheri Howbray, President, Board of Trustees



Susan Christman, Clerk, Board of Trustees

I, Valerie Pitts, Secretary to the Board of Trustees, do hereby certify that the foregoing is a true and correct copy of the Resolution adopted by the Board of the Larkspur-Corte Madera School District at its meeting of June 19, 2013, which Resolution is on file in the office of this school district.



Valerie Pitts, Superintendent and Secretary to the Board of Trustees

Attachment "D"

Recap of the TAM Working Group's final recommendations:

August 27, 2013

The TAM Working Group finalized its recommendations that will be going to the full TAM Board at its Sept. 26 meeting. In a meeting lasting more than 5 hours, the Working Group was finally able to distill months of work on freeway and bike/pedestrian options down to a series of recommendations for the TAM Board. The TAM Working Group recommends:

...

BIKE/PEDESTRIAN FACILITIES:

- Complete the North-South Greenway, in phases as follows:
 - 1) Pathway with under crossings, or if infeasible, then safe and separate crossings, along Wornum from the Sandra Marker Trail at Tamal Vista to the east side of Redwood Hwy
 - 2) Pathway from Redwood Hwy to trestle, along west edge of railroad right-of-way (behind Cost Plus and Trader Joe's)
 - 3) New dedicated pathway over creek if feasible, with a preference for a new bridge. Second choice is renovation of old trestle for bike/pedestrian use. If neither is feasible, then N-S Greenway would utilize the widened pathway along northbound Industrial Way offramp (see next bullet point)
- Widen pathway on existing northbound Industrial Way offramp
- Retain the existing pedestrian over-crossing (POC) of Hwy 101 between Lucky Drive and Industrial Way.



BOARD OF TRUSTEES

Susan Christman
Daniel Durkin
Andrea Pierpont
Sally Relova
Julia Ritter

February 10, 2014

[Via E-Mail to sheminger@mtc.ca.gov](mailto:sheminger@mtc.ca.gov)

Mr. Steve Heminger
Executive Director
Metropolitan Transportation Commission

Dear Mr. Heminger:

We are writing on behalf of the children and families in the Larkspur-Corte Madera School District. Our district has experienced 47% enrollment growth in the last decade. We are opening a new school on the bay side of Corte Madera in September, 2014. Approximately 150 children will travel daily from the west side of Corte Madera to the new school on Paradise and Golden Hind. This includes several children due to move into the Tamal Vista Apartments this summer.

Our district has worked diligently with Safe Routes to Schools, Marin Deserves Better, and our local Town and City planners to create safe and efficient pathways for children to walk and/or ride to schools. Still, the Greenbrae Corridor overcrossings and undercrossings present safety hazards so great that elementary age students are prevented from walking or biking to school. This puts more cars on the road each day. As our community grows, our schools will continue to expand and the need for safe pathways from one side of the freeway to the other grows as well. Traffic is not likely to improve in the Greenbrae Corridor, unless children can get out of their parents' cars when going to and from school.

The Town of Corte Madera, the City of Larkspur, and the Larkspur-Corte Madera School District unanimously support the grade-separated crossings at Tamal Vista and Redwood Highway.

The TAM Working Group unanimously supported and prioritized building the North South Greenway at this area with grade-separated crossings. The North South Greenway crossing can include grade-separated crossings.

Valerie Pitts, Ed.D.
Superintendent

In the absence of funding for the entire project, it is essential that a study be completed for the optimal grade-separated crossings so this critical section of the North South Greenway can be built as soon as possible. Such a study was approved by the TAM Board of Commissioners. Building the grade-separated path at Wornum and under Tamal Vista and Redwood Highway complies with the Regional Measure 2 language for funding. Please move forward with the study.

Sincerely,



Valerie Pitts, Ed.D.
Superintendent



Michelle Walker
Principal, The Cove School

cc: Alix Bockelman, MTC Director
(abockelman@metc.ca.gov)
Kimberley Ward
(kward@mtc.ca.gov)

From: Yoriko Kishimoto
Sent: Tuesday, March 04, 2014 4:28 PM
To: Kimberly Ward
Subject: RM2 allocation: for Programming and Allocation Committee

Mr. Chair and members of the committee:

My name is Yoriko Kishimoto, former Mayor of Palo Alto and also former VTA board member.

My request is regarding the proposed RM2 actions on the Dumbarton Rail corridor (item 3). I am a past member of the Policy Advisory Committee and familiar with the past action to lend the \$91 million to Alameda County with the understanding that it would be paid back.

I understand the need to re-allocate the \$34 million to Caltrain and express buses. I don't understand forgiving the loan. RM 2 is funded by bridge users and voted in to relieve transbay transportation needs. The Dumbarton corridor is severely congested as it serves the employment centers of Silicon Valley. We need to keep the plan of Dumbarton Rail alive and move it forward, not kill it. Express buses are fine as interim solution but we will eventually need rail across the bay. Please do not eliminate the \$91 million debt - we will need it in the future.

Thank you for your attention.

Yoriko Kishimoto

From: Adina Levin
Sent: Tuesday, March 04, 2014 9:03 PM
To: MTC Commissioners
Subject: Dumbarton Rail Item #3

Dear Chair and Commissioners,

In the May 5 agenda Item 3, the MTC Programming and Allocations Committee is reviewing transportation projects that are not moving forward currently, including Dumbarton Rail. That project was stalled following the failure of the last Alameda County transportation ballot measure which would have funded it.

The staff report currently proposes to re-allocate \$34 million to purchasing express buses currently serving the corridor, and to Caltrain electrification. This is a good recommendation.

In addition, however, there is a proposal to permanently allocate \$91 million - which was borrowed for the BART to Warm Springs project with the intention that it would be paid back - and dedicate the \$91M to the BART project permanently.

The Dumbarton corridor is severely congested as it serves the employment centers of Silicon Valley. It is important to keep the plan of Dumbarton Rail alive and move it forward, not kill it.

Regional Measure 2 is funded by bridge users and voted in to relieve transbay transportation needs. Express buses are fine as interim solution but we will eventually need rail across the bay.

We urge you to maintain the \$91 Million for future use on the Dumbarton Corridor.

http://apps.mtc.ca.gov/meeting_packet_documents/agenda_2188/03a_RM2_Hearing_Request.pdf

Thank you for your attention,

- Adina

Adina Levin
Friends of Caltrain

March 15, 2014

TO: METROPOLITAN TRANSPORTATION COMMISSION

FROM: TIM PITSKER

MEMORANDUM IN SUPPORT OF REALLOCATING RM2 FUNDS FROM
THE DUMBARTON RAIL CORRIDOR PROJECT (DRCP) TO OTHER PROJECTS

I am a retired lawyer having worked for 27 years as a deputy district attorney for Santa Clara County. I have lived in the Niles District of Fremont and frequently had to commute across the Dumbarton Bridge to get to the Palo Alto courts. There is no backup of traffic on the bridge and only minor backups at highway 880 on the east and 101 on the west. It would be a waste of taxpayer money to build the DRCP. I am currently serving as the chairperson of the Citizen Advisory Panel for the DRCP Policy Advisory Committee. The views expressed in this memorandum are my personal views and not the views of the CAP.

THE DRCP IS A FLAWED PROJECT AND REALLOCATING ITS RM2 FUNDING IS
APPROPRIATE

There are numerous issues waiting to be litigated. Attached are investigation requests that I have previously submitted to the civil grand juries of Alameda and Santa Clara Counties along with grand jury reports from Alameda, San Mateo and Santa Clara Counties that are critical of the DRCP. I have not included exhibits that were attached to the investigation requests. These exhibits are available upon request. Also attached are two DRCP memos from the project manager Howard Goode.

If the draft EIR for the DRCP is presented for public comment, I will then go into litigation mode. I will employ the CEQA law firm that defeated CAL TRANS when it submitted an environmental impact report that attempted to expand highway 84 from Niles to Sunol by cutting down 400 trees in Niles Canyon. Hopefully the RM2 money for the DRCP will be reallocated and we can avoid potentially extensive litigation.

SUMMARY KEY ISSUES

- 1) The Union Pacific RR is not selling the right-of-way from Union City to the Shinn Connection. The UPRR has not negotiated in good faith. The UPRR demands are

outrageously expensive and would cost the DRCP hundreds of millions of dollars. The demands include a third track through the Centerville District of Fremont. The PUC requires grade separations before allowing a third track. These grade separations in Centerville could easily cost several hundred million dollars. This demand alone could easily sink the DRCP. The UPRR also wants a grade separation between the coast line and the Dumbarton line in Newark. This could easily cost another 100 million dollars. The UPRR has also indicated that it will only sell all 38 miles of the Oakland Subdivision right-of-way and not just the approximately 2 miles from the Union City Intermodal station to the Shinn Connection. There is no money allocated for the purchase of the entire 38 miles. Finally, the UPRR wants a freight only bridge over Alameda Creek in Niles which will cost over 25 million dollars. These demands make it impossible to purchase the needed right-of-way and the DRCP cannot be completed.

- 2) The building of the freight only bridge in Niles is probably an illegal use of funds absent an agreement by the UPRR to take freight off of the Centerville Line to make space for more passenger trains. The UPRR has shown no inclination to obligate itself to reduce freight through Centerville and actually wants a third track to increase freight traffic through Centerville. The building of the Niles freight bridge would be an inappropriate use of taxpayer money (the Niles freight bridge is Segment F of the Project Summary Report).
- 3) Building the Niles freight bridge creates an unreasonable environmental risk of derailments and contaminating local drinking water. The Alameda County Water District takes water out the Alameda Creek at that location. The bridge will turn directly above Alameda Creek from the Niles Line to the Oakland Line to access Niles Canyon from the Niles Line. This turn creates a serious risk of derailment. This turn, that is directly above Alameda Creek, is a sharper turn than at Dunmuir where a derailment and chemical spill killed all life in the upper Sacramento river for nearly 40 miles. The 40 miles of contamination left that section of the river dead for several years. A derailment and chemical spill into Alameda Creek at the location of the proposed Niles freight bridge would contaminate the drinking water for people living in Fremont, Union City and possibly Newark.
- 4) Construction of the Niles freight bridge requires that the flow of water in the Alameda Creek be stopped for 10 months for construction. The Alameda County Water District is dependent on water from the Alameda Creek and draws water from the very location of the construction of the freight bridge. The Alameda County Water District is not going to stop drawing water from the Alameda Creek and short its customers much needed water, especially in this time of drought. The State of California has terminated its entire allocation of water to the Alameda County Water District. This amounts to 40% of

the total amount of water used by the Alameda County Water District. The construction of the freight bridge has not been adequately planned.

5) The DRCP intends to incorporate by reference the 2006 Union City Intermodal station EIR into the DRCP's environmental impact report to cover Segment G of the DRCP . This is a clear violation CEQA. The Union City Intermodal Station is not a project that can exist separately from the DRCP in that the DRCP will be purchasing the right-of-way and building the tracks to be used by Capital Corridor trains using the Union City Intermodal Station. For the DRCP to claim that the EIR requirements for Segment G are satisfied by the Union City Intermodal EIR shows a lack of understanding of CEQA. This is especially true in that the Union City Intermodal EIR does not include two DRCP layover yard options that are a part of Segment G of the DRCP Project. Furthermore, the Union City Intermodal EIR cannot be used because it is stale by being over eight years old. Segment G of the DRCP is the heart and soul of the DRCP because Union City is the starting point and ending location for the DRCP trains with the layover yard being located in Segment G. Separation of Segment G from the DRCP environmental impact report is a violation of CEQA . In that the Union City Intermodal Station cannot exist separately from the DRCP this is an additional violation of CEQA.

6) The DRCP engineers have not been able to figure out how to integrate DRCP trains with the ongoing flow of Cal Train traffic on the peninsula. This is a huge problem.

7) The cost of the DRCP has escalated from \$130,000,000 to around \$800,000,000. With the delay in obtaining additional needed funding, the ultimate construction cost will be well over one billion dollars. On top of this is the hundreds of millions it will cost to pay off the Union Pacific RR to purchase the right-of-way. All this when there is no significant backup on the Dumbarton bridge.

8) The VTA has effectively dropped out of the DRCP by eliminating funding for the DRCP in its 10 year plan for funding projects. No funding is being allocated for the DRCP and it thus cannot be completed without the VTA's contribution of its \$44,000,000 share of the costs (VTA has previously contributed 2.5 million of the 44 million obligation). VTA has not officially abandoned the DRCP but in fact that is what has happened in that VTA representatives stopped attending the DRCP PAC meetings along with no further money being allocated to the DRCP. It would also be unfair for Santa Clara County to benefit from the DRCP when it has not paid its share of the project (VTA's \$44,000,000).

PLEASE REALLOCATE DRCP FUNDING TO OTHER WORTHY PROJECTS AND ALLOW BART TO KEEP THE \$91,000,000 LOAN WITHOUT ANY OBLIGATION TO REPAY THE LOAN

Negotiations for THE Purchase of The Right-of-Way

Item 7d

DUMBARTON RAIL

Date: January 16, 2007

To: Policy Advisory Committee

From: Howard Goode ← DRCP PROJECT manager

Re: Status of Discussion with the UPRR

The representative of the UPRR has indicated that they are unlikely to change their position on what is needed for an agreement to accommodate the proposed Dumbarton Rail Service

Specifically:

1. Sale of the complete Oakland Subdivision (Shinn to Melrose in Oakland)
2. Niles Connector bridge over Alameda Creek
3. Third track through Centerville
4. A rail grade separation between the Coast Line and the Dumbarton Line at the Newark Wye.

The UPRR representative has also linked a Dumbarton agreement to resolution of issues between Caltrain and UPRR on the peninsula. As a consequence, the prospect for a Dumbarton agreement in the foreseeable future with UPRR appears unlikely and lends additional importance to the need to explore phasing of the project.

* No change since 2007 in the status OF THE Negotiations for the Purchase OF THE Right-of-Way.

Dumbarton Rail Policy Committee Agenda
June 20, 2006
Item 7B



DATE: June 20, 2006
TO: Policy Committee
FROM: Howard Goode ← DRCP PROJECT Manager
SUBJECT: Union City Intermodal EIR

The Final EIR for the Intermodal Project was certified by the Union City Council on February 28, 2006. This action completes the process for CEQA (State) clearance. The document clears Segment G of the Dumbarton Project except for the layover facility component.

The design of Dumbarton facilities at the Shinn connection was modified to address issues raised during the comment period. The layover facility will be evaluated as a part of the Dumbarton Project EIR/S.

A Blatant Violation of CEQA!



2007-2008 SANTA CLARA COUNTY CIVIL GRAND JURY REPORT

DUMBARTON RAIL BRIDGE PROJECT – DO WE NEED IT?

Introduction

The 2007-2008 Santa Clara County Civil Grand Jury (Grand Jury) received a complaint from a citizen stating that Santa Clara County (County) has committed funds to the Dumbarton Rail Corridor (DRC) project, which has significant cost and legal issues and is of questionable benefit to county residents.

Background

In the past 20 years, the Bay Area and Santa Clara County have established programs that address regional and county transportation issues.

In 2000, county voters approved Measure A, which was a series of 14 transportation projects designed to provide transportation relief to the residents of the county. The projects ranged from extending BART to downtown San Jose to connecting Caltrain to the Dumbarton Rail Corridor, and would be under the management of the Santa Clara Valley Transportation Authority (VTA). These projects would be paid for through an extension of the ½ cent sales tax through 2030. Proponents of this measure stated that these projects would be completed on time and within budget.

In 2004, voters from the seven Bay Area counties approved Regional Measure 2 (RM2), which is part of an overall Regional Traffic Relief Plan and includes the DRC project and the BART extension project.

The DRC project, a part of this regional transportation program, is a proposed passenger rail service that would span the southern portion of the San Francisco Bay, connecting communities in the East Bay (Union City, Fremont, Newark) to communities in the West Bay (Menlo Park and beyond to San Jose and San Francisco). A new rail bridge crossing the bay would replace the existing rail bridge which has not been in operation since the mid-1980s. The lead agency for the project is the Caltrain Peninsula Joint Powers Board.

Six daily westbound trains would depart in the morning and converge with the existing Caltrain line in the West Bay. Using the Caltrain line, three of the trains would travel north to San Francisco while the other three trains would head south to San Jose. During the afternoon peak, all trains would reverse their routes back to Union City. Four train stations would be directly served by DRC trains (Union City Intermodal Station, Fremont Centerville, Willow Street in Newark and Willow Road in Menlo Park).

In the 1990s, the San Mateo County Transportation Authority (SMCTA) purchased the right of way from the Southern Pacific Railroad for the Dumbarton Bridge rail crossing. Transit studies were conducted by SMCTA to determine if passenger rail service should be considered for the Dumbarton Bridge. The cost of the DRC was projected to be \$300 million and the project was scheduled to be completed by 2012. Daily ridership was projected to be 5,600 in 2010 and 12,800 by 2030.

Santa Clara County's contribution to the \$300 million project cost is \$44 million, Alameda County's \$32.5 million and San Mateo County's is \$50 million. The balance of the \$300 million would come from the Metropolitan Transportation Commission (MTC).

Discussion

A DRC project study report was completed in February 2004, and a Project Advisory Committee was formed in April 2004. An implementation schedule was established that showed (a) thirteen environmental studies and project design completion by 2009, (b) construction funding approval in 2010, and (c) final design and construction completion by 2012. Passenger service would start in 2012 after project completion.

The MTC recently reported that the 2004 project costs of \$300 million have escalated to \$600 million. Additional revenues to cover the funding gap have yet to be identified. In addition, a key issue of the overall project has not been resolved. The segment of the project that involves the Newark-Union City line is dependent on reaching agreement with the Union Pacific Railroad Company (UPRR) for the use of their rail line. To date, there has been no agreement reached with the railroad after years of discussion. The original completion date of 2012 will not be met because of the significant funding shortfalls and legal issue with UPRR.

DRC project management has been reviewing alternatives if the right of way issue and the significant financial shortfall are not resolved. Among the alternatives being considered are to build portions of the rail corridor project that would only use current committed funds. The VTA has expressed concern in their internal memos over these issues and has considered withholding funds during the current phase, but has released \$2 million to date.

Other justifications identified for undertaking this project are improved commuter delay times across the Dumbarton Bridge and increased ridership of the rail system. The original study was completed in 1999. However, a study conducted by the MTC in 2005 indicates that there has been a 97% drop in commuter traffic delay times from the original study. In addition, a San Francisco Bay Area Regional Rail Plan study in 2007 indicated very low ridership potential for the Dumbarton Rail Corridor even though regional population is projected to increase by 1.5 million by 2025.

Conclusions

The original assumptions for the county's participation in the DRC project are not valid, and the voters of the county and the VTA should question the county's participation in this regional project.

The original projected cost of \$300 million has doubled. With the overall project costs doubling in the last four years, the original VTA commitment of \$44 million could double to \$88 million. The benefit of this expenditure to the County is questionable.

The timetable of completion by 2012 is not going to be met. Without additional funds that have yet to be identified and approved, the project would have to consider a reduced scope that would mean only partial project completion.

Full completion of the project is in jeopardy if agreement with the UPRR for the right of way is not obtained.

Another assumption, that the DRC would improve commuter traffic delay times across the Dumbarton Bridge, has proven to be incorrect. The latest study conducted in 2005 does not support that conclusion.

Although the Regional Transit Plan estimates that regional population will increase by 1.5 million by 2025, the San Francisco Bay Area Regional Rail Plan 2007 report said that the Dumbarton Rail Corridor would have low to moderate ridership potential.

Findings and Recommendations

Findings were reviewed with the subject agencies.

Finding 1

Projected project costs for the DRC project have doubled since receiving voter approval in 2000 on Measure A and RM2 in 2004. Currently, there are no additional funds committed or available to fund the increased project costs nor any plans to obtain them.

Recommendation 1

The VTA Board of Directors should not proceed with additional funding until the current alternatives analysis is complete.

Finding 2

The DRC has yet to obtain a right of way from UPRR, which jeopardizes a significant portion of the project.

Recommendation 2

The VTA should not expend any additional funds on this project until this issue is resolved by the DRC.

Finding 3

There is serious doubt about the cost versus benefit of this project to county residents. The original assumptions of improved commuter delay times and high ridership have proven not to be correct.

Recommendation 3a

The VTA should evaluate the MTC data and use the 2007 Regional Rail Plan as part of its overall decision to continue participation.

Recommendation 3b

The VTA should evaluate the County's \$44 million commitment to the overall project in terms of benefit received.

Key References

Documents

Calthorpe Associates Memorandum. *MTC Resolution 3434 TOD Policy Evaluation and Recommendations Tasks 6B, 6C, & 6E*, May 26, 2005.

Dumbarton Rail Advisory Committee. Minutes, October 23, 2007.

HTNB Corporation. *Dumbarton Rail Corridor, Environmental Phase 1 Alternatives Analysis and Project Purpose and Need, Volume 1 – Final Report*, March 2006.

Dumbarton Rail Policy Advisory Committee, Memorandum. *Status of Discussion with the UPRR*, January 16, 2007.

Funding Agreement between Santa Clara Valley Transportation Authority and San Mateo County Transportation Authority for Final Design (PS&E or Plans, Specifications, and Estimates) Phase of DRC Project, October 2007.

Metropolitan Transportation Commission. *Alternatives Evaluation – Regional Rail without High Speed Rail*, July 23, 2007.

Metropolitan Transportation Commission. *Congested Freeway Locations – Morning and Evening Commutes*, 2005.

Santa Clara County 2003-2004 Civil Grand Jury, *Final Report*. "Inquiry Into the Board Structure and Financial Management of the Valley Transportation Authority," June 2004.

Santa Clara County Ballot Measure A, June 2000.

Santa Clara Valley Transportation Authority, Memorandum. *Budget Allocation and Authorization to Enter into a Cooperative Agreement for the Dumbarton Rail Corridor Project*, February 21, 2007.

Santa Clara Valley Transportation Authority. *Organizational and Financial Assessment Executive Report*, March 2007.

Santa Clara Valley Transportation Authority. *Valley Transportation Plan 2030 (VTP 2030)*, February 2005.

HTNB Corporation. *Summary of the Dumbarton Rail Corridor Project Study Report*, May 2004.

Regional Measure 2, Regional Relief Plan - Ballot Measure and Statute, July 2004.

Documents - continued

Regional Rail Plan for the San Francisco Bay Area, Revised Draft Report, September 2007.

Regional Measure 2, Regional Traffic Relief Plan, Attachment C, MTC Resolution No. 3647, Revised: 07/25/07-C.

Union Pacific Railroad Company, Letter. *Oakland-San Jose Track Improvements - Phase 1*, February 23, 2000.

Interviews

December 13, 2007	Member, Dumbarton Rail Citizens Advisory Panel
January 31, 2008	General Manager, VTA
February 12, 2008	Former Member, Dumbarton Rail Policy Advisory Committee and VTA Board of Directors
February 19, 2008	Member, Dumbarton Rail Policy Advisory Committee and VTA Board of Directors
March 4, 2008	Project Manager, DRC Project

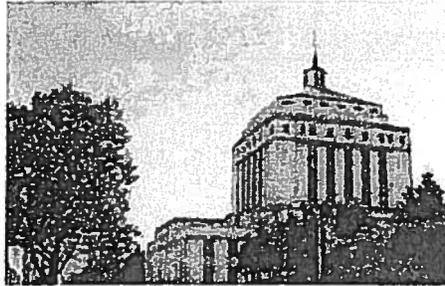
PASSED and ADOPTED by the Santa Clara County Civil Grand Jury on this 8th day of May, 2008.

Raymond A. Blockie, Jr.
Foreperson

Tim Cuneo
Foreperson pro tem

Kathryn C. Philp
Secretary

2007-2008 Alameda County Civil Grand Jury Final Report



2007-2008 ALAMEDA COUNTY CIVIL GRAND JURY FINAL REPORT

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ALAMEDA COUNTY GRAND JURY

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DUMBARTON RAIL CORRIDOR PROJECT

INTRODUCTION

The grand jury received a complaint regarding the Dumbarton Rail Corridor Project (DRC) which questions the spending of \$18.5 million in Alameda County taxpayer funding as a partner in the project.

The DRC, a joint project of Alameda County, Santa Clara County, San Mateo County, and the Metropolitan Transportation Commission (MTC), involves rebuilding the old Union Pacific Railroad (UPRR) swing rail bridge just south of the Dumbarton Bridge and constructing tracks to connect the CalTrain station in San Mateo and the city of Newark's-proposed Willow Street station. Additional tracks would be realigned or constructed between the Newark station and the Union City Intermodal station to permit passenger rail traffic to connect from Union City through Newark and on to the CalTrain station in San Mateo.

The issues raised in the complaint are:

- 1) Is Alameda County Transportation Improvement Authority's (ACTIA) contribution of \$18.5 million to the DRC justified when Union Pacific Rail Road (UPRR) is not selling the key rail right of way that would allow the DRC access to the Union City Intermodal station?
- 2) Is an integrated proposal to construct a freight bridge across Alameda Creek and Mission Boulevard in the Niles area of Fremont an unauthorized or illegal gift to UPRR by the DRC?
- 3) Is ACTIA's contribution of \$18.5 million justified given low to moderate projected ridership on the DRC?

- 4) How does ACTIA justify spending \$18.5 million given only minor traffic backups on the Dumbarton Bridge?

BACKGROUND

The DRC proposes a commuter rail service between the East and West Bay via a reconstructed rail line between Newark in the East Bay, and San Mateo in the West Bay. The commuter rail service would start at the Union City Intermodal rail station and connect to the CalTrain station in San Mateo. A new bridge crossing the Bay would replace the existing swing bridge, inoperable since the mid-1980's. The DRC includes a proposed freight bridge (the Niles Freight bridge) over Alameda Creek in the Niles area of Fremont and an associated rail bridge over Mission Boulevard near the Niles Canyon entrance.

The project would involve the movement of passenger trains currently traveling through Newark (the Capitol Corridor and Altamont Commuter Express [ACE]) onto tracks that flow into the Union City Intermodal station. It is planned that Bay Area Rapid Transit (BART), Capitol Corridor, ACE, and bus services provided by AC Transit and Union City Transit would all converge at the Union City Intermodal station.

INVESTIGATION

In addition to reviewing extensive documentation, the grand jury interviewed representatives of the CalTrain Joint Powers Board (also participants with the San Mateo County Transit District and the DRC); the Director of ACTIA (created by Measure B which passed in 1986); and a past consultant to CalTrain, the Union City Intermodal station and the DRC.

Costs and Funding

DRC Project costs have risen from \$307 million in 2004 to the current projected cost estimated at \$595 million. Only \$300 million of the cost of the funding of this project has been identified. Additionally, the \$5.5 million annual operating projection in 2004 is now estimated at \$8 million. Some of the funding comes from the Regional Measure 2, Regional Traffic Relief Plan and by Alameda County's Measure B, ½ cent transportation sales tax, passed by voters.

Other Issues

The initial projected cost of the DRC was considerably underestimated, and projected costs continue to escalate.

The grand jury understands that it has been reported that the West Bay and city of Newark wish to prioritize construction of the segments between the CalTrain Station in San Mateo and the Newark Station. The city of Newark is the lead agency on the project in the East Bay. The grand jury understands that other East Bay cities would like to build out the connecting segments between the Newark station and the Union City Intermodal station. The Union City Intermodal station is currently undergoing renovation to upgrade its facility so that trains, BART and buses can readily access the station in anticipation of DRC's plans to connect Capital Corridor and ACE trains.

The DRC project includes the proposal to build the Niles freight bridge in Fremont with the expectation that, with the freight bridge, UPRR would then move its freight trains to another rail line (the Niles-Hayward rail line) thereby allowing the passenger rail service to have better control of their schedules. By law, however, the DRC is prohibited from entering into formal negotiations with UPRR until the environmental impact reports for the project have been approved. The DRC project is still in the process of completing its environmental

impact reports (but the renovation project for the Union City Intermodal station has completed its environmental reports).

Low Ridership/Minimal Traffic Backups

At the time the complaint was filed, available statistics showed declining traffic delays on the Dumbarton Bridge. Projections for the DRC project show a relatively low ridership on the DRC through the year 2030. However, the grand jury is aware that the DRC project is a long-term regional rail project whose full impact may not be fully felt for many years. Also, it was approved by regional voters who gave ultimate authority to the DRC partners.

Rights of Way

The DRC is preparing to begin a \$600 million passenger rail project in phases without owning complete track rights of way on several segments of the project. UPRR owns most of the track between the proposed Newark station and the Union City Intermodal station, and it retains certain track rights on the SamTrans right of way across the bay.

The grand jury understands that the proposed Niles freight bridge is not necessary to complete the DRC project but is included in the project as a means for rerouting most freight off the Centerville rail line and onto the Niles-Hayward rail line. It appears that DRC is proposing the construction of the Niles freight bridge as an incentive to UPRR to transfer or sell back track rights of way in future negotiations.

CONCLUSION

The DRC project was submitted to the voters for approval, and its implementation resides with ad hoc committees governed by elected officials

from all of the concerned jurisdictions. A number of issues deserve public attention and monitoring as the project advances. Specifically:

- 1) That the DRC partners are advancing the project before securing total right of way control over all track from the Union City Intermodal station to the CalTrain station in San Mateo. Unless the rights of way are owned by the DRC project, there is a danger that UPRR, which presently has priority scheduling rights over much of the track, will continue to give freight traffic priority over passenger traffic.
- 2) Within the DRC project's scope is the possibility of building the Niles freight bridge crossing Alameda Creek and Mission Boulevard, which proposal the grand jury understands is not a requirement of the DRC passenger train process. Since the Niles freight bridge still remains a proposal, it cannot at this time be deemed a public gift to the UPRR, but the grand jury hopes that the taxpayers receive quid pro quo if the project includes the bridge (e.g., transfer of ownership or significant usage of the track).
- 3) Connectivity to the Union City Intermodal station should be a priority to Alameda County as a whole as the purported purpose of DRC is to get commuter cars off of the surface streets and highways. Simply connecting the Newark Station to San Mateo would fall far short of achieving the goal of DRC, BART, Capital Corridor, ACE and connecting buses.
- 4) The grand jury believes that the funding projections for this project were significantly understated in the voter guide. The grand jury finds this highly worrisome.

- 5) In the course of its investigation, the grand jury learned that there is no single agency authorized to control or direct rail projects in the Bay Area, which currently has 27 agencies with varying levels of authority for this project.

We recommend that subsequent grand juries monitor the progress of the DRC project at all stages of its development and build-out. Particular attention should be paid to the Union City Intermodal connectivity, resolution of right of way control, and, if applicable, the inclusion and cost to taxpayers of the Niles freight bridge.

RESPONSES REQUIRED: *None*

SAN MATEO COUNTY SUPERIOR COURT
 San Mateo County Civil Grand Jury

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2000 Final Report:

SAN MATEO COUNTY PARTICIPATION IN THE DUMBARTON RAIL PROJECT

[Summary](#) | [Background](#) | [Findings](#) | [Recommendations](#)

Summary:

The San Mateo County Transportation Authority (SMCTA) currently has \$60,000,000 allocated to develop passenger service in the Dumbarton Rail Corridor. The grand jury finds the benefits do not justify spending \$60,000,000. This amount, roughly 46% of the \$130,000,000 total, is not proportional to the county's benefit relative to Alameda and Santa Clara Counties. Nearly 100% of riders will come from Alameda County and more than half of the riders are destined for Santa Clara County businesses. Thus, the benefit of this project for San Mateo County, adding up the source or destination points for riders, is less than 25%. There is also an open question regarding the use of Measure A funds for Dumbarton Rail since this is not defined as a Caltrain improvement.

The Dumbarton Rail Corridor (DRC) is an 11-mile corridor linking rail corridors in Alameda County with the Peninsula Caltrain Corridor, crossing San Francisco Bay just south of the Dumbarton Bridge. Passenger rail service through the DRC is being considered to ease traffic congestion during the weekday commute. Several studies have been done to assess the need and feasibility of passenger rail crossing the Bay by way of this corridor. The latest study, from 1999, estimates the cost of implementing commuter rail service to be approximately \$130,000,000, ridership to be 2,500 to 2,800 round-trip passengers per day, operating costs to be \$5,500,000 per year, and yearly revenues to be \$1,500,000 from fares.

Weighing costs versus benefits, the SMCTA must carefully decide when passenger rail in the DRC is truly viable. Entering any project, San Mateo County must address the topic of annual operating costs and ensure this responsibility is carried jointly with the other two counties involved. If passenger service is implemented, SMCTA should take steps to ensure that the county is not responsible for operating costs exceeding 25% of any annual shortfall. Any project decision-making should also address the issues of the those San Mateo County residents along or near the rail line itself -- specifically, that of train noise.

The role San Mateo County, in particular the SMCTA, should be seeking regarding Dumbarton Rail is one of leadership. While passenger rail through the DRC could be very advantageous to both East Bay and Peninsula communities, San Mateo County should play the lead role in this addition to area transit, rather than simply asking San Mateo County citizens to pay to get

this done. This would include garnering solid enforceable commitments from Alameda and Santa Clara Counties before San Mateo County affirms participation in any DRC passenger rail project.

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Background:

Passenger rail service through the Dumbarton Rail Corridor (DRC) is being considered to ease traffic congestion during the weekday commute. The DRC, an 11-mile corridor located in the southern section of the Bay Area regional rail network, links the Southern Pacific and Union Pacific corridors in Alameda County (Newark) to the Caltrain Corridor in San Mateo County (Redwood City).

The DRC was developed and has been used as a freight rail corridor since the early 1900's. The rail infrastructure includes 154 acres of track, signals, crossings, and bridges that span the Bay and other structures. In 1982, freight service was eliminated over the bridge, and fire damaged the rail bridge a few years ago. Currently, there is minimal freight service provided on existing DRC track between Redwood City and East Menlo Park.

In 1994, The Dumbarton Rail Bridge right of way was acquired by the San Mateo County Transportation Authority (SMCTA) for future transportation purposes and/or active rail service. The SMCTA purchased the right of way from Southern Pacific Railroad for \$6,700,000 with the aid of a loan of approximately \$3,300,000 from the California Department of Transportation (CalTrans). The agreement between these two agencies designates the San Mateo Transit District (SamTrans) as the agency to hold title, manage, and maintain the DRC.

In April 1996, the SMCTA commissioned a study to evaluate the feasibility of passenger rail service in the Dumbarton Rail Corridor in coordination with other regional rail links. Dumbarton Rail would provide a link between BART, Altamont Commuter Express (ACE), and The Capitol trains in the East Bay with Caltrain, BART, and San Jose Light Rail on the peninsula. This 1996 study found no "fatal" flaws with implementing passenger rail service in the DRC, but concluded the benefits were insufficient to justify this project.

The SMCTA commissioned another study, conducted by Parsons Transportation Group, which was released in October 1999. The Parsons report found that a market exists for passenger rail service between the East Bay cities of Newark, Fremont, Union City, and Hayward and the cities along the Peninsula Corridor from San Jose to Millbrae. This 1999 report contains the latest official data on this project.

The 1999 study estimates the cost of implementing commuter rail in the Dumbarton corridor to be \$130,000,000. This estimate includes all significant costs for beginning operation, including building a new rail bridge over the Bay, upgrading track throughout the line, and acquiring rolling stock. The rolling stock includes roughly 12 engines and related passenger cars. The SMCTA currently has \$60,000,000 allocated to develop passenger service in the Dumbarton Rail Corridor. Three years is an optimistic time line for passenger rail implementation; five years may be a more reasonable time frame to have trains running.

The SMCTA may have erred in allocating Measure A funds for Dumbarton rail. Legislative Counsel of California Opinion #13712 has addressed this issue.

This opinion concludes that under current conditions, "Caltrain improvement funds may not be used for Dumbarton rail." Measure A states that Caltrain improvements are the number one priority. However, Dumbarton rail is not a "Caltrain improvement." Dumbarton rail is a separate rail project that may add to the area's transit, even though portions of DRC train routes may be on Caltrain tracks. This issue may deserve further investigation.

The 1999 study provides the latest estimates for ridership, operating costs, and revenues from fares. DRC rail service is estimated to attract 2,500 round-trip passengers per day. Ridership is expected to grow as the service matures. Table 1, from the 1999 study, shows an analysis of the origins and destinations of Dumbarton auto traffic. This can be used to estimate origins and destinations of potential Dumbarton Rail passengers. The initial estimate for operating costs for Dumbarton Commuter Rail is \$5,500,000 per year. These costs may be partially offset by approximately \$1,500,000 per year in fares collected, leaving an estimated deficit of \$4,000,000 per year. Initial ideas to address this deficit include using Dumbarton Bridge tolls.

ORIGINS (East Bay, Market)	PEAK HOUR TRIPS	% OF TOTAL
Livermore/Pleasanton	293	5%
South Fremont	432	8%
North Fremont	1576	28%
Newark	791	14%
Union City	938	16%
Hayward	732	13%
San Leandro	138	2%
Rest of Alameda County	481	8%
Other Bay Area counties	319	6%
TOTAL	5700	100%
DESTINATIONS (Peninsula, Market)	PEAK HOUR TRIPS	% OF TOTAL
San Francisco County	43	1%
Daly City/San Bruno	282	5%
San Mateo/Foster City	400	7%
Redwood City/Menlo Park	1945	34%
Palo Alto/Los Altos	2665	47%
Sunnyvale/ Mountain View	297	5%
Rest of Santa Clara County	68	1%
TOTAL	5700	100%

Table 1. A.M. Peak Westbound Traffic Across Dumbarton Highway Bridge
(Source: Alameda County CMA Model: Year 2005 Vehicle Trips)

The rail service schedule would be commuter-oriented. Of the 12 trains to run each day, each would leave from Alameda County in the morning (presumably from a multi-modal station at BART's Union City Station). Each train would run across the Dumbarton Rail bridge, through East Menlo Park and Redwood City, to link with existing Caltrain tracks. The trains would alternately run either north, up the Caltrain line to Millbrae, or south, down the Caltrain line to San Jose. Most of the trains would park near their final morning destination and would not be used again until the afternoon Peninsula to Easy Bay commute. One of the early morning trains may be able to turn around and head east across the Bay, back to Union City. This would provide minimal

counter-commute service and allow another trip west for one train.

Providing a parallel bus transit service today is the Dumbarton Express. This is a Palo Alto to Union City BART bus line that runs primarily during commute hours. This service provides a Caltrain to East Bay BART connection, as would the Dumbarton Rail project.

Both Alameda and Santa Clara Counties had transportation oriented sales tax initiatives on the November 2000 ballot. The Alameda County initiative provides minimal direct support for a Dumbarton Rail project. Improvements of the station area around Union City BART to form a "junction" where BART, ACE, The Capitol, and Dumbarton Rail meet would require \$14,000,000 of the funds from this tax initiative. Any additional funds from this initiative for implementation of DRC passenger rail are vague at best.

The Santa Clara County initiative identifies Dumbarton Rail as a project to be supported with the sought-after sales tax increase. However, a primary emphasis of this initiative is bringing BART to San Jose. This may have the effect of decreasing potential ridership over the Dumbarton Rail Corridor, as more than 50% of the riders are presumed destined for Santa Clara County destinations. BART-to-San Jose plans call for links to both Caltrain and San Jose Light Rail, which duplicate DRC benefits.

The decision on whether to implement this rail service should consider factors affecting San Mateo County residents along or near the rail line itself. One issue is train noise in residential communities, particularly in East Menlo Park. Currently, there are very few freight trains running on these rails. Running 12 or more morning trains and an equal number of afternoon/evening trains would be a significant change. Another local factor would be the addition of a rail station in East Menlo Park that could be useful for Menlo Park residents and provide a mass transit destination near businesses in this area.

A few of the key working assumptions upon which discussions of this project have been based are somewhat suspect. These include \$130,000,000 as the total cost to begin passenger service. Actual costs are often significantly higher. Another somewhat suspect number is the 10%-12% estimates for ridership (i.e., people taking the train instead of driving across the Dumbarton Bridge). This estimate seems hopeful. While several of these key figures may be worthy of further discussion, this report will not challenge them at this time.

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Findings:

The benefits of rehabilitation the Dumbarton Rail Corridor to provide passenger rail service do not justify spending \$60,000,000 by the SMCTA. We question whether San Mateo County taxpayers should fund a project that will primarily benefit Alameda County residents and Santa Clara County businesses. Project costs must be shared more equitably by the other counties involved – Santa Clara and Alameda Counties. Accepting \$130,000,000 as a reasonable estimate for this project, \$60,000,000 from San Mateo County, roughly 46%, is not proportional to the benefit for the county. Nearly 100% of riders will come from Alameda County; yet their level of support is weakest by far. It is projected that more than half of the riders are destined for Santa Clara County businesses. Thus, the benefit of this project for San Mateo County, adding up the source or destination points for riders, is less than 25%. There is also an open question regarding the use of Measure A funds for Dumbarton Rail since this is not defined as a Caltrain improvement.

The initial estimates for start-up and annual operating costs for Dumbarton Rail service, \$130,000,000 and \$5,500,000, respectively, need to be carefully considered in light of the expected benefit of the system. Passenger rail has been considered in the past and each time the conclusion was "not yet." The SMCTA needs to look closely at the cost/benefit trade-offs to determine if the right time has come or the status is to remain "not yet."

Though both Santa Clara and Alameda Counties had transportation related bond measures on the November ballot, neither has made any clear monetary commitments to passenger service for the Dumbarton Rail Corridor. Even though both measures passed, further clarification is needed regarding their level of commitment to this project. The wording of Alameda County's bond measure is particularly weak concerning targeting money for the Dumbarton Rail Corridor. It does contain money for a multi-modal station in Union City that could include support for Dumbarton rail trains, but little else is firm in the ballot measure.

A well-conceived fiscal plan for San Mateo County must address annual operating costs for this project. This burden must be carried jointly, but not equally, with the other two counties involved. San Mateo County should assume operational cost responsibility only proportional to its percentage of capital costs paid. This should not exceed 25% of annual shortfall.

San Mateo County has already purchased the DRC right of way. It would be wise for San Mateo County to keep sole ownership, as this may prove to be an excellent investment.

The role San Mateo County, in particular the SMCTA, should be seeking in regard to Dumbarton Rail is one of leadership. The two other counties involved may have supporters of this program as well, but clear commitments have yet to be made. The approach San Mateo County is leaning toward is "who pays how much isn't important." However, it is important that county residents get value from each and every program. True "buy in" from the other counties will also ensure the project has the best chances for success and is integrated into each county's long-range transportation plan.

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Recommendations:

Recommendation 2.4

The San Mateo County Transportation Authority should not participate at the \$60,000,000 level in this project. Based on value to San Mateo County, the fiscal responsibility the county assumes should be no more than 25% of the total initial cost.

Recommendation 2.5

If passenger service is implemented in the Dumbarton Rail Corridor, the San Mateo County Transit District should take steps to ensure the county is not over-burdened with responsibility for operating costs. San Mateo County should assume operational cost responsibility only proportional to its percentage of capital costs paid. This should not exceed 25% of annual shortfall.

Recommendation 2.6

San Mateo County Transportation Authority should establish a leadership role for this program, including determination of the right time for implementation and maintenance of a cost/benefit balance that is favorable to the citizens of San Mateo County.

Recommendation 2.7

The San Mateo County Transportation Authority should negotiate firm contractual commitments with Alameda and Santa Clara Counties before San Mateo County affirms participation in this project.

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September 20, 2007

TO: Raymond Blockie, Foreman of the Santa Clara County Civil Grand Jury

FROM: Tim Pitsker, City of Fremont member of the Dumbarton Rail Citizens
Advisory Panel and Santa Clara County employee
Day: 408-792-2971, Evening: 510-792-4583

RE: Santa Clara Valley Transportation Authority's Squandering of
\$44,000,000 and the Illegal Spending of Taxpayer Funding as a Partner in
the Dumbarton Rail Corridor Project

ISSUES THAT NEED TO BE INVESTIGATED

1. Is the construction of the Niles Junction freight bridge an unauthorized or illegal gift to the Union Pacific RR by the Dumbarton Rail Corridor Project?
2. Is Santa Clara Valley Transportation Authority's contribution of \$44,000,000 plus operating expenses justified in view of the low to moderate projected ridership on the Dumbarton Rail Corridor?
3. Is Santa Clara Valley Transportation Authority's contribution of \$44,000,000 to the Dumbarton Rail Corridor Project justified when the Union Pacific RR is not selling the key rail right-of-way that will allow the Dumbarton Rail Project access to the Union City inter-modal station?

4. Is Santa Clara Valley Transportation Authority's contribution of \$44,000,000 to the Dumbarton Rail Corridor Project justified in light of the minor traffic back-ups on the Dumbarton Bridge?

BACKGROUND

The Dumbarton Rail Corridor Project is a proposed passenger rail service consisting of a partnership between Santa Clara County, San Mateo County, Alameda County and the Metropolitan Transportation Commission. This proposed passenger rail service starts at the Union City inter-modal station. Six trains will travel one way in the morning, taking commuters from Union City, across the rebuilt Dumbarton Rail Bridge to the CalTrain line in San Mateo County. Three trains will then go north on the CalTrain line to San Francisco and three trains south on the CalTrain line to San Jose. In the afternoon, the six trains would reverse and take commuters back to Union City (and points in between). (See Exhibit 'A', excerpts from Environmental Phase 1, Draft Final Report)

The project consists of segments A through G, starting with segment A in Redwood City and ending with Segment G at the Union City Inter-modal station (See Exhibit 'B', excerpts from 2004 Project Study Report)

Segment F is a freight only bridge to be built at Niles Junction to allegedly relieve freight traffic from the Dumbarton Rail Corridor. (See page 3 of Exhibit B)

Currently, freight traffic shares the Centerville Line with ACE trains and Capitol Corridor Trains. This Centerville Line will also be shared by the Dumbarton Rail Corridor trains. So the proffered rationale justifying Segment F is that the freight traffic

that is currently using the Centerville Line will be transferred to the Niles Line thereby easing congestion between passenger and freight trains on the Centerville Line. (See maps on pages 41 and 42 of Exhibit A) On Exhibit A, pages 41 and 42, Segment F is represented as the 'Niles Connection', Segment G is the 'Industrial Parkway, Union City and Shinn Connection' and Segment E is the 'Centerville Line'.

It is very important to note that there is no contract or agreement with the Union Pacific RR to switch any freight from the Centerville Line to the Niles Line.

Exhibit C includes an aerial photo of the location for the proposed Niles freight bridge. It shows the intersection of the Centerville Line with the Niles, Oakland and Warm Springs subdivision RRs. (See also maps on pages 41 and 42 of Exhibit A)

Both the Oakland Line and the Niles Line travel from Oakland to the Niles Junction with the Oakland Line continuing through Niles Canyon to Stockton. The Union Pacific RR could shift freight from the Centerville Line to the Oakland Line at any time. So far it has chosen not to. The Dumbarton Rail Corridor Project is seeking to use the Oakland Line to service the Union City inter-modal station, so of course the Dumbarton Rail Corridor Project is not encouraging the Union Pacific RR to use the Oakland Line for freight.

The Dumbarton Rail Corridor Project is continuing with development of the Niles freight bridge even though lacking an agreement with the Union Pacific RR to shift any amount of freight from the Centerville Line to the Niles Line. (See Exhibit E, excerpts from the 2004 Dumbarton Rail Corridor Project Study Report) Furthermore, the Dumbarton Rail Corridor Project has no intent on securing any agreement with the Union

Pacific RR to transfer any freight from the Centerville Line to the Niles Line. (See Union Pacific RR Agreement Rights for Segment 'F' on the last page of Exhibit C)

Segment G includes the Union City inter-modal station and part of the Oakland Line right-of-way from Hayward to Fremont. The Union Pacific RR owns the Oakland Line right-of-way and it is not selling this right-of-way.

Development of Segment G is currently being suspended until an agreement with the Union Pacific RR has been obtained. (See Exhibit 'D', Status of discussions with the Union Pacific RR).

Exhibit 'D' (status of discussions with the Union Pacific RR) was published on January 16, 2007. At the present there is still no agreement with the Union Pacific RR for the sale of the Oakland Line right-of-way and it is unlikely there will ever be such an agreement with the Union Pacific RR.

Santa Clara County through the Santa Clara Valley Transportation Authority is a partner in this project with the Metropolitan Transportation Authority, Alameda County and San Mateo County. Santa Clara Valley Transportation Authority has agreed to contribute \$44,000,000 to this project from 2007 to 2011. (See Exhibit F) Even though Segment 'G' is on hold due to an uncooperative Union Pacific RR, Valley Transportation Authority is still supporting this project. (See Exhibit F).

The underlying rationale for this project is to relieve auto congestion on the Dumbarton Bridge. The Metropolitan Transportation Commission's most recent statistics comparing congested freeway locations indicate that the Dumbarton Bridge is one of the least congested commutes in the Bay Area. (See Exhibit G, Metropolitan Transportation Commission Statistics for Freeway Locations)

These statistics indicate that at the Dumbarton toll plaza (Route 84), there is only 80 hours of daily delay during the morning commute from 5:30am to 9:30am and 160 hours of delay during the evening commute. This is one of the easiest commutes in the bay area. It should be noted that Union City has had its' Highway 84 expansion program approved and will add two more lanes going from 880 east towards Union City. This will greatly help alleviate any evening congestion from the Dumbarton Bridge at 880.

Ridership numbers have not been provided to justify the Dumbarton Rail Corridor Project which will now cost an estimated \$600,000,000. The cost in 2006 dollars has been estimated at \$515,000,000 (See Exhibit E, Valley Transportation Authority involvement with Dumbarton Rail Corridor Project). Factoring in inflation, the cost will be over \$600,000,000 by the end of construction.

The San Francisco Bay Area Regional Rail Plan, in its 2007 report, indicates that the Dumbarton Rail Corridor will have low to moderate ridership. (See Exhibit H)

The Dumbarton Rail Corridor Project is funded through four voter approved initiatives, Regional Measure 2 (March 2004), Alameda County Measure B (Nov. 2000), Santa Clara County Measure A (Nov. 2000) and San Mateo County Measure A (Nov. 2004). (See Exhibits I, J, K &L)

None of these voter approved measures provides for spending money on freight. These measures do not provide for a gift of the Niles freight bridge to the Union Pacific RR.

On 8/16/2007, the Metropolitan Transportation Commission gave a workshop at 70 W. Hedding, San Jose, for its Bay Area Regional Rail Plan. Doug Kimsey, the Director of Planning for the Metropolitan Transportation Commission was present and

assisted in the workshop. During the workshop, Mr. Kimsey agreed to meet with Tim Pitsker afterwards, to answer additional questions. The Dumbarton Rail Corridor Project and the Niles freight bridge were part of the subsequent conversation between Mr. Kimsey and Mr. Pitsker. Mr. Kimsey made it very clear that the Niles freight bridge is very important to the Metropolitan Transportation Commission to get short haul freight from the Port of Oakland to the Central Valley. This is freight that is currently sent to the Central Valley on trucks via 580. He also indicated that the Niles freight bridge would transfer freight off of the Centerville Line, freeing up the line for the ACE, Capitol Corridor and Dumbarton passenger trains.

Mr. Kimsey was asked if there was any agreement with the Union Pacific RR to transfer or re-route any freight from the Centerville Line to the Niles Line in exchange for the construction gift of the Niles freight bridge. Mr. Kimsey replied, "No". Mr. Kimsey was then asked if there was any intent to negotiate such an agreement, and again the answer was "No". Mr. Kimsey went on to state that if the bridge were built then the Union Pacific RR would use it.

Mr. Kimsey was also asked about the negotiations with the Union Pacific RR to purchase the needed section of the Oakland Line. Mr. Kimsey indicated there was still no progress with the negotiations.

It should be noted that the Union Pacific RR currently has the option to switch freight from the Centerville Line to the Oakland Line and then east through Niles Canyon without the a new freight bridge. The Union Pacific RR does occasionally send freight trains over the Oakland Line east through Niles Canyon but not on a regular basis.

There is no known factual basis to believe that the Union Pacific RR will switch any portion of its freight from the Centerville Line to the Niles Line, especially when the Metropolitan Transportation Commission wants to put Port of Oakland freight on the Niles Line.

The Feb. 9, 2007, System Wide Study Alternative, Refinements Study includes an alternative that would send Port of Oakland freight to the Central Valley via Niles Canyon. (See Exhibit M). Taking truck freight and putting it on Union Pacific RR trains traveling on the Niles Line will be a huge financial boon to the Union Pacific RR.

Finally it should be noted that even though the rhetoric is to move freight from the Centerville Line to the Niles Line, the Dumbarton Rail Corridor Project is adding a third track for freight only on the Centerville Line. (See Exhibit A, page 34)

In 2004, the estimated cost of the Niles freight bridge was \$13,000,000. By 2006, the cost escalated to \$26,000,000. By the end of construction the cost could easily be over \$35,000,000. Funds are currently and continuously being expended for the Draft Environmental Impact Report and construction planning for the Niles freight bridge (See Exhibits A & E)

CONCLUSION AND OPINION

1. Is the construction of the Niles freight bridge an illegal gift to the Union Pacific RR? YES, this is clearly a misuse and/or illegal use of taxpayer money. The four ballot measures providing the funding for the Dumbarton Rail Corridor Project (Exhibits I, J, K & L) do not provide money for freight. The primary motivation

for the Niles freight bridge is to take freight that otherwise would be going to the Central Valley via truck and to send it east by train through the Niles Canyon over the Niles junction bridge. To take truck freight and give it to the Union Pacific RR is a huge bonanza for the Union Pacific RR. The argument that if the bridge is built then the UPRR will transfer freight from the Centerville Line to the Niles Line is without merit. Why would the Union Pacific RR bother to transfer freight to the Niles Line when it will be receiving a huge boon by using the Niles Line for Port of Oakland freight? Furthermore, the Dumbarton Rail Corridor Project will be assisting freight on the Centerville Line by building a freight only third track for freight going over the Centerville Line. So any claims that the building of the Niles freight bridge will reduce freight on the Centerville Line is nothing more than a charade. It should be noted that putting freight on either the Niles or the Oakland Line instead of the Centerville Line will only save a mile or so in distance. Currently the Oakland Line is only used occasionally and is being kept as a back-up in case of trouble or disasters on other lines. So if the Union Pacific RR were really interested in getting current Niles Canyon bound freight off of the Centerville Line it would have done so by now by simply re-routing that traffic over to the Oakland Line. The Union Pacific RR will not agree to any transfer of freight from the Centerville Line to the Niles Line and the Dumbarton Rail Corridor Project admits that it is not even asking for an agreement from the Union Pacific RR to transfer Centerville Line freight to the Niles Line. (See Exhibit C, last page) By allowing the Union Pacific RR to use the Niles freight bridge in any manner it so chooses, there is no doubt that the bridge is nothing more than a

give-away of taxpayer money. Santa Clara County through the Santa Clara Valley Transportation Authority is a partner in the Dumbarton Rail Project and should not allow this illegal and/or misuse of taxpayer money. The Valley Transportation Authority should withdraw from the Dumbarton Rail Authority and use its commitment of \$44,000,000 for more worthy transportation projects.

2. Is the Valley Transportation Authority's contribution of \$44,000,000 plus operating expenses justified in view of the projected low to moderate ridership on the Dumbarton Rail Corridor? NO, the benefits to Santa Clara County from this project are marginal at best. Riders on Dumbarton Rail Corridor trains from Alameda County will be riders taken away from the BART that will eventually be going to San Jose from Fremont. Getting BART to San Jose should be the top priority for Santa Clara County. Spending \$44,000,000 on the Dumbarton Rail Corridor Project when the ridership is projected to be only low to moderate is an unwise spending of money. The \$44,000,000 can be better spent helping to get BART to San Jose or to other more pressing transit projects.

3. Is the Valley Transportation Authority's contribution of \$44,000,000 to the Dumbarton Rail Corridor Project justified when the Union Pacific RR is not selling the key right-of-way that will allow Dumbarton Rail trains access to the Union City inter-modal station? NO

The Union City inter-modal station is the key to any possible success of the Dumbarton Rail Corridor Project. This station is to be the key location where

BART trains, Capitol Corridor trains and Dumbarton trains meet at a central location. With the Union Pacific RR not selling the Oakland Line right-of-way, there will be no central connection between the three passenger trains. Thus the Dumbarton Rail Corridor Project will be a failure before the first train runs. The Dumbarton Rail Corridor wants to build the project in phases, starting with the Redwood City to Newark segments in the hopes that someday the Union Pacific RR will sell the needed Oakland Line right-of way. What a waste of taxpayer money. The Dumbarton Rail Corridor Project has been around for many years and it is no closer to an agreement with the Union Pacific RR now than when the project was first started.

Unless and until there is an agreement with the Union Pacific RR to purchase the Oakland Line right-of-way, the Dumbarton Rail Corridor Project should simply be shut down to stop squandering taxpayer money. At the very least, the Santa Clara County Valley Transportation Authority should pull its \$44,000,000 out of the project.

Why is the Dumbarton Rail Corridor Project continuing with the environmental impact studies and construction planning for the Niles freight bridge when the Union Pacific RR is uncooperative in selling the needed Oakland Line right-of-way?

It seems as though the Metropolitan Transportation Commission is more concerned with the construction of the Niles freight bridge to get Port of Oakland truck freight onto the rails than it is with whether the Dumbarton Rail Corridor Project is cost effective and financially viable. Valley Transportation Authority

should drop out of this boondoggle and save its \$44,000,000 for more worthy projects in Santa Clara County such as getting Bart to San Jose.

4. Is the Santa Clara Valley Transportation Authority justified in contributing \$44,000,000 to the Dumbarton Rail Corridor Project in light of the minor traffic back-ups on the Dumbarton Bridge? NO. The rationale for the Dumbarton Rail Bridge is to relieve auto congestion on the Dumbarton Bridge. Metropolitan Transportation Commission's own statistics show that the Dumbarton Bridge is one of the least congested commutes in the bay area (See Exhibit G). Valley Transportation Authority cannot justify spending \$44,000,000 on this project when there are other transit projects in Santa Clara County that need funds. This is especially true in view of Union City adding two more lanes (in the next few years) on highway 84 going from the 880 to Union City. This will greatly assist the evening commuters coming off of the Dumbarton Bridge. With such minor back-ups on the Dumbarton Bridge, Valley Transportation Authority's spending of \$44,000,000 will be a wasteful and ineffective use of taxpayer money.

PLEASE INSTRUCT THE SANTA CLARA VALLEY TRANSPORTATION
AUTHORITY TO GET OUT OF THE DUMBARTON RAIL CORRIDOR PROJECT
AND SAVE \$44,000,000

Exhibits Available upon Request.

LIST OF EXHIBITS

- A. Excerpts from the Dumbarton Rail Corridor Rail Project---Environmental Phase 1
- B. Excerpts from the 2004 Dumbarton Rail Corridor Project Study Report
- C. Aerial photo of Niles Junction and additional excerpts from the 2004 Dumbarton Corridor Project Study Report
- D. Status of discussions with the Union Pacific RR
- E. Additional excerpts from the 2004 Dumbarton Rail Corridor Project Study Report regarding the design and construction of the Niles freight bridge
- F. Santa Clara Valley Transportation Authority letter indicating Valley Transportation Authority's involvement in the Dumbarton Rail Corridor Project
- G. Metropolitan Transportation Commissions statistics on bay area freeway congestion
- H. San Francisco Bay Area Regional Rail Plan's 2007 report on low to moderate ridership for the Dumbarton Rail Corridor Project.
- I. Ballot measure—July 2004, Regional Measure 2
- J. Ballot measure---Nov. 2000, Alameda County Measure B
- K. Ballot measure---Nov. 2000, Santa Clara County Measure A
- L. Ballot measure---Nov. 2004, San Mateo County Measure A
- M. Excerpts from the 2007 Bay Area Regional Rail Plan System Wide Study Alternatives Refinements

August 17, 2010

TO: Dale Rogers Marshall, Foreman of the Alameda County Civil Grand Jury

FROM: Tim Pitsker, Vice-Chair and City of Fremont member of the Dumbarton Rail Citizens' Advisory Panel, 36863 Montecito Dr., Fremont CA 94536
H-510-792-4583, W-408-737-1264

RE: Follow-up to the 2007-2008 Alameda County Civil Grand Jury Final Report "Dumbarton Rail Corridor Project"

FOLLOW-UP ISSUES THAT NEED TO BE INVESTIGATED

None of the concerns expressed in the 2007-2008 Alameda County Civil Grand Jury Final Report have been addressed by the Dumbarton Rail Corridor Project. The cost of the project has now increased from \$600,000,000 to \$715,000,000 and is still climbing.

Additionally, in 2008, Tim Pitsker, submitted a request for additional investigation of the Dumbarton Rail Corridor Project (see enclosed letter from Tim Pitsker Dated Oct. 31, 2008 with attached exhibits). The 2008-2009 Alameda County Civil Grand Jury chose not to pursue that request. The issues presented in the Oct. 31, 2008 letter are still valid and are of even more importance today due to current fiscal deficits.

A key issue presented in the Oct. 31, 2008 letter is that the Dumbarton Rail Corridor Project and the Union City Intermodal Station Passenger Rail Project are really one project and to divide them into separate projects is a violation of the California Environmental Quality Act (CEQA). Additional evidence of this is that at the Sept. 25, 2009 meeting of the Dumbarton Rail Policy Advisory Panel, David Kutrosky, the Managing Director from the Capitol Corridor Joint Powers Authority (CCJPA), indicated that he is negotiating with the Union Pacific RR for the sale of the entire Oakland Subdivision right-of-way from Oakland to Fremont. He also indicated that Capitol Corridor is preparing a grant application which includes the procurement and construction of the Dumbarton Project Segment G, to the Federal Rail Administration (FRA) High Speed Intercity Passenger Rail program (HSIPR) in spring 2010. CCJPA will likely use the Union City Intermodal Station Funding as the 20% match (see attached minutes from the Sept. 25, 2009 meeting of the Dumbarton Rail Corridor Policy Advisory Committee.)

In that the Dumbarton Rail Corridor trains and the Capitol Corridor trains will both be running on the Oakland Subdivision tracks and both will be using the Union City Intermodal Station and David Kutrosky is working with the Dumbarton Rail Corridor Policy Advisory Committee, it is absolutely clear it is one project in violation of CEQA. It is a violation of CEQA to have two environmental impact reports, one for the Union City Intermodal Station and one for the balance of the Dumbarton Project.

As mentioned in the Oct. 31, 2008 letter, the Oakland Subdivision right-of-way and the Union City Intermodal Station are Segment G of the Dumbarton Rail Corridor Project. Thus the cost of the Union City EIR was a waste of money because it will have to be re-done to be included in the Dumbarton Project EIR.

More importantly, the cost of the Dumbarton Rail Project is now up to \$715,000,000 in current dollars. \$715,000,000 to relieve a 3-5 minute delay on the Dumbarton Bridge, during rush hour only, is a misuse of public money. There is no delay on the Dumbarton Bridge during non-rush hour times. What a waste of money, especially considering the cutbacks in public transportation in Alameda County.

People who can give you additional information on this project are:

1. David Kutrosky, Managing Director of the Capitol Corridor Joint Powers Authority
2. Wenlin Yang, Dumbarton Rail Corridor Project/Joint Powers Board, 650-622-7852
3. Heyward Robinson, Menlo Park City Council, Cell-650-208-1512 or 650-330-6630
4. Doug Kimsey, Metropolitan Transportation Commission (MTC), Director of Planning, 510-817-5790
5. Bob Wasserman, Mayor of Fremont, 510-284-4011

Dumbarton Rail Corridor Policy Advisory CommitteeMeeting Minutes

5. Public Comments (For items not on the agenda)

J. Bigelow, a Citizen Advisory Panel member and a representative from the Redwood City and Menlo Park Chamber of Commerce, provided his support to proceed with the technical analysis to update the environmental document. Mr. Bigelow noted that value engineering should be conducted to reduce the capital cost. He also noted that local investments in the corridor should be identified as funding secured so the project meets the MTC funding criteria for prioritization. J. Bigelow also urged the PAC to postpone the reassignment of RM2 operating funds to interim bus service enhancements.

6. Consent Calendar

Minutes of September 25, 2009 Meeting

S. Lempert motioned to approve the meeting minutes and Y. Kishimoto seconded. The minutes were approved with B. Pierce, C. Romero, and A. Apodaca abstaining as they did not attend the September 25, 2009 meeting.

7. Report of the Citizen Advisory Panel (CAP)

Ferrier's report included the following highlights:

- Nine CAP members and one alternate from Newark attended the meeting.
- The CAP has concerns that UPRR wants to sell the entire Oakland subdivision and the uncertain costs associated with the transaction. The CAP noted the potential benefits of leveraging federal grants.
- A motion recommending the PAC not support reassignment of RM2 funding for interim bus until after the environmental document goes through a public review process and the next steps for the Dumbarton Rail project are determined failed: 3 (yes) – 4 (no) – 2 (abstain).
- The CAP concurred with the direction presented by staff for the proposed technical analysis and provided their unanimous support for the staff recommendation.

8. Information Items

a. Oakland Subdivision Negotiating Plan (CCJPA)

David Kutrosky, Managing Director from the Capitol Corridor Joint Powers Authority (CCJPA), presented the following:

- The UPRR has indicated it wants to sell the entire Oakland Subdivision from Oakland (Fruitvale/Melrose) to Fremont (Shinn), not just the southern portion needed for Segment G.
- The preliminary proposed work plan budget is \$870,000 for the entire Oakland Subdivision right-of-way negotiation. There is only \$300,000 identified in the project budget. No regional funds have been identified for the acquisition of the northern portion of the Oakland Subdivision right-of-way (ROW) north of the Industrial Connection.
- To meet the goals of adding additional CC trains between Oakland and San Jose, Capitol Corridor is preparing a grant application which includes the procurement and construction of the Dumbarton Project Segment G, to the Federal Rail Administration (ERA) High Speed Intercity Passenger Rail program (HSIPR) in spring 2010. CCJPA will likely use the Union City Intermodal Station funding as the 20% local match.

Oct. 23, 2011

TO: THE ALAMEDA COUNTY CIVIL GRAND JURY

FROM: TIM PITSKER, Chairperson of the Dumbarton Rail Corridor Citizen Advisory Panel

Re: FOLLOW-UP TO THE 2007-2008 ALAMEDA COUNTY CIVIL GRAND JURY REPORT, pages 35-40, "Dumbarton Corridor Rail Project" at page 40, "The Grand Jury Recommends subsequent Grand Juries monitor the progress of the DRC Project".

ISSUES THAT NEED TO BE INVESTIGATED

1. Has the Metropolitan Transportation Commission (MTC) and the Dumbarton Rail Corridor Project (DRCP) committed fraud in claiming that the Santa Clara Valley Transportation Authority (VTA) committed \$44,000,000 to the DRCP? The DRCP is a proposed commuter rail service from Alameda County over the Dumbarton Rail Bridge right-of-way to San Mateo and Santa Clara Counties. MTC has authority over all regional transportation projects and the DRCP Policy Advisory Committee supervises the actual construction of the DRCP.
2. Has VTA effectively dropped out of the project leaving Alameda and San Mateo Counties the bill for its portion of the project?
3. Should the DRCP continue with VTA not committing any further funds to the DRCP?
4. Should the Dumbarton Rail Corridor Project (DRCP) continue with the current price tag of \$770,000,000?

DISCUSSION

1. HAS THERE BEEN A MISREPRESENTATION TO THE PUBLIC AND THE FEDERAL TRANSIT ADMINISTRATION (FTA) that VTA committed \$44,000,000 to the DRCP?

The 2000 San Mateo County Civil Grand Jury Report stated that the cost of the DRCP was estimated to be \$130,000,000 (Exhibit #1).

In May 2004, Regional Measure 2 (RM2) was passed by bay area voters. RM2 provides \$135,000,000 for the DRCP to be paid out at the discretion of MTC. The cost of the DRCP had increased to \$295,000,000. In 2007, MTC approved Resolution 3647 which indicated that the cost of the DRCP had escalated to \$595,000,000. In this resolution MTC claimed that VTA had committed \$44,000,000 to the DRCP (Exhibit #2).

As of 2011, DRCP costs have soared to \$770,000,000 (Exhibit #3).

For more background information read the Civil Grand Jury Reports from Alameda County (Exhibit #4), San Mateo County (Exhibit #1) and Santa Clara County (Exhibit #5). MTC and the DRCP continue to claim that VTA has committed \$44,000,000 to the DRCP.

On Oct. 11, 2011, Tim Pitsker had a conversation with VTA member Kevin Connolly (408-321-5746). Mr. Connolly informed Tim Pitsker that VTA has NOT committed any specific funds to the DRCP. He stated the \$44,000,000 at issue was only an estimated amount of VTA's contribution based on the 2004 estimated project cost of \$259,000,000. Mr. Connolly further indicated that VTA has NOT decided how much more money, if any, it will contribute (VTA has previously provided over \$2,000,000).

For the MTC and the DRCP to continue to claim \$44,000,000 is being provided by VTA is a fraud on the public and the FTA (Federal Transit Administration). This misrepresentation has been presented to the FTA by the DRCP in its application for needed Federal certification of the EIR (Environmental Impact Report) for public circulation.

2. HAS VTA EFFECTIVELY DROPPED OUT OF THE DRCP?

Kevin Connolly told Tim Pitsker that VTA has not dropped out of the DRCP but that the 20 year funding plan for VTA does not include any funds for the DRCP. Connolly went on to explain that the DRCP is now classified by VTA as a 'tier two' project which is for projects that are not fully funded and thus given lower priority to other projects. Connolly stated that 'tier two' projects are not part of revenue expenditures. Thus there are no plans by VTA for future funds to go to the DRCP.

It is important to note that VTA is a member of the DRCP Policy Advisory Committee (PAC). The PAC makes all the decisions regarding the scope of the EIR and the actual building of the project. So far this year no VTA member has attended any of the DRCP Policy Advisory Committee meetings.

This is a clear indication that VTA is not participating in the DRCP Project even though it has not "officially" dropped out of the project.

Tim Pitsker asked Mr. Connolly what would happen if VTA were told its share of the project had increased to \$100,000,000? Would it pay? Mr. Connolly stated it would be up to the VTA Board. He also said they have a lot of projects and not enough money.

It is obvious that VTA is not participating in the DRCP and has effectively dropped out.

3. SHOULD THE DRCP CONTINUE WITH VTA NOT COMMITTING ANY FURTHER FUNDING?

This project should not continue with VTA not helping with the funding for at least the next 20 years. VTA should pay its fair share. Santa Clara County should not be allowed the benefits of the project without paying its fair share of the costs. It is not fair for the taxpayers of Alameda and San Mateo Counties to have to pick-up the tab for Santa Clara County.

4. SHOULD THE DRCP CONTINUE WITH A \$770,000,000 PRICE TAG?

In 2000 the cost estimate for the DRCP was \$130,000,000. Now the cost estimate has escalated to \$770,000,000.

This project is more than 15 years old and there are still numerous major issues to be resolved. The EIR has not been completed. There is still no indication that the Union Pacific RR will sell the right-of-way needed for the Union City Station. Funding has a huge shortfall.

The cost is now estimated to be \$770,000,000 with \$259,000,000 of identified funding (Exhibit #3). It should be noted that the \$259,000,000 of identified funding includes the alleged VTA contribution of \$44,000,000. So the \$259,000,000 is reduced to \$215,000,000 with VTA's \$44,000,000 being deducted. The DRCP thus has a shortfall of \$555,000,000.

It is public knowledge that there have been major cutbacks in transportation funding in Alameda, Santa Clara and San Mateo Counties. It does not make sense to continue funding the DRCP when there is such a large shortfall and other more pressing needs are going unfulfilled.

MTC classifies all transportation projects into one of four quadrants. High priority projects are in the first quadrant. The DRCP has been placed into the fourth quadrant which is for the lowest priority projects. With MTC giving the DRCP the lowest priority, how can we waste \$770,000,000 on this project?

In the last two weeks, Tim Pitsker drove, during rush hour, over the Dumbarton Bridge four times from highway 880 to highway 101 and back to 880. Two trips were during the morning rush hour commute and two were during the evening rush hour commute. There was NO backup on the Dumbarton Bridge and only a slight backup getting onto 101 and 880. Traffic speed was 65-70 miles per hour over the bridge in both directions, with rush hour traffic and in the opposite direction.

Vehicle traffic on the Dumbarton Bridge is decreasing. There is NO backup on the bridge.

With the cost having escalated from \$130,000,000 to \$770,000,000 and still climbing, with the EIR still not being completed, what will the final cost be? Over 1 billion?

With the escalating cost and Santa Clara County not paying its fair share, this project should be shut down and stopped from further wasting taxpayer money.

THANK YOU,

Tim Pitsker