Board Members
Ron Roberts, Chair
Chair, County of San Diego
Terry Sinnott, First Vice Chair
Deputy Mayor, Del Mar
Matt Hall
Mayor, Carlsbad
Mary Salas
Mayor, Chula Vista
Carrie Downey
Councilmember, Coronado
Bill Wells
Mayor, El Cajon
Lisa Shaffer
Deputy Mayor, Encinitas
Sam Abed
Mayor, Escondido
Serge Dedina
Mayor, Imperial Beach
Kristine Alessio
Councilmember, La Mesa
Mary Teresa Sessom
Mayor, Lemon Grove
Ron Morrison
Mayor, National City
Jim Wood
Mayor, Oceanside
Steve Vaus
Mayor, Poway
Kevin Faulconer
Mayor, City of San Diego
Todd Gloria
Councilmember, City of San Diego
Jack Dale
Councilmember, Santee
Jim Desmond
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Lesa Heebner
Councilmember, Solana Beach
Judy Ritter
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Dianne Jacob
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Advisory Members
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Supervisor, District 1
Imperial County
Malcolm Dougherty, Director
California Department of Transportation
Harry Mathis, Chair
Metropolitan Transit System
Mark Packard, Chair
North County Transit District
CAPT John J. Adametz, CEC, USN, CO,
Naval Facilities Engineering Command Southwest
U.S. Department of Defense
Garry Bonelli, Commissioner
San Diego Unified Port District
Mark Muir, Vice Chair
San Diego County Water Authority
Allen Lawson, Chairman
Southern California Tribal Chairmen’s Association
Remedios Gómez-Arnau
Consul General of Mexico
Gary L. Gallegos
Executive Director, SANDAG

SANDAG
BOARD OF DIRECTORS
AGENDA
Friday, June 24, 2016
9 a.m. to 12 noon
SANDAG Board Room
401 B Street, 7th Floor
San Diego

AGENDA HIGHLIGHTS
• FIRST READING: REGIONAL TRANSPORTATION COMMISSION ORDINANCE NO. RTC-CO-2017-01:
  SAN DIEGO COUNTY ROAD REPAIR, TRANSIT, TRAFFIC RELIEF, SAFETY, AND WATER QUALITY ORDINANCE AND EXPENDITURE PLAN
• GILMAN DRIVE BRIDGE PROJECT
• DOWNTOWN MULTIUSE AND BUS STOPOVER FACILITY

PLEASE SILENCE ALL ELECTRONIC DEVICES DURING THE MEETING

YOU CAN LISTEN TO THE BOARD OF DIRECTORS MEETING BY VISITING OUR WEBSITE AT SANDAG.ORG

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

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

San Diego Association of Governments · 401 B Street, Suite 800, San Diego, CA 92101-4231
(619) 699-1900 · Fax (619) 699-1905 · sandag.org
Welcome to SANDAG. Members of the public may speak to the Board of Directors on any item at the time the Board is considering the item. Please complete a Speaker's Slip, which is located in the rear of the room, and then present the slip to the Clerk of the Board seated at the front table. Members of the public may address the Board on any issue under the agenda item entitled Public Comments/Communications/Member Comments. Public speakers are limited to three minutes or less per person. The Board of Directors may take action on any item appearing on the agenda.

Public comments regarding the agenda can be sent to SANDAG via comment@sandag.org. Please include the agenda item, your name, and your organization. Email comments should be received no later than 12 noon, two working days prior to the Board of Directors meeting. *Any handouts, presentations, or other materials from the public intended for distribution at the Board of Directors meeting should be received by the Clerk of the Board no later than 12 noon, two working days prior to the meeting.*

In order to keep the public informed in an efficient manner and facilitate public participation, SANDAG also provides access to all agenda and meeting materials online at www.sandag.org/meetings. Additionally, interested persons can sign up for e-notifications via our e-distribution list at either the SANDAG website or by sending an email request to webmaster@sandag.org.

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请在会议前至少 72 小时打电话 (619) 699-1900 提出请求.
<table>
<thead>
<tr>
<th>ITEM NO.</th>
<th>RECOMMENDATION</th>
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<tbody>
<tr>
<td>+1.</td>
<td>APPROVAL OF MEETING MINUTES</td>
</tr>
<tr>
<td></td>
<td>+1A. May 13, 2016, Board Policy Meeting Minutes</td>
</tr>
<tr>
<td></td>
<td>+1B. May 27, 2016, Board Business Meeting Minutes</td>
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<tr>
<td>2.</td>
<td>PUBLIC COMMENTS/COMMUNICATIONS/MEMBER COMMENTS</td>
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<tr>
<td></td>
<td>Public comments under this agenda item will be limited to five public speakers. Members of the public shall have the opportunity to address the Board on any issue within the jurisdiction of SANDAG that is not on this agenda. Other public comments will be heard during the items under the heading “Reports.” Anyone desiring to speak shall reserve time by completing a “Request to Speak” form and giving it to the Clerk of the Board prior to speaking. Public speakers should notify the Clerk of the Board if they have a handout for distribution to Board members. Public speakers are limited to three minutes or less per person. Board members also may provide information and announcements under this agenda item.</td>
</tr>
<tr>
<td>+3.</td>
<td>ACTIONS FROM POLICY ADVISORY COMMITTEES (Victoria Stackwick)</td>
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<tr>
<td></td>
<td>This item summarizes the actions taken by the Policy Advisory Committees since the last Board Business Meeting. The Board of Directors is asked to ratify these actions.</td>
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<tr>
<td>4.</td>
<td>TRANSPORTATION DEVELOPMENT ACT TRIENNIAL PERFORMANCE AUDIT (Lisa Madsen)</td>
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<td></td>
<td>The Transportation Committee recommends that the Board of Directors authorize the Executive Director to: (1) transmit the Transportation Development Act (TDA) triennial performance audit report of SANDAG to the Caltrans Director as required; (2) certify in writing to the Caltrans Director that the performance audits of transit operators located in the area under its jurisdiction have been completed; (3) implement the performance audit recommendations pertaining to SANDAG TDA activities; and (4) transmit the other recommendations to the transit operators for implementation.</td>
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<tr>
<td>5.</td>
<td>FY 2017 CLAIMS FOR TRANSPORTATION DEVELOPMENT ACT AND STATE TRANSIT ASSISTANCE (Michelle Smith)</td>
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<td>The Transportation Committee recommends that the Board of Directors adopt: (1) Resolution Nos. 2016-30 through 2016-35, approving the FY 2017 Transportation Development Act claims and one State Transit Assistance Act (STA) claim; and (2) the STA findings as certified by the North County Transit District.</td>
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</tbody>
</table>
+6. REGIONAL COMPLETE STREETS POLICY IMPLEMENTATION: STATUS REPORT (Carolina Ilic)  

This report provides an update on implementation of the Regional Complete Streets Policy adopted by the Board of Directors in December 2014.

+7. ANNUAL STATUS OF COMMITTEES AND WORKING GROUPS (Victoria Stackwick)  

As required by SANDAG Board Policy No. 004: Rules of Procedure for Board of Directors, Policy Advisory Committees, and Other Legislative Bodies, this item provides an annual report on the status of all standing and temporary committees and working groups.

+8. REPORT ON MEETINGS AND EVENTS ATTENDED ON BEHALF OF SANDAG (Victoria Stackwick)  

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

+9. REPORT SUMMARIZING DELEGATED ACTIONS TAKEN BY THE EXECUTIVE DIRECTOR (André Douzdjian)*  

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

REPORTS

+10. FIRST READING: REGIONAL TRANSPORTATION COMMISSION ORDINANCE NO. RTC-CO-2017-01: THE SAN DIEGO COUNTY ROAD REPAIR, TRANSIT, TRAFFIC RELIEF, SAFETY, AND WATER QUALITY ORDINANCE AND EXPENDITURE PLAN PROVIDING FOR THE IMPOSITION OF A ONE-HALF OF ONE CENT RETAIL TRANSACTIONS AND USE TAX FOR A FORTY-YEAR PERIOD COMMENCING ON APRIL 1, 2017 (Rob Rundle, Julie Wiley)*  

The Board of Directors is asked to: (1) discuss changes made to the Ordinance and Expenditure Plan (Regional Transportation Commission [RTC] Ordinance No. RTC-CO-2017-01) and proposed ballot language; and (2) conduct the first reading of RTC Ordinance No. RTC-2017-CO-01, by reading the title and waiving full recitation of the ordinance for this and all future readings.

+11. PROPOSED AUTOMATED REGIONAL JUSTICE INFORMATION SYSTEM ORGANIZATIONAL ASSESSMENT WORK PLAN (Poway Mayor Steve Vaus, Public Safety Committee Chair; Kurt Kroninger, Diane Eidam)  

The Public Safety Committee recommends that the Board of Directors approve the proposed Automated Regional Justice Information System Organizational Assessment Work Plan.
12. **GILMAN DRIVE BRIDGE PROJECT: CONSTRUCTION COOPERATION AGREEMENT WITH UNIVERSITY OF CALIFORNIA, SAN DIEGO AND CALTRANS; AND SUPPLEMENT 3 TO THE CONSTRUCTION MANAGER/GENERAL CONTRACTOR CONSTRUCTION SERVICES AGREEMENT (San Diego Councilmember Todd Gloria, Transportation Committee Chair; Greg Gastelum)**

   The Transportation Committee recommends that the Board of Directors:

   A. (1) authorize the Executive Director to execute a Construction Cooperation Agreement with University of California, San Diego (UC San Diego) and Caltrans to fully fund the Interstate 5/Gilman Drive Bridge Project (Project); and (2) approve an amendment to the FY 2017 Program Budget to accept $4.407 million from UC San Diego to fully fund the Project (Capital Improvement Program No. 1200508).

   B. (1) approve the Guaranteed Maximum Price negotiated between Mid-Coast Transit Constructors and SANDAG for Supplement 3 to the Construction Manager/General Contractor Construction Services Agreement for the Project in the amount of $15.3 million; and (2) authorize the Executive Director to execute Supplement 3.

13. **DOWNTOWN MULTIUSE AND BUS STOPOVER FACILITY (Richard Chavez)**

   The Board of Directors is asked to: (1) approve Site A as the preferred site for the proposed Downtown Multiuse and Bus Stopover Facility (Project); and (2) adopt Resolution No. 2016-38, finding that no further California Environmental Quality Act review of the proposed Project at Site A is required.

14. **CONTINUED PUBLIC COMMENTS**

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

15. **UPCOMING MEETINGS**

   The next Board Policy meeting is scheduled for Friday, July 8, 2016, at 10 a.m. The next Board Business meeting is scheduled for Friday, July 22, 2016, at 9 a.m.

16. **ADJOURNMENT**

   + next to an agenda item indicates an attachment
   
   * next to an agenda item indicates that the Board of Directors also is acting as the San Diego County Regional Transportation Commission for that item
Chair Ron Roberts (Chair, County of San Diego) called the meeting of the SANDAG Board of Directors to order at 10:01 a.m. The attendance sheet for the meeting is included.

1. PUBLIC COMMENTS/COMMUNICATIONS/MEMBER COMMENTS

Mike Bullock, Sierra Club, presented a brief PowerPoint regarding climate change.

Mark Cafferty, San Diego Regional Economic Development Corporation (SDREDC), submitted the Executive Summary for the economic analysis recently completed by the SDREDC on transportation and transit options in the region.

2. FUNDING MEASURE: DRAFT ORDINANCE AND DRAFT BALLOT LANGUAGE (DISCUSSION/POSSIBLE ACTION)

The Board of Directors was asked to consider ordinance and ballot language for a funding measure on the November 2016 ballot to implement San Diego Forward: The Regional Plan.

Rob Rundle, Principal Regional Planner, introduced the item.

Julie Wiley, Special Council, presented the draft Ordinance language that would implement the Expenditure Plan.

Mr. Rundle presented the draft ballot language for review by the Board of Directors.

Gretchen Newsom, Quality of Life Coalition, spoke in opposition to this item.

Mike Bullock, Sierra Club, spoke in opposition to this item.

Andy Hanshaw, San Diego Bicycle Coalition, spoke in opposition to this item.

Randy Van Vleck, City Heights Community Development Corporation, spoke in opposition to this item.

Action: This item was presented for discussion/possible action.
3. CONTINUED PUBLIC COMMENTS

There were no continued public comments.

4. UPCOMING MEETINGS

The next Board Business meeting is scheduled for Friday, May 27, 2016, at 9 a.m.

5. ADJOURNMENT

Chair Roberts adjourned the meeting at 11:54 a.m.
### ATTENDANCE

**SANDAG BOARD OF DIRECTORS MEETING**  
**MAY 13, 2016**

<table>
<thead>
<tr>
<th>JURISDICTION</th>
<th>NAME</th>
<th>Attendance</th>
</tr>
</thead>
<tbody>
<tr>
<td>City of Carlsbad</td>
<td>Matt Hall (Primary)</td>
<td>Yes</td>
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<tr>
<td>City of Chula Vista</td>
<td>Mary Salas (Primary)</td>
<td>Yes</td>
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<td>City of Coronado</td>
<td>Bill Sandke (2nd Alt.)</td>
<td>Yes</td>
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<tr>
<td>City of Del Mar</td>
<td>Dwight Worden (1st Alt.)</td>
<td>Yes</td>
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<tr>
<td>City of El Cajon</td>
<td>Bill Wells (Primary)</td>
<td>Yes</td>
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<tr>
<td>City of Encinitas</td>
<td>Lisa Shaffer (Primary)</td>
<td>Yes</td>
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<tr>
<td>City of Escondido</td>
<td>Sam Abed (Primary)</td>
<td>Yes</td>
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<td>City of Imperial Beach</td>
<td>Serge Dedina (Primary)</td>
<td>Yes</td>
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<td>City of La Mesa</td>
<td>Kristine Alessio (Primary)</td>
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<td>City of Lemon Grove</td>
<td>Mary Sessom (Primary)</td>
<td>Yes</td>
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<td>City of National City</td>
<td>Ron Morrison (Primary)</td>
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<tr>
<td>City of Oceanside</td>
<td>Jim Wood (Primary)</td>
<td>Yes</td>
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<td>City of Poway</td>
<td>Steve Vaus (Primary)</td>
<td>Yes</td>
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<tr>
<td>City of San Diego - B</td>
<td>Lorie Zapf (1st Alt.)</td>
<td>Yes</td>
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<tr>
<td>City of San Diego - A</td>
<td>Todd Gloria (Primary)</td>
<td>Yes</td>
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<tr>
<td>City of San Marcos</td>
<td>Jim Desmond (Primary)</td>
<td>Yes</td>
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<tr>
<td>City of Santee</td>
<td>Jack Dale, (Primary)</td>
<td>Yes</td>
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<tr>
<td>City of Solana Beach</td>
<td>Lesa Heebner (Primary)</td>
<td>Yes</td>
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<tr>
<td>City of Vista</td>
<td>Judy Ritter (Primary)</td>
<td>No</td>
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<tr>
<td>County of San Diego - A</td>
<td>Dianne Jacob (Primary, Seat A)</td>
<td>Yes</td>
</tr>
<tr>
<td>County of San Diego - B</td>
<td>Ron Roberts, Chair (Primary, Seat B)</td>
<td>Yes</td>
</tr>
</tbody>
</table>

**ADVISORY MEMBERS**

<table>
<thead>
<tr>
<th></th>
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<th>Attendance</th>
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<tbody>
<tr>
<td>Caltrans</td>
<td>Laurie Berman (1st. Alt.)</td>
<td>Yes</td>
</tr>
<tr>
<td>MTS</td>
<td>Harry Mathis (Primary)</td>
<td>Yes</td>
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<tr>
<td>NCTD</td>
<td>John Aguilera (Temp Alt)</td>
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</tr>
<tr>
<td>Imperial County</td>
<td>Sup. John Renison (Primary)</td>
<td>No</td>
</tr>
<tr>
<td>US Dept. of Defense</td>
<td>CAPT John Adametz (Primary)</td>
<td>No</td>
</tr>
<tr>
<td>SD Unified Port District</td>
<td>Garry Bonelli (Alternate)</td>
<td>Yes</td>
</tr>
<tr>
<td>SD County Water Authority</td>
<td>Mark Muir (Primary)</td>
<td>Yes</td>
</tr>
<tr>
<td>Mexico</td>
<td>Remedios Gómez-Arnau (Primary)</td>
<td>No</td>
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</table>
Vice Chair Terry Sinnott (Del Mar) called the meeting of the SANDAG Board of Directors to order at 9 a.m. The attendance sheet for the meeting is included.

1. APPROVAL OF MEETING MINUTES

Action: Upon a motion by Mayor Steve Vaus (Poway) and a second by Mayor Ron Morrison (National City), the Board of Directors approved the minutes from the April 8, 2016, Board Policy meeting, the April 22, 2016, Board Business meeting, and the April 29, 2016, Board Special meeting. Yes – Vice Chair Sinnott, Mayor Matt Hall (Carlsbad), Mayor Mary Salas (Chula Vista), Deputy Mayor Lisa Shaffer (Encinitas), Councilmember Robert Patton (Imperial Beach), Mayor Morrison, Deputy Mayor Chuck Lowery (Oceanside), Mayor Vaus, Councilmember Todd Gloria (City of San Diego A), Mayor Jim Desmond (San Marcos), Councilmember Lasa Heebner (Solana Beach), Councilmember John Aguilera (Vista), Supervisor Dianne Jacob (County of San Diego A), and Supervisor Dave Roberts (County of San Diego B) (weighted vote, 100%). No – None (weighted vote, 0%). Abstain – None (weighted vote, 0%). Absent – Coronado, El Cajon, Escondido, La Mesa, Lemon Grove, City of San Diego B, and Santee.

2. PUBLIC COMMENTS/COMMUNICATIONS/MEMBER COMMENTS

Harry Mathis, Chair, Metropolitan Transit System (MTS), distributed copies of the MTS Community Impact and Performance Report for 2016 for Board member information and review.

3. ACTIONS FROM POLICY ADVISORY COMMITTEES (APPROVE)

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

Action: Upon a motion by Councilmember Gloria and a second by Deputy Mayor Shaffer, the Board of Directors approved Item No. 3. Yes – Vice Chair Sinnott, Mayor Hall, Mayor Salas, Deputy Mayor Shaffer, Councilmember Patton, Mayor Morrison, Deputy Mayor Lowery, Mayor Vaus, Councilmember Gloria, Councilmember Lorie Zapf (City of San Diego A), Mayor Desmond, Councilmember Heebner, Councilmember Aguilera, and Supervisor Jacob (weighted vote, 100%). No – None (weighted vote, 0%). Abstain – None (weighted vote, 0%). Absent – Coronado, El Cajon, Escondido, La Mesa, Lemon Grove, and Santee.
CONSENT

4. APPROVAL OF PROFESSIONAL SERVICES SOLICITATION (APPROVE)

The Board of Directors was asked to authorize the Executive Director to conduct a solicitation for on-call environmental consulting services and revise the capacity of the existing architectural and engineering on-call contracts.

6. NORTH PARK | MID-CITY: ROBINSON BIKEWAY PROJECT: FINAL MITIGATED NEGATIVE DECLARATION (ADOPT)

The Robinson Bikeway Project (Project) will provide a 0.2-mile, on-street bikeway that will connect the City of San Diego communities of Hillcrest and North Park. The Board of Directors was asked to adopt the Final Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Project.

7. ROSE CREEK BIKEWAY PROJECT: FINAL MITIGATED NEGATIVE DECLARATION (ADOPT)

The Rose Creek Bikeway segment of the Coastal Rail Trail (Project) is a 2.1-mile bikeway from Mission Bay Drive to the end of Santa Fe Street. The Board of Directors was asked to adopt the Final Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Project.

8. FY 2017 TRANSPORTATION DEVELOPMENT ACT PRODUCTIVITY IMPROVEMENT RECOMMENDATIONS (APPROVE)

On the recommendation by the Transportation Committee, the Board of Directors was asked to find that the Metropolitan Transit System and North County Transit District made a reasonable effort to implement productivity improvements during FY 2016, and approve continuing this program in FY 2017, which fulfills the requirements outlined in Section 99244 of the Transportation Development Act.

9. FY 2015-2016 STATE CAP-AND-TRADE: AFFORDABLE HOUSING AND SUSTAINABLE COMMUNITIES PROGRAM FULL APPLICATIONS (ADOPT)

The Board of Directors was asked to adopt Resolution No. 2016-28, authorizing and directing the submission of two SANDAG full applications for the North Park | Mid-City: Georgia-Meade Bikeway and Inland Rail Trail projects to the state’s cap-and-trade FY 2015-2016 Affordable Housing and Sustainable Communities Program, and authorize the execution of all necessary agreements with the state and development partners to receive and expend any awarded funds.

10. CALIFORNIA ACTIVE TRANSPORTATION PROGRAM CYCLE 3: REGIONAL ACTIVE TRANSPORTATION PROGRAM (ADOPT)

The state’s Active Transportation Program (ATP) Guidelines allocate a portion of funds to Metropolitan Planning Organizations to distribute through a competitive selection process. On the recommendation by the Transportation Committee, the Board of Directors was asked to adopt Resolution No. 2016-27, certifying the submission of the proposed Regional ATP Project Scoring Criteria to the California Transportation Commission for use in the Cycle 3 Regional ATP competition.
11. FY 2017 WEIGHTED VOTING FORMULA (INFORMATION)

On an annual basis, SANDAG is required to recompute the weighted vote of the Board of Directors based on population figures certified by the California Department of Finance. Based on updated population figures, there were no changes to the weighted voting formula for FY 2017.

12. OVERVIEW OF DEVELOPMENTS IN THE FINANCIAL MARKETS AND QUARTERLY FINANCE REPORT FOR THE PERIOD ENDING MARCH 31, 2016 (INFORMATION)

This quarterly report provided various finance-related items to the Board of Directors, including: a quarterly report of investments, including all money under the direction or care of SANDAG; an update on the SANDAG debt portfolio; and information about the latest developments in the financial markets, the economy, and sales tax revenues.

13. QUARTERLY PROGRESS REPORT ON TRANSPORTATION PROJECTS - JANUARY THROUGH MARCH 2016 (INFORMATION)

This quarterly report summarized the current status of major transit, highway, arterial, traffic management, and Transportation Demand Management projects in the SANDAG five-year Regional Transportation Improvement Program for the period January through March 2016.

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

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

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

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

Action: Upon a motion by Mayor Morrison and a second by Mayor Hall, the Board of Directors approved Consent Items 4, and 6 through 15. Yes – Vice Chair Sinnott, Mayor Hall, Mayor Salas, Deputy Mayor Shaffer, Mayor Sam Abed (Escondido), Councilmember Patton, Mayor Mary Sessom (Lemon Grove), Mayor Morrison, Deputy Mayor Lowery, Mayor Vaus, Councilmember Gloria, Councilmember Zapf, Mayor Desmond, Councilmember Heebner, Councilmember Aguilera, Supervisor Jacob, and Supervisor Roberts. No – None. Abstain – None. Absent – Coronado, El Cajon, La Mesa, and Santee.

Vice Chair Sinnott pulled Item 5 and requested staff present the item.

5. NORTH PARK | MID-CITY: GEORGIA-MEADE BIKEWAY PROJECT: CALIFORNIA ENVIRONMENTAL QUALITY ACT EXEMPTION (APPROVE)

The Georgia-Meade Bikeway Project (Project) will provide a 3.5-mile, on-street bikeway in the City of San Diego communities of North Park, Normal Heights, and Kensington-Talmadge. The Board of Directors was asked to approve the California Environmental Quality Act exemption for the Project.
Linda Culp, Principal Regional Planner, presented the item.

Maria Cortez, City Heights Development Corporation, spoke in support of this item.

**Action:** Upon a motion by Councilmember Gloria and a second by Mayor Morrison, the Board of Directors approved Consent Item 5. Yes – Vice Chair Sinnott, Mayor Hall, Mayor Salas, Deputy Mayor Shaffer, Mayor Abed, Councilmember Patton, Mayor Sessom, Mayor Morrison, Deputy Mayor Lowery, Mayor Vaus, Councilmember Gloria, Councilmember Zapf, Mayor Desmond, Councilmember Jack Dale (Santee), Councilmember Heebner, Councilmember Aguilera, Supervisor Jacob, and Supervisor Roberts. No – None. Abstain – None. Absent – Coronado, El Cajon, and La Mesa.

**REPORTS**

16. PROPOSED FINAL FY 2017 PROGRAM BUDGET (ADOPT)

SANDAG Bylaws require the Board of Directors to adopt a final budget by June 30 of each year. The Executive Committee recommended that the Board of Directors adopt Regional Transportation Commission (RTC) Resolution No. RTC-2016-05, adopting the Final FY 2017 Program Budget.

Vice Chair Sinnott introduced the item.

André Douzdjian, Finance Director, provided background on the budget process.

Tim Watson, Budget Program Manager, presented the item.

**Action:** Upon a motion by Mayor Abed and a second by Supervisor Roberts, the Board of Directors adopted Resolution No. RTC-2016-05, adopting the Final FY 2017 Program Budget. Yes – Vice Chair Sinnott, Mayor Hall, Mayor Salas, Deputy Mayor Shaffer, Mayor Abed, Councilmember Patton, Mayor Sessom, Mayor Morrison, Deputy Mayor Lowery, Mayor Vaus, Councilmember Gloria, Councilmember Zapf, Mayor Desmond, Councilmember Dale, Councilmember Heebner, Councilmember Aguilera, Supervisor Jacob, and Supervisor Roberts (weighted vote, 100%). No – None (weighted vote, 0%). Abstain – None (weighted vote, 0%). Absent – Coronado, El Cajon, and La Mesa.

17. MID-COAST CORRIDOR TRANSIT PROJECT: SUPPLEMENT 4 TO CONSTRUCTION MANAGER/GENERAL CONTRACTOR CONSTRUCTION SERVICES AGREEMENT (APPROVE)

The Transportation Committee recommended that the Board of Directors: (1) approve the Guaranteed Maximum Price negotiated between Mid-Coast Transit Constructors and SANDAG for Supplement 4 of the Construction Manager/General Contractor Construction Services Agreement (Supplement 4) for the Mid-Coast Corridor Transit (Mid-Coast) Project in the amount of $927.5 million; and (2) authorize the Executive Director to execute Supplement 4 for the Mid-Coast Project after receiving an executed Full Funding Grant Agreement from the Federal Transit Administration.

Councilmember Todd Gloria, Transportation Committee Chair, introduced the item.

John Haggerty, Division Director of Rail, presented the item.
Action: Upon a motion by Supervisor Roberts and a second by Mayor Desmond, the Board of Directors approved the Guaranteed Maximum Price negotiated between Mid-Coast Transit Constructors and SANDAG for Supplement 4 of the Construction Manager/General Contractor Construction Services Agreement (Supplement 4) for the Mid-Coast Corridor Transit (Mid-Coast) Project in the amount of $927.5 million; and authorized the Executive Director to execute Supplement 4 for the Mid-Coast Project after receiving an executed Full Funding Grant Agreement from the Federal Transit Administration. Yes – Vice Chair Sinnott, Mayor Hall, Mayor Salas, Deputy Mayor Shaffer, Mayor Abed, Councilmember Patton, Mayor Sessom, Mayor Morrison, Deputy Mayor Lowery, Mayor Vaus, Councilmember Gloria, Councilmember Zapf, Mayor Desmond, Councilmember Dale, Councilmember Heebner, Councilmember Aguilera, Supervisor Jacob, and Supervisor Roberts (weighted vote, 100%). No – None (weighted vote, 0%). Abstain – None (weighted vote, 0%). Absent – Coronado, El Cajon, and La Mesa.

18. AUTOMATED REGIONAL JUSTICE INFORMATION SYSTEM DATA SHARING MEMORANDUM OF UNDERSTANDING (APPROVE)

The Public Safety Committee recommended that the Board of Directors approve the proposed final Automated Regional Justice Information System Data Sharing Memorandum of Understanding.

Mayor Vaus, Public Safety Committee Chair, introduced the item.

Julie Wiley, Special Counsel, presented the item.

Action: Upon a motion by Mayor Vaus and a second by Supervisor Roberts, the Board of Directors approved the proposed final Automated Regional Justice Information System Data Sharing Memorandum of Understanding. Yes – Vice Chair Sinnott, Mayor Hall, Mayor Salas, Deputy Mayor Shaffer, Mayor Abed, Councilmember Patton, Mayor Sessom, Mayor Morrison, Deputy Mayor Lowery, Mayor Vaus, Councilmember Gloria, Councilmember Zapf, Mayor Desmond, Councilmember Dale, Councilmember Heebner, Councilmember Aguilera, Supervisor Jacob, and Supervisor Roberts (weighted vote, 100%). No – None (weighted vote, 0%). Abstain – None (weighted vote, 0%). Absent – Coronado, El Cajon, and La Mesa.

19. FUNDING MEASURE: DRAFT ORDINANCE AND BALLOT LANGUAGE (DISCUSSION)

Based on discussion at the May 13, 2016, Board of Directors meeting, modifications have been made to the draft Ordinance and ballot language for a potential November 2016 funding measure. Staff presented the revised Ordinance and ballot language for consideration by the Board.

Ms. Wiley presented the draft Ordinance language.

Rob Rundle, Principal Regional Planner, presented the draft ballot language.

Erik Greupner, San Diego Padres, spoke in support of this item.

Micah Mitrosky, IBEW 569, spoke in opposition to this item.

Michael Beck, Endangered Habitat's League, spoke in support of this item.

Clifford Kaiser, a member of the public, spoke in opposition to this item.
Colin Parent, Circulate San Diego, spoke in opposition to this item.

Kayla Race, Climate Action Campaign, spoke in opposition to this item.

Brad Barnum, Associated General Contractors, spoke in support of this item.

Action: This item was presented for discussion.

20. UPCOMING MEETINGS

The next Board Policy meeting is scheduled for Friday, June 10, 2016, at 10 a.m. The next Board Business meeting is scheduled for Friday, June 24, 2016, at 9 a.m.

21. CONTINUED PUBLIC COMMENTS

Lorraine Leighton, a member of the public, spoke regarding various transit issues.

Nicole Burgess, a member of the public, spoke regarding bike activities during Bike to Work month, and various bike projects in the region.

22. ADJOURNMENT

Vice Chair Sinnott adjourned the meeting at 11:22 a.m.
## ATTENDANCE
### SANDAG BOARD OF DIRECTORS MEETING
#### MAY 27, 2015

<table>
<thead>
<tr>
<th>JURISDICTION</th>
<th>NAME</th>
<th>ATTEND OPEN SESSION</th>
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<tr>
<td>City of Carlsbad</td>
<td>Matt Hall (Primary)</td>
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<td>Mary Salas (Primary)</td>
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<td>City of Coronado</td>
<td>Carrie Downey (Primary)</td>
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<td>City of Del Mar</td>
<td>Terry Sinnott, First Vice Chair (Primary)</td>
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<td>City of El Cajon</td>
<td>Bill Wells (Primary)</td>
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<td>City of Encinitas</td>
<td>Lisa Shaffer (Primary)</td>
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<td>Sam Abed (Primary)</td>
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<td>Robert Patton (2nd Alt)</td>
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<td>City of La Mesa</td>
<td>Kristine Alessio (Primary)</td>
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<td>Ron Morrison (Primary)</td>
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<td>Steve Vaus (Primary)</td>
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<td>City of San Diego – B</td>
<td>Lorie Zapf (1st Alt.)</td>
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<td>Todd Gloria (Primary)</td>
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<td>City of San Marcos</td>
<td>Jim Desmond (Primary)</td>
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<td>Jack Dale (Primary)</td>
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<td>Lesa Heebner (Primary)</td>
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<td>John Aguilera (1st Alt.)</td>
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<td>County of San Diego - A</td>
<td>Dianne Jacob (Primary, Seat A)</td>
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<td>Mark Packard (Primary)</td>
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<td>Sup. John Renison (Primary)</td>
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<td>CAPT John Adametz (Primary)</td>
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<td>SD Unified Port District</td>
<td>Garry Bonelli (Primary)</td>
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<td>SD County Water Authority</td>
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<td>Fernando Vargas B. (Alternate)</td>
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<td>Allen Lawson (Primary)</td>
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Introduction

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

BORDERS COMMITTEE MEETING (May 27, 2016)

The Borders Committee did not take any actions or recommend any approvals at this meeting.

TRANSPORTATION COMMITTEE MEETING (June 3, 2016)

The Transportation Committee took the following action:

• Adopted Resolution No. 2016-29, approving an amendment to Transportation Development Act Article 3.0 claim for the City of Carlsbad in order to provide an additional $77,900 in funding for the Carlsbad Boulevard and Tamarack Avenue Pedestrian Improvement Project.

REGIONAL PLANNING COMMITTEE (June 3, 2016)

The Regional Planning Committee did not take any actions or recommend any approvals at this meeting.

EXECUTIVE COMMITTEE MEETING (June 10, 2016)

The Executive Committee took the following actions:

• Approved the draft agenda for the June 24, 2016, Board Business meeting.

• Approved the draft agenda for the July 8, 2016, Board Policy meeting.

TRANSPORTATION COMMITTEE MEETING (June 17, 2016)

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

• Accepted and released for public review and comment the Draft 2016-2020 Coordinated Plan, and scheduled a public hearing for the July 15, 2016, Transportation Committee meeting.

Recommendation

The Board of Directors is asked to ratify the actions of the Policy Advisory Committees.
• Approved the North County Transit District (NCTD) and Metropolitan Transit System FY 2017 
operating budgets for funding, with the final NCTD budget subject to approval by the NCTD 
Board of Directors.

• Approved Amendment No. 14 - Administrative Modification to the 2014 Regional 
Transportation Improvement Program.

• Recommended that the Board of Directors authorize the Executive Director to: transmit the 
performance audit report of SANDAG to the Caltrans Director as required; certify in writing to 
the Caltrans Director that the performance audits of transit operators located in the area under 
its jurisdiction have been completed; implement the performance audit recommendations 
pertaining to SANDAG Transportation Development Act (TDA) activities; and transmit the other 
recommendations to the transit operators for implementation.

• Recommended that the Board of Directors adopt Resolution Nos. 2016-30 through 2016-35 
approving the FY 2017 TDA claims and one State Transit Assistance Act (STA) Claim; and  
adopt the STA findings as certified by the NCTD.

• Recommended that the Board of Directors: authorize the Executive Director to execute a 
Construction Cooperation Agreement with University of California, San Diego (UC San Diego) 
and Caltrans to fully fund the Interstate 5/Gilman Drive Bridge Project (Project); approve an 
 amendment to the FY 2017 Program Budget to accept $4.407 million from UC San Diego to fully 
 fund the Project (Capital Improvement Program No. 1200508); approve the Guaranteed 
Maximum Price negotiated between Mid-Coast Transit Constructors and SANDAG for 
Supplement 3 to the Construction Manager/General Contractor Construction Services 
Agreement for the Project in the amount of $15.3 million; and authorize the Executive Director 
to execute Supplement 3.

PUBLIC SAFETY COMMITTEE MEETING (June 17, 2016)

The Public Safety Committee meeting was cancelled.

GARY L. GALLEGOS  
Executive Director

Key Staff Contact: Victoria Stackwick, (619) 699-6926, victoria.stackwick@sandag.org
TRANSPORTATION DEVELOPMENT ACT
TRIENNIAL PERFORMANCE AUDIT

Introduction

The state Transportation Development Act (TDA) requires that once every three years SANDAG, as the Regional Transportation Planning Agency (RTPA), commission a performance audit of each transit operator receiving TDA funds. An audit of the RTPA also is required. Audits were recently conducted for North County Transit District (NCTD), Metropolitan Transit System (MTS), and SANDAG, which included the Coordinated Transportation Services Agency (CTSA).

The Transportation Committee considered this item at its June 17, 2016, meeting and recommends its approval by the Board of Directors.

Discussion

Under California law, the performance audits must be conducted by an independent entity. SANDAG entered into an agreement with the firm CH2M to carry out these performance audits. The transit operator performance audits were based on an analysis of five key performance indicators over the three-year period beginning July 1, 2012, through June 30, 2015. These key indicators are the same indicators now tracked on a quarterly basis by SANDAG. In addition, key personnel at each organization were interviewed by the auditors.

The performance audit also assesses compliance with state legislation and regulations, including both the TDA and Public Utilities Code (PUC) requirements; identifies significant achievements as well as opportunities for improvement; and develops recommendations for short- and long-term efficiency and effectiveness improvements.

The performance audits of the transit operators covered:

- Compliance with pertinent sections of the PUC
- Progress on implementation of prior performance audit recommendations

Recommendation

The Transportation Committee recommends that the Board of Directors authorize the Executive Director to: (1) transmit the performance audit report of SANDAG to the Caltrans Director as required; (2) certify in writing to the Caltrans Director that the performance audits of transit operators located in the area under its jurisdiction have been completed; (3) implement the performance audit recommendations pertaining to SANDAG Transportation Development Act activities; and (4) transmit the other recommendations to the transit operators for implementation.
• Agency goals, objectives, and performance monitoring systems

• System-wide and functional area performance trends

The performance audit of SANDAG covered:

• TDA administration and management

• Claimant relationships and oversight

• Transportation planning and regional coordination

• Marketing and transportation alternatives

• Grant applications and management

In the San Diego region, Facilitating Access to Coordinated Transportation (FACT) serves as the CTSA. The FACT performance audit was conducted in conjunction with the SANDAG audit and covered:

• Ensuring that the TDA claims submitted by FACT are in compliance with SANDAG rules and regulations (PUC 99275.5)

• Ensuring that FACT, as the CTSA, is represented on the SANDAG Social Services Transportation Advisory Council (PUC 99238)

Based on their analysis, the auditors developed conclusions and recommendations for each agency, which are included in the final performance audit report. Progress towards meeting the audit recommendations for each agency are reported each year when TDA claims are approved by the Board of Directors. The auditors prepared draft reports and submitted them to each operator, FACT, and SANDAG for comment. The operators, FACT, and SANDAG had the opportunity to review and comment on each agency’s respective drafts, as well as the other agencies’ draft reports. Those comments were incorporated into the final performance audits where appropriate.

The auditors found that all operators were in full or partial compliance (meaning the agency requires additional actions to achieve full compliance) with PUC requirements for transit operators, including data collection and reporting procedures for the five TDA performance indicators required by PUC. Additionally, the auditors found that all operators had made sufficient efforts to address all prior audit recommendations.

A summary of the key findings and recommendations from the audits is provided in this report. The full recommendations and agency management responses are available in Attachment 1. Full copies of the final performance audits can be downloaded at sandag.org/TDA.

**NCTD Audit Findings**

The major accomplishments of the NCTD audit included:

• Record ridership in FY 2014 and FY 2015 for all modes
Recovery and growth of service following service decreases in previous period

Continued implementation of Positive Train Control system

Development of more robust and proactive safety culture

Robust rail reliability statistics for both COASTER and SPRINTER

Continued implementation of JD Edwards Enterprise Resource Planning software

Performance Indicator trends included:

- System-wide operating cost per service hour, a measure of cost efficiency, decreased 10.1 percent during the audit period, from $146.19 in FY 2012 to $131.49 in FY 2015, despite a 4.4 percent rate of inflation. The trend is a result of a 13.6 percent growth in operating costs and a 26.4 percent increase in vehicle service hours during the audit period. These costs reflect, in large part, increase in service following service decreases in the prior period and the higher staffing levels caused by the addition of new departments and functions. Operating cost per passenger, a measure of cost effectiveness, increased by 8.6 percent from $6.29 in FY 2012 to $6.83 in FY 2015. This is a result of a 13.6 percent increase in operating costs and a 4.6 percent increase in ridership. The increase in ridership primarily is the result of the economic recovery and the increased service across all modes.

- Service productivity decreased during the audit period. Passengers per service hour decreased by 17.2 percent while passengers per service mile decreased by 11.4 percent. Despite the gains in ridership, this is a result of a 26.4 percent increase in vehicle service hours and an 18 percent increase in vehicle service miles. It should be noted that the NCTD Americans with Disabilities Act paratransit program, LIFT, accounted for a disproportionate amount of the increase in service hours and miles. This largely was due to a change in the LIFT operating model and a considerable increase in demand for paratransit.

- Service hours per employee, a measure of labor productivity, increased by 7.7 percent during the audit period, from 822 in FY 2012 to 885 in FY 2015. This trend is a result of a 26.4 percent increase in vehicle service hours and a 17.4 percent increase in employees.

- The NCTD system-wide farebox recovery ratio decreased during the audit period, from 23.9 percent in FY 2012 to 22.5 percent in FY 2015. NCTD farebox recovery during the audit period was higher than the PUC-mandated farebox recovery of 18.8 percent.

- The average fare per passenger trip increased by 2.7 percent during the audit period, from $1.50 to $1.54.

- The net cost per passenger trip increased by 10.6 percent, from $4.78 in FY 2012 to $5.29 in FY 2015, which was above the inflation rate of 4.4 percent over the audit period.

The auditors reported that NCTD is in compliance with PUC requirements with the exception of the farebox recovery ratio for the LIFT paratransit service. Additionally, NCTD has made progress toward the implementation of the prior audit recommendations issued in 2013.
For the FY 2013-FY 2015 audit cycle, the auditors offered three recommendations for NCTD’s consideration:

- Implement strategies to minimize operating costs for LIFT paratransit service. LIFT farebox recovery dropped below the PUC-mandated 10 percent level in FY 2015. NCTD should explore best practices to minimize operating costs in order to achieve compliance with the PUC. Additionally, NCTD should implement strategies which will contain growth of operating costs given the likely increase in demand for paratransit.

- Institute a robust tracking and management system for excess capital inventory at rail maintenance facilities. Excess capital inventory from rail projects currently is stored at rail maintenance facilities. NCTD currently does not track this excess inventory. NCTD should incorporate this inventory into the current inventory tracking system and later in the JD Edwards system.

- Work with SANDAG to develop a digital database for storing NCTD right-of-way data. NCTD owns its rail right-of-way. As a result, NCTD must process entry requests, rail safety plans, and associated work plans. NCTD does not have digital files to cover its current right-of-way. NCTD should work with SANDAG to investigate leveraging SANDAG’s robust geographic information system to create a digital database.

**MTS Audit Findings**

The major accomplishments of the MTS audit included:

- Implementation of improvement to labor contract
- Continued installation of cameras on buses and Trolleys
- Virtual completion of Trolley Renewal Project
- Initiation of Rapid service
- Continued progress on the East County maintenance facility improvements
- Completed South Bay maintenance facility

Performance Indicator trends included:

- System-wide operating cost per service hour, a measure of cost efficiency, increased by 2.1 percent during the audit period, from $98.70 in FY 2012 to $100.73 in FY 2015. This was roughly one-half the 4.4 percent rate of inflation. The trend is a result of a 10.2 percent growth in operating costs and an 8 percent increase in vehicle service hours during the audit period. These costs reflect, in large part, the cost reductions negotiated in the prior audit period and implementation of employee cost sharing to a defined contribution plan for new employees. Operating cost per passenger, a measure of cost effectiveness, increased by only 1.4 percent, from $2.31 in FY 2012 to $2.34 in FY 2015. This is a result of a 10.2 percent increase in operating costs and an 8.7 percent increase in ridership.
• Service productivity remained relatively stable during the audit period. Passengers per service hour increased by 0.6 percent while passengers per service mile decreased by 0.9 percent. Despite the gains in ridership, this is a result of an 8 percent increase in vehicle service hours and a 9.7 percent increase in vehicle service miles.

• Service hours per employee, a measure of labor productivity, decreased by 0.5 percent during the audit period, from 1,109 in FY 2012 to 1,103 in FY 2015. This trend is a result of an 8 percent increase in vehicle service hours and an 8.6 percent increase in employees.

• The MTS system-wide farebox recovery ratio fluctuated during the audit period, moving from 43.7 percent in FY 2012 to 41.9 percent in FY 2013, and moving back up to 42.6 percent in FY 2015. MTS farebox recovery during the audit period remained significantly higher than the farebox recovery requirement of 31.9 percent.

• The average fare per passenger trip decreased by 1.2 percent during the audit period, from $1.01 to $1.00.

• The net cost per passenger trip increased by 3.4 percent, from $1.30 in FY 2012 to $1.34 in FY 2015, below the inflation rate of 4.4 percent over the audit period.

The auditors reported that MTS is in compliance with PUC requirements for transit operators and has fully implemented the prior audit recommendation.

There are no recommendations for MTS.

**SANDAG and the CTSA Audit Findings**

The audit review of FACT is included in the SANDAG audit report since it is a function of SANDAG. The major findings of the audit included:

• **TDA Administration** – Pursuant to Senate Bill 1703 (Peace, 2002) (SB 1703), SANDAG is solely responsible for TDA administration in the region. SANDAG Board Policy No. 27: Transportation Development Act governs its administration of TDA funding. Board Policy No. 27 was last updated in October 2013; the current version includes the modifications recommended by the previous performance audit. A section dedicated to TDA administration is on the SANDAG website where documents relevant to TDA claimants are available, including the SANDAG TDA Claim Manual (last updated in April 2009). The TDA Claim Manual provides guidance for all San Diego County claimants of TDA funds. The auditors found the manual to be resourceful with a detailed explanation of the administrative process undertaken by SANDAG.

SANDAG complies with the Memorandum of Understanding (MOU) and its amendments defining the functions and responsibilities among itself, MTS, and NCTD in implementing SB 1703. The flow and transfer of TDA funds among the three entities is guided by each agency's function provided in the MOU and the administrative management by SANDAG.

• **Claimant Relations and Transit Productivity Oversight** – SANDAG administers the regional Productivity Improvement Program as part of its statutory responsibility. SANDAG tracks TDA performance indicators on a continual multiyear basis and progress toward implementing prior operator performance audit recommendations through its operator TDA claim forms. SANDAG
prepares the Quarterly Transit Performance Monitoring Reports that are presented at the quarterly Regional Short Range Transit Planning Task Force meetings.

- **Transportation Planning and Regional Coordination** – SANDAG is responsible for comprehensive and integrated transportation planning in San Diego County. It completed several key planning documents, including most notably San Diego Forward: The Regional Plan, adopted by the SANDAG Board of Directors on October 9, 2015. The Regional Plan serves to guide the region’s transportation development over the next 35 years and sets the region’s sustainable communities strategies and performance measurement and monitoring objectives.

- **Marketing and Transportation Alternatives** – The region’s transit operators retain primary responsibility for marketing their respective transit services. SANDAG manages the iCommute program to assist commuters with ride-matching services and a number of other traveler information services and to assist local businesses to help them develop commuter benefit programs.

- **Grants Applications and Management** – SANDAG, NCTD, and MTS are all eligible recipients of federal grants. SANDAG allocates funding and programs projects in the Regional Transportation Improvement Program. SANDAG, NCTD, and MTS are each grantees and responsible for submitting their own grant applications and managing their own grants, consistent with the annual apportionments approved by the SANDAG Board of Directors.

The auditors reported that SANDAG is in full compliance with PUC requirements for regional transportation planning agencies and with respect to enforcing rules regarding operator farebox recovery requirements. SANDAG has fully implemented one of the three prior audit recommendations, partially completed another, and anticipates implementing the third recommendation in the near future. Additionally, FACT, in coordination with SANDAG, was found to be in compliance with both of its compliance areas as outlined in the final SANDAG audit report.

For the FY 2013-FY 2015 audit cycle, the auditors offered three recommendations, including expected results, for consideration by SANDAG:

- As a carryover from the prior SANDAG performance audit for full implementation, SANDAG and FACT should continue working together to review and update the scope of FACT’s contractual responsibilities and to identify and pursue additional funding sources to support its activities as the CTSA. Upon implementation, SANDAG’s contract will more accurately depict FACT’s growing responsibilities as the CTSA for San Diego County and further distinguish FACT’s CTSA activities. SANDAG, under its obligation in state law as the custodian of TDA funds for the county, also will have increased transparency and improved oversight prior to the allocation of TDA revenue. In addition, SANDAG and FACT will increase capacity through partnership to further pursue alternative transportation funding for CTSA activities.

- As a carryover from the prior SANDAG performance audit for full implementation, SANDAG should work with NCTD and MTS to identify and develop opportunities to define fare policies to enhance connectivity between the two operating agencies and with other connecting providers of public transportation services, such as Amtrak and Metrolink. The last several performance audits have included recommendations to the effect that SANDAG, NCTD, and MTS should work together to coordinate transit service delivery strategies and fare policies to enhance
connectivity. The audit noted that the three agencies have made progress in improving connectivity and that the fare study now is under way.

- SANDAG should update Board Policy No. 027 and the SANDAG TDA Claim Manual to address the statutory changes to the TDA implemented by Senate Bill 508 (Beall, 2015), and inform all TDA claimants of these changes.

Next Steps

Pending Board approval, SANDAG will transmit the performance audit report to Caltrans and the transit operators and will implement the performance audit recommendations pertaining to SANDAG. SANDAG will monitor the transit operators’ progress towards implementing their TDA audit recommendations through the Short Range Transit Planning Task Force, and bring findings to the Board of Directors annually through the resolution approving the TDA claims.

GARY L. GALLEGOS
Executive Director


Key Staff Contact: Lisa Madsen, (619) 595-1432, lisa.madsen@sandag.org
Triennial (FY 2013-FY 2015) Transportation Development Act Performance Audit Summary of Recommendations and Agency Management Responses

Recommendations to SANDAG:

SANDAG Recommendation 1: As a carryover from the prior SANDAG performance audit for full implementation, SANDAG and Full Access and Coordinated Transportation (FACT) should continue working together to review and update the scope of FACT’s contractual responsibilities and to identify and pursue additional funding sources to support its activities as the Consolidated Transportation Service Agency (CTSA).

Issues and Opportunities – It is recognized that the existing agreement dating from 2006 between FACT, serving as the CTSA, and SANDAG is broad and largely outdated. In audit discussions about FACT’s role as the CTSA for San Diego County, it has become apparent that FACT’s original scope of work under its contract with SANDAG is broad and that as a result of the growth in services provided by FACT, there may be some ambiguity about FACT’s specific responsibilities to SANDAG. It is recognized that the contract was written at a time when FACT was a new organization and interested in expanding its role in coordinating transportation services and mobility management in the region, an interest which continues today. However, although FACT’s broad range of services, including trip referrals, could fall under the umbrella terms of a CTSA that fulfills the intent of Government Code Section 15951 (Social Service Transportation Improvement Act), the current contract makes it challenging to distinguish between FACT’s CTSA responsibilities under the SANDAG contract and the broader mobility management and operational services FACT provides. SANDAG recently commissioned a study to determine how well FACT was complying with the terms of the agreement.

SANDAG is in the process of designing an updated agreement that is focused on specific CTSA activities and that will be consistent with current strategies including those in the Coordinated Plan update. Some contract provisions being considered by SANDAG include a specific scope of work for CTSA consistent with SANDAG goals and objectives including strategies in the Coordinated Plan update and specific performance measures to evaluate the progress of the CTSA function. Performance measures for a CTSA are being explored by SANDAG. Potential measures for trip referrals suggested in this audit include (1) number of customer calls for referrals fielded per month; (2) number of customer call backs for a referral that was not met; (3) ratio (or percentage) of successful referrals relative to number of customer calls; and (4) ratio (or percentage) of customer calls for referrals relative to total rides (combining referrals and brokerage rides). Collection of reliable data to develop such measures will need to be discussed given FACT’s staffing constraints, limited outreach budget, and the reliance on external agencies that are not obligated to report to FACT.

FACT claims Transportation Development Act (TDA) Article 4.5 funds to cover expenditures incurred in meeting its contractual CTSA responsibilities. The SANDAG contract also encourages FACT to leverage its TDA dollars to obtain additional funding sources to support its CTSA-related goals and activities. FACT has accomplished this through being awarded Federal New Freedom grants and TransNet Senior Mini-Grants. As the Regional Transportation Planning Agency (RTPA), one of SANDAG’s responsibilities is to provide assistance with grants. Given these responsibilities and the scarcity of transportation funding in the region, SANDAG and FACT also should work together to identify and pursue longer-term funding sources to support FACT’s CTSA-related activities.
Recommended Actions – SANDAG and FACT should work together to review and clarify the scope of the revised CTSA contract, as discussed above. The budget FACT submits with its TDA claim should be consistent with its current CTSA responsibilities delegated by SANDAG. The budget claim should reflect the full revenues and expenditures applied to meet FACT’s responsibilities under the CTSA contract, not just the TDA-funded portions, to provide a comprehensive view of the CTSA program and TDA’s contribution. As a component of SANDAG review and approval of the annual FACT claim for TDA funds, SANDAG and FACT should consider inclusion of the adopted full FACT budget in the claim approval process because this document clarifies the overall scope of FACT’s activities and funding sources that are supported by or leveraged through TDA. Since FACT already submits its adopted budget to SANDAG Planning, compliance with this suggestion would require no additional commitment by either agency, but ensures increased transparency and improved oversight prior to the allocation of TDA funds. In addition, as part of its responsibilities as the RTPA, SANDAG should work with FACT to identify and pursue funding sources or other solutions to fund FACT programs and services.

Expected Results – SANDAG’s contract will more accurately depict FACT’s growing responsibilities as the CTSA for San Diego County and further distinguish FACT’s CTSA activities. SANDAG, under its obligation in state law as the custodian of TDA funds for the county, will also have increased transparency and improved oversight prior to the allocation of TDA revenue. In addition, SANDAG and FACT will increase capacity through partnership to further pursue alternative transportation funding for CTSA activities. Performance measures in the revised contract will provide further evidence of progress in meeting CTSA objectives.

SANDAG Response – SANDAG agrees with this recommendation, and is working with FACT to update the CTSA contract and to explore longer-term funding sources available for CTSA related activities. Updates to the CTSA contract will refine the specific tasks that are expected to be completed at a minimum with the TDA funds that FACT receives at the CTSA. The updated CTSA contract will also include performance measures. SANDAG and FACT will work together to develop these performance measures, prior to incorporating them in the contract, recognizing that some desirable data may be difficult to collect. SANDAG also agrees with the changes recommended for the annual TDA claim. SANDAG requested revisions to the most recent claim submitted by FACT to omit any non-CTSA activities planned for the coming year. FACT should spend the next year developing a method to allocate costs so they can separate fully allocated costs between CTSA activities and non-CTSA activities, allowing a more complete CTSA budget to be submitted as part of the claim process next spring.

SANDAG Recommendation 2: As a carryover from the prior SANDAG performance audit for full implementation, SANDAG should conduct a fare study to identify and develop opportunities to define fare policies that enhance connectivity between Metropolitan Transit System (MTS) and North County Transit District (NCTD) and with other connecting providers of public transportation services, such as Amtrak and Metrolink.

Issues and Opportunities – The last several performance audits have included recommendations to the effect that SANDAG, NCTD, and MTS should work together to coordinate transit service delivery strategies and fare policies to enhance connectivity. The three agencies have made progress in improving connectivity (e.g., by linking the operators’ service delivery objectives and targets to goals and objectives in the Coordinated Plan).
**Recommended Actions** – This audit, as a carryover from the prior audit, provides a similar recommendation to the effect that SANDAG, NCTD, and MTS should work together to continue to identify and develop opportunities to define fare policies to enhance connectivity between the two operating agencies and with other connecting providers of public transportation services, such as Amtrak and Metrolink. A fare study is budgeted in the FY 2016 Overall Work Program, and implementation of the fare study will help meet recommended actions.

**Expected Results** – Continued connectivity enhancements among providers of public transportation services in the region.

**SANDAG Response** – SANDAG agrees with this recommendation, and is working with MTS and NCTD to simplify the fare structure through the fare study. The objective of the fare study is to develop and recommend not only a revised structure that is consistent with the regional fare policy, but also significantly simplifies the fare system for customers and staff. Moreover, the simplification of business rules will have a significant positive impact on the scope, schedule, and budget for the development of a new fare system in the future. Major developments to the Compass Card system are being assessed alongside the development of a next generation fare system, which may either be built off of the existing system or developed as a new system. The anticipated timeframe of the new or overhauled system is 2018 to 2022.

**SANDAG Recommendation 3:** SANDAG should update SANDAG Board Policy No. 027: Transportation Development Act and the SANDAG TDA Claim Manual to address the statutory changes to the TDA implemented by Senate Bill 508 (Beall, 2015) (SB 508), and inform all TDA claimants of these changes.

**Issues and Opportunities** – Legislation (SB 508) was passed in October 2015 that significantly modifies several TDA provisions. The legislation achieves several objectives, including simplifying fare recovery requirements, authorizing funding of bicycle and pedestrian safety education programs, and modifying STA qualifying criteria for operations. Because the current SANDAG TDA manual dates to 2009, the document as well as SANDAG Board Policy No. 027 should be updated to memorialize a number of changes in the law.

SB 508 rationalizes performance metrics, for example, by applying the same operating cost exemptions to both the farebox recovery ratio and the STA qualifying criteria. In addition, this bill clarifies a few terms that should help ensure expectations are applied uniformly to the transit operators. Highlights of the bill are summarized below.

**Farebox Recovery**

- Deletes the requirement for transit operators to maintain higher farebox requirements based on the 1978–1979 fiscal year
- Revises definition of "local funds" to mean any nonfederal or nonstate grant funds or other revenues generated by, earned by, or distributed to an operator
- Revises definition of "operating cost" to exclude principal and interest payments on capital projects funded with certificates of participation
- Exempts startup costs for new transit services for up to two years
• Exempts additional categories of expenditures from “operating cost” (cost increases above the Consumer Price Index for fuel, alternative fuel programs, power, insurance premiums and claims, and state and federal mandates)

Claims for Funds

• Authorizes the funding of bicycle and pedestrian safety education programs up to 5 percent of the 2 percent bicycle and pedestrian allocation found under Article 3 (PUC Section 99234(a))

STA Qualifying Criteria for Operations

• Uses a “sliding scale” to reduce the operator’s STA allocation for operations, rather than “pass/fail”

• Exempts the STA qualifying criteria requirement through FY 2015–2016

• Instituted a new “sliding scale” effective July 1, 2016

Recommended Actions – SANDAG Board Policy No. 027 and the TDA Claim Manual should be updated to reflect the various changes implemented in SB 508. This update also may affect the operator TDA claims forms and assurances checklist to ensure the transit operators are eligible to use STA for operations. SANDAG should communicate these changes to the claimants including the transit operators and the local jurisdictions (for bicycle and pedestrian safety education programs) and determine what implication, if any, the changes might have on their respective systems.

Expected Results – Continued proper administration of the TDA claims process and updates to the allocation of Local Transportation and STA funds according to law.

SANDAG Response – SANDAG agrees with the recommendation and will update the TDA claims section of the TDA manual and SANDAG Board Policy No. 027 to reflect the changes per SB 508 and communicate such to affected operators.

Recommendations to MTS:

No auditor recommendations are offered for MTS at this time.

Recommendations to NCTD:

NCTD Recommendation 1: Implement strategies to minimize operating costs for LIFT paratransit service.

Issues and Opportunities – During the audit period, NCTD paratransit operating costs increased by $3.5 million from FY 2013 to FY 2015. This was largely caused by the transition away from the paratransit brokerage operating model to a dedicated fleet model. In November 2013, American Logistics Company (ALC), informed NCTD of its inability to operate the service. ALC operated this service as a brokerage model, utilizing local taxi services and independent car services. Beginning April 2014, First Transit, the provider of BREEZE service, began operating and maintaining NCTD purchased vehicles to deliver the LIFT service using a fleet of 53 vans and cutaways. In general, the brokerage model had natural cost efficiencies as it did not require centralized storing and
maintenance of paratransit vehicles. Transitioning from the brokerage model to the dedicated fleet model led to unavoidable cost increases. Additionally, demand for paratransit increased by 48.7 percent during the period. The increased demand led to an increase in service which also increased operating costs. In general, operating costs did scale closely with the increase in service hours and service miles. However, the increase in operating costs from the required changed in the operating model and the increase in demand caused the paratransit farebox recovery ratio to drop below the TDA mandate of 10 percent.

Recommended Actions – NCTD should implement greater cost control measures for LIFT paratransit service. As demand has increased over the past several years NCTD should implement strategies to contain operating costs as service increases. These actions could include realizing greater scheduling efficiencies through the TRAPEEZ system and/or setting contractor mandates for increases in operating cost per service mile or cost per service hour.

Expected Results – Implementing contract management strategies would help to reduce paratransit operating costs which would move paratransit farebox recovery to be in compliance with the TDA mandates. Containing growth in operating costs per service hour would allow NCTD to minimize operating cost increases given greater future demand from an aging population.

NCTD Response – NCTD has already begun assessing strategies to improve the LIFT farebox recovery and to contain growth of operating costs, including but not limited to the following strategies:

- Procurement of new contractor with revised performance standards and cost structure is being developed for contract start date of July 1, 2017.
- Enhancing the NCTD certification and suspension process to ensure certification is only provided to eligible customers.
- Consideration of restructuring service area to include zones for LIFT Americans with Disabilities Act (ADA) paratransit service.
- Collaborating with SANDAG and MTS to complete a fare study to simplify fares. Simplified fares may result in an increased bus cash fare and related ADA paratransit fare, thus positively impacting LIFT farebox recovery.

NCTD Recommendation 2: Institute robust tracking and management system for excess capital inventory at rail maintenance facilities.

Issues and Opportunities – NCTD procures a nominal amount of excess capital inventory for rail capital projects. This is a fairly standard procedure which prevents secondary parts procurement due to unplanned need. However, maintenance staff noted that excess inventory from capital projects had been piling up at maintenance facilities. This inventory was not tracked in the current inventory system. Maintenance staff did not know exactly what inventory was located at which facility. The lack of formal tracking of excess inventory led NCTD to re-order inventory which was already present at rail maintenance facilities. NCTD currently implements an inventory tracking system for vehicle parts. This excess inventory could be incorporated into the current inventory management system. This inventory could also be integrated into the JD Edwards system when it becomes fully operational. Storing the excess inventory at each maintenance facility presents a logistical problem. NCTD staff noted that there is sufficient space at the vacant lot “lay-down” facilities to house this
inventory. NCTD has a stipulation in the rail contract agreements wherein the contractor shall move inventory at no charge to NCTD.

**Recommended Actions** – NCTD should ultimately work to incorporate tracking excess capital inventory in the JD Edwards system. Prior to full implementation of the JD Edwards system, NCTD should integrate this inventory into the current inventory tracking system. NCTD should also draft a plan to house the inventory at one centralized lay-down facility. This plan should then be presented to the rail contractor which would move the inventory at no charge to NCTD.

**Expected Results** – Implementing a more robust inventory system would reduce excess inventory procurement for capital projects. Moving excess inventory to lay-down sites would free up space at maintenance facilities and would remove site obstacles and safety hazards.

**NCTD Response** – NCTD enters completed Capital Improvement Program (CIP) projects into JD Edwards as fixed assets. NCTD also enters completed SANDAG CIP projects on behalf of NCTD into JD Edwards as fixed assets. Assets identified in this recommendation are related to CIP projects, and are not traditional consumable inventories. These items consist of (1) spare parts from CIP projects which are included in the overall cost of the CIP projects and tracked in fixed assets at the completion of the respective projects, and (2) obsolete fixed assets removed from service that are pending disposal. NCTD has explored consolidating these spare assets at an existing property in San Marcos, but received notification from the City that the NCTD property cannot be used primarily as a storage facility. Subsequently, NCTD has identified a location in Escondido that will only require minor improvements, such as fencing, in order to make this property operational as a central location for NCTD owned right-of-way spare assets. NCTD is examining the identified assets for purpose of determining items that are obsolete and eligible for disposal.

**NCTD Recommendation 3: Work with SANDAG to develop digital database for storing NCTD right-of-way data.**

**Issues and Opportunities** – The NCTD Construction and Development division is responsible for Engineering, Real Estate and Facilities. The division handles State of Good Repair projects, (e.g., repair, rehabilitate or replacements). Within the audit period they were responsible for State of Good Repair evaluations of NCTD’s 62 bridges. The division also manages the permitting process for the NCTD right-of-way. This includes reviewing and approving right-of-entry requests, rail safety plans, associated work plans, providing encumbrances (e.g., easements, licenses) on right-of-way for utilities, and filing legals and plats. NCTD has grown their in-house engineering expertise to support non-SANDAG engineering needs, as well as knowledge needed to support SANDAG engineering and construction. NCTD provides oversight/review of the SANDAG work. NCTD is an active partner in SANDAG work, reviewing change orders, compliance, coordination with operations, and safety departments. The NCTD interviews noted that the Construction and Development division lacked digital files of the NCTD right-of-way. NCTD had previously investigated implementing a Geographic Information System (GIS)-based system however it was deemed too costly.
**Recommended Actions** – NCTD and SANDAG could investigate developing a process/procedures that allows for NCTD to develop a library of digital data as SANDAG advances engineering and construction projects. SANDAG’s GIS program has a robust offering that may provide interim solution.

**Expected Results** – Developing a geospatial database that would eventually streamline the permitting process as well as provide data required for the engineering and construction projects which NCTD undertakes and or supports.

**NCTD Response** – NCTD owns the rail and right-of-way on the inland rail (Escondido Subdivision), and owns the rail and right-of-way on the coastal rail (San Diego Subdivision) from county line through Del Mar (approximately 41 miles). On the remaining 20 miles of the San Diego subdivision, NCTD owns the rail, but MTS owns the underlying right-of-way. NCTD has access to right-of-way surveys which allows NCTD to accurately process permits. NCTD will explore this recommendation with SANDAG along with other initiatives that are underway to include purchasing a real estate module with GIS capabilities and obtaining gap survey/property line information from BNSF, the prior owner of the railroad right-of-way. Currently, SANDAG has the NCTD right-of-way agreements that have been provided by NCTD in digital files in the SharePoint Database which select NCTD employees have access to over the internet. Additionally, SANDAG has a set of as built plans for Los Angeles-San Diego-San Luis Obispo projects in the agency’s digital files in the SharePoint Database which select NCTD employees have access to over the internet.
FY 2017 CLAIMS FOR TRANSPORTATION
DEVELOPMENT ACT AND STATE TRANSIT ASSISTANCE

File Number 1500300

Introduction

The Transportation Development Act (TDA) provides one-quarter percent of the state sales tax for operating and capital support of public transportation systems and non-motorized transportation projects. SANDAG, as the designated Regional Transportation Planning Agency (RTPA), is responsible for the allocation of TDA funds to the region’s 18 cities, County of San Diego, and transit operators. On February 26, 2016, the Board of Directors approved the San Diego County Auditor’s estimate of $144,789,169 for FY 2017 TDA apportionment. This report presents the TDA claim requests under the various articles of the TDA statute. Additionally, the North County Transit District (NCTD) submitted a claim under the State Transit Assistance Program.

Discussion

Recommendations for Productivity Improvements of Operators

Pursuant to California Public Utilities Code (PUC) Section 99244, an operator can be allocated no more in TDA funding in the upcoming fiscal year (FY 2017) than it was allocated in the current fiscal year (FY 2016) unless SANDAG determines that the operator made a reasonable effort to implement the productivity improvement recommendations adopted by the Board of Directors for the current fiscal year. At its May 27, 2016, meeting, the Board of Directors made a determination that both the Metropolitan Transit System (MTS) and NCTD made a reasonable effort to implement the productivity improvements outlined for FY 2016 and approved continuation of the program in FY 2017.

Transit Claims

TDA allocations are authorized under four separate articles of the law. Article 3 funds are designated for bicycle and pedestrian projects, Article 4 funds are used to provide general public transit services, Article 4.5 funds are designated for community transit services, and Article 8 funds

Recommendation

The Transportation Committee recommends that the Board of Directors adopt: (1) Resolution Nos. 2016-30 through 2016-35, approving the FY 2017 Transportation Development Act claims and one State Transit Assistance Act (STA) claim; and (2) the STA findings as certified by the North County Transit District; all in substantially the same form as attached hereto.
support specialized services such as express bus and ferry services. Attachment 1 provides a summary of the claims by article as described below. Attachment 2 describes the transit services that the funding would support in FY 2017.

**Article 3 - Non-Motorized Claims (Bicycle and Pedestrian Projects)**

For FY 2017, there is approximately $2.8 million available. After the $1 million set-aside for a regional call for projects, there is $1.8 million remaining available. Of the available funding, $1.25 million is proposed to fund Bike Facilities: Uptown Bikeways: Fourth and Fifth Avenue Bikeways (Capital Improvement Program 1223022), which was included in the Board-approved Bike Early Action Program. The TDA amounts also were included in the SANDAG FY 2017 Program Budget approved by the Board on May 27, 2016.

**Article - 4 General Public (Fixed Transit Route)**

Article 4 funds MTS and NCTD operations, provides a local match for federally funded capital projects, and comprises the largest portion of the TDA claim. These funds provide support for rail and bus fixed route and also help augment paratransit services. As shown in the attached resolutions, the total Article 4 claim under MTS is $89,304,854, while the NCTD total is $35,862,618 and reflects transfers to SANDAG, as well as additional support for services provided under Article 4.5 as described below.

**Article - 4.5 Community Transit Service (Accessible Service for the Disabled)**

Article 4.5 funds are allocated in the San Diego region to support demand response transit services required by the Americans with Disabilities Act (ADA). SANDAG Board Policy No. 027: Transportation Development Act, as amended, requires that after allocating 2 percent of these funds to the Coordinated Transportation Services Agency (CTSA), funds be distributed between the two transit agencies in the region based upon service area population. ADA operations for MTS and NCTD also are augmented by annual transit revenues from the TransNet Program. Since ADA-mandated complementary paratransit service is limited to those who cannot use regular fixed-route service, customers must be certified as eligible users of this service. MTS is claiming $4,782,760, while NCTD is claiming $1,938,402 for operating support. The CTSA is claiming $137,167 to assist seniors, persons with disabilities, and social service recipients in San Diego County to meet their transportation needs. Attachment 3 provides the CTSA annual work program.

**Article 8 - Special Provisions (Express Bus, Ferry)**

MTS is the only operator that claims this article for its express bus services ($548,091), and to pass-through the funding to the City of Coronado that provides the ferry service ($206,828). Total Article 8 claim is $754,919.

**Administration and Planning**

TDA law (PUC Section 99233.2) allows SANDAG and the County of San Diego Auditor Controller’s office to claim funds to administer the program. SANDAG, as the RTPA, can claim up to 3 percent of the annual apportionment to conduct regional transportation planning activities. The FY 2017 Program Budget includes the work elements that this funding would implement. SANDAG is claiming $4,327,232 to carry out planning activities and $3,965,610 for the administration of the
TDA program. The County of San Diego Auditor Controller is claiming $51,000 for costs related to the administration of the TDA program.

**State Transit Assistance**

As reported in February, the State Controller’s Office provided the preliminary estimate for the FY 2017 allocation, which for the San Diego region is $4,770,311 based on a new calculation method developed by the State Controller’s Office, where $4,767,811 would be available directly to NCTD and $2,500 would be available to the CTSA. In the past, the CTSA was not an eligible applicant for STA and all funds for the SANDAG area were claimed, in full, by NCTD. The SANDAG area, as defined under the STA Program, consists of the area outside of the MTS area of jurisdiction. NCTD is the only claimant of STA funds in the SANDAG area.

Pending state legislation would maintain the previous STA calculation methodology for the FY 2017 budget. NCTD submitted its claim of $4,767,811, for operations and will submit an amended claim should a new FY 2017 amount be established. State law requires operators to meet certain qualifying criteria to determine service efficiency to use STA funds for operations. SANDAG calculated the operating qualifications and determined that NCTD would meet the criteria, thereby allowing the funds to be used for operations. NCTD also is required to affirm certain findings under the STA statute. Attachment 4 provides the certified findings. Attachment 5 includes the required resolutions for the FY 2017 requested claims.

GARY L. GALLEGOS
Executive Director

**Attachments:**
1. Summary of FY 2017 TDA Claims
2. Description of Transit Services by Articles of TDA
3. FACT CTSA for San Diego County Work Plan for FY 2016-2017
4. NCTD STA Findings
5. Resolution Nos. 2016-30 through 2016-35 for FY 2017 Claims

Key Staff Contact: Michelle Smith, (619) 595-5608, michelle.smith@sandag.org
## Summary of FY 2017 Claims

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<th>SANDAG</th>
<th>CTSA</th>
<th>Bicycle and Pedestrian*</th>
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*The SANDAG Board approved to set aside $1 million per year for Call for Projects
Description of Transit Services by Articles of Transportation Development Act

Article 4 General Public (Fixed Transit Route)

The Article 4 claims can be used for any purposes necessary for the development and operations of the transportation system including operations, capital purchases, payment of bond debt, and to augment specialized services. This article provides the most flexible form of revenues.

- The Metropolitan Transit System (MTS) estimates that its area operators (San Diego Trolley, Inc., San Diego Transit Corporation, and MTS Contract Services) would carry approximately 89.2 million passengers over 20.3 million annual miles, which represents a slight increase (1.93 percent and 0.19 percent, respectively) from estimated FY 2016. To provide these services, MTS anticipates operating revenues of about $262 million, about 2.3 percent increase from estimated FY 2016.

- For the North County Transit District (NCTD), the fixed route and rail services are projected to carry approximately 12 million passengers over 6.4 million revenue miles, the same number of passengers and miles from estimated FY 2016 figures. NCTD's operating budget of $86.7 million is an increase of 5.2 percent from estimated FY 2016.

Article 4.5 Community Transit Service (Accessible Service for the Disabled)

Legislation provides up to 5 percent for community transit services which include services for those that are disabled or who cannot use conventional transit services.

- The MTS claim would provide operating support for the accessible paratransit services in the MTS service area, including Access and Americans with Disabilities Act (ADA) Suburban services. MTS estimates ridership of 526,580 and revenue miles of 4.6 million, an increase of 2 percent and 6 percent respectively from FY 2016 estimate.

- NCTD anticipates carrying 219,203 passengers on 2.2 million revenue miles, an increase of 7.5 percent and 3.7 percent, respectively, from the FY 2016 estimate.

- The Coordinated Transportation Services Agency (CTSA) is eligible for up to 2 percent of the region's Article 4.5 funds. The CTSA, created by state law, allows for the formation of a regional agency to coordinate social service agency transportation programs. In the San Diego region, Facilitating Access to Coordinated Transportation (FACT) serves as the CTSA. The FACT mission is to assist seniors, persons with disabilities, and social service recipients in San Diego County to meet their transportation needs. In its capacity as the CTSA, FACT serves as a conduit of information and assists the nonprofit sector, private sector, and public agencies with the coordination of specialized transportation programs.

State law allows for the formation of the CTSA to improve transportation service required by social service recipients by promoting consolidation of social service transportation incorporating such benefits as centralized dispatching, combined purchasing of necessary equipment and supplies, centralized maintenance, centralized administration to eliminate duplicative administrative tasks, and consolidation of existing sources of funding. This consolidation results in more efficient and effective use of vehicles throughout the region. The FY 2016-2017 FACT CTSA Work Plan is included in Attachment 3.
**Article 8 - Special Provisions (Express Bus, Ferry)**

This article funds services such as multimodal terminals, express bus, vanpool, and commuter ferry services.

- The MTS claim would provide operating support for premium express commuter service along the Interstate 15 corridor. Routes 280 and 290 provide service from the cities of Poway and Escondido and from the communities of Rancho Bernardo/Carmel Mountain Ranch and Rancho Peñasquitos; Mira Mesa and Sorrento Valley, and Rancho Bernardo to downtown. Ridership is projected at 295,592 passengers over 344,668 annual miles in FY 2017, an increase of 1.2 percent and a decrease of 1.3 percent, respectively, from FY 2016 estimate.

- MTS acts as a pass-through agency for the City of Coronado that provides the ferry services. The City of Coronado operates passenger ferry service by subsidizing trips to and from downtown San Diego to Coronado and North Island.
As defined in the Social Services Transportation Improvement Act (AB 120), the CTSA is a public entity responsible for improving transportation services required by social service recipients by promoting the consolidation and coordination of social service transportation services. The scope of CTSA activities include being the regional coordinator of social service transportation information, centralized administration and dispatching, identification and consolidation of funding sources, coordinated and consolidated training programs and combined purchasing of vehicles, supplies and equipment. The CTSA works to improve dedicated transportation services for people with disabilities, senior citizens, social service agencies, health care providers, various organizations and individuals within that particular service area. The CTSA is also the planning representative of the social service transportation community and works with the region to develop updates to the Coordinated Plan. The CTSA has begun the process to update the Business Plan (2017-22 Business Plan Update) that forms the planning foundation for organizational development and the expansion of coordinated services in the region.

Expenses:

**One-call/one-click Mobility Center**

Maintain FACT website
- Maintain FACT to keep content current, optimized for searching
- Use website for marketing and outreach

Maintain transportation provider database
- Update content of the provider database on an ongoing basis
- Conduct outreach with potential new providers
- Optimize website travel planner for finding suitable transportation

**Telephone Referrals**

Respond to telephone requests for transportation information. Educate callers about transportation options from database.

Provide enhanced in-person customer service where necessary to assist with ADA application process or take reservations for other providers, etc.

**Regional Coordination**

**Administer Council on Access and Mobility (CAM)**

- Conduct Council on Access and Mobility (CAM) meetings bimonthly.
- Continue outreach to providers to fill all 30 available seats. 26 are currently filled.
- Represent CAM during Level 3 or higher emergencies in the Emergency Operations Center and coordinate disaster response as needed
• Coordinate information provision and involvement of CAM members with the County EOC to ensure effective preparedness planning and to compliance with new State and Federal requirements

**Training/Workshops**

• Facilitate a workshop on contracting opportunities with grant funded vehicles, providing an overview of requirements (insurances, registration, maintenance/inspections, progress reporting)
• Coordinate presentations and workshops covering areas of training (e.g. insurance, maintenance, vehicle inspections) that are pertinent based on interests/commitments of involvement from CAM members

**Support for grantees**

• Provide letters of support to agencies applying for grants after verifying coordination efforts.
• Assist applicants in finding coordination opportunities
• Form partnerships to apply for grants where appropriate
• Offer compliance related information to grantees

**Coordinated Planning**

• Provide ongoing technical assistance and support to human service transportation providers and all other interested parties to find solutions to overcome identified barriers to coordination, consolidation and collaboration
• Coordinate and conduct surveys, and assessments, both formal and informal, to determine stakeholder transportation needs, vehicle and other relevant resources and barriers to coordination
• Make presentations to stakeholder groups
• Evaluate coordinated programs for pilot projects leading to regional deployment
• Work with 211 San Diego and SANDAG to administer and implement VTCLI grant
• Serve as liaison between public transportation providers and human service agencies
• Build a base of cooperation and coordination between constituencies, including public transportation providers, human service agencies, and other community-based organizations and agencies
• Provide technical assistance, information, and education programs to transportation providers
• Develop a regional training program for human service agencies and clients and consumers in partnership with public transit operators
• Maintain the FACT Board Technical Advisory Committee (TAC), which currently includes Janelle Carey (MTS), Danielle Kochman (SANDAG), and Lois Knowlton (Friends of Adult Day Healthcare Center), with one vacant seat.
• Market services through press releases, pamphlets, brochures, e-mail, newsletters, special informational pieces, newspaper articles, special events, workshops, and community training sessions
• Participate in regional disaster preparedness planning
Management of CTSA Activities

- Disseminate quarterly CTSA FACT Newsletter to ensure ongoing awareness of current related events
- Maintain the CTSA Mailing List
- Participate in Triennial TDA Audits
- Complete all required reporting

Administration

- Maintain memberships in State and National organizations committed to coordinated transportation and non-profit corporation development: Community Transportation Association of America (CTAA); California Association for Coordinated Transportation (Cal-Act); American Public Transportation Association (APTA)
- Annually update the business plan for FACT covering the following areas: governance, regional needs assessment, integration of current CTSA work activities, technical assistance and coordination planning, information and marketing initiatives, service contracting and operations programs, policy development and advocacy, trip demand estimation and utilization projections, funding and financial projections.
- Maintain FACT’s staff to ensure capacity to support ongoing programs and services and expansion as per the approved Business Plan.

Contracted Services

- Accounting services
- Legal assistance
- Payroll services
- Audit services

Other Expenses

- Registration Fees
- Liability, D & O, Umbrella Insurance
- Workers’ Comp Insurance

Grant Support

- Provide local match support to Federal Transit Administration (FTA) New Freedom, Section 5310, Senior Mini-Grant, and other grants.

Training and Travel

- Travel to CTAA, CalACT, and APTA conferences and sponsored trainings.

All TDA 4.5 funding for the fiscal year 2016-2017 will be used for core CTSA activities. FACT will continue to look for supplemental funding for CTSA activities from other sources.
WHERAS, North County Transit District hereby affirms the certifications and required findings as part of the TDA and STA Claims for the FY2017 as follows:

Finding #1: The claimant’s proposed expenditures are in conformance with the Regional Transportation Plans (RTP).

Finding #2: The claimant is proposing a level of fare revenue sufficient to meet the fare revenue operating cost ration requirements of Public Utilities Code (PUC) 99268.2, 99268.3, 99268.5 and 99268.9, as applicable.

Finding #3: The claimant is making full use of federal funds available under the Urban Mass Transportation Act of 1964, as amended.

Finding #4: The sum of the claimant’s allocations from the STA Fund and the Local Transportation Fund do not exceed the maximum for which the claimant is eligible.

Finding #5: Priority consideration has been given to offsetting unanticipated increases in the cost of fuel, enhancing existing public transportation services, and meeting high-priority regional needs.

Finding #6: The operator has made a reasonable effort to implement the productivity improvements recommended pursuant to PUC 99244.

Finding #7: The claimant is not prevented by a labor contract entered into after June 28, 1979, from employing part-time drivers or from contracting with common carriers.

Finding #8: The claimant has on file a certification by the Department of the California Highway Patrol verifying compliance with section 1808.1 of the Vehicle Code, pursuant to PUC 99251.

Finding #9: The claimant is in compliance with the requirements of PUC 99314.6.

Authorized Representative/Contact:

Matthew O. Tucker
Executive Director

(Signature)
(Print or type name)
(Title)
RESOLUTION NO. 2016-30

APPROVING THE ALLOCATION OF
FY 2017 TRANSPORTATION DEVELOPMENT ACT FUNDS
ARTICLE 3 BICYCLE AND PEDESTRIAN FACILITIES AND PROGRAMS

WHEREAS, the Transportation Development Act (TDA) claim listed below is submitted for Fiscal Year 2017 TDA funds pursuant to Chapter 4, Article 3, Section 99234 of the California Public Utilities Code (PUC); and

WHEREAS, pursuant to Section 29532 of the California Government Code (CGC), the San Diego Association of Governments (SANDAG) has analyzed the claim and determined that the claim conforms substantially to the provisions of the Transportation Development Act of 1971, as amended; and

WHEREAS, SANDAG finds the claim to be consistent with the Regional Transportation Plan; NOW THEREFORE

BE IT RESOLVED by the SANDAG Board of Directors as follows:

1. That the Board, pursuant to CGC 29532 and PUC 99234, does hereby approve the allocation of TDA funds for the following project in the amounts specified below:

<table>
<thead>
<tr>
<th>Claim No.</th>
<th>Claimant</th>
<th>Allocation</th>
</tr>
</thead>
<tbody>
<tr>
<td>17011000</td>
<td>SANDAG (Uptown Bikeways: Fourth and Fifth Avenue Bikeways)</td>
<td>$1,250,000</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>Total</strong></td>
<td><strong>$1,250,000</strong></td>
</tr>
</tbody>
</table>

2. That the Board does hereby authorize the Executive Director to prepare and transmit allocation instructions and payment schedules to the San Diego County Auditor as are necessary and legal for payment of this claim.

PASSED AND ADOPTED this 24th day of June 2016.

ATTEST:

CHAIR

SECRETARY

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

ADVISORY MEMBERS: California Department of Transportation, Metropolitan Transit System, North County Transit District, Imperial County, U.S. Department of Defense, San Diego Unified Port District, San Diego County Water Authority, Southern California Tribal Chairman’s Association, and Mexico.
RESOLUTION NO. 2016-31

APPROVING THE ALLOCATION OF
FY 2017 TRANSPORTATION DEVELOPMENT ACT FUNDS
ARTICLE 4 FIXED ROUTE GENERAL PUBLIC TRANSIT SERVICE

WHEREAS, the Transportation Development Act (TDA) claimants listed below have submitted claims for FY 2017 TDA funds pursuant to Chapter 4, Article 4, of the California Public Utilities Code (PUC); and

WHEREAS, pursuant to Section 29532 of the California Government Code (CGC), the San Diego Association of Governments (SANDAG) has analyzed the claims and determined that the claims conform substantially to the provisions of the Transportation Development Act of 1971, as amended; and

WHEREAS, pursuant to PUC Section 99244, SANDAG is required to annually identify, analyze, and recommend potential productivity improvements for the transit operators; and

WHEREAS, SANDAG finds these claims for FY 2017 to be in conformance with the Regional Transportation Plan; NOW THEREFORE

BE IT RESOLVED by the SANDAG Board of Directors as follows:

1. That the Board, pursuant to PUC Section 99244, finds that the claimants listed below have made a reasonable effort to implement the productivity improvement recommendations for FY 2016;

2. That the Board adopted the FY 2017 Productivity Improvement Goals set forth in Agenda Report No. 8 at the May 27, 2016, meeting;

3. That the Board, pursuant to CGC 29532, does hereby approve the allocation of TDA funds to the following claimants for purposes listed below:

<table>
<thead>
<tr>
<th>Claim No.</th>
<th>Claimant</th>
<th>Allocation</th>
</tr>
</thead>
<tbody>
<tr>
<td>17031000</td>
<td>Metropolitan Transit System (MTS)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Operating (fixed route)</td>
<td>$48,026,743</td>
</tr>
<tr>
<td></td>
<td>Operating (ADA)</td>
<td>$6,465,660</td>
</tr>
<tr>
<td></td>
<td>Capital</td>
<td>$34,812,451</td>
</tr>
<tr>
<td></td>
<td><strong>Total</strong></td>
<td><strong>$89,304,854</strong></td>
</tr>
<tr>
<td>17041000</td>
<td>North County Transit District (NCTD)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Operating (fixed route)</td>
<td>$27,412,608</td>
</tr>
<tr>
<td></td>
<td>Operating (ADA)</td>
<td>$4,496,619</td>
</tr>
<tr>
<td></td>
<td>Capital</td>
<td>$3,953,391</td>
</tr>
<tr>
<td></td>
<td><strong>Total</strong></td>
<td><strong>$35,862,618</strong></td>
</tr>
<tr>
<td>17031004</td>
<td>Admin/Planning Transfer from MTS</td>
<td>$1,866,616</td>
</tr>
</tbody>
</table>

SANDAG
17041004 Capital Transfer from MTS $764,292
17041002 Capital Transfer from NCTD $1,074,700
17041002 Admin/Planning Transfer from NCTD $629,240

Total $4,334,848

4. That the Board does hereby authorize the Executive Director to prepare and transmit allocation instructions and payment schedules to the San Diego County Auditor as are necessary and legal for payment of these claims.

PASSED AND ADOPTED this 24th day of June 2016.

ATTEST: ____________________________  ____________________________
CHAIR                               SECRETARY

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

ADVISORY MEMBERS: California Department of Transportation, Metropolitan Transit System, North County Transit District, Imperial County, U.S. Department of Defense, San Diego Unified Port District, San Diego County Water Authority, Southern California Tribal Chairmen’s Association, and Mexico.
RESOLUTION NO. 2016-32

APPROVING THE ALLOCATION OF
FY 2017 TRANSPORTATION DEVELOPMENT ACT FUNDS
ARTICLE 4.5 COMMUNITY TRANSIT SERVICE

WHEREAS, the Transportation Development Act (TDA) claimants listed below have submitted claims for FY 2017 TDA funds pursuant to Chapter 4, Article 4.5, of the California Public Utilities Code (PUC); and

WHEREAS, pursuant to Section 29532 of the California Government Code (CGC), the San Diego Association of Governments (SANDAG) has analyzed the claims and determined that the claims conform substantially to the provisions of the Transportation Development Act of 1971, as amended, including the provision of PUC 99275.5; and

WHEREAS, SANDAG finds these claims for FY 2017 to be in conformance with the Regional Transportation Plan; NOW THEREFORE

BE IT RESOLVED by the SANDAG Board of Directors as follows:

1. That the Board, pursuant to CGC 29532, does hereby approve the allocation of TDA funds to the following claimants for purposes listed below:

<table>
<thead>
<tr>
<th>Claim No.</th>
<th>Claimant</th>
<th>Allocation</th>
</tr>
</thead>
<tbody>
<tr>
<td>17031001</td>
<td>Metropolitan Transit System</td>
<td>Total $4,782,760</td>
</tr>
<tr>
<td></td>
<td>Operating</td>
<td></td>
</tr>
<tr>
<td>17041001</td>
<td>North County Transit District</td>
<td>Total $1,938,402</td>
</tr>
<tr>
<td></td>
<td>Operating</td>
<td></td>
</tr>
<tr>
<td>17061000</td>
<td>Coordinated Transportation Service Agency</td>
<td>Total $137,167</td>
</tr>
<tr>
<td></td>
<td>Operating</td>
<td></td>
</tr>
</tbody>
</table>

2. That the Board does hereby authorize the Executive Director to prepare and transmit allocation instructions and payment schedules to the San Diego County Auditor as are necessary and legal for payment of these claims.

PASSED AND ADOPTED this 24th day of June 2016.

ATTEST: 

CHAIR 

SECRETARY 

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

ADVISORY MEMBERS: California Department of Transportation, Metropolitan Transit System, North County Transit District, Imperial County, U.S. Department of Defense, San Diego Unified Port District, San Diego County Water Authority, Southern California Tribal Chairmen’s Association, and Mexico.
RESOLUTION NO. 2016-33

APPROVING THE ALLOCATION OF FY 2017 TRANSPORTATION DEVELOPMENT ACT FUNDS

ARTICLE 8 SPECIAL PROVISIONS

WHEREAS, the Transportation Development Act (TDA) claimant listed below has submitted claims for FY 2017 TDA funds pursuant to Chapter 4, Article 8, of the California Public Utilities Code (PUC); and

WHEREAS, pursuant to Section 29532 of the California Government Code (CGC), the San Diego Association of Governments (SANDAG) has analyzed the claims and determined that the claims conform substantially to the provisions of the Transportation Development Act of 1971, as amended; and

WHEREAS, SANDAG finds these claims for FY 2017 to be in conformance with the Regional Transportation Plan; NOW THEREFORE

BE IT RESOLVED by the SANDAG Board of Directors as follows:

1. That the Board, pursuant to CGC 29532, does hereby approve the allocation of TDA funds for costs associated with the operation of express bus services (PUC 99400.6), and the operation of commuter ferry service (PUC 99400.7) as shown below:

<table>
<thead>
<tr>
<th>Claim No.</th>
<th>Claimant</th>
<th>Allocation</th>
</tr>
</thead>
<tbody>
<tr>
<td>17031002</td>
<td>Operating for Express Bus Service</td>
<td>$548,091</td>
</tr>
<tr>
<td>17031003</td>
<td>Operating for Ferry Service</td>
<td>$206,828</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td><strong>$754,919</strong></td>
</tr>
</tbody>
</table>

2. That MTS is directed to pass-through to the Coronado Ferry its appropriate share of TDA funding; and

3. That the Board does hereby authorize the Executive Director to prepare and transmit allocation instructions and payment schedules to the San Diego County Auditor as are necessary and legal for payment of these claims.

PASSED AND ADOPTED this 24th day of June 2016.

ATTEST:

CHAIR

SECRETARY

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

ADVISORY MEMBERS: California Department of Transportation, Metropolitan Transit System, North County Transit District, Imperial County, U.S. Department of Defense, San Diego Unified Port District, San Diego County Water Authority, Southern California Tribal Chairmen’s Association, and Mexico.
RESOLUTION NO. 2016-34

APPROVING THE ALLOCATION OF FY 2017 TRANSPORTATION DEVELOPMENT ACT FUNDS PLANNING AND ADMINISTRATION

WHEREAS, the Transportation Development Act (TDA) claimants listed below have submitted claims for FY 2017 TDA funds pursuant to Chapter 4, Article 3 (PUC 99233.1 and 99233.2), of the California Public Utilities Code (PUC); and

WHEREAS, pursuant to Section 29532 of the California Government Code (CGC), the San Diego Association of Governments (SANDAG) has determined that the claims are eligible pursuant to the provisions of the Transportation Development Act of 1971, as amended; NOW THEREFORE

BE IT RESOLVED by the SANDAG Board of Directors as follows:

1. Pursuant to CGC 29532, does hereby approve the allocation of TDA funds to the following claimants for purposes listed below:

<table>
<thead>
<tr>
<th>Claim No.</th>
<th>Claimant</th>
<th>Allocation</th>
</tr>
</thead>
<tbody>
<tr>
<td>17021000</td>
<td>County Auditor</td>
<td>Total $51,000</td>
</tr>
<tr>
<td>17051000</td>
<td>Administration</td>
<td>$3,965,610</td>
</tr>
<tr>
<td>17051001</td>
<td>Regional Planning</td>
<td>$4,327,232</td>
</tr>
<tr>
<td></td>
<td>SANDAG</td>
<td>Total $8,292,842</td>
</tr>
</tbody>
</table>

2. That the Board does hereby authorize the Executive Director to prepare and transmit allocation instructions and payment schedules to the San Diego County Auditor as are necessary and legal for payment of these claims.

PASSED AND ADOPTED this 24th day of June 2016

ATTEST:  
CHAT  
SECRETARY

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

ADVISORY MEMBERS: California Department of Transportation, Metropolitan Transit System, North County Transit District, Imperial County, U.S. Department of Defense, San Diego Unified Port District, San Diego County Water Authority, Southern California Tribal Chairmen’s Association, and Mexico.
RESOLUTION NO. 2016-35

APPROVING THE ALLOCATION OF
FY 2017 STATE TRANSIT ASSISTANCE CLAIM TO THE
NORTH COUNTY TRANSIT DISTRICT

WHEREAS, the North County Transit District (NCTD) has filed a claim for State Transit Assistance (STA) funds in the amount of $4,767,811 for FY 2017 pursuant to Section 6730(a) of Title 21 of the California Code of Regulations (CCR); and

WHEREAS, the Board of Directors adopted the required findings for NCTD pursuant to Section 6754; and

WHEREAS, the Board of Directors finds that the above claim is in substantial conformance with the provisions of the Transportation Development Act of 1971, as amended, and meets the specific requirements of Section 6754 of Title 21 of the CCR;

NOW THEREFORE

BE IT RESOLVED by the SANDAG Board of Directors as follows:

1. That the Board of Directors does hereby approve the allocation of STA to the following claimants for purposes listed below:

<table>
<thead>
<tr>
<th>Claim No.</th>
<th>Claimant</th>
<th>Allocation</th>
</tr>
</thead>
<tbody>
<tr>
<td>17041003</td>
<td>NCTD</td>
<td>Operating</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Total $4,767,811</td>
</tr>
</tbody>
</table>

2. That the Board of Directors does hereby authorize the Executive Director to prepare and transmit allocation instructions to the San Diego County Auditor as are necessary and legal for payment of this claim.

PASSED AND ADOPTED this 24th day of June 2016.

ATTEST:  
CHAIR  
SECRETARY

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

ADVISORY MEMBERS: California Department of Transportation, Metropolitan Transit System, North County Transit District, Imperial County, U.S. Department of Defense, San Diego Unified Port District, San Diego County Water Authority, Southern California Tribal Chairmen’s Association, and Mexico.
REGIONAL COMPLETE STREETS POLICY
IMPLEMENTATION: STATUS REPORT

Introduction

In December 2014, the Board of Directors adopted a Regional Complete Streets Policy\(^1\) (Policy). The Policy was incorporated into San Diego Forward: The Regional Plan upon adoption in October 2015.

The Policy (Attachment 1) recognizes that the SANDAG planning framework is based on smart growth and sustainability. Under this framework, much of the region’s future development will occur within the existing urbanized area and in compact, mixed-use neighborhoods that provide a variety of housing and transportation choices, and help create healthier communities. Complete Streets is an important planning concept within this framework because it provides a process to ensure the transportation system is safe, useful, and attractive for all users of the transportation network – motorists, pedestrians, bicyclists, transit users, and the movement of freight.

The Policy includes seven components, including a policy statement, a description of the applicability of the principles, a section on context sensitivity, emphasis on a well-connected transportation network, a list of situations where exceptions to implementation of the policy might be appropriate, a commitment to measuring performance, and a list of actions to be undertaken in collaboration with member agencies and other affected agencies. This report describes the progress made toward implementing the actions included in the Policy.

Discussion

The following matrix lists each action included in the Policy and summarizes the status of implementation efforts. The matrix was presented to the Regional Planning Committee, the Transportation Committee, and at a joint workshop of the Regional Planning Technical Working Group (TWG) and the Cities/County Transportation Advisory Committee (CTAC) in May 2016. Comments from each of the committees and from the two working groups are summarized further below.

---

\(^1\) The Regional Complete Streets Policy was one of the five commitments made by the SANDAG Board of Directors from the 2050 Regional Transportation Plan and its Sustainable Communities Strategy.
<table>
<thead>
<tr>
<th>Actions</th>
<th>Implementation Status</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>1. Regional Project Development Checklist:</strong> All projects developed by SANDAG are opportunities to improve access and mobility for all modes. Toward that end, SANDAG will create a project development checklist to ensure all projects implemented by SANDAG consider local mobility plans and accommodate the needs of all travel modes and the movement of goods to the extent appropriate. Use of the checklist will include coordination between departments and consultation with staff for all modes through participation on the project development team.</td>
<td><strong>This action has been completed.</strong> A “Regional Complete Streets Project Development Checklist” has been developed. This checklist, included as Attachment 2, is intended for use by SANDAG staff to coordinate across various departments on addressing complete streets elements when designing regional transportation projects. Developing the checklist involved examining complete streets checklists from around the country. The checklist has three sections, including Existing Conditions, Planning Context, and Project Proposal, that SANDAG project managers are required to complete at the start of the project in the scoping document/feasibility study. The checklist requires review and approval from the SANDAG Department Director.</td>
</tr>
<tr>
<td><strong>2. Regional and Local Coordination and Cost-Sharing Protocol:</strong> Develop a process for coordinating the development of regional projects with local agency Complete Streets initiatives and include in that process a protocol for evaluating cost-sharing opportunities.</td>
<td><strong>This action is underway and is expected to be completed in fall/winter 2016/2017.</strong> SANDAG staff has been working with the region’s planning and community development directors and public works directors (through the TWG and the CTAC) on enhancing awareness of the Complete Streets Policy and exploring mechanisms to further the implementation of complete streets at the regional and local levels. SANDAG has established a Complete Streets web page at sandag.org/CompleteStreets, discussed these concepts at recent TWG and CTAC meetings, and most recently, held a joint TWG/CTAC workshop focused on highlighting best practices and identifying barriers and solutions regarding implementation. With this foundational work in place, next steps include developing a protocol for evaluating cost-sharing opportunities.</td>
</tr>
<tr>
<td>Actions</td>
<td>Implementation Status</td>
</tr>
<tr>
<td>---------</td>
<td>-----------------------</td>
</tr>
<tr>
<td><strong>3. Local Project Development Checklist</strong>&lt;br&gt;<strong>Template:</strong> Develop a project development checklist template that local agencies can use to ensure local projects result in Complete Streets.</td>
<td><strong>This action has been completed.</strong> A document entitled, “Local Complete Streets Sample Checklist: A Tool for Local Agencies” has been developed and posted to the SANDAG Complete Streets web page. The local sample checklist, included as Attachment 3, can be adapted to meet local planning goals and used on a voluntary basis for local jurisdictions and others to consider complete streets in the development of local transportation projects. Use of the sample checklist is optional, can be adapted to meet specific local agency goals, and is not a requirement for receiving transportation funds administered by SANDAG.</td>
</tr>
<tr>
<td><strong>4. Regional Database and Mapping Tool:</strong> Collaborate with local jurisdictions, Caltrans, and transit operators to develop a regional database and mapping tool to facilitate coordinated development of local and regional Complete Streets plans.</td>
<td><strong>This action will be started fall/winter 2016/2017.</strong> Staff will begin working with local jurisdictions, Caltrans, and transit operators to develop a scope for this effort.</td>
</tr>
<tr>
<td><strong>5. Trainings, Workshops, and Educational Events:</strong> Provide opportunities for SANDAG staff, and staff from member agencies, Caltrans, and transit operators to participate in trainings, workshops, and other educational events related to Complete Streets procedures and practices including, but not limited to, transportation safety, multimodal network planning, context-sensitive design, connecting transportation and land use decisions, and evaluating projects and the impact of transportation investments. This will be an ongoing activity to ensure practitioners are well informed about state-of-the-art practices.</td>
<td><strong>This action has begun, and will be an ongoing activity.</strong> SANDAG staff has created a Complete Streets web page at sandag.org/Complete Streets, which contains the Policy, the regional checklist, the local sample checklist, upcoming training workshops, and other resources, including guidance on best practices and innovation in street design. SANDAG also hosts monthly webinars provided by the Association of Pedestrian and Bicycle Professionals, and notifies local agencies through the Active Transportation Working Group. In addition, internal interdepartmental training workshops will be held on an ongoing basis to support enhanced understanding of the Policy and sustain continued commitment to implementation.</td>
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<tr>
<td>Actions</td>
<td>Implementation Status</td>
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<td><strong>6. Tools and Reference Materials:</strong> Develop tools and reference</td>
<td><strong>This action has begun, and will be an ongoing activity.</strong> In conjunction with CTAC,</td>
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<td>materials as needed, such as guidance on best practices and</td>
<td>TWG, and the transit operators, SANDAG continues to identify best practices and</td>
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<td>innovation in street design, parking management strategies, storm</td>
<td>innovative resources, which have been added to the Complete Streets web page. As more</td>
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<tr>
<td>water best practices, incorporating bike and pedestrian access to</td>
<td>resources are identified, they will be posted to the web page. Local jurisdictions in</td>
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<td>transit stops and stations, traffic impact studies, and public</td>
<td>the region are pursuing innovative approaches to implement complete streets. SANDAG</td>
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<td>engagement tools. SANDAG will make these tools available to other</td>
<td>will continue to highlight these local efforts as examples of best practices that can</td>
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<td>entities on its website.</td>
<td>help inform other local efforts.</td>
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<td><strong>7. Related Initiatives:</strong> Continue work on related initiatives that</td>
<td><strong>This action has begun, and will be an ongoing activity.</strong> SANDAG staff continues work</td>
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<tr>
<td>support multimodal connections, including the Safe Routes to School</td>
<td>on related initiatives that support multimodal connections. A SR2S strategic plan and</td>
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<td>(SR2S) and Safe Routes to Transit programs.</td>
<td>corresponding implementation plan have been developed, and representation from the SR2S</td>
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<td></td>
<td>Coalition currently exists on the SANDAG Active Transportation Working Group. Safe</td>
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<td></td>
<td>Routes to Transit programs also have moved forward with the completion of Safe Routes</td>
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<td></td>
<td>to Transit typology prototypes for San Diego Forward: The Regional Plan. In addition,</td>
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<td>the Regional Plan incorporates a number of other SANDAG strategies and programs that</td>
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<td></td>
<td>focus on sustainability, including the Smart Growth Concept Map, the Smart Growth</td>
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<td></td>
<td>Incentive Program, the Active Transportation Grant Program, the Regional Transit</td>
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<td>Oriented Development Strategy, the Regional Bike Plan, and the Regional Mobility Hub</td>
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<tr>
<td></td>
<td>Implementation Strategy. Implementation of the Regional Bike Plan is underway through</td>
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<td>the Regional Bike Early Action Program. These efforts serve as the interconnected</td>
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<td>building blocks for implementing the regional vision and providing more transportation</td>
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<td>choices.</td>
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### Discussion at the Regional Planning Committee

At its meeting on May 6, 2016, the Regional Planning Committee discussed the implementation of the Regional Complete Streets Policy and suggested that SANDAG consider the following in addition to the implementation actions included in the Policy:

- Provide guidance on how to manage maintenance costs for landscaping (such as tree-trimming, watering, etc.), including how design and recycled water can help minimize these costs.
- Provide guidance or examples of best practices for how to minimize the impacts of project construction on local businesses.
- Consider how landscaping that enhances the pedestrian realm can also serve as a strategy for implementing local climate action plans.
- Survey local jurisdictions about roundabouts in the region.

### Discussion at the Transportation Committee

At its meeting on May 20, 2016, the Transportation Committee provided the following observations and potential future actions for consideration:

- Preserving the ability of transit vehicles to move around effectively on local streets is critical to the operation of the transit system.
- Pedestrian and bike conflicts with transit vehicles are a concern.
- Local jurisdictions are asked to consult the transit operators when planning modifications to local streets and roads to find solutions that work for all users of the streets.
• Transit operators expressed concern with local jurisdictions painting sharrows in transit lanes.

• Local jurisdictions are seeing signs of economic gains on local streets where Complete Streets projects have been implemented, including new and expanding businesses, businesses improving storefronts, more activity on local streets, and visual improvements.

• Landscape maintenance costs are a concern for local jurisdictions. Although many areas handle these costs through maintenance assessment districts, there are limitations. SANDAG may be able to assist through its Legislative Program to seek greater flexibility in program requirements.

• It remains important to keep traffic moving along major travel corridors.

**Feedback from the Joint TWG/CTAC Workshop**

At the joint workshop held on May 5, TWG and CTAC members made the following observations:

• Complete Streets is not a “one-size-fits-all” endeavor. Designs can look different in different communities and can even vary along a single corridor.

• Early and frequent community involvement and City Council support is important when significant changes are being considered.

• The implementation of Complete Streets can be advanced through pilot projects using paint, which is inexpensive and does not require environmental review.

• A suggested strategy is to start in areas where communities want the improvements, and then use the completed examples to build support for additional projects in different areas.

• Communities and decision-makers need to have information regarding the economic benefits of Complete Streets. SANDAG could assist by developing case studies on the financial benefits.

• Experience with Complete Streets projects suggests that there is often roadway capacity that can be repurposed to support a variety of modes. That means that Complete Streets projects do not necessarily have to restrict car traffic.

• The response to Complete Streets projects in the region seems to be positive, though it is reasonable to anticipate that some people will not like that their community has changed.

• To maximize effectiveness, promotion of Complete Streets and technical training efforts should be on-going.

• Complete Streets can benefit communities in a variety of ways, such as attracting private investment and commercial activity, improving storm water systems, improving safety, etc.

• Project involvement should be extended to early and frequent consultation with key stakeholders to identify and understand possible constraints and develop areas of opportunities from planning through implementation.
In June, staff provided additional status reports to the TWG and CTAC, summarizing the input received from both of the policy committees, and solicited feedback to help determine additional priorities given limited resources.

**Next Steps**

SANDAG will continue to work with member agencies, the transit operators, and Caltrans to implement the Regional Complete Streets Policy. Work this year will focus on identifying additional training opportunities for SANDAG and member agency staff, developing a protocol for evaluating cost sharing of regional projects with local agency Complete Streets efforts, developing a scope for a regional database and mapping tool to facilitate coordinated development of local and regional Complete Streets plans, and monitoring and reporting implementation of this Policy. Staff also will work with the TWG and CTAC to address comments raised at the Regional Planning and Transportation Committees, including conducting a survey of roundabouts and traffic circles in the region, pursuing strategies to minimize conflicts between transit and bicyclists, and seeking opportunities to gather information on the economic impacts of street design decisions.

GARY L. GALLEGOS  
Executive Director

Attachments: 1. Regional Complete Streets Policy  
2. Regional Complete Streets Project Development Checklist  
3. Local Complete Streets Sample Checklist: A Tool for Local Agencies

Key Staff Contacts: Carolina Illic, (619) 699-1989, carolina.illic@sandag.org  
Stephan Vance, (619) 699-1924, stephan.vance@sandag.org
REGIONAL COMPLETE STREETS POLICY

Purpose

The San Diego Association of Governments (SANDAG) guides regional planning via a policy framework based on smart growth and sustainability. Under this framework, much of the region’s future development will occur within the existing urbanized area and in compact, mixed-use neighborhoods that provide a variety of housing and transportation choices, and help create healthier communities. Complete Streets is an important planning concept in this policy framework because it is a process for ensuring the transportation system is safe, useful, and attractive for all users of the transportation network – motorists, pedestrians, bicyclists, transit users, and the movement of freight alike. Complete Streets provides valuable flexibility in street design so that the transportation system is appropriate for the current and planned built environment context.

1. Policy Statement

SANDAG seeks to fulfill the regional goal of a safe, balanced, multimodal transportation system that supports compact and sustainable development by adopting a Complete Streets approach in its project development and implementation processes, and by assisting and encouraging local jurisdictions to follow Complete Streets policies and practices. In this way, everyone will be able to safely travel along and across streets and railways to reach destinations within the region, regardless of age, ability, or mode of travel.

2. Applicability

Applicable principles in this Complete Streets Policy should be incorporated into the development of all SANDAG transportation infrastructure projects across the region at all phases of development, including planning and land use decisions, scoping, design, implementation, and performance monitoring. SANDAG will incorporate Complete Streets principles into the development process for all projects in its Capital Improvement Program as appropriate for the project type.

In addition, SANDAG supports and encourages Complete Streets implementation by other entities throughout the region. Local jurisdictions, as required by the California Complete Streets Act of 2008, will incorporate Complete Streets into their general plans as they revise their circulation elements. SANDAG encourages local agencies to implement Complete Streets principles if a circulation element revision is not planned in the near future. Adopting a Complete Streets approach provides an opportunity to establish more detailed direction on Complete Streets implementation than would be provided in the context of a general plan. SANDAG also encourages and supports Complete Streets methodologies in the design and construction of all projects in the region developed by the California Department of Transportation (Caltrans) as appropriate, consistent with Deputy Directive 64-R1, and in the maintenance and operation of all state highway and public transit facilities.

1 The policy will apply to all new projects and projects still in the planning phase at the time the policy is adopted.
Section 4(E)(3) of the TransNet Extension Ordinance requires all projects constructed under the Ordinance to routinely accommodate pedestrian and bicyclists. Rule No. 21 of SANDAG Board Policy No. 031 provides guidance for the implementation of that requirement. SANDAG will periodically evaluate the effectiveness of Rule No. 21 to ensure compliance with this provision and to ensure that the rule reflects current best practices in Complete Streets implementation.

3. Design Practices and Context Sensitivity

While every street should be planned, designed, built, operated, and maintained for all foreseeable users, there is no singular design standard for Complete Streets and few streets will have separate accommodations for every mode. Projects should be planned and designed to consider current and planned adjacent land uses and local transportation needs, and to incorporate the latest and best practice design guidance. Each project must be considered both separately and as part of a connected network to determine the level and type of treatment necessary for all foreseeable users.

In order to provide context sensitive solutions that respond to public input, and the need to serve a variety of users, a flexible, balanced approach to project design that utilizes innovative design solutions may be considered provided that an adequate level of safety for all users is ensured. SANDAG will compile a library of best practice design guidance to facilitate this and make it available on its website.

SANDAG encourages local governments and Caltrans to coordinate Complete Streets implementation with broader livable communities planning and integration of land use with transportation. SANDAG will coordinate educational opportunities for jurisdictional technical staff on current design standards and will encourage and support the use of modern best practices in Complete Streets design.

4. Regional Network Principles

A well-connected network provides safe and convenient transitions from one mode of transportation to another, from one jurisdiction to another and from one type of infrastructure to another. A well-connected network also provides more route choices that can disperse traffic across the network, provides alternatives when priority is given to a particular mode along one route, and that provides route alternatives when a link in the network is obstructed. SANDAG will endeavor to provide a continuous, uninterrupted network accessible to all users and modes. A well-connected network considers connectivity throughout the lifespan of a transportation project and takes into account the needs of both current and projected users.

5. Exceptions

All transportation projects constructed or reconstructed should be planned, designed, and constructed for all foreseeable users. For some projects, however, an exception to this standard may be warranted. For projects developed by SANDAG, project managers may propose an exception with supporting data to indicate the basis for the request. The request for an exception will be reviewed by the project manager’s department director before inclusion and/or the next update of the project in the Regional Transportation Improvement Program (RTIP).
Exceptions may be appropriate in the following cases:

5.1 Where specific modes of travel are prohibited by law. In such cases, efforts should be made to accommodate travel by prohibited modes elsewhere, as appropriate for each mode, to ensure network connectivity. Where a proposed project for a limited access facility would cross a major barrier (such as a river, railroad, or highway), consideration should be given to the opportunity to include access across the barrier for otherwise limited modes.

5.2 Where the cost of providing facilities for all travelers, especially pedestrians and bicyclists, would be excessively disproportionate to the need or likely use. Federal guidance defines this as exceeding 20 percent of the total project costs; however, this exception also should be context-sensitive. Where demand is high or a barrier is significant, a cost in excess of 20 percent may be warranted, but where demand is low, 20 percent may not. This exception must consider probable use through the life of the project, a minimum of 20 years.

5.3 Where approved or adopted plans or policies (such as local land use, zoning, or mobility planning) or present and anticipated market conditions indicate an absence of need for both current and future conditions of the anticipated project’s life (a minimum of 20 years for roadways and 50 years for bridges).

5.4 Where unmitigable detrimental environmental impacts outweigh the need for full accommodation of all travel modes. In making this determination, the needs of all modes will be considered, with priorities determined based on the project context.

Exceptions that are recommended for approval will be reported to the Transportation Committee through the RTIP process where a member of the public may present opposition to that recommendation during public comment or in writing in advance of the meeting at which the exception recommendation is included. Exceptions should not be common.

All state, regional, and local agency projects included in the SANDAG programming document (known as the Regional Transportation Improvement Program) should be subject to applicable Complete Streets principles. SANDAG encourages each entity submitting projects to the RTIP to implement a process that allows for public participation and comment on whether those projects follow Complete Streets principles.

6. Performance Measures

SANDAG will evaluate the outcomes of this Complete Streets Policy in concert with regional performance measures, such as those developed for the Regional Comprehensive Plan and future long-range transportation plans. The policy will be subject to a biennial review of objective measures presented to the Transportation Committee for the committee to use in evaluating the effectiveness of the policy. These measures and their objectives include:

6.1 An increase in the number of projects that include multimodal connections to destinations by providing bicycle and pedestrian facilities, crossing improvements, traffic calming measures, wayfinding signs or other measures.
6.2 An increase in the miles of new and upgraded bikeways and walkways in the region, and other improvements that improve access for biking, walking, and transit or improve monitoring of those modes.

6.3 An increase in member jurisdictions that have adopted this Complete Streets Policy, or their own separate policies, incorporating Complete Streets principles or that have revised the circulation element of their general plans in compliance with the California Complete Streets Act.

6.4 The number of staff members from SANDAG and local jurisdictions and other transportation agencies participating in training and events that reflect best practices in Complete Streets planning and design.

6.5 Progress in accomplishing activities identified in the “Implementation” section below.

7. Implementation

In addition to the measures described above in this policy, SANDAG will take the following actions in collaboration with member agencies and other affected agencies:

7.1 All projects developed by SANDAG are opportunities to improve access and mobility for all modes. Toward that end, SANDAG will create a project development checklist to ensure all projects implemented by SANDAG consider local mobility plans and accommodate the needs of all travel modes and the movement of goods to the extent appropriate. Use of the checklist will include coordination between departments and consultation with staff for all modes through participation on the project development team. (Estimated time to complete: nine months from adoption of the policy.)

7.2 Develop a process for coordinating the development of regional projects with local agency Complete Streets initiatives and include in that process a protocol for evaluating cost sharing opportunities. (Estimated time to complete: one year.)

7.3 Develop a project development checklist template that local agencies can use to ensure local projects result in Complete Streets. (Estimated time to complete: nine months.)

7.4 Collaborate with local jurisdiction, Caltrans, and transit operators to develop a regional database and mapping tool to facilitate coordinated development of local and regional Complete Streets plans. (Estimated time to complete: one year.)

7.5 Provide opportunities for SANDAG staff, and staff from member agencies, Caltrans, and transit operators to participate in trainings, workshops, and other educational events related to Complete Streets procedures and practices including, but not limited to, transportation safety, multimodal network planning, context-sensitive design, connecting transportation and land use decisions, and evaluating projects and the impact of transportation investments. This will be an ongoing activity to ensure practitioners are well informed about state-of-the-art practices.
7.6 Develop tools and reference materials as needed, such as guidance on best practices and innovation in street design, parking management strategies, storm water best practices, incorporating bicycle and pedestrian access to transit stops and stations, traffic impact studies, and public engagement tools. SANDAG will make these tools available to other entities on its website.

7.7 Continue work on related initiatives that support multimodal connections, including the Safe Routes to School and Safe Routes to Transit programs.

7.8 Develop a benchmarking process for SANDAG project managers to use as a tool for monitoring implementation of this Policy. (Estimated time to complete: 9 months.)

7.9 Provide a report to the Board of Directors on the implementation of this policy within one year of its adoption.
Regional Complete Streets Project Development Checklist

Introduction

On December 19, 2014, the San Diego Association of Governments (SANDAG) Board of Directors adopted a Regional Complete Streets Policy (Policy). The Policy defines Complete Streets as it will be used to guide SANDAG in its role as an implementer of regional transportation projects and as the regional planning agency that programs transportation funds, sets long-range regional transportation policy, and provides technical assistance and support to local agencies. The Board action directed implementation action items such as this project development checklist and others to ensure all projects implemented by SANDAG consider local complete streets initiatives and accommodate the needs of all travel modes. The Policy document is available at:


Background and Resources

In 2004, the SANDAG Board of Directors established a Smart Growth Strategy for the region’s future growth and development. The strategy is illustrated on the Smart Growth Concept Map (SGCM), which was first adopted by the Board of Directors in 2006. The SGCM shows the location of existing, planned, and potential smart growth areas as well as planned habitat and open space. Projects located in a smart growth area must support walking and biking access, especially as it relates to transit. The Smart Growth in the San Diego Region (sandag.org/uploads/projectid/projectid_296_13993.pdf) brochure provides descriptions of the seven smart growth place types. More details about the SGCM are available at:

sandag.org/resources/smartgrowth/index_gmap.asp

Guidance on applying smart growth principles to transportation projects can be found in Designing for Smart Growth, Creating Great Places in the San Diego Region (sandag.org/index.asp?projectid=344&fuseaction=projects.detail).

Transportation design guidance for Complete Streets is available from a variety of sources including, but not limited to, those listed below:

- Riding to 2050 (see Chapter 7, Bicycle Design Guidelines)
  sandag.org/uploads/projectid/projectid_353_10862.pdf

- Planning and Designing for Pedestrians
  sandag.org/uploads/publicationid/publicationid_713_3269.pdf

- Caltrans Highway Design Manual Chapter 1000

- NACTO Urban Street Design Guide
  nacto.org/usdg
Local bicycle and pedestrian plans, safe routes to school plans, and Community Active Transportation strategies should all be consulted where they exist. Contact local jurisdiction planning and engineering departments in the project area to identify local plans.

Using the Checklist

There are two occasions for employing the Complete Streets checklists.

1. The Project Initiation Complete Streets Checklist is completed and approved at the start of the project initiation process in the scoping document/feasibility study before the project is added to the Regional Transportation Improvement Program (RTIP).

2. If changing project scope, the Project Amendment Complete Streets Checklist must be completed and approved prior to amending the project in the RTIP. This is necessary because any exceptions to complying with this policy must be reported to the Transportation Committee as part of the RTIP approval process.

If all modes of travel cannot be accommodated in the project consistent with local and regional plans, the checklist requires an explanation of the circumstances that justify that decision. Discuss the issue with your Director to determine if the project should be submitted for review by the SANDAG Active Transportation Working Group. Be sure the project does not preclude design features that could be added in the future if funds become available.

Project Managers preparing the Checklist should consult with planners in the Land Use Coordination section to assist with the planning context and answer any specific questions for clarification.
Project Initiation Complete Streets Checklist

Project Title:______________________________________________________________

Project Location:________________________________________________________________

Contact Name, Phone, and Email:_____________________________________________________

Existing Conditions (To be completed by SANDAG Planning Staff working with Project Manager)

1. What accommodations for people walking or riding bikes exist in the project area? Include accommodations on any existing transportation facility, and any facilities that the project will intersect or cross. See GIS Senior Analyst for any questions.
   SANDAG Regional Bike Map: gis1.sandag.org/BikeMap2015/index.html
   SANDAG Sidewalk Map: M:\RES\GIS\Sidewalks\SanDiegoSidewalkNetwork_6_17
   City of San Diego Sidewalk Inventory: (website available in 2016)
   Google Maps: www.google.com/maps

2. If there are no existing pedestrian or bicycle facilities, how far from the proposed project are the closest parallel bikeways and walkways?

3. Describe the existing level of pedestrian or bicycle activity along the project corridor based on available data from the Regional Bike Counter Network and/or baseline data collection. See Bike Program Manager for baseline data collection.
   Regional Bike Counter Network webpage:
   sandag.org/index.asp?classid=34&projectid=496&fuseaction=projects.detail

4. What trip generators (existing and planned) are in the vicinity of the proposed project that might attract walking or bicycling customers, employees, students, visitors or others? See GIS Senior Analyst for any questions.
   Land Use Database Connections: \dc.pila.LIS.ago.sde\lis.GIS.Land\lis.GIS.ludu2014

5. What existing challenges or barriers could the proposed project address for people walking or bicycling in the vicinity of the proposed project?

6. What is the crash history in the project area? If the crash history of the site is high, what proposed project strategies will address public safety?
   Transportation Injury Mapping System: tims.berkeley.edu/page.php?page=tools
Planning Context (To be completed by Planning Staff working with Project Manager)

1. Is the project in a Smart Growth Area as defined by the Smart Growth Concept Map? See Land Use Principal Planner for any questions.


2. What local or regional plans will be consulted in the development of the project? (Include bicycle and pedestrian plans, safe routes to school and safe routes to transit plans, community active transportation strategies, streetscape enhancement plans, community plan mobility elements, and other relevant plans provided by local agencies).

   SANDAG Intergovernmental Review Resource List:
   sandag.org/index.asp?classid=12&projectid=379&fuseaction=projects.detail

3. Where the project can contribute to the implementation of local plans, has a local jurisdiction contribution been identified and included in the project budget?

Proposed Project (To be completed by Project Manager)

1. How will the project development process respond to the mobility plans of local agencies?

2. Briefly describe the existing and future travel demand for all modes and how the proposed project will serve that demand.

3. Will the project sever existing access for any modes? If so, describe the circumstances and how the project will mitigate that loss of access. If the lost access cannot be mitigated, explain why not.

4. What accommodations are proposed for people walking or riding bikes in the project design?

5. Will the proposed project remove an existing bicycle or pedestrian facility or block access? If yes, how will that access be restored?

6. If the proposed project would not provide both bicycle and pedestrian accommodation, or if the proposed project would hinder non-motorized access, describe the circumstances that create this constraint.

7. If cost is assumed to be a factor in limiting access for people walking or riding a bike, explain how costs for the walking and biking improvements were allocated, and describe the key cost elements and their costs in relation to the overall project cost.

8. If existing right-of-way is a constraint, has acquisition of additional right-of-way been considered?

9. How will the project development process ensure access for people walking or riding bikes is maintained during project construction?

10. Have all parties responsible for ongoing maintenance of the facility been identified?
**Complete Streets Certification**

This project does/does not accommodate all users as requested by Complete Streets policy.

Completed by: ____________________________

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Reviewed and approved by: ____________________________

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Department Director

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If this project will not meet the needs of all modes of travel that are not prohibited access by law, report this outcome to the Transportation Committee as part of the RTIP approval process with an explanation of the factors that led to that decision.
Project Amendment Complete Streets Checklist

Project Title: ________________________________________________________________

Project Location: ____________________________________________________________

Contact Name, Phone, and Email: ______________________________________________

Existing Conditions (To be completed by SANDAG Planning Staff working with Project Manager)

1. If the land use or transportation context for the project changed since project initiation, explain how, and how those changes are affecting the plan, design, and estimated cost. Has observed pedestrian or bicycle activity along in the project area changed since the project was initiated, and if so, by how much? Has the project plan or design been modified to reflect that change? See Bike Program Manager for baseline data collection

Regional Bike Counter Network webpage:
sandag.org/index.asp?classid=34&projectid=496&fuseaction=projects.detail

2. Has the crash history in the project area changed since the initial assessment? If so, how? Does the current project design respond to any changes in the crash history?

Transportation Injury Mapping System: tims.berkeley.edu/page.php?page=tools

Planning Context (To be completed by Planning Staff working with Project Manager)

1. Have any new local or regional plans been completed, or have any existing plans been updated since the project was initiated? (Include bicycle and pedestrian plans, safe routes to school and safe routes to transit plans, community active transportation strategies, streetscape enhancement plans)

2. How does the current proposed project respond to these new plans?

Current Project Proposal (To be completed by Project Manager)

1. Have there been any changes in how the proposed project will accommodate people walking or biking, the movement of private vehicles, transit, or freight? Address access along the project corridor and across it.

2. Has the cost of accommodating any mode changed significantly? (If so, by how much? Dollar amount or percent change.) Will the completed project, as currently proposed, fully accommodate all modes? If not, why not?

3. What is the current estimated cost of including full accommodation for all modes?

4. If the proposed project would not provide both bicycle and pedestrian accommodation, or if the proposed project would hinder non-motorized access, describe the circumstances that cause this.
5. If cost is assumed to be a factor in limiting access for people walking or riding a bike, explain the factors that impact the cost, and how those costs were allocated.

6. If existing right-of-way is a constraint, has acquisition of additional right-of-way been considered? If so, what is the estimated cost of that right-of-way?
Complete Streets Certification

This project does/does not accommodate all users as requested by Complete Streets policy.

Completed by: ________________________________

Name | Title | Date

Reviewed and approved by: ____________________, Department Director

Name | Title | Date

If this project will not meet the needs of all modes of travel that are not prohibited access by law, report this outcome to the Transportation Committee as part of the RTIP approval process with an explanation of the factors that led to that decision.
Local Complete Streets Sample Checklist:
A Tool for Local Agencies

Introduction

This Complete Streets Sample Checklist is designed as a tool for local agencies to use in developing their own internal process for evaluating whether new transportation projects plan for and accommodate all modes of travel to the extent warranted. Use of the local sample checklist is optional, can be adapted to meet specific local agency goals, and is not a requirement for receiving any transportation funds administered by SANDAG.

Using the Checklist

The Complete Streets Sample Checklist is a tool that can be used when a transportation project is initiated to ensure that all modes are considered in the initial scoping and budgeting of the project. When evaluating existing and potential facilities for each mode, it is often useful for the project to take a holistic approach and consider the corridor context or surrounding transportation network. Because it may not be necessary or feasible to accommodate all modes in every project, the sample checklist provides a mechanism for exploring the application of complete streets solutions in the broader project area and documenting the circumstances that explain the decision.

Project Initiation Complete Streets Checklist

Project Title: _________________________________________________________________________________

Project Location: ____________________________________________________________________________

Project Manager, Phone, and Email: ______________________________________________________________

Existing Conditions

What infrastructure currently exists to support each mode of travel?

- Auto
  - Total number of travel lanes ________

- Transit
  - Route numbers/headways ____________
  - Transit stops/amenities ______________
  - Transit priority measures ____________

- Pedestrian facilities
  - Sidewalk - width and condition ______
  - Sidewalk - both sides of street? ______
  - Adequate street crossings _________
  - Sidewalk shading / street trees ______

- ADA compliant?
  - Deficiencies _________________________

- Bike facility/facilities
  - Type(s) ____________________________

- Lighting
  - Street lighting? ____ Pedestrian lighting? ____

- Storm water
  - ________________________________

- Auto parking
  - Number of spaces _________________

- Bike parking
  - Number of spaces _________________

Add details as necessary to describe any infrastructure deficiencies, walking and biking conditions, and/or challenges for transit performance.
What is the existing level of demand to the extent data are available?

- Auto ADT _____
- Transit Passengers per day by route _____
  Passengers per day by stop _____
- Pedestrians* _____
- Bikes* _____

* In the absence of existing demand data for bike and pedestrian traffic, document the surrounding land uses that are likely to attract significant traffic by these modes.

What is the safety record over the last five years for the project area?

- Auto-involved crashes _____
- Pedestrian-involved crashes _____
- Bicycle-involved crashes _____
- Pedestrian and bicycle-involved crashes within ¼ mile of transit stops _____

Coordination with transit agencies

- What existing challenges could the proposed project address for transit routes in the vicinity of the proposed project? What transit priority measures could improve transit performance? (Recommendation: Coordinate with the Metropolitan Transit System [MTS] or North County Transit District [NCTD])

Recommendations:

- Test existing and potential future bus turn movements using “auto-turn” software to accommodate 45-foot coach buses
- Minimize corner bulb-outs that conflict with bus movements; avoid installing bulb-outs on corners with bus stops or with bus turns; consider creating in-lane bus stops as an alternative
- Work with transit operators to assess impacts of roadway capacity reductions to buses
- Work with transit operators to assess impacts of traffic calming measures to buses
- Provide separate travel ways for bike and bus traffic whenever possible
- Ensure 11-foot minimum lane widths for travel lanes used by buses
- Avoid traffic calming measures on bus travel lanes that are incompatible with buses (e.g., speed bumps, speed tables, etc.)
- Coordinate proposed bus stop relocations with MTS/NCTD
- Provide safe path of travel to/from bus stops (adequate sidewalks, crosswalks)
- Ensure vertical/horizontal clearances for buses
- Coordinate with transit operators on need for existing or future transit priority measures such as transit signal priority in future transit-only lanes
Planning Context

Have the following documents been checked for planned facilities?

- Pedestrian Master Plan
- Bicycle Master Plan
- Community Active Transportation Strategy
- Community Plans and Facility Financing Plans
- Climate Action Plan
- SANDAG Regional Plan (highway, transit, rail, transportation demand management)
- SANDAG Regional Transportation Improvement Program
- SANDAG Regional Bike Plan
- SANDAG Smart Growth Concept Map (to help determine context)
- Pending local development proposals

Briefly describe relevant planned facilities and development proposals. Is there an opportunity to enhance this transportation project beyond existing plans to provide an enhanced walking, biking, or transit experience for future users of this corridor?

Forecasted travel demand

- Auto ADT _____ Forecast year ____
- Transit _____ Forecast year ____
- Pedestrian* _____ Forecast Year ____
- Bike* _____ Forecast Year ____

*If forecasts do not exist for future bike and pedestrian traffic, identify significant future land uses or other conditions that would influence demand.

Proposed Project

Will the proposed transportation project adequately and safely accommodate all modes, or are there opportunities to adequately and safely accommodate all modes through the larger project area?

- Auto
- Auto parking
- Transit
- Pedestrian
- Bike
- Bike parking
- ADA Compliant

For the proposed transportation project: Briefly describe the proposed accommodations or traffic calming measures for each mode and the features that will make the accommodations more friendly to people walking, biking, and using transit including urban greenery such as street trees, buffers from high speed traffic, street lighting, transit stop amenities, transit priority measures, etc.
For any mode not adequately accommodated through the proposed transportation project, describe the constraints or justify the lack of demand. Describe any relevant alternative access.

### Complete Streets Certification

This project does/does not accommodate all modes of travel as outlined in the [local guiding policy].

<table>
<thead>
<tr>
<th>Completed by</th>
<th>Name</th>
<th>Title</th>
<th>Date</th>
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Reviewed and approved by:  

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<tr>
<th>Name</th>
<th>Title</th>
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Resources

The following documents are useful resources for how to plan and design Complete Streets:

*Smart Growth in the San Diego Region*, a brochure that provides descriptions of the seven smart growth place types and the Smart Growth Concept Map.

*Designing for Smart Growth, Creating Great Places in the San Diego Region*, provides guidance on applying smart growth principles to transportation projects in smart growth areas.

Transportation design guidance for Complete Streets is available from a variety of sources including, but not limited to, those listed below:

- Riding to 2050 (see Chapter 7, Bicycle Design Guidelines)
- Planning and Designing for Pedestrians
- Caltrans Highway Design Manual Chapter 1000
- NACTO Urban Street Design Guide
- NACTO Urban Bikeway Design Guide
- NACTO Transit Street Design Guide
- NCTD Bus Stop Development Handbook
- SANDAG LRT Design Criteria
- Active Transportation Implementation Strategy & Safe Routes to School Typologies

Local bicycle and pedestrian plans, safe routes to school plans, and Community Active Transportation strategies should be consulted where they exist. Contact local jurisdiction planning and engineering departments in the project area to identify local plans, and local transit agencies to identify and collaborate on potential transit priority measures and transit stop amenities.
ANNUAL STATUS OF COMMITTEES AND WORKING GROUPS

Introduction

In accordance with SANDAG Board Policy No. 004: Rules of Procedure for Board of Directors, Policy Advisory Committees (PACs) and Other Legislative Bodies, an informational report is provided to the Board of Directors on an annual basis concerning the status of all standing and ad hoc committees and working groups. This item summarizes the various groups that advise the SANDAG PACs and staff on the variety of programs and projects included in the SANDAG Program Budget.

In accordance with Board Policy No. 001: Operations Policy, the Executive Committee is responsible for annually reviewing a list of all SANDAG lower-level committees and working groups to determine the need to maintain the committee or working group and to approve any revisions in functions or membership. On June 10, 2016, the Executive Committee conducted its review of the annual list of committees and working groups.

Discussion

Obtaining meaningful public and technical input is important to all SANDAG functional areas and is consistent with Board Policy No. 025: Public Participation/Plan Policy. SANDAG supports 21 different committees and working groups that provide input and recommendations either to a PAC (Executive, Transportation, Regional Planning, Borders, and Public Safety) or to staff. Attachment 1 depicts the relationship between each PAC and its related working groups. Attachment 2 lists the membership, responsibilities, year established, frequency of meetings, and status for each of the groups.

Working Group Changes

I-805/47th Street Trolley Station Area Planning Project Working Group

The I-805/47th Street Trolley Station Area Planning Project Working Group is an advisory group comprised of stakeholders from Southeastern San Diego, including residents from community planning groups, community-based organizations, local business owners, and other stakeholders. It was created to provide input on the development and evaluation of alternative station design concepts to access the proposed Interstate 805 (I-805) Rapid service at the 47th Street Trolley Station. This work is anticipated to be completed in FY 2016, and the working group is scheduled to sunset at the end of the fiscal year.
Attachments: 1. Policy Advisory Committees and Related Working Groups Diagram
           2. List of Committees and Working Groups

Key Staff Contact: Victoria Stackwick, (619) 699-6926, victoria.stackwick@sandag.org
Attachment 1

Policy Advisory Committees and Related Working Groups Diagram

Board of Directors

Transportation Committee

- Active Transportation Working Group
- Cities/County Transportation Advisory Committee
- Coordinated Transit and Human Services Transportation Plan Working Group
- Regional Short-Range Transit Planning Task Force
- San Diego Region Conformity Working Group
- San Diego Regional Traffic Engineers Council
- Social Services Transportation Advisory Council

Standing

Temporary

- Bayshore Bikeway Working Group*
- Freight Stakeholders Working Group
- I-805/47th Street Trolley Station Area Planning Project Working Group
- Mid-Coast Corridor Transit Project Working Group*

*Chaired by elected official
Standing:

- Environmental Mitigation Program Working Group*
- San Diego Regional Military Working Group*
- Shoreline Preservation Working Group*
- Regional Energy Working Group*
- Regional Planning Technical Working Group

*Chaired by elected official
Board of Directors

ELECTED OFFICIALS

Public Safety Committee

Standing

- Chiefs’/Sheriff’s Management Committee
- ARJIS Business Working Group
- ARJIS Technical Working Group
Board of Directors

ELECTED OFFICIALS

Borders Committee

Standing
- Committee on Binational Regional Opportunities
- Interagency Technical Working Group on Tribal Transportation Issues
## LIST OF COMMITTEES AND WORKING GROUPS

### TRANSPORTATION COMMITTEE

<table>
<thead>
<tr>
<th>COMMITTEE OR WORKING GROUP NAME</th>
<th>MEMBERSHIP</th>
<th>RESPONSIBILITIES</th>
<th>YEAR ESTABLISHED</th>
<th>CURRENT STATUS</th>
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<tbody>
<tr>
<td>1 Active Transportation Working Group</td>
<td>Staff members from local jurisdictions and representatives from Caltrans, Civic San Diego, San Diego County Air Pollution Control District (APCD), Metropolitan Transit System (MTS), North County Transit District (NCTD), Bike San Diego, San Diego County Bicycle Coalition, Circulate San Diego, Public Health Stakeholders Working Group, San Diego Safe Routes to School Coalition, San Diego County Department of Education, Post-Secondary Education</td>
<td>Provides input on regional active transportation policy, planning and implementation activities.</td>
<td>2013</td>
<td>Standing</td>
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<td>Meeting Schedule: Quarterly</td>
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<td>No. of Mtgs. in FY 2016: 2</td>
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<tr>
<td>2 Bayshore Bikeway Working Group</td>
<td>San Diego County Supervisor Greg Cox (Chair), San Diego Councilmember David Alvarez, Chula Vista Councilmember Patricia Aguilar, Coronado Councilmember Mike Woiwode, Imperial Beach Councilmember Robert Patton (Councilmember Ed Spriggs – Alternate), National City Councilmember Jerry Cano, Board of Port Commissioners Garry Bonelli, and Andy Hanshaw, San Diego County Bicycle Coalition</td>
<td>Reviews and supports improvements to the Bayshore Bikeway.</td>
<td>1989</td>
<td>Temporary - will terminate upon project completion</td>
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<td>Meeting Schedule: Periodically</td>
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<td>No. of Mtgs. in FY 2016: 2</td>
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Changes effective in FY 2017 are shown in **strike through**.
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<tr>
<th>COMMITTEE OR WORKING GROUP NAME</th>
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<th>RESPONSIBILITIES</th>
<th>YEAR ESTABLISHED</th>
<th>CURRENT STATUS</th>
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<tr>
<td>3 Cities/County Transportation Advisory Committee (CTAC)</td>
<td>Public works directors from local jurisdictions and staff from Caltrans, MTS, and NCTD</td>
<td>Provides recommendations to the Transportation Committee regarding: (1) local street projects and programs, including local freeway interchanges; and (2) highway, transit, rail, bicycle, and pedestrian issues and policies that affect local street and road projects and programs.</td>
<td>1993</td>
<td>Standing Meeting Schedule: Monthly No. of Mtgs. in FY 2016: 11</td>
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<tr>
<td>Staff Lead: Alex Estrella</td>
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<tr>
<td>4 Coordinated Transit and Human Services Transportation Plan Working Group</td>
<td>Voluntary members making up less than a quorum of the Social Services Transportation Advisory Council (representatives of transit users who are 60 years or older, disabled, and/or with limited means)</td>
<td>Provides input to the development of the Coordinated Plan.</td>
<td>2008</td>
<td>Standing Meeting Schedule: As needed No. of Mtgs. in FY 2016: 1</td>
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### TRANSPORTATION COMMITTEE

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<th>COMMITTEE OR WORKING GROUP NAME</th>
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<th>RESPONSIBILITIES</th>
<th>YEAR ESTABLISHED</th>
<th>CURRENT STATUS</th>
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<tbody>
<tr>
<td>5 Freight Stakeholders Working Group</td>
<td>Members include one representative from CTAC, and the Regional Planning Technical Working Group, and members from Caltrans, Port of San Diego and Port users, Federal Highway Administration (FHWA), California Trucking Association, American Trucking Association, San Diego County Regional Airport Authority, shippers and carriers using the airport, San Diego and Arizona Eastern Railway, Burlington North Santa Fe Railroad, Union Pacific Railroad, regional truckers, warehouse operators, San Diego Regional and Otay Mesa Chambers of Commerce, San Diego World Trade Center, ADMICARGA Baja California short line rail operator, Imperial County Transportation Commission, Southern California Association of Governments, Environmental Health Coalition (EHC), and others interested in efficient goods movement in the San Diego region</td>
<td>Provided input and feedback to SANDAG staff and the Transportation Committee regarding the Freight Gateway Study Update and Goods Movement Strategy portion of San Diego Forward: The Regional Plan.</td>
<td>2012</td>
<td>Temporary - In FY 2017, will participate in the California Sustainable Freight Strategy process, completion of the Freight Gateway Study Update and development of the Truck Visualization Tool. Meeting Schedule: As needed No. of Mtgs. in FY 2016: 1</td>
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<tr>
<td>Staff Lead: Christina Casgar</td>
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<td>COMMITTEE OR WORKING GROUP NAME</td>
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| 6 Mid-Coast Corridor Transit Project Working Group | Twenty-five members distributed over several categories, including access advocate, business community, community representatives, community services, employers, environmental, retail, student representative, taxpayers advocate, transportation advocate, transit rider representative, and at-large members | Provides a forum to update key stakeholders and the public on the Mid-Coast Corridor Transit Project and project review processes; present technical information for review during the scoping period; reach consensus in support of a Locally Preferred Alternative; and review the draft environmental documents and provide comments. | 2009 | Temporary  
Meeting Schedule:  
As needed  
No. of Mtgs. in FY 2016: 0  
(Expected to reconvene ahead of project construction.) |
| 7 Regional Short-Range Transit Planning Task Force | NCTD, MTS, other transit operator planning staffs, and Full Access and Coordinated Transportation (FACT) staff | Assists in developing annual Regional Short-Range Transit Plan and Productivity Improvement Program; fulfills Transportation Development Act requirement for a Productivity Improvement Committee. | 2003 | Standing  
Meeting Schedule:  
Quarterly  
No. of Mtgs. in FY 2016: 4 |
| 8 San Diego Region Conformity Working Group | Staff from the U.S. Environmental Protection Agency, FHWA, Federal Transit Administration (FTA), California Air Resources Board, Caltrans, and San Diego County APCD | Reviews and comments on Regional Transportation Plan and Regional Transportation Improvement Program, transportation conformity and State Implementation Plan development or updates, and fulfills federal and state requirements for interagency consultation. | 1994 | Standing  
Meeting Schedule:  
Monthly  
No. of Mtgs. in FY 2016: 6 |

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<th>COMMITTEE OR WORKING GROUP NAME</th>
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<tbody>
<tr>
<td>9 San Diego Regional Traffic Engineers Council</td>
<td>Membership consists of one representative from each local agency in the San Diego region including the 18 cities, County of San Diego, Caltrans, MTS, NCTD, and SANDAG</td>
<td>Discusses, reviews, and/or recommends items associated with regional transportation goals and policies; provides technical review and input on CTAC recommendations for the Transportation Committee.</td>
<td>1989</td>
<td>Standing</td>
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<td></td>
<td>Staff Lead: Peter Thompson</td>
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<td>Meeting Schedule: Monthly</td>
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<td>No. of Mtgs. in FY 2016: 9</td>
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<tr>
<td>10 Social Services Transportation Advisory Council</td>
<td>Citizen representatives of transit users who are seniors (aged 60 years or older), disabled, and/or persons with limited means; staff from social service providers serving seniors, persons with disabilities, and persons of limited means; representatives from the Consolidated Transportation Services Agency; and representatives from MTS and NCTD</td>
<td>Designated as the Local Review Committee for FTA Section 5310 grant applications, holds required unmet needs hearings, and advises on regional issues of accessible transportation provided by the public and private sector; fulfills state Public Utilities Code requirement; fulfills federal requirements for Coordinated Plan development; also reviews and advises on transit capital improvement projects for Americans with Disabilities Act compliance.</td>
<td>1979</td>
<td>Standing</td>
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<td>Staff Lead: Audrey Porcella</td>
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<td>Meeting Schedule: Bimonthly</td>
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<td>No. of Mtgs. in FY 2016: 6</td>
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<th>YEAR ESTABLISHED</th>
<th>CURRENT STATUS</th>
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<tbody>
<tr>
<td>I-805/47th Street Trolley Station Area Planning Working Group</td>
<td>Stakeholders from Southeastern San Diego, including residents, and representatives from community planning groups, community-based organizations, local business owners, and other stakeholders</td>
<td>Provides input on the development and evaluation of alternative station design concepts to provide access to the planned Interstate 805 Bus Rapid Transit service at the 47th Street Trolley Station.</td>
<td>2012</td>
<td>Temporary—will meet until the construction contract for the project is awarded. Meeting Schedule: As Needed. No. of Mtgs. in FY 2015: 0 (Will reconvene once project study report is completed.)</td>
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Changes effective in FY 2017 are shown in strike through.
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<tr>
<th>COMMITTEE OR WORKING GROUP NAME</th>
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<th>RESPONSIBILITY</th>
<th>YEAR ESTABLISHED</th>
<th>CURRENT STATUS</th>
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<tbody>
<tr>
<td>Environmental Mitigation Program (EMP) Working Group</td>
<td>Del Mar Councilmember Terry Sinnott (Chair), Carlsbad staff member Mike Grim (Vice Chair); and staff representatives from City of San Diego, County of San Diego, North County Coastal, North County Inland, East County, and South County; representatives from the U.S. Fish and Wildlife Service, U.S. Army Corps of Engineers, California Department of Fish and Wildlife, California Wildlife Conservation Board, Caltrans, the Nature Conservancy, Conservation Resource Network, U.S. Geological Survey, Endangered Habitats League, Building Industry Association, San Diego Foundation, California Coastal Conservancy, and Alliance for Habitat Conservation</td>
<td>Advises on issues related to the coordination and implementation of the TransNet EMP.</td>
<td>2005</td>
<td>Meeting Schedule: Bimonthly No. of Mtgs. in FY 2016: 4</td>
</tr>
<tr>
<td>San Diego Regional Military Working Group</td>
<td>Five representatives from the armed forces: Navy Region Southwest; Navy Facilities Engineering Command; Marine Corps Installation West; Marine Corps Recruitment Depot; and U.S. Coast Guard San Diego Sector; and one representative each from the following jurisdictions: City of Coronado, City of Imperial Beach, City of Oceanside, City of National City, City of San Diego, County of San Diego, and the Port of San Diego</td>
<td>Provides a collaborative forum for the various branches of the military and SANDAG to address areas of mutual interest, including growth management, habitat, transportation, regional growth, housing, water, energy, and other related topics.</td>
<td>2012</td>
<td>Meeting Schedule: Quarterly No. of Mtgs. in FY 2016: 4</td>
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<tr>
<td>COMMITTEE OR WORKING GROUP NAME</td>
<td>MEMBERSHIP</td>
<td>RESPONSIBILITY</td>
<td>YEAR ESTABLISHED</td>
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<td>14</td>
<td>Regional Energy Working Group</td>
<td>San Marcos Councilmember Chris Orlando, (Chair), San Diego County Supervisor Dave Roberts, San Diego Councilmember Sherri Lightner, Coronado Councilmember Carrie Downey, Del Mar Councilmember Don Mosier, Santee Councilmember Rob McNelis; and representatives from San Diego Gas &amp; Electric, Port of San Diego, San Diego County Regional Airport Authority, Center for Sustainable Energy, Energy Policy Initiatives Center at University of San Diego School of Law, San Diego Regional Chamber of Commerce, regional economic development councils (North County and South County), San Diego Regional Clean Cities Coalition, EHC, Sierra Club, San Diego State University, UC San Diego, MTS, and CleanTECH San Diego</td>
<td>Advises on the implementation of the Regional Energy Strategy and serves as a forum for discussion of regional energy issues.</td>
<td>2004</td>
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<td>Staff Lead: Susan Freedman</td>
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<td>Meeting Schedule: Monthly</td>
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<td>No. of Mtgs. in FY 2016: 9</td>
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<td>COMMITTEE OR WORKING GROUP NAME</td>
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| Regional Planning Technical Working Group | Planning directors from local jurisdictions and staff from other agencies, including Port of San Diego, MTS, NCTD, Caltrans, San Diego County Water Authority, San Diego County APCD, San Diego County Regional Airport Authority, U.S. Department of Defense, and Local Agency Formation Commission | Advises on key regional planning and implementation activities, including preparation of the Regional Plan, the development/update of the Smart Growth Concept Map, Smart Growth Incentive Program, land use and transportation performance indicators and targets, Regional Housing Needs Assessment, and other related items; assists with public outreach activities; focuses on land use and environmental planning activities of regional significance. | 1990 | Standing  
Meeting Schedule: Monthly  
No. of Mtgs. in FY 2016: 11 |

Changes effective in FY 2017 are shown in **strike through**.
<table>
<thead>
<tr>
<th>REGIONAL PLANNING COMMITTEE</th>
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<tbody>
<tr>
<td><strong>COMMITTEE OR WORKING GROUP NAME</strong></td>
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<tr>
<td>16 Shoreline Preservation Working Group</td>
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Meeting Schedule: Quarterly
No. of Mtgs. in FY 2016: 3

Changes effective in FY 2017 are shown in **strike through**.
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<th>COMMITTEE OR WORKING GROUP NAME</th>
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<th>RESPONSIBILITY</th>
<th>YEAR ESTABLISHED</th>
<th>CURRENT STATUS</th>
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<tr>
<td>17 Committee on Binational Regional Opportunities</td>
<td>Stakeholders from both sides of the United States/Mexico border, including representatives from local jurisdictions, businesses, and academia</td>
<td>Provides input on binational-related planning and project development issues.</td>
<td>1995</td>
<td>Standing</td>
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<td>Meeting Schedule: Bimonthly</td>
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<td>No. of Mtgs. in FY 2016: 5</td>
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<tr>
<td>18 Interagency Technical Working Group on Tribal Transportation Issues</td>
<td>Representatives from each of the 17 federally recognized tribal governments and California tribes in San Diego County</td>
<td>Discusses and coordinates tribal transportation issues of mutual concern with the various public planning agencies in the region, including SANDAG, Caltrans, the County of San Diego, and the transit operators.</td>
<td>2006</td>
<td>Standing</td>
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<td>Meeting Schedule: Quarterly</td>
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<td>No. of Mtgs. in FY 2016: 3</td>
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Changes effective in FY 2017 are shown in **strike through**.
# PUBLIC SAFETY COMMITTEE

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<th>COMMITTEE OR WORKING GROUP NAME</th>
<th>MEMBERSHIP</th>
<th>RESPONSIBILITY</th>
<th>YEAR ESTABLISHED</th>
<th>CURRENT STATUS</th>
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<tbody>
<tr>
<td>19 ARJIS Business Working Group</td>
<td>Appointed staff members from each agency represented on the Chiefs’/Sheriff’s Management Committee (CSMC)</td>
<td>Provides input to the CSMC on ARJIS matters relating to criminal justice information-sharing, business practices, crime statistics, data quality, and budget.</td>
<td>1998</td>
<td>Standing</td>
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<td>Meeting Schedule: Bimonthly</td>
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<td>No. of Mtgs. in FY 2016: 5</td>
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<tr>
<td>20 ARJIS Technical Working Group</td>
<td>Appointed staff members from each agency represented on the CSMC</td>
<td>Provides input to the CSMC on ARJIS matters relating to state-of-the-art information technology that enhances both officer and public safety.</td>
<td>1998</td>
<td>Standing</td>
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<td>Meeting Schedule: Bimonthly</td>
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<td>No. of Mtgs. in FY 2016: 0</td>
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<td>(Individual meetings held in FY 2016 to solicit detailed input for ARJIS Technical Strategic Plan; regular meetings expected to resume in FY 2017.)</td>
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<tr>
<td>21 Chiefs'/Sheriff’s Management Committee</td>
<td>Sheriff and police chiefs from around the region</td>
<td>Reviews, evaluates, and provides recommendations and input to the PSC on issues relating to the SANDAG ARJIS and Criminal Justice work programs and budgets; and evaluates and recommends regional public safety initiatives.</td>
<td>1981</td>
<td>Standing</td>
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<td>Meeting Schedule: Monthly</td>
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<td>No. of Mtgs. in FY 2016: 7</td>
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</table>

Changes effective in FY 2017 are shown in *strike through*. Revised June 2016
REPORT ON MEETINGS AND EVENTS ATTENDED ON BEHALF OF SANDAG

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

May 26, 2016: Facilitating Access to Coordinated Transportation Board of Directors Meeting
Encinitas, CA

As the SANDAG representative and 2016 Chair of the Facilitating Access to Coordinated Transportation (FACT) Board of Directors, San Diego County Supervisor Dave Roberts attended the FACT Board of Directors meeting. The Board approved the submission of a joint application with SANDAG and TriCity Medical Center for the Rides to Wellness grant program; a joint application with the North County Transit District for the Mobility on Demand grant program; and a proposal to the City of Encinitas for a new FACT service for that community.

June 4, 2016: Cycle Southcrest Community Event
San Diego, CA

Vice Chair Terry Sinnott attended the annual Cycle Southcrest Community Event as the SANDAG representative. Cycle Southcrest celebrates bike riding and the development of the Chollas Creek Trail (Trail), which connects to the Bayshore Bikeway and the regional bike network. SANDAG supported Groundwork San Diego and the City of San Diego in the development of the Trail with funding from the Active Transportation Grant Program.

June 16, 2016: California Association of Councils of Governments Board of Directors Meeting
Sacramento, CA

National City Mayor Ron Morrison attended the California Association of Councils of Governments (CALCOG) Board of Directors meeting as the SANDAG representative. The CALCOG Board of Directors discussed the agency's financial status, reviewed the dues and budget for FY 2016-2017, made recommendations for the Executive Director's contract and the employee benefits package, and reviewed the proposed employee handbook. The Board of Directors also discussed various legislative items impacting councils of governments.

GARY L. GALLEGOS
Executive Director

Key Staff Contact: Victoria Stackwick, (619) 699-6926, victoria.stackwick@sandag.org
REPORT SUMMARIZING DELEGATED ACTIONS
TAKEN BY THE EXECUTIVE DIRECTOR

File Number 8000100

Introduction

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

Discussion

Board Policy No. 003

Board Policy No. 003: Investment Policy, states that a monthly report of all investment transactions shall be submitted to the Board of Directors. Attachment 1 contains the reportable investment transactions for April 2016.

Board Policy No. 008

Section 6 of Board Policy No. 008: Legal Matters, authorizes the Office of General Counsel or outside counsel to file documents or make appearances on behalf of SANDAG in court proceedings:

- **Regional Transportation Plan Litigation:** On May 23, 2016, Cox, Castle & Nicholson filed, on behalf of SANDAG, a Notice of New Authority in the matter of Cleveland National Forest Foundation et al. v. SANDAG (California Supreme Court Case No. S223603)

- **Bid Protest on South Bay Bus Rapid Transit Project:**
  - On June 9, 2016, Nossaman LLP filed, on behalf of SANDAG, an Opposition to Ex Parte Application for Order to Show Cause regarding Preliminary Injunction and Temporary Restraining Order in the matter of West Coast General Corporation/Myers and Sons Construction LP v. SANDAG (Superior Court Case No. 2016-000019044)
  - On June 9, 2016, Nossaman LLP appeared, on behalf of SANDAG, at an Ex Parte Hearing for Order to Show Cause regarding Preliminary Injunction and Temporary Restraining Order in the matter of West Coast General Corporation/Myers and Sons Construction LP v. SANDAG (Superior Court Case No. 2016-000019044)

- **Inland Rail Trail Project Property Acquisitions:** On June 8, 2016, Nossaman LLP filed, on behalf of SANDAG, a Case Management Statement in the matter of SANDAG v. Smith (Superior Court Case No. 2014-00010128)
• **Mid-Coast Corridor Transit Project Property Acquisitions:**
  
  o On March 21, 2016, Best Best & Krieger filed, on behalf of SANDAG, a Complaint in Eminent Domain in the matter of SANDAG v. Storage Equities, Inc. (Superior Court Case No. 2016-0009327)
  
  o On March 21, 2016, Best Best & Krieger filed, on behalf of SANDAG, a Complaint in Eminent Domain in the matter of SANDAG v. Anheuser Busch San Diego Wholesaler Development Corporation (Superior Court Case No. 2016-0009329)
  
  o On March 21, 2016, Best Best & Krieger filed, on behalf of SANDAG, a Complaint in Eminent Domain in the matter of SANDAG v. Anna Avenue Associates, LLC (Superior Court Case No. 2016-0009321)
  
  o On March 23, 2016, Best Best & Krieger filed, on behalf of SANDAG, a Complaint in Eminent Domain in the matter of SANDAG v. Dan Floit (Superior Court Case No. 2016-0009651)
  
  o On March 23, 2016, Best Best & Krieger filed, on behalf of SANDAG, a Complaint in Eminent Domain in the matter of SANDAG v. Bluewater Provisioning, LLC (Superior Court Case No. 2016-0009648)
  
  o On March 25, 2016, Best Best & Krieger filed, on behalf of SANDAG, a Complaint in Eminent Domain in the matter of SANDAG v. Morena Investors, LTD (Superior Court Case No. 2016-0009913)
  
  o On April 27, 2016, Best Best & Krieger filed, on behalf of SANDAG, a Complaint in Eminent Domain in the matter of SANDAG v. PS Rose Canyon (Superior Court Case No. 2016-00013887)
  
  o On May 20, 2016, Higgs Fletcher & Mack filed, on behalf of SANDAG, a Complaint in Eminent Domain in the matter of SANDAG v. SA Marina, LLC (Superior Court Case No. 2016-00017083)
  
  o On May 27, 2016, Nossaman LLP filed, on behalf of SANDAG, a Complaint in Eminent Domain in the matter of SANDAG v. Genesee Plaza Holdings, LLC (Superior Court Case No. 2016-00018101)
  
  o On May 27, 2016, Nossaman LLP filed, on behalf of SANDAG, a Complaint in Eminent Domain in the matter of SANDAG v. Good Samaritan Episcopal Church (Superior Court Case No. 2016-00018128)
  
  o On May 27, 2016, Nossaman LLP filed, on behalf of SANDAG, a Complaint in Eminent Domain in the matter of SANDAG v. La Jolla Country Day School (Superior Court Case No. 2016-00018119)
  
  o On May 27, 2016, Best Best & Krieger filed, on behalf of SANDAG, a Complaint in Eminent Domain in the matter of SANDAG v. Navarra Morena Properties, LLC (Superior Court Case No. 2016-00018198)
  
  o On May 27, 2016, Best Best & Krieger filed, on behalf of SANDAG, a Complaint in Eminent Domain in the matter of SANDAG v. Gateway Center, LP (Superior Court Case No. 2016-00018096)
  
  o On June 8, 2016, Nossaman LLP filed, on behalf of SANDAG, a Motion for Possession, Notice of Pendency of Action and Statement of Appraisal Opinion in the matter of SANDAG v. La Jolla Country Day School (Superior Court Case No. 2016-00018119)
Board Policy No. 017

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

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

- Inland Rail Trail Project, Capital Improvement Program (CIP) 1223023

<table>
<thead>
<tr>
<th>No.</th>
<th>Address</th>
<th>Nature of Activity (4.3)</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>179-185-05-00; 207 Valley View Place, Vista, CA 92083; Contract No. 5003172</td>
<td>Escrow Instructions</td>
<td>5/25/16</td>
</tr>
<tr>
<td>2.</td>
<td>184-040-18-00, 184-040-19-00; 1850 and 1864 York Drive, Vista, CA 92084; Contract No. 5003179</td>
<td>Grant of Temporary Construction Easement</td>
<td>5/26/16</td>
</tr>
</tbody>
</table>

Mid-Coast Corridor Transit Project, CIP 12570001

<table>
<thead>
<tr>
<th>No.</th>
<th>Address</th>
<th>Nature of Activity (4.3)</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>442-260-17; U.S. Department of the Navy Taylor Street Complex</td>
<td>License for Nonfederal Use of Dept. of the Navy Real Property</td>
<td>5/3/16</td>
</tr>
<tr>
<td>2.</td>
<td>343-160-20-00; North of Voigt Drive, South and West of Genesee Avenue, La Jolla, CA 92037; Contract No. 5008240</td>
<td>Joint Escrow Instructions; Grant of Temporary Construction Easement; Easement Deed</td>
<td>5/26/16</td>
</tr>
</tbody>
</table>

Section 4.4 authorizes the Executive Director to establish an offer of just compensation for the purchase of real property based upon specified conditions. Consistent with Board Policy, the following offers were made.

- Mid-Coast Corridor Transit Project, CIP 12570001

<table>
<thead>
<tr>
<th>No.</th>
<th>Address</th>
<th>Nature of Activity (4.4)</th>
<th>Appraisal Amount</th>
<th>Offer Date &amp; Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>436-020-42-00; 12002-1208 Knoxville Street, San Diego, CA 92110; Contract No. 5008282</td>
<td>Offer to Purchase</td>
<td>$73,600</td>
<td>5/9/16, $73,600</td>
</tr>
<tr>
<td>2.</td>
<td>430-030-29-00; 2555 Morena Boulevard, San Diego, CA 92110; Contract No. 5008283</td>
<td>Offer to Purchase</td>
<td>$500</td>
<td>5/9/16, $500</td>
</tr>
</tbody>
</table>
Section 4.6 states that the Executive Director is authorized to provide the final determination to persons or firms filing a protest regarding SANDAG procurement or contracting processes or procedures.

A protest was submitted to SANDAG on May 12, 2016, on behalf of West Coast General Corporation/Myers and Sons Construction LP in connection with the South Bay Bus Rapid Transit Project. The protestor objected to the award of the contract to the low bidder on the grounds that the low bidder and another bidder had submitted bids on behalf of the same parent company in violation of the bid specifications.

In accordance with the bid protest procedures established by SANDAG, the Office of General Counsel reviewed the protest and issued a recommendation to the Chief Deputy Executive Director to reject the bid protest in its entirety. On May 18, 2016, the Chief Deputy Executive Director adopted the recommendation of the Office of General Counsel and rejected the protest.

On May 25, 2016, the protestor filed a Request for Reconsideration of Protest Determination with the Executive Director. On June 1, 2016, the Executive Director issued a decision on the Request for Reconsideration, which affirmed the decision of the Chief Deputy Executive Director rejecting the bid protest.

GARY L. GALLEGOS
Executive Director

Attachment: 1. Monthly Activity for Investment Securities Transactions for April 1 through April 30, 2016

Key Staff Contact: André Douzdjian, (619) 699-6931, andre.douzdjian@sandag.org
## MONTHLY ACTIVITY FOR INVESTMENT SECURITIES TRANSACTIONS FOR APRIL 1 THROUGH APRIL 30, 2016

<table>
<thead>
<tr>
<th>Transaction Date</th>
<th>Maturity Date</th>
<th>Security</th>
<th>Par Value</th>
<th>Original Cost</th>
<th>Yield to Maturity at Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>BOUGHT</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>04/15/2016</td>
<td>03/01/2019</td>
<td>FHLMC</td>
<td>$1,560,000.00</td>
<td>$1,575,587.52</td>
<td>0.99%</td>
</tr>
<tr>
<td>04/18/2016</td>
<td>01/15/2021</td>
<td>NISSAN ABS</td>
<td>$495,000.00</td>
<td>$494,923.23</td>
<td>1.33%</td>
</tr>
<tr>
<td>04/22/2016</td>
<td>03/08/2019</td>
<td>FEDERAL HOME LOAN BANK</td>
<td>$5,000,000.00</td>
<td>$5,057,500.00</td>
<td>1.09%</td>
</tr>
<tr>
<td>04/22/2016</td>
<td>10/28/2019</td>
<td>FREDDIE MAC</td>
<td>$5,000,000.00</td>
<td>$5,000,000.00</td>
<td>1.25%</td>
</tr>
<tr>
<td>04/25/2016</td>
<td>01/28/2019</td>
<td>FREDDIE MAC</td>
<td>$5,000,000.00</td>
<td>$4,993,250.00</td>
<td>1.20%</td>
</tr>
</tbody>
</table>

**TOTAL BOUGHT:** $17,055,000.00 $17,121,260.75 1.17%

| **MATURED**      |               |                            |           |               |                           |
| 04/15/2016       | 04/15/2016    | TOYOTA ABS                 | $129,545.30 | $129,544.07  | 0.71%                     |
| 04/30/2016       | 04/30/2016    | US TREASURY NOTES          | $1,995,000.00 | $1,994,476.21 | 0.38%                     |

**TOTAL MATURED:** $2,124,545.30 $2,124,020.28 0.40%

| **SOLD**         |               |                            |           |               |                           |
| 04/01/2016       | 12/15/2017    | USAA AUTO OWNER TRUST      | $217,680.36 | $217,731.38  | 1.26%                     |
| 04/15/2016       | 05/15/2018    | US TREASURY NOTES          | $1,560,000.00 | $1,552,809.38 | 1.20%                     |
| 04/18/2016       | 10/31/2018    | US TREASURY NOTES          | $495,000.00  | $496,469.53  | 1.15%                     |
| 04/22/2016       | 07/20/2016    | WELLS FARGO & COMPANY      | $3,000,000.00 | $3,030,540.00 | 0.79%                     |
| 04/22/2016       | 08/15/2016    | THE PROCTER & GAMBLE CO    | $1,858,000.00 | $1,879,571.38 | 1.19%                     |
| 04/22/2016       | 08/21/2017    | PHILIP MORRIS INTL INC     | $1,000,000.00 | $999,720.00  | 1.13%                     |
| 04/22/2016       | 10/05/2017    | TOYOTA MOTOR CREDIT        | $1,000,000.00 | $1,000,060.00 | 1.24%                     |
| 04/22/2016       | 02/15/2018    | WAL-MART STORES INC        | $600,000.00  | $720,498.00  | 1.38%                     |
| 04/22/2016       | 07/05/2016    | FANNIE MAE                 | $3,000,000.00 | $2,986,530.00 | 0.57%                     |
| 04/22/2016       | 07/31/2016    | USA TREASURY               | $3,000,000.00 | $3,078,750.00 | 0.96%                     |
| 04/25/2016       | 11/15/2016    | USA TREASURY               | $750,000.00  | $750,820.31  | 0.58%                     |

**TOTAL SOLD:** $16,480,680.36 $16,713,499.98 0.95%

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1. This was a paydown on an amortizing bond at the discretion of the issuer.
2. Proceeds from this sale were used to purchase new securities that would provide higher returns over a longer holding period.
INTRODUCTION

The Board of Directors has been discussing and refining a draft Expenditure Plan and Ordinance to implement the Expenditure Plan over the past several months. The Expenditure Plan was developed based on years of outreach and input from stakeholders throughout the region during the development of San Diego Forward: The Regional Plan. At its June 10, 2016, meeting, the Board of Directors discussed the most recent revisions to the Expenditure Plan, the Ordinance to implement the Expenditure Plan, and ballot language to appear on the November 2016 ballot.

DISCUSSION

Ordinance Changes

The Ordinance and Expenditure Plan are attached to this report (Attachment 1) and reflect changes based on public feedback and input by the Board of Directors. Changes made since the June 10, 2016, meeting are tracked. They include a formatting correction for clarification purposes in Section 10 and proposed additional language in Section 22 to address the goal of completing the Priority Corridors Projects within 15 years of the operative date of the Ordinance.

Ballot Language Changes

At the June 10, 2016, Board meeting, further refinements to the ballot language were discussed. The Board recommended minor modifications to the wording to best reflect the measure. Attachment 2 includes the ballot language version that was presented at the June 10 meeting as well as a version that incorporates suggestions made by the Board for comparison.
First Reading of the Ordinance and Review of Draft Resolution

The enabling legislation that gives SANDAG, serving as the San Diego County Regional Transportation Commission (RTC), the authority to place a tax measure on the ballot, requires that a retail transactions and use tax ordinance be approved by the Commission and then submitted to the County of San Diego. The Ordinance must include the tax rate being imposed, the purposes for which the funds will be used, and the term during which the tax will be imposed. The Ordinance also must contain an expenditure plan including the allocation of revenues for the purposes authorized by law. The Ordinance and Expenditure Plan meet all of these requirements.

After reading the title of the Ordinance, the Board of Directors will be asked to waive a verbatim reading of the Ordinance. After that, substantive changes will not be able to be made to the Ordinance without repeating the first reading process. In addition, a draft of RTC Resolution No. RTC-2017-01 is included as Attachment 3 to the report. The draft Resolution is provided for review and will be considered for adoption at the July 8, 2016, meeting concurrent with the second reading of the Ordinance. California Elections Code Section 10403 states that SANDAG is to file with the Board of Supervisors, with a copy to the elections official, a resolution of its governing board that:

(1) Requests that the district, city, or other political subdivision election be consolidated with the statewide election.

(2) Sets forth the exact form of the question, proposition, or office to be voted upon at the election, as it is to appear on the ballot. The question or proposition to appear on the ballot shall conform to this code governing the wording of propositions submitted to the voters at a statewide election.

(3) Acknowledges that the consolidated election will be held and conducted in the manner prescribed in Section 10418.

Next Steps

After the second reading of the Ordinance at the July 8, 2016, meeting, the Board of Directors will be asked to adopt RTC Resolution No. RTC-2017-01, approving the Ordinance and Expenditure Plan. The Board also will be asked to approve the final ballot language. The adopted resolution and approved ballot language would then be submitted to the County of San Diego Board of Supervisors and Registrar’s office prior to the August 12, 2016, deadline.

GARY L. GALLEGOS
Executive Director

Attachments: 1. Second Revised Ordinance and Expenditure Plan
2. Ballot Language Options
3. Draft RTC Resolution No. RTC-2017-01

Key Staff Contact: Rob Rundle, (619) 699-6949; rob.rundle@sandag.org
                Julie Wiley, (619) 699-6966; julie.wiley@sandag.org
SECOND REVISED ORDINANCE AND EXPENDITURE PLAN

Regional Transportation Commission Ordinance No. RTC-CO-2017-01

Imposing a Transactions and Use Tax to be Administered by the State Board of Equalization

The People of San Diego County ordain as follows:

SECTION 1. TITLE: This ordinance shall be known and may be cited as the San Diego County Road Repair, Transit, Traffic Relief, Safety, and Water Quality Ordinance and Expenditure Plan (Regional Transportation Commission Ordinance No. RTC-CO-2017-01), hereinafter referred to as the Ordinance or the Infrastructure Program. This Ordinance shall be applicable in the incorporated and unincorporated territory of the County of San Diego, which shall be referred herein as “District.”

SECTION 2. ELIGIBLE USES:

A. The revenues received by the San Diego County Regional Transportation Commission (Commission) from this Ordinance, after deduction of required Board of Equalization costs for performing the functions specified in Section 132304(b) of the Public Utilities Code, shall be used to repair roads and deteriorating bridges and improve critical infrastructure; relieve freeway congestion; provide each community with funds to repair potholes and streets and to protect waterways and beaches from polluted runoff; to expand and improve transit services for all persons in the County, including seniors, people with disabilities, students and veterans; to preserve open space and better protect water quality and reduce wildfires; and to enhance the transportation network countywide as set forth in the Expenditure Plan. The revenues will be used in a manner consistent with Public Utilities Code Section 132320, the long-range Regional Plan and the short-range, multi-year Regional Transportation Improvement Program (RTIP), and for the administration of the San Diego County Regional Transportation Commission Act (hereinafter referred to as the "Act") commencing with Public Utilities Code Section 132000. Together these uses shall be known as Eligible Uses.

SECTION 3. EXPENDITURE PLAN:

A. This Ordinance provides for the implementation of the Expenditure Plan, and imposition and administration of a transactions and use tax. All of the gross revenues generated from the transactions and use tax, plus any interest or other earnings thereon (collectively, “Revenues”), after the deduction for amounts payable to the State Board of Equalization for the performance of functions incidental to the administration and operation of the Ordinance, shall be defined as “Program Revenues” and shall be allocated solely for the purposes described in this Ordinance.

B. Program Revenues shall be subject to deductions on a first priority basis for payments to satisfy debt service requirements of all bonds issued pursuant to the Ordinance that are not satisfied out of separate allocations.
C. The specific projects and Programs that may be funded by the Ordinance are further described in the document entitled “Expenditure Plan”, which is attached to the Ordinance and hereby incorporated by reference as if fully set forth herein.

D. The Expenditure Plan shall be consistent with the Regional Plan as may be required by state or federal law.

E. Any ancillary proceeds resulting from the implementation of the Ordinance including without limitation, interest earnings on funds and sales of excess property, shall be deposited into the Program that generated the funds. Any funds allocated from Program Revenues that are not utilized in a given fiscal year shall remain available for expenditure in subsequent fiscal years.

F. Many of the projects in the Expenditure Plan also will require substantial matching contributions from other sources before they can be implemented. In the allocation of all revenues made available pursuant to this Ordinance, the Commission shall make every effort to maximize state and federal transportation funding to the region. The Commission may amend the Expenditure Plan, in accordance with Section 24, as needed to maximize funding to the San Diego region. Nothing in Section 14 of this Ordinance is intended to prohibit the Commission from determining projects in addition to those identified in the Priority Corridor Program should be implemented on a priority basis.

G. Any amendments to the Expenditure Plan shall be made in accordance with the procedures for amending this Ordinance as provided for in Section 24.

SECTION 4. IMPOSITION OF TRANSACTIONS AND USE TAX: There is hereby imposed in the District, in accordance with the provisions of Part 1.6 (commencing with Section 7251) of Division 2 of the Revenue and Taxation Code, Section 132301 et seq. of the Public Utilities Code, which authorizes the Commission to adopt this tax and Ordinance, and Division 12.7 of the Public Utilities Code commencing with Code Section 132000, a new transactions and use tax at the rate of one-half of one percent (1/2%) commencing April 1, 2017, for a period of forty years, in addition to any existing or future authorized state or local transactions and use tax, which, together with the TransNet Extension, result in a maximum one percent tax rate to be imposed by the Commission in accordance with Section 132307(a) of the Act.

SECTION 5. GENERAL ADMINISTRATION:

A. Program Revenues may be expended by the Commission for general administrative services including contractual services, salaries, wages, benefits, and overhead necessary to carry out its administrative responsibilities, however, in no case shall the Program Revenues expended for those general administrative services exceed one percent (1%) of the Program Revenues.

B. Program Revenues that are net of the aggregate of the one percent (1%) administration expenses and the Independent Taxpayer Oversight Committee expenses required pursuant to Section 19 shall be referred to as “Net Revenues”. The Commission shall allocate Net Revenues to fund projects and
Programs as specified in the Ordinance, and shall administer the Ordinance consistent with the authority cited.

C. An annual independent audit shall be conducted through the Independent Taxpayer Oversight Committee (ITOC) to ensure that the revenues expended by the Commission under this section are necessary and reasonable in carrying out its responsibilities under the Act and this Ordinance.

D. The Commission shall use, to the extent possible, existing state, regional and local transportation planning and programming data and expertise, and may, as the law permits, contract with any public agency or private firm for services reasonably necessary to carry out the purposes of the Ordinance.

SECTION 6. LOCAL INFRASTRUCTURE PROJECTS PROGRAM:

A. A minimum of twenty-four percent (24%) of Net Revenues will be made available during the life of the Ordinance to fund implementation of Local Infrastructure Projects Program using the formula specified in this Section, to each Local Agency to supplement other revenues available for those purposes.

B. Examples of Eligible Uses for funding in the Local Infrastructure Projects Program include, but are not limited to the following:

1. Transit: transit capital, operations and maintenance costs, including discounted youth pass programs; and offset of costs for transit oriented development projects with public improvements to incentivize developers’ to construct housing near transit.

2. Habitat: acquisition, management, maintenance, and monitoring of natural habitat and open space, and other projects that implement protection and preservation programs consistent with adopted natural community conservation plans and habitat conservation plans.

3. Roads: planning, construction and maintenance of local streets and roads; traffic light synchronization projects; planning, construction and maintenance of grade separations; planning, construction and maintenance of active transportation projects such as sidewalks and bike paths; improvements to enhance accessibility to the transportation system by disabled persons; complete streets implementation.

4. Beach Sand: study, planning, design, construction, acquisition, maintenance, monitoring, and operation of beach sand replenishment projects.

5. Greenhouse Gas Reduction: preparation of Climate Action Plans (CAPs) and implementation of transportation-related greenhouse gas reduction and climate adaptation measures in CAPs; development and implementation of Transportation Demand Management projects; energy projects with a nexus to transportation such as projects in the SANDAG Plug-in Electric Vehicle Readiness Plan or the readiness plan for alternative fuels, or other energy projects that will reduce greenhouse gas emissions from transportation projects.
6. Watershed Management: preparation and implementation of watershed management plans, which can include elements such as groundwater recharge projects, flood control and sea level rise projects, planning for urbanization and impervious surfaces, and removal of invasive species that interfere with the watershed; projects that capture, treat, and recycle or dispose of stormwater; or implementation of stormwater elements of transportation projects.

C. Each Local Agency shall use its share of the Net Revenues solely for Local Infrastructure Projects Program that are Eligible Uses. If during the audit process described in Section 12, a Local Agency is found to have spent funds on uses that do not qualify as an Eligible Use, the Local Agency will be notified by the auditor and provided an opportunity to present documentation to the auditor that the funds were used for an Eligible Use or to cure the defect prior to issuance of the auditor’s final report. If the Local Agency is unable to meet these requirements, the amount owed will be deducted from future allocations of Local Infrastructure Projects Program funds until the amount is repaid.

D. The Net Revenues available for Local Infrastructure Projects Program shall be allocated pursuant to the following distribution formula:

1. Each Local Agency shall receive an annual base sum of $100,000.

2. The remaining Net Revenues after the base sum distribution shall be distributed to each Local Agency on the following basis: total population of the Local Agency using the most recent Department of Finance population estimates.

3. For the purposes of Section 6(D)(2), any new incorporations or annexations that take place after July 1 of any fiscal year shall be incorporated into the formula beginning with the subsequent fiscal year. The SANDAG population estimates of such new incorporations or annexations shall be used until such time as Department of Finance population estimates are available.

SECTION 7. REGIONAL CORRIDORS PROGRAM:

A. The Program described in this Section is intended to encompass the regional corridors projects that are within SANDAG’s authority to implement.

B. A minimum of 26.8 percent of Net Revenues will be made available during the life of the Ordinance to fund implementation of the projects described in the Expenditure Plan in the tables labeled “New or Expanded Transit Services – Capital”.

C. A minimum of 14.2 percent of Net Revenues will be made available during the life of the Ordinance to fund implementation of the projects described in the Expenditure Plan in the tables labeled “Managed Lanes, HOV Lanes, and HOV Connectors” and “Highways and General Purpose Lane Connectors.”
D. Program Revenues allocated in this Section and the Expenditure Plan for this Program include the funds necessary for satisfaction of financing and debt service and related requirements of all bonds issued pursuant to this Ordinance for projects in this Section.

E. Excess toll revenues from Managed Lanes as permitted in California Streets & Highways Code sections 103, 149.4, or other statutes authorizing the collection of tolls on Managed Lanes by SANDAG, shall be used for transit service improvements within the effected corridor, including safe routes to transit projects, in accordance with such laws.

SECTION 8. ACTIVE TRANSPORTATION PROJECTS PROGRAM AND REQUIREMENTS:

A. A minimum of three percent (3%) of Net Revenues will be made available during the life of the Ordinance to fund implementation of the Active Transportation Projects Program.

B. This Program is intended to provide funding for bikeway facilities and connectivity improvements, pedestrian and walkable community projects, bicycle and pedestrian safety projects and programs, pedestrian grade separation projects, and traffic calming projects. The funds in this Program will be distributed each year. A variable portion of these funds shall be allocated on a regional competitive grant basis by the Commission through periodic calls for projects, with the remaining funds being allocated to other uses in the Active Transportation Projects Program. It is intended that these funds be used to match federal, state, local, and private funding to maximize the number of improvements to be implemented. The Commission shall establish specific project eligibility criteria for the competitive grant program.

C. All new transportation infrastructure projects, or major reconstruction projects, funded by Net Revenues provided under this Ordinance shall accommodate travel by pedestrians and bicyclists, except where pedestrians and bicyclists are prohibited by law from using a given facility or where the costs of including bikeways and walkways would be excessively disproportionate to the need or probable use. Such facilities for pedestrian and bicycle use shall be designed to the best currently available standards and guidelines.

SECTION 9. OPEN SPACE FUNDING PROGRAM:

A. Section 10 of the attachment to the TransNet Extension entitled “TransNet Extension Environmental Mitigation Program (EMP) Principles,” which was last amended in March 2012, commits the Commission to act on an additional regional funding measure (a ballot measure and/or other secure funding commitments) to meet the long-term requirements for implementing habitat conservation plans in the San Diego region, within the timeframe necessary to allow a ballot measure to be considered by the voters no later than twelve years after passage of the TransNet Extension. As this Ordinance will be placed on the countywide ballot in November 2016, it is intended to meet the aforementioned commitment by the Commission in the TransNet Extension.

B. A minimum of 11.1 percent of Net Revenues will be made available during the life of the Ordinance to fund implementation of the regional share of habitat conservation plans. This Program is identified in
the Expenditure Plan as “Open Space” and is to be used for (1) acquisition cost for conservation of lands in the adopted habitat conservation plans, (2) the long-term management to maintain biological resources, and (3) periodic monitoring to ensure the infrastructure investment is performing as expected.

SECTION 10. TRANSIT OPERATORS FUNDING PROGRAM:

A. A minimum of 4.92 percent of Net Revenues will be made available during the life of the Ordinance to the Transit Operators for operating the expanded transit operating network due to the addition of services described in the Expenditure Plan as “New Transit Services - Operations.”

B. A minimum of 2.53 percent of Net Revenues will be made available during the life of the Ordinance to the Transit Operators for “Advanced Transit Services” described in the Expenditure Plan. Advanced Transit Services funding may be used to provide operations funding earlier than the currently assumed start date for a service described in the Expenditure Plan as “New Transit Services - Operations.”

C. A minimum of 1.95 percent of Net Revenues will be made available during the life of the Ordinance to the Transit Operators as described in the Expenditure Plan for “Enhanced Local Bus Services.”

D. A minimum of 1.95 percent of Net Revenues will be made available during the life of the Ordinance to the Metropolitan Transit System to operate the Trolley System at increased frequencies as described in the Expenditure Plan.

E. A minimum of 0.55 percent of Net Revenues will be made available during the life of the Ordinance to the North County Transit District to provide operations funding as described in the Expenditure Plan for “COASTER and SPRINTER - Enhanced Rail Services”.

EE. The Trolley and COASTER services to be increased with the funding from this subprogram include those set forth in the attachment to this Ordinance entitled “Trolley/COASTER Systems Service Increased Frequency and Capacity.” With the exception of the Orange Line extra peak period trains, all Trolley and COASTER frequencies listed in the attachment would be implemented in April 2017 (COASTER) and June 2017 (Trolley) in alignment with the regular operational adjustment cycle for the COASTER and Trolley systems. The new Orange Line peak period trains, which will require new vehicles, will be implemented following an estimated two-year period from the operative date of the Ordinance to allow time for the procurement process and coordinate the procurement with other ongoing transit capital projects. The new AMTRAK Rail2Rail service is anticipated to be implemented by October 2017, pending approval by the LOSSAN Rail Corridor Agency and coordination of the start-up of service during the regular operational adjustment cycle for the LOSSAN/COASTER rail systems.

F. Net Revenues to be used for the Transit Operators Funding Program pursuant to this Section shall be allocated for transit service improvements. The Net Revenues shall be allocated through the annual Transit Operators’ budget process and the improvements to be funded shall be consistent with the Coordinated Plan. Decisions concerning the allocation of these funds shall be made by SANDAG following consultation with the Transit Operators and shall be based on the needs of the operators,
applicable ridership estimates and other relevant performance based factors. Eligible Uses for funding in the Transit Operators Funding Program include, but are not limited to: transit capital, operations and maintenance costs, specialized transit, transit vehicles, technology upgrades, and state of good repair expenses.

HG. Operations funding provided under this Section is for the operation of new, expanded, or enhanced services only and is not intended to supplant federal, state or other local funding available for transit operations. Net Revenues will only be available to a Transit Operator pursuant to this Section for operations expenses that exceed amounts paid by the operator in the previous fiscal year for its system-wide operations expenses unless the following conditions are met: 1) there were no reductions in the Transit Operator’s rail or bus services in the previous fiscal year, and 2) the reason for the decline in operations expenses is either due to operational efficiencies or improvements by the Transit Operator or a reduction in the market cost to the Transit Operator for commodities such as fuel or buses.

IH. To maintain eligibility for the receipt of funds under the Transit Operator Funding Program, a transit operator must limit the increase in its system-wide total operating cost per revenue vehicle mile to no more than the increase in the Consumer Price Index (CPI) for San Diego County from either one fiscal year to the next or as an average over the previous three fiscal years. The minimum annual CPI increase for either calculation of this eligibility requirement shall be 2.0%.

1. If the requirement is not achieved, the operator may not receive any additional funding under Section 10 in the following year above the amount received in the previous fiscal year adjusted for any increase in the Consumer Price Index for San Diego County. If there were unusual circumstances in a given fiscal year, the transit operator may request the approval of the Commission to exclude from the calculation certain cost increases that were due to external events entirely beyond the operator’s control, including, but not limited to, increases in the costs for fuel, insurance premiums, or new state or federal mandates. In addition, if the requirement is not achieved a transit operator can request an exception from the Commission based on its presentation of evidence that it has pursued all reasonable measures to reduce its costs. Requests for exceptions must be supported by the transit operator providing evidence that it has taken all reasonable steps in its management practices to reduce operating costs.

2. If a transit operator is ineligible to receive funds under this Section, the funding that would have been allocated to the operator shall be placed in an operator contingency reserve fund. SANDAG shall develop a policy to be approved by the SANDAG Board of Directors concerning use of the operator contingency reserve fund. The Commission intends that the reserve fund be used for one-time non-recurring purposes, unless otherwise recommended by the Transportation Committee and approved by the Board of Directors. Eligible uses will include opportunities to advance urgent, high-priority needs; unanticipated needs relating to a crucial existing commitment; and unforeseen withdrawal or cutback of a revenue source.

SECTION 11. GRANTS PROGRAM:
A. A minimum of 5 percent of Net Revenues will be made available during the life of the Ordinance for Local Rail and Road Grade Separation projects as described in the Expenditure Plan. The SANDAG Board of Directors shall establish criteria for selection of projects in this subprogram that will consider Local Agency matching dollars. This subprogram is intended to provide at least 80 percent of the funding for projects that eliminate at-grade rail/vehicle conflicts.

B. A minimum of 1 percent of Net Revenues will be made available during the life of the Ordinance for Local Arterial Traffic Signal Synchronization projects as described in the Expenditure Plan. The SANDAG Board of Directors shall establish criteria for selection of projects in this subprogram that will consider Local Agency matching dollars. This subprogram is intended to provide at least 80 percent of the funding for projects that will increase efficiency of the transportation network.

C. A minimum of 3 percent of Net Revenues will be made available during the life of the Ordinance to support a competitive grant program to fund specialized transportation projects as described in the Expenditure Plan. Specialized transportation projects are those projects that complement traditional transit and paratransit services. The SANDAG Board of Directors shall establish specific project eligibility criteria for the competitive grant program. Eligible Uses include grants or loans to nonprofit organizations, Local Agencies, Transit Operators, and specialized transportation service agencies for projects and programs specifically designed to address the needs of transportation disadvantaged populations (seniors, students, disabled, low-income, veterans), including the operations of specialized transportation services serving these population groups; capital projects including related vehicle and technology procurements; coordination efforts among specialized transportation providers; mobility management services for the targeted population groups; funding to support projects that enhance access to public transit, including station improvements, Transportation Demand Management programs to incentivize public transit and specialized transportation use; and parking management programs or strategies to support smart growth and transit oriented development.

SECTION 12: LOCAL AGENCIES AND TRANSIT OPERATORS PROGRAM OF PROJECTS AND AUDIT PROCESS:

A. Each Local Agency and transit operator shall biennially approve a five-year project list and a biennial program of projects (POP) it plans to fund during the succeeding two fiscal years with the Net Revenues made available herein. Each Local Agency and transit operator POP will be prepared at same time as the RTIP process. A Local Agency’s or transit operator’s projects shall not receive Commission consideration until the Commission receives a resolution from the entity that documents that the entity held a noticed public meeting with an agenda item that clearly identified the proposed list of projects prior to approval by the entity’s legislative body of the projects. The language that must be included in the resolution and the deadlines for submission shall be prescribed by the Commission. The resolution shall contain a provision that the entity will hold the Commission harmless from third party claims associated with the programs and projects included in their POP. The Commission will specify the form and content of the submittals and resolutions that Local Agencies and Transit Operators shall provide with their POP.

B. The Commission shall review each Local Agency’s and transit operator’s POP submittal and make a finding of consistency with the provisions of this Ordinance and with the Regional Plan prior to
approving the Local Agency’s POP for funding. All projects to be funded with Net Revenues made available for Local Infrastructure Projects must be consistent with the Regional Plan. All transportation projects in the POP must be included in the RTIP. Project priorities or phasing also shall be consistent with the Regional Plan and RTIP. The ITOC also shall review the proposed project lists and make recommendations to the Commission regarding consistency of the POP with the Ordinance. Each Local Agency and transit operator may request an amendment to transportation projects included in its POP as necessary in accordance with the RTIP amendment procedures. Transportation projects shall not be funded with the Net Revenues made available herein unless the projects are in the applicable approved POP and RTIP.

C. Each Local Agency and transit operator shall be subject to an annual review and audit to be carried out by the ITOC. Based on the audit, an agency that maintains a balance of more than 30 percent of its annual apportionment for Local Infrastructure Projects (after debt service payments) must use the remaining balance to fund Eligible Use projects. The Commission will defer payment until the Local Agency’s or transit operator’s Director of Finance, or equivalent, submits to the Commission a certification that the unused balance has fallen below the 30 percent threshold.

SECTION 13. SANDAG PROGRAM OF PROJECTS AND AUDIT PROCESS:

A. The Commission shall biennially approve a five-year project list and a biennial program of projects it plans to fund during the succeeding two fiscal years with the Net Revenues made available herein. The POP will be prepared at the same time as the RTIP process. A public hearing will be held prior to approval of the SANDAG POP concerning the projects to be implemented by SANDAG. The Commission may amend the SANDAG POP as necessary in accordance with the RTIP amendment procedures.

B. The ITOC shall review the proposed SANDAG POP and make recommendations to the Commission regarding consistency of the SANDAG POP with the Ordinance. Projects shall not be funded with the Net Revenues made available herein unless the projects are in the approved POP and RTIP. SANDAG shall be subject to an annual review and audit to be carried out by the ITOC.

SECTION 14. PRIORITIZATION OF PROJECTS IN THE SANDAG PROGRAM OF PROJECTS (Priority Corridors Program):

A. There is recognition that work on certain high priority projects in the Regional Corridors Program needs to advance in order to provide better connections to regional job centers, provide transportation choices, and support economic/environmental opportunities for the San Diego region. These projects shall be part of the Priority Corridors Program and shall include:

**North Corridors**

- SR 78 Corridor: HOV/Managed Lanes and connectors
- I-5 HOV/Managed Lanes; COASTER double tracking, increased frequencies and capacities, including Fairgrounds Station and double tracking at San Dieguito Bridge; and state of good repair projects
Central Corridors

- SR 52 Corridor: HOV/Managed Lanes
- Sorrento Valley COASTER Station relocation and rail grade separation
- New Purple Line Trolley: Advance project development to compete for Federal Full Funding Grant Agreement. Construct as soon as the Federal Full Funding Grant Agreement has been secured
- Orange and Green Line Trolley increased frequencies and capacity

South Corridors

- South Bay Rapid 640: Rapid Express Service from San Ysidro to Downtown, Old Town, and Kearny Mesa
- South Bay Rapid 905: Rapid Express Service from Iris Trolley Station to Otay Mesa
- Blue Line Trolley increased frequencies and capacity
- I-5 South Corridor: Managed Lanes/general purpose lanes to support Rapid Express Service

East Corridors

- SR 67 Corridor: widening/evacuation route improvements from Mapleview to Dye Road
- I-8 Corridor: Improvements from 2nd Street to Los Coches
- SR 94/SR125 Interchange: Missing Connectors

B. Immediately following certification of passage of the Ordinance, the Commission shall consider an initial Plan of Finance and budget actions necessary to commence work on the Priority Corridors Program.

C. It is recognized that projects in the Priority Corridors Program are in various stages of project development and the Commission will make all efforts possible to advance all such projects to completion as expeditiously as possible.

D. As Priority Corridors projects progress through the project development process, the Commission shall ensure that sufficient funding or bonding capacity remains available to fully implement the projects.

E. All projects identified in the Priority Corridors Program shall be reviewed on a quarterly basis by the Commission to ensure all reasonable efforts are being made to advance the projects to completion.

F. Although funding for the projects in the Priority Corridors Program may not be removed without a vote of the electors of the County of San Diego pursuant to Section 24, all projects in the Priority Corridors Program shall be subject to the requirements of Section 22(C), which requires that no project
be approved for construction until completion of any required environmental review under CEQA and/or the National Environmental Policy Act (NEPA). Nothing in this section is intended to preclude the consideration of feasible alternatives, including the no-project alternative, and mitigation measures for each project.

SECTION 15. COOPERATIVE FUND AGREEMENTS:

A. Except as provided for herein, the distribution of funds as set forth herein shall be met over the duration of the measure. To maximize the effective use of funds, revenues may be transferred or exchanged under the following circumstances:

1. The Commission, or agencies receiving funds by annual or multi-year agreement, may exchange or loan funds provided that the percentage of funds allocated for each purpose as provided in the Expenditure Plan is maintained over the duration of the measure and reviewed as part each comprehensive program review as described in Section 25. All proposed exchanges, including agreements between agencies to exchange or loan funds, must include detailed fund repayment provisions, including appropriate interest earnings such that the Commission suffers no loss of funds as a result of the exchange or loan. All exchanges must be approved by the Commission and shall be consistent with any and all rules approved by the Commission relating thereto.

2. The Commission may exchange revenues for federal, state, or other local funds allocated or granted to any public agency within or outside the area of jurisdiction of the Commission to maximize effectiveness in the use of revenues. Such federal, state, or local funds, unless restricted by the provider, shall be distributed in the same manner as the revenues from the measure.

SECTION 16. MAINTENANCE OF EFFORT FOR LOCAL AGENCIES:

A. It is the intent of the Legislature, as stated in the Act, and the Commission that revenues provided from this Ordinance for transportation be used to augment, not supplant existing local revenues being used for the purposes set forth in the Expenditure Plan. Each Local Agency receiving revenues pursuant to this Ordinance shall annually maintain as a minimum aggregate amount, the same level of local discretionary funds, which includes Local Agency general funds, expended in each of the following MOE Categories: streets and roads, transit, and specialized transportation. Discretionary funds shall include, but not be limited to, TransNet funds that the Local Agency has previously expended in each of the MOE Categories, provided that, upon the expiration of the TransNet Extension, such amounts will no longer be included in MOE calculations.

B. The method for determining MOE for Local Agencies shall be based on an average of the Local Agency’s expenditures over the last three fiscal years completed prior to the operative date of this Ordinance (Fiscal Years 2013-14, 2014-15, 2015-16), as was reported in the State Controller’s Annual Report of Financial Transactions for Streets and Roads and as verified by an independent auditor. One-time expenditures that result from “banking” general fund monies and subsequently expending those
funds during the base period Fiscal Years may be isolated and removed so that the MOE baseline is representative of a normal annual spending level, subject to review by the ITOC and approval by the Board of Directors. The MOE requirement shall not apply to Local Agency expenditures on non-transportation uses.

C. In the event a city is newly incorporated, it must meet the MOE requirement that would have otherwise applied to the pro rata share of the County’s MOE levels based on the pro rata share of the County population that is within the boundaries of the new city. MOE determinations after the initial year shall be made by allocating the adjusted MOE amount to the County and the newly incorporated city based upon the initial population. Conversely, if any area or population is removed from the jurisdiction of a Local Agency, subsequent MOE determinations with respect to such Local Agency will be adjusted to account for such removal.

D. The MOE level as determined through this process shall be subject to adjustment every three years based on the Construction Cost Index developed by Caltrans. Any increase in the MOE level based on this adjustment shall not exceed the growth rate in the local jurisdiction’s General Fund revenues over the same time period. The Commission shall not allocate any Net Revenues pursuant to this Ordinance to any eligible Local Agency in any fiscal year until that Local Agency has certified to the Commission that it will include in its budget for that fiscal year an amount of local discretionary funding in the three MOE Categories at least equal to the MOE requirement.

E. An annual independent audit shall be conducted to verify that the MOE requirement for each Local Agency was met. Any Local Agency that does not meet its MOE requirement in any given year shall have its Local Infrastructure funding reduced in the following year by the amount by which the agency did not meet its required MOE level. Any Local Infrastructure Projects Program funding not allocated as a result of the MOE requirement shall be redistributed to the remaining eligible agencies according to the formula described in Section 6(D)(2).

F. In the event that special circumstances prevent a Local Agency from meeting its MOE requirement, the Local Agency may request up to three additional fiscal years to fulfill its requirement. Such a request must be approved by the Commission. The ITOC also shall review such requests and make recommendations to the Commission.

SECTION 17. EXISTING ORDINANCES. Nothing in this Ordinance is intended to modify, repeal, or alter ordinances previously adopted by the Commission except as otherwise specifically provided herein. The provisions of this Ordinance shall apply solely to the retail transactions and use tax adopted herein. The provisions of previously adopted ordinances, including the tax rate, expenditure plan, procedures for adoption and amendment of the expenditure plan and other operative provisions for Commission Ordinance No. 04-01, the San Diego Transportation Improvement Program Ordinance and Expenditure Plan (TransNet Extension), shall remain in effect in accordance with its terms. The TransNet Extension and any obligations or bonded indebtedness arising thereunder shall be deemed to continue and shall be in full force and effect until March 31, 2048. This Ordinance is not intended to modify, repeal or alter the provisions of TransNet Extension, and shall not be read to supersede the TransNet Extension, except
as otherwise specifically provided herein concerning the ITOC and Section 18. If the Ordinance is not approved by the electors of the County, the provisions of TransNet Extension and all powers, duties, and actions taken thereunder shall remain in full force and effect.

SECTION 18. BONDING AUTHORITY: To reduce borrowing costs and assist in delivery of projects, upon voter approval of this Ordinance, notwithstanding anything to the contrary herein or in the TransNet Extension, the Commission shall be authorized to issue limited tax bonds pursuant to Division 12.7 of the Public Utilities Code, at any time, and from time to time, secured by the proceeds of the tax imposed by the Commission in accordance with Public Utilities Code Section 132307, including the revenues from the TransNet Extension and any extension thereof and the tax increase imposed by this Ordinance, and all the limited tax bonds of the Commission may be secured by a pledge of all such tax proceeds. The Commission, in allocating such tax proceeds, shall meet all debt service requirements for its bonds prior to allocating funds for programs or projects.

SECTION 19. INDEPENDENT TAXPAYER OVERSIGHT COMMITTEE:

A. The ITOC was established to provide an enhanced level of accountability for expenditures made pursuant to the TransNet Extension. The ITOC also shall serve to provide oversight responsibilities for the Expenditure Plan for this Ordinance. The ITOC will help to ensure that all voter mandates are carried out as required and will develop recommendations for improvements to the financial integrity and performance in this Ordinance and the TransNet Extension.

B. The roles and responsibilities of the ITOC, the selection process for ITOC members, and related administrative procedures shall be carried out in substantially the same manner as further described in the document titled “Statement of Understanding Regarding the Implementation of the Independent Taxpayer Oversight Committee,” which is hereby incorporated by reference as if fully set forth herein and is intended to completely supersede the attachment to the TransNet Extension entitled, “Statement of Understanding Regarding the Implementation of the Independent Taxpayer Oversight Committee for the TransNet Program.”

C. Following the effective date of this Ordinance, the ITOC shall be provided an amount not to exceed $400,000 annually for its expenses, payable from Program Revenues from this Ordinance and the TransNet Extension, with annual adjustments for inflation based on the Consumer Price Index for San Diego County.

SECTION 20: MAINTENANCE, OPERATIONS, AND LIABILITY REQUIREMENTS:

A. Unless otherwise agreed to by SANDAG and Caltrans in a written agreement, once any state highway facility or usable portion thereof is constructed to at least minimum acceptable state standards, the state shall be responsible for the ongoing maintenance and operation expenses thereof, including any liability for third party claims that may arise concerning the facility. All state highway improvements to be funded with revenues as provided in this measure, including project development and overall project management, shall be a joint responsibility of Caltrans and SANDAG. All major project approval actions including the project concept, the project location, and any subsequent change in project scope shall be
jointly agreed upon by Caltrans and SANDAG and, where appropriate, by the Federal Highway Administration and/or the California Transportation Commission.

B. Unless otherwise agreed to by SANDAG and the transit operator in a written agreement, the transit operator for which SANDAG has constructed a capital facility shall be responsible for the ongoing maintenance and operation expenses thereof, including any liability for third party claims that may arise concerning the facility, once SANDAG has issued relief of maintenance to the contractor for the project.

C. Unless otherwise agreed to by SANDAG and a Local Agency in a written agreement, the Local Agency or Local Agencies with ownership of the property on which SANDAG has constructed any capital facility pursuant to this Ordinance shall have responsibility for the ongoing maintenance and operations expenses of the facility, including any liability for third party claims that may arise concerning the facility, once SANDAG has issued relief of maintenance to the contractor for the project.

D. When habitat is purchased pursuant to Section 9 and then transferred to another entity via a written agreement, SANDAG liability for ongoing maintenance and operations expenses of the property, including any liability for third party claims that may arise concerning the property shall be limited to the liability, if any, expressly accepted by SANDAG in such agreement.

SECTION 21. ESTABLISHMENT OF SEPARATE ACCOUNTS: Each recipient of Ordinance funds shall have its funds deposited in a separate Infrastructure Program account. Where the creation of a separate fund is not possible due to accounting methodology used by the agency, an alternative approach to maintaining separate accountability for Ordinance revenue and expenditures must be developed and submitted to the SANDAG Director of Finance for concurrence. Interest earned on funds allocated pursuant to this Ordinance shall be expended only for those purposes for which the funds were allocated, which must be Eligible Uses.

SECTION 22. IMPLEMENTATION OF ORDINANCE:

A. Upon approval of this measure by the voters, the Commission shall, in addition to the local rules required to be provided pursuant to this Ordinance, adopt implementing ordinances, rules, and policies and take such other actions as may be necessary and appropriate to carry out its responsibilities.

B. The Commission hereby establishes a goal to use 80 to 100 percent San Diego County workers on the construction of public works projects funded by Net Revenues, where allowed under applicable law. SANDAG shall develop the implementation procedures for this subsection B by the operative date of the Ordinance. The procedures shall, among other things, set forth a process to ensure compliance with state and federal law regarding the need for adequate competition and worker availability. In accordance with California law, SANDAG shall only contract with responsible bidders and proposers, and prevailing wages shall be paid and apprenticeship ratios shall be met on all public works projects constructed with Net Revenues.

C. The Commission hereby establishes a goal of completing the projects identified in Section 14 for the Priority Corridors Program by using its best efforts to take actions within its control to complete those projects within 15 years of the operative date of the Ordinance.
Under California Environmental Quality Act (CEQA) Guidelines Section 15378(b)(4), adoption of this Ordinance and the Expenditure Plan is not a “project” subject to the requirements of CEQA because it solely creates a funding mechanism and does not constitute a binding commitment to approve, fund, implement or construct (collectively “approve”) any specific project set forth in this Ordinance and Expenditure Plan. Individual projects included in the Ordinance and Expenditure Plan will not be approved until completion of any required environmental review under CEQA and/or the National Environmental Policy Act (NEPA). Adoption of this Ordinance and Expenditure Plan does not preclude the consideration of feasible alternatives, including the no-project alternative, and mitigation measures.

All new transportation infrastructure projects in the Regional Corridors and Local Infrastructure Projects Programs, or major reconstruction projects in those Programs, funded by Net Revenues provided under this Ordinance shall accommodate water quality improvements and/or stormwater conveyance facilities that meet or exceed water quality standards, except where such accommodation is infeasible or where the costs of including such improvements would be excessively disproportionate to the need or probable benefit. Such facilities for water quality improvement and/or stormwater conveyance shall be designed to the best currently available standards and guidelines.

SECTION 23. EFFECTIVE AND OPERATIVE DATES: This Ordinance shall be effective on November 9, 2016, if one of the following events occurs: 1) two-thirds or more of the electors voting on the ballot proposition approving the ordinance vote to approve the ballot proposition on November 8, 2016; or 2) a law is passed on or before November 8, 2016, that lowers the voter approval threshold applicable to this Ordinance and the number of electors voting in favor of this Ordinance meets that threshold. The tax authorized by Section 4 of this Ordinance shall be operative on April 1, 2017. Bonds payable from the proceeds of the tax may be issued at any time prior to, on or after April 1, 2017. The provisions of this Ordinance relating to the allocation of revenues shall be operative on April 1, 2017.

SECTION 24. AMENDMENTS: With the exception of Sections 4, 9, 14, 16, and 19, which require a vote of the electors of the County of San Diego to amend, this Ordinance and the Expenditure Plan may be amended to further its purposes by ordinance, passed by roll call vote entered in the minutes, with two-thirds of the Commission concurring consistent with the Commission’s standard voting mechanism. Separate documents incorporated by reference in the Ordinance also may be amended with a two-thirds vote of the Commission.

SECTION 25. COMPREHENSIVE PROGRAM REVIEWS: The Commission shall conduct a comprehensive review of all projects and Programs implemented under the Expenditure Plan to evaluate the performance of the overall program over the previous period and to make revisions to the Expenditure Plan to improve its performance over the subsequent period. Such comprehensive program reviews shall be conducted in Fiscal Years 2029, 2039 and 2049 in order to align with the comprehensive program reviews that are to be conducted pursuant to the TransNet Extension. Revisions to the Ordinance and Expenditure Plan required as a result of the comprehensive reviews shall be subject to the amendment process in Section 24.
SECTION 26. DESIGNATION OF FACILITIES: Each project or program in excess of $250,000 funded in whole or in part by revenues from this Ordinance shall be clearly designated during its construction or implementation as being provided by revenues from this Ordinance.

SECTION 27. SEVERABILITY: If any section, subsection, part, clause or phrase of this Ordinance is for any reason held unenforceable or unconstitutional by a court of competent jurisdiction, that holding shall not affect the validity or enforceability of the remaining funds or provisions of this Ordinance, and the Commission declares that it would have passed each part of this Ordinance irrespective of the validity of any other part.

SECTION 28. ANNUAL APPROPRIATIONS LIMIT: Article XIII(B) of the California Constitution requires the establishment of an annual appropriations limit for certain governmental entities. The annual appropriations limit was established in the TransNet Ordinance pursuant to Article XIIIB of the California Constitution and Section 240308(b) of the Public Utilities Code. The appropriations limit has and shall be subject to adjustment as provided by law. All expenditures of the transactions and use tax revenues imposed in this Ordinance are subject to the appropriations limit of the Commission, except for appropriations for debt service and qualified capital outlay projects and other exceptions permitted by the California Constitution.

SECTION 29. DEFINITIONS:

Active Transportation Facilities. Means all purposes necessary and convenient to the design, right-of-way acquisition, and construction of facilities intended for use by bicycles and pedestrians, including grade separation facilities and other facilities and programs that help to encourage walking and the use of bicycles, such as secure bicycle parking facilities and bicycle and pedestrian promotion and safety education programs.

Bonds. Means indebtedness and securities of any kind or class, including but not limited to bonds, notes, bond anticipation notes, and commercial paper.

Commission. Means the San Diego County Regional Transportation Commission created by Chapter 1576 of the Statutes of 1985 (Division 12.7 of the Public Utilities Code, commencing with Section 132000).

Coordinated Plan (also known as the Coordinated Public Transit - Human Services Transportation Plan). Means the planning document that is regularly updated to provide a five-year blueprint for the implementation of public transit and social service transportation concepts described in the Regional Plan. It establishes a regional strategy to provide transportation to recognized transportation-disadvantaged groups, including seniors, individuals with disabilities, and persons with limited means. The plan combines the regional requirement for a Short-Range Transit Plan with the federal requirement for a Coordinated Plan into one planning document.

Expenditure Plan. Means the expenditure plan required by Section 132302 and 132360.6 of the Public Utilities Code to be included in a transactions and use tax ordinance to be approved by the Commission.
The Expenditure Plan attached to this Ordinance includes the allocation of revenues for each Eligible Use.

Highways. Means all purposes necessary and convenient to the design, right-of-way acquisition, and construction of highway facilities, including all state highway routes and any other facilities so designated in the Expenditure Plan.

HOV Lanes. Means High Occupancy Vehicle Lanes on highways that are used by vehicles carrying more than one occupant. HOV lanes are an exclusive road or traffic lane that typically has a higher operating speed and lower traffic volumes than a general purpose or mixed-flow lane. In California, vehicles that typically can use HOV lanes include carpools, vanpools, buses, other multi-passenger vehicles, motorcycles, and emergency vehicles, as well as decaled low-emission vehicles.

Local Agency. Means the County of San Diego and each city in the County of San Diego.

Managed Lanes. Means highway lanes that provide access for carpools, vanpools, bus, and/or solo drivers who pay a fee to use the lanes. The lanes can be barrier-separated and some lanes can be reversed to go with the flow of traffic.

Program: Means each of the categories of expenditure to be funded by Net Revenues from the Ordinance, including the Local Infrastructure Projects Program, the Regional Corridors Program, the Active Transportation Projects Program, the Open Space Funding Program, the Transit Operators Funding Program, and the Grants Program.

Program of Projects. Means a five-year project list and a biennial program of projects developed by SANDAG, or by a Local Agency or transit operator, showing what the agency plans to fund during the succeeding two fiscal years with the Net Revenues.

Project Development Process. Means all activities required to ready a project for construction, from planning to final design.

Regional Plan. Means the long-range Regional Transportation Plan and Sustainable Communities Strategy for the San Diego region required by Section 65080 of the Government Code to be prepared by SANDAG as the designated Regional Transportation Planning Agency. The Regional Plan also includes the Regional Comprehensive Plan, which integrates land use, transportation systems, infrastructure needs, and public investment strategies within a regional framework to be prepared by SANDAG as required by Section 132360 of the Public Utilities Code.

Regional Transportation Improvement Program (RTIP). Means the five-year programming document required by Section 65080 of the Government Code to be prepared by SANDAG as the designated Regional Transportation Planning Agency.

San Diego Association of Governments (SANDAG). Pursuant to the Act, the SANDAG Board of Directors serves as the Commission and the Commission utilizes SANDAG employees as its staff. For this reason,
references to the responsibilities of the SANDAG Board of Directors and staff in this Ordinance are made.

Transit. Means all purposes necessary and convenient to the construction, operation and maintenance of public transportation services and facilities including the acquisition of vehicles and right-of-way. Public transportation services include, but are not limited to, local and express bus, bus rapid transit (BRT), paratransit (dial-a-ride), fixed guideway, light rail (trolley) and commuter rail services and facilities.

Transit Operator. Means any transit district, included transit district, municipal operator, included municipal operator, or transit development board as defined in Public Utilities Code Section 99210.

Transit Vehicle. Includes, but is not limited to, buses, vans, cars, railcars, locomotives, and trolley cars.

TransNet Extension. Means Commission Ordinance No. 04-01, the San Diego Transportation Improvement Program Ordinance and Expenditure Plan, which became effective on November 3, 2004.

Transportation Demand Management. Means a comprehensive set of strategies designed to encourage alternative travel modes to single occupant vehicles. Principal strategy measures involve, but are not limited to, ridesharing, alternative work hours, and parking management.

SECTION 30. CONTRACT WITH STATE: Prior to the operative date, the Commission shall contract with the State Board of Equalization to perform all functions incident to the administration and operation of this Ordinance; provided, that if the Commission shall not have contracted with the State Board of Equalization prior to the operative date, it shall nevertheless so contract and in such a case the operative date shall be the first day of the first calendar quarter following the execution of such a contract.

SECTION 31. PURPOSE:

This Ordinance is adopted to achieve the following, among other purposes, and directs that the provisions hereof be interpreted in order to accomplish those purposes:

A. To impose a retail transactions and use tax in accordance with the provisions of Part 1.6 (commencing with Section 7251) of Division 2 of the Revenue and Taxation Code and Section 132301402351 et. seq. of the Public Utilities Code, which authorizes the Commission to adopt this tax ordinance, which shall be operative if a two-thirds majority or more of the electors voting on the measure vote to approve the imposition of the tax at an election called for that purpose.

B. To adopt a retail transactions and use tax ordinance that incorporates provisions identical to those of the Sales and Use Tax Law of the State of California insofar as those provisions are not inconsistent with the requirements and limitations contained in Part 1.6 of Division 2 of the Revenue and Taxation Code.

C. To adopt a retail transactions and use tax ordinance that imposes a tax and provides a measure therefor that can be administered and collected by the State Board of Equalization in a manner that
adapts itself as fully as practicable to, and requires the least possible deviation from, the existing statutory and administrative procedures followed by the State Board of Equalization in administering and collecting the California State Sales and Use Taxes.

D. To adopt a retail transactions and use tax ordinance that can be administered in a manner that will be, to the greatest degree possible, consistent with the provisions of Part 1.6 of Division 2 of the Revenue and Taxation Code, minimize the cost of collecting the transactions and use taxes, and at the same time, minimize the burden of record keeping upon persons subject to taxation under the provisions of this Ordinance.

SECTION 32. TRANSACTIONS AND USE TAX:

A. For the privilege of selling tangible personal property at retail, the tax imposed by this Ordinance shall apply to all retailers in the incorporated and unincorporated territory of the District at the rate of one-half of one percent of the gross receipts of any retailer from the sale of all tangible personal property sold at retail in said territory on and after the operative date of this Ordinance, which, together with the TransNet Extension, result in a maximum one percent tax rate to be imposed by the Commission.

B. For the purpose of this Ordinance, all retail sales are consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or his agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination. The gross receipts from such sales shall include delivery charges, when such charges are subject to the state sales and use tax, regardless of the place to which delivery is made. In the event a retailer has no permanent place of business in the State of California or has more than one place of business, the place or places at which the retail sales are consummated shall be determined under rules and regulations to be prescribed and adopted by the State Board of Equalization.

C. An excise tax is hereby imposed on the storage, use or other consumption in the District of tangible personal property purchased from any retailer on and after the operative date of this Ordinance for storage, use or other consumption in said territory at the rate of one-half of one percent of the sales price of the property which, together with the TransNet Extension, result in a maximum one percent tax rate to be imposed by the Commission. The sales price shall include delivery charges when such charges are subject to state sales or use tax regardless of the place to which delivery is made.

D. Except as otherwise provided in this Ordinance and except insofar as they are inconsistent with the provisions of Part 1.6 of Division 2 of the Revenue and Taxation Code, all of the provisions of Part 1 (commencing with Section 6001) of Division 2 of the Revenue and Taxation Code are hereby adopted and made a part of this Ordinance as though fully set forth herein.

E. In adopting the provisions of Part 1 of Division 2 of the Revenue and Taxation Code, wherever the State of California is named or referred to as the taxing agency, the name of this Commission shall be substituted therefore. The substitution shall not, however, be made when:
1. The word "State" is used as a part of the title of the State Controller, State Treasurer, State Board of Victims Compensation and Government Claims Board, State Board of Equalization, State Treasury, or the Constitution of the State of California;

2. The result of that substitution would require action to be taken by or against this Commission or any agency, officer, or employee thereof rather than by or against the State Board of Equalization, in performing the functions incident to the administration or operation of this Ordinance.

3. In those sections, including, but not necessarily limited to, sections referring to the exterior boundaries of the State of California, where the result of the substitution would be to:

   (a) Provide an exemption from this tax with respect to certain sales, storage, use or other consumption of tangible personal property which would not otherwise be exempt from this tax while such sales, storage, use or other consumption remain subject to tax by the State under the provisions of Part 1 of Division 2 of the Revenue and Taxation Code, or;

   (b) Impose this tax with respect to certain sales, storage, use or other consumption of tangible personal property which would not be subject to tax by the State under the said provisions of that code;

4. In Sections 6701, 6702 (except in the last sentence thereof), 6711, 6715, 6737, 6797 or 6828 of the Revenue and Taxation Code.

F. The word “District” shall be substituted for the word "State" in the phrase "retailer engaged in business in this State" in Section 6203 and in the definition of that phrase in Section 6203.

G. If a seller’s permit has been issued to a retailer under Section 6067 of the Revenue and Taxation Code, an additional transactor’s permit shall not be required by this Ordinance.

H. Exemptions and Exclusions.

   1. There shall be excluded from the transactions tax and the use tax imposed by this Ordinance, the amount of any sales tax or use tax imposed by the State of California or by any city, city and county, or county pursuant to the Bradley-Burns Uniform Local Sales and Use Tax Law or the amount of any state-administered transactions or use tax.

   2. The following gross receipts are exempted from the computation of the amount of the transactions tax imposed by this Ordinance:

      (a) Sales of tangible personal property, other than fuel or petroleum products, to operators of aircraft to be used or consumed principally outside the County in which the sale is made and directly and exclusively in the use of such aircraft as common carriers.
of persons or property under the authority of the laws of this State, the United States, or any foreign government.

(b) Sales of property to be used outside the District that is shipped to a point outside of the District, pursuant to the contract of sales, by delivery to such point by the retailer or his agent, or by delivery by the retailer to a carrier for shipment to a consignee at such point. For the purposes of this paragraph, delivery to a point outside the District shall be satisfied:

(i) With respect to vehicles (other than commercial vehicles) subject to registration pursuant to Chapter 1 (commencing with Section 4000) of Division 3 of the Vehicle Code, aircraft licensed in compliance with Section 21411 of the Public Utilities Code, and undocumented vessels registered under Chapter 2 of Division 3.5 (commencing with Section 9840) of the Vehicle Code by registration to an out-of-county address and by a declaration under penalty of perjury, signed by the buyer, stating that such address is, in fact, his principal place of residence; and

(ii) With respect to commercial vehicles, by registration to a place of business out-of-District and declaration under penalty of perjury, signed by the buyer, that the vehicle will be operated from that address.

(c) The sale of tangible personal property if the seller is obligated to furnish the property for a fixed price pursuant to a contract entered into prior to the operative date of this Ordinance.

(d) A lease of tangible personal property that is a continuing sale of such property, for any period of time for which the lessor is obligated to lease the property for an amount fixed by the lease prior to the operative date of this Ordinance.

(e) For the purpose of subparagraph (c) and (d) of this subsection, the sale or lease of tangible personal property shall be deemed not to be obligated pursuant to a contract or lease for any period of time for which any party to the contract or lease has the unconditional right to terminate the contract or lease upon notice, whether or not such right is exercised.

3. There is exempted from the use tax imposed by this Ordinance, the storage, use or other consumption in the District of tangible personal property:

(a) The gross receipts from the sale of which have been subject to a transactions tax under any state-administered transactions and use tax ordinance.

(b) Other than fuel or petroleum products purchased by operators of aircraft and used or consumed by such operators directly and exclusively in the use of such aircraft as common carriers of persons or property for hire or compensation under a certificate of
public convenience and necessity issued pursuant to the laws of this State, the United States, or any foreign government. This exemption is in addition to the exemptions provided in Section 6366 and 6366.1 of the Revenue and Taxation Code of the State of California.

(c) If the purchaser is obligated to purchase the property for a fixed price pursuant to a contract entered into prior to the operative date of this Ordinance.

(d) If the possession of, or the exercise of any right or power over, the tangible personal property arises under a lease that is a continuing purchase of such property for any period of time for which the lessee is obligated to lease the property for an amount fixed by a lease prior to the operative date of this Ordinance.

(e) For the purposes of subparagraphs (c) and (d) of this section, storage, use, or other consumption, or possession of, or exercise of any right of power over, tangible personal property shall be deemed not to be obligated pursuant to a contract of lease for any period of time for which any party to the contract or lease has the unconditional right to terminate the contract or lease upon notice, whether or not such right is exercised.

(f) Except as provided in subparagraph (g) of this subsection, a retailer engaged in business in the District shall not be required to collect use tax from the purchaser of tangible personal property, unless the retailer ships or delivers the property into the District or participates within the District in making the sale of the property, including, but not limited to, soliciting or receiving the order, either directly or indirectly, at a place of business of the retailer in the District or through any representative, agent, canvasser, solicitor, subsidiary, or person in the District under the authority of the retailer.

(g) "A retailer engaged in business in the District" also shall include any retailer of any of the following: vehicles subject to registration pursuant to Chapter 1 (commencing with Section 4000) of Division 3 of the Vehicle Code, aircraft licensed in compliance with Section 21411 of the Public Utilities Code, or undocumented vessels registered under Division 3.5 (commencing with Section 9840) of the Vehicle Code. That retailer shall be required to collect use tax from any purchaser who registers or licenses the vehicle, vessel, or aircraft at an address in the District.

4. Any person subject to use tax under this Ordinance may credit against that tax any transactions tax or reimbursement for transactions tax paid to a district imposing, or retailer liable for a transactions tax pursuant to Part 1.6 of Division 2 of the Revenue and Taxation Code with respect to the sale to the person of the property the storage, use or other consumption of which is subject to the use tax.

I. All amendments subsequent to the effective date of this Ordinance to Part 1 of Division 2 of the Revenue and Taxation Code relating to sales and use taxes and that are not inconsistent with Part 1.6
and Part 1.7 of Division 2 of the Revenue and Taxation Code, and all amendments to Part 1.6 and Part 1.7 of Division 2 of the Revenue and Taxation Code, shall automatically become a part of this Ordinance; provided, however, that no such amendment shall operate so as to affect the rate of tax imposed by this Ordinance.

SECTION 33. ENJOINING COLLECTION FORBIDDEN: No injunction or writ of mandate or other legal or equitable process shall issue in any suit, action or proceeding in any court against the State of California, the Commission or SANDAG, or against any officer of any of these entities, to prevent or enjoin the collection under this Ordinance, or Part 1.6 of Division 2 of the Revenue and Taxation Code, of any tax or any amount of tax required to be collected.
STATEMENT OF UNDERSTANDING REGARDING THE IMPLEMENTATION OF THE
INDEPENDENT TAXPAYER OVERSIGHT COMMITTEE

I. Purposes of the ITOC

The Independent Taxpayer Oversight Committee (ITOC) was created to provide an increased level of accountability for expenditures made under the TransNet Extension, in addition to the independent annual fiscal and compliance audits required under the existing TransNet program. This “Statement of Understanding Regarding the Implementation of the Independent Taxpayer Oversight Committee” (Statement) is part of Ordinance No. ___, which concerns the San Diego County Road Repair, Traffic Relief, Safety and Water Quality Protection Ordinance and Expenditure Plan (hereinafter referred to as the “Infrastructure Program” to clearly differentiate it from the TransNet Extension). It is intended to fully supersede the attachment to the TransNet Extension entitled “Statement of Understanding Regarding the Implementation of the Independent Taxpayer Oversight Committee for the TransNet Program.” If Ordinance No. ___ is passed by the voters, the intent is that the ITOC created as part of the TransNet Extension will take on additional responsibilities concerning the INFRASTRUCTURE PROGRAM, as those responsibilities are set forth and modified in this Statement.

The ITOC should function in an independent, open and transparent manner to ensure that all voter mandates are carried out as required in the TransNet Extension and the Infrastructure Program, and to develop positive, constructive recommendations for improvements and enhancements to the financial integrity and performance of the TransNet Extension and the INFRASTRUCTURE PROGRAM.

It is intended that the ITOC be a functional partner to SANDAG. The TransNet Extension and the INFRASTRUCTURE PROGRAM each contain a summary of the ITOC’s role and responsibilities consistent with the above purposes. In this Statement, additional and supplementary details with regard to the ITOC are delineated. These pertain to the process for selecting members of ITOC, terms and conditions governing membership, responsibilities, funding and administration, and conflict of interest provisions.

It is noteworthy that these details were originally developed in a cooperative process between SANDAG and representatives of the San Diego County Taxpayers Association, and with the involvement of other transportation professionals within the region. This document is understood to provide the basis for describing how the ITOC will function once the INFRASTRUCTURE PROGRAM Ordinance is approved.

In addition to the details outlined in this Statement the intent that provides the foundation for the desired partnership between ITOC and SANDAG, is summarized as follows:

- **Resource**—it is the intent that the ITOC will serve as an independent resource to assist in SANDAG’s implementation of TransNet Extension and Infrastructure Program projects and programs. The Committee’s membership is designed to provide a group of professionals who, collectively, can offer the benefit of their experience to advance the timely and efficient implementation of TransNet Extension and Infrastructure Program projects and programs. The ITOC will work in a public way to ensure all deliberations are conducted in an open manner.
Regular reports from the ITOC to the SANDAG Board of Directors (or policy committees) are expected with regard to program and project delivery, and overall performance.

- **Productive**—it is the intent that the ITOC will rely upon data and processes available at SANDAG, studies initiated by the ITOC, and other relevant data generated by reputable sources. It is understood, however, that SANDAG will be continuously striving to improve the reliability of data and to update analytical and modeling processes to be consistent with the state-of-the-art, and that the ITOC will be kept abreast of any such efforts, and invited to participate in development of such updates in a review capacity.

- **Cost-efficient**—it is the intent that the ITOC will not add cost burden to SANDAG’s implementation of the *TransNet* Extension and Infrastructure Program programs and projects. Rather, through a cooperative and productive working relationship between ITOC and the SANDAG implementation team, it is the objective that costs will be saved.

- **Flexible**—it is the intent that the ITOC will assist SANDAG to be opportunistic to take advantage of changing situations in the future with regard to technologies and transportation developments. Therefore, the provisions contained below are viewed through 2056 based upon a 2016 perspective and are not meant to be unduly restrictive on ITOC’s and SANDAG’s roles and responsibilities.

### II. Membership and Selection Process

#### A. Membership:

There shall be seven ITOC voting members with the characteristics described below. Applications will be requested from individuals interested in serving on the ITOC through an open, publicly noticed solicitation process. The intent is to have one member representing each of the specified areas of expertise. If, however, after a good faith effort, qualified individuals have not been identified for one or more of the areas of expertise, then no more than two members from one or more of the remaining areas of expertise may be selected. For each of the areas of expertise listed below, an individual representing one of the region’s colleges or universities with a comparable level of academic experience also would be eligible for consideration.

1. A professional in the field of municipal/public finance and/or budgeting with demonstrated experience of ten years or more in a relevant and senior decision making position in the public or private sector.

2. A licensed architect, civil engineer or traffic engineer with demonstrated experience of ten years or more in the fields of transportation and/or urban design in government or the private sector.

3. A professional with demonstrated experience of ten years or more in real estate, land economics, and/or right-of-way acquisition.

4. A professional with demonstrated experience of ten years or more in the management of large-scale construction projects.
5. A licensed engineer with appropriate credentials in the field of transportation project design or construction and demonstrated experience of ten years or more in a relevant and senior decision making position in the government or private sector.

6. The chief executive officer or person in a similar senior-level decision making position, of a major private sector employer with demonstrated experience in leading a large organization.

7. A professional in biology or environmental science with demonstrated experience of ten years or more with environmental regulations and major project mitigation requirements and/or habitat acquisition and management.

8. Ex-Officio Members: SANDAG Executive Director or his/her designee and the San Diego County Auditor or his/her designee.

The criteria established for the voting members of the ITOC are intended to provide the skills and experience needed for the ITOC to carry out its responsibilities and to play a valuable and constructive role in the ongoing improvement and enhancement of the TransNet Extension and Infrastructure Program projects and programs.

B. Technical Screening Committee: A technical screening committee will be established to review applications received from interested individuals. This committee will consist of three members selected by the SANDAG Executive Director from high-level professional staff of local, regional, state or federal transportation agencies outside of the San Diego region, or from one of the region’s colleges or universities in a transportation-related field, or a combination thereof. The committee will develop a list of candidates determined to be qualified to serve on the ITOC based on the criteria established for the open position(s) on the ITOC. The technical screening committee will recommend two candidates for each open position from the list of qualified candidates for consideration by the Selection Committee. The recommendations shall be made within 30 days of the noticed closing date for applications.

C. Selection Committee: The Selection Committee shall be established to select the ITOC members from the list of qualified candidates recommended by the technical screening committee. The Selection Committee shall consist of the following:

1. Two members of the County of San Diego Board of Supervisors

2. The Mayor of the City of San Diego

3. A mayor from the Cities of Chula Vista, Coronado, Imperial Beach, or National City selected by the mayors of those cities.

4. A mayor from the Cities of El Cajon, La Mesa, Lemon Grove, or Santee selected by the mayors of those cities.

5. A mayor from the Cities of Carlsbad, Del Mar, Encinitas, Oceanside, or Solana Beach selected by the mayors of those cities.
6. A mayor from the Cities of Escondido, Poway, San Marcos, or Vista selected by the mayors of those cities.

The selection of ITOC members shall be made within 30 days of the receipt of recommendations from the technical screening committee. All meetings of the Selection Committee shall be publicly noticed and conducted in full compliance with the requirements of the Brown Act. Should the Selection Committee be unable to reach agreement on a candidate from the qualified candidates recommended by the technical screening committee, the Selection Committee shall request the technical screening committee to recommend two additional qualified candidates for consideration.

D. Terms of Office for ITOC members

1. ITOC members shall serve a term of four years, except that initial appointments may be less than four years in order to ensure the terms of the ITOC members are sufficiently staggered as described in Section II(D)(5) of this Statement.

2. ITOC members shall serve without compensation except for direct expenses related to the work of the ITOC.

3. ITOC members shall serve no more than eight years unless the member’s first term was less than four years, in which case the member can serve an additional two terms after the partial term.

4. If and when vacancies in the membership of the ITOC occur, the same selection process as outlined above shall be followed to select a replacement to fill the remainder of the term. At the completion of a term, eligible incumbent members will need to apply for reappointment for another term.

5. Term limits for ITOC members should be staggered to prevent turnover of more than two members at any one time. In the event more than two members need to be replaced during the same recruitment period, the Selection Committee shall determine the length of their first term.

E. ITOC Responsibilities

The ITOC shall have the following responsibilities:

1. Conduct an annual fiscal and compliance audit of all TransNet Extension and Infrastructure Program-funded activities using the services of an independent fiscal auditor to ensure compliance with the TransNet Extension and Infrastructure Program. This annual audit will cover SANDAG, ITOC, Caltrans, and all Local Agency and transit operator recipients of TransNet Extension and Infrastructure Program funds during the fiscal year and will evaluate compliance with the MOE requirements and any other applicable requirements as applicable to these separate funding programs. The audits will identify expenditures made for each project and category of funding in the prior fiscal year and will include the accumulated expenses and
revenues for ongoing, multi-year projects. In all cases TransNet Extension and Infrastructure Program funds shall be identified as separate sources of funds in a manner that is sufficient for auditing the separate requirements for the fund sources.

2. Prepare an annual report to the SANDAG Board of Directors presenting the results of the annual audit process. The report should include an assessment of the consistency of the expenditures of TransNet Extension and Infrastructure funds with the two ordinances and their Expenditure Plans and any recommendations for improving the financial operation and integrity of the programs for consideration by the SANDAG Board of Directors. This consistency evaluation will include a review of expenditures by project type for each local jurisdiction. The ITOC shall share the initial findings of the independent fiscal audits and its recommendations with the SANDAG Transportation Committee up to 60 days prior to their release to resolve inconsistencies and technical issues related to the ITOC’s draft report and recommendations. Once this review has taken place, the ITOC shall make any final amendments it deems appropriate to its report and recommendations, and adopt its report for submission directly to the SANDAG Board of Directors and the public. The ITOC shall strive to be as objective and accurate as possible in whatever final report it adopts. Upon completion by the ITOC, the report shall be presented to the SANDAG Board of Directors at a subsequent meeting and shall be made available to the public.

3. Conduct triennial performance audits of SANDAG, Caltrans, Local Agencies, Transit Operators, and other selected recipients involved in the implementation of TransNet Extension and Infrastructure Program-funded projects and programs to review project delivery, cost control, schedule adherence and related activities.

a. The review should include consideration of changes to contracting, construction, permitting and related processes that could improve the efficiency and effectiveness of the expenditure of TransNet Extension or Infrastructure Program revenues. These performance audits shall be conducted using the services of an independent performance auditor and should include a review of the ITOC’s performance. A draft of the ITOC’s report and recommendations regarding the performance audits shall be made available to the SANDAG Transportation Committee at least 60 days before its final adoption by the ITOC to resolve inconsistencies and technical issues related to the ITOC’s draft report and recommendations.

b. Once this review has taken place, the ITOC shall make any final amendments it deems appropriate to its reports and related recommendations, and adopt its reports for presentation directly to the SANDAG Board of Directors and the public. The ITOC shall strive to be as objective and constructive as possible in the text and presentation of the performance audits.

c. Upon completion by the ITOC, the reports shall be presented to the SANDAG Board of Directors at a subsequent meeting and shall be made available to the public.
4. Provide recommendations to the SANDAG Board of Directors regarding any proposed amendments to the TransNet Extension or Infrastructure Program Ordinance or either of their Expenditure Plans.

5. Provide recommendations as part of the comprehensive program review process described in the TransNet Extension and Infrastructure Program. This process provides an opportunity to undertake a comprehensive review of the TransNet Extension and Infrastructure Program every 10 years and to make recommendations for improving the programs over the subsequent 10 years. This review process should take into consideration the results of the TransNet Extension and Infrastructure Program-funded improvements as compared to the performance standards established through the Regional Transportation Plan and the Regional Comprehensive Plan as embodied in the Regional Plan.

6. Participate in the ongoing refinement of SANDAG’s transportation system performance measurement process and the project evaluation criteria used in development of the Regional Plan and in prioritizing projects for funding in the RTIP. The focus of this effort will be on TransNet Extension and Infrastructure Program-funded projects. Based on the periodic updates to the Regional Plan, as required by state and federal law, the ITOC shall develop a report to the SANDAG Transportation Committee, the SANDAG Board of Directors and the public providing recommendations for possible improvements and modifications to the TransNet Extension or Infrastructure Program projects or programs.

7. On an annual basis, review ongoing SANDAG system performance evaluations, including SANDAG’s “State of the Commute” report, and provide an independent analysis of information included in that report. This evaluation process is expected to include such factors as level of service measurements by roadway segment and by time of day, throughput in major travel corridors, and travel time comparisons by mode between major trip origins and destinations. Such information will be used as a tool in the Regional Plan development process.

8. Review and comment on the programming of TransNet Extension and Infrastructure Program revenues in the RTIP. This provides an opportunity for the ITOC to raise concerns regarding the eligibility of projects proposed for funding before any expenditures are made. In addition to a general eligibility review, this effort should focus on significant cost increases and/or scope changes on the Major Corridor or Regional Corridors Program projects identified in the TransNet Extension or Infrastructure Program.

9. Review proposed debt financings and estimates of benefits of accelerated project delivery.

10. Review the Major Corridors Program projects identified in the TransNet Extension and the Regional Corridors Program within the Infrastructure Program for performance in terms of cost control and schedule adherence on a quarterly basis.
11. In carrying out its responsibilities, the ITOC shall conduct its reviews in such a manner that does not cause unnecessary project delays, while providing sufficient time to ensure that adequate analysis can be completed to allow the ITOC to make objective recommendations and to provide the public with information about the implementation of the TransNet Extension and Infrastructure Program projects and programs.

F. ITOC Funding and Administration

1. All costs incurred in administering the activities of the ITOC, including related fiscal and performance audit costs, shall be paid annually as set forth in the TransNet Extension and the Infrastructure Program respectively, from the proceeds of the transactions and use taxes. The funds made available to the ITOC to oversee the TransNet Extension and the Infrastructure Program, following the effective date of the Infrastructure Program Ordinance, shall not exceed $400,000 annually, as adjusted for inflation annually. Any funds not utilized in one fiscal year shall remain available for expenditure in subsequent years as part of the annual budget process.

2. The expenditures of the ITOC shall be audited annually as part of the same fiscal audit process used for all other TransNet Extension and Infrastructure Program-funded activities.

3. Given that both the TransNet Extension and the Infrastructure Program have forty-year durations, but they do not expire at the same time, the ITOC shall continue as long as funds from the respective funding source remain available.

4. An annual ITOC operating budget shall be prepared and submitted to the SANDAG Board of Directors for its approval 90 days prior to the beginning of each fiscal year.

5. All ITOC meetings shall be public meetings conducted in full compliance with the Brown Act. The ITOC will meet on a regular basis, at least quarterly, to carry out its roles and responsibilities.

6. The SANDAG Board of Directors and staff will fully cooperate with and provide necessary support to the ITOC to ensure that it successfully carries out its duties and obligations, but should limit involvement to the provision of information required by the ITOC to ensure the independence of the ITOC as it carries out its review of the TransNet Extension and the Infrastructure Program and develops its recommendations for improvements.

7. ITOC members and their designated auditors shall have full and timely access to all public documents, records and data with respect to all TransNet Extension and Infrastructure Program funds and expenditures.

8. All consultants hired by the ITOC shall be selected on an open and competitive basis with solicitation of proposals from the widest possible number of qualified firms as prescribed by SANDAG’s procedures for procurement. The scope of work of all such consultant work shall be adopted by the ITOC prior to any such solicitation.
9. SANDAG shall provide meeting space, supplies and incidental materials adequate for the ITOC to carry out its responsibilities and conduct its affairs. Such administrative support shall not be charged against the funds set aside for the administration of the ITOC provided under No. 1 above.

G. Conflict of Interest

1. The ITOC shall be subject to SANDAG’s conflict of interest policies and reporting requirements. ITOC members shall have the same level of restrictions as those that apply to SANDAG Board members pursuant to California state law found at Government Code sections 87100 et seq. and 1090 et seq.

2. ITOC members shall have no legal action pending against SANDAG and are prohibited from acting in any commercial activity directly or indirectly involving SANDAG, such as being a consultant to SANDAG or to any party with pending legal actions against SANDAG during their tenure on the ITOC.

3. ITOC members shall not have direct commercial interest or employment with any public or private entity, which receives TransNet Extension or Infrastructure Program transactions and use tax funds.
## Potential Funding Measure
### Draft Final Expenditure Plan Alternative

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<th>Total Revenues Available</th>
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</thead>
</table>

### Off the top:
- **Administration**: $182 (1.0%)
- **Independent Oversight**: $10 (Fixed)
  
  **Subtotal**: $192

### Net Revenues
- **$18,002**

### Distribution of Net Revenues

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<th>Category</th>
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<th>Percent</th>
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<tr>
<td>Active Transportation</td>
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<td>Open Space</td>
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<td>Highways and GP Connectors</td>
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  - Transit Capital Projects ($4,830), (26.8%)                                |
  - Transit Operations ($2,137), (11.9%)                                    |
  - Specialized Transportation Grants ($540), (3%)                           |
| Local Infrastructure Projects Program                                  | $4,322                     | 24.0%   |
| Arterial Traffic Signal Synchronization Program                         | $178                       | 1.0%    |
| Rail / Local Road Grade Separation Grant Program                        | $900                       | 5.0%    |

### Total
- **$18,002** (100.0%)
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<td>Rapid 2</td>
<td>North Park to Downtown</td>
<td>$20</td>
<td>$20</td>
<td>$0</td>
<td>$20</td>
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<tr>
<td>Rapid 10</td>
<td>La Mesa to Ocean Beach</td>
<td>$87</td>
<td>$89</td>
<td>$0</td>
<td>$89</td>
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<tr>
<td>Rapid 11</td>
<td>Spring Valley to SDSU via Downtown</td>
<td>$65</td>
<td>$66</td>
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<td>$66</td>
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<tr>
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<td>Pt Loma to Kearny Mesa via Old Town</td>
<td>$12</td>
<td>$12</td>
<td>$0</td>
<td>$12</td>
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<tr>
<td>Rapid 30</td>
<td>Old Town to Sorrento Mesa via Beaches</td>
<td>$53</td>
<td>$54</td>
<td>$0</td>
<td>$54</td>
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<tr>
<td>Rapid 41</td>
<td>Fashion Valley to UTC via Linda Vista</td>
<td>$55</td>
<td>$56</td>
<td>$0</td>
<td>$56</td>
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<td>Rapid 90</td>
<td>SR 94 Corridor Express Service: El Cajon Transit Ctr to SD Airport via Downtown</td>
<td>$20</td>
<td>$20</td>
<td>$0</td>
<td>$20</td>
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<td>Rapid 120</td>
<td>Downtown to Kearny Mesa</td>
<td>$78</td>
<td>$80</td>
<td>$0</td>
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<td>Rapid 550</td>
<td>SDSU to Palomar Station via Southeast</td>
<td>$59</td>
<td>$60</td>
<td>$0</td>
<td>$60</td>
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<tr>
<td>Rapid 635</td>
<td>Eastlake to Palomar Trolley</td>
<td>$56</td>
<td>$57</td>
<td>$0</td>
<td>$57</td>
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<tr>
<td>Rapid 905</td>
<td>Iris Trolley to Otay Mesa</td>
<td>$10</td>
<td>$10</td>
<td>$0</td>
<td>$10</td>
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<tr>
<td>Rapid 640A/B</td>
<td>SR 52 Corridor Rapid Express Services: San Diego/Iris to Kearny Mesa via Downtown</td>
<td>$93</td>
<td>$95</td>
<td>$0</td>
<td>$95</td>
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<tr>
<td></td>
<td>El Cajon/Santee to Kearny Mesa and UTC/Sorrento Mesa</td>
<td>$19</td>
<td>$19</td>
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<td>First/Last Mile Transit Connections</td>
<td>Mobility Hubs, transportation network connections</td>
<td>$1,279</td>
<td>$1,305</td>
<td>$0</td>
<td>$1,305</td>
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<tr>
<td>SR 94 Centerline Station</td>
<td>Transit station near 27th Street</td>
<td>$50</td>
<td>$51</td>
<td>$0</td>
<td>$51</td>
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<tr>
<td>Sorrento Valley Station</td>
<td>Relocation and Grade separation</td>
<td>$242</td>
<td>$247</td>
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<td>Airport ITC</td>
<td>Intermodal connections to airport</td>
<td>$337</td>
<td>$343</td>
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<td>San Ysidro ITC</td>
<td>Phases 1 and 2</td>
<td>$118</td>
<td>$120</td>
<td>$0</td>
<td>$120</td>
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<tr>
<td>Technology Enhancements</td>
<td>Transit priority measures, fare and customer service system upgrades</td>
<td>$118</td>
<td>$120</td>
<td>$0</td>
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<tr>
<td>LOSSAN - Double Tracking</td>
<td>Various locations</td>
<td>$318</td>
<td>$324</td>
<td>$0</td>
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<tr>
<td>COASTER - Stations</td>
<td>Camp Pendleton, Fairgrounds (incl. San Diegouito River Bridge Double Track)</td>
<td>$207</td>
<td>$211</td>
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<tr>
<td>COASTER</td>
<td>State of Good Repair improvements, including Del Mar Bluffs stabilization and bridge replacement</td>
<td>$79</td>
<td>$81</td>
<td>$0</td>
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<tr>
<td>COASTER</td>
<td>Quiet Zones</td>
<td>$60</td>
<td>$60</td>
<td>$0</td>
<td>$60</td>
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<tr>
<td>COASTER &amp; SPRINTER</td>
<td>Vehicle replacement to support COASTER, SPRINTER and feeder bus service</td>
<td>$133</td>
<td>$136</td>
<td>$0</td>
<td>$136</td>
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<tr>
<td>Trolley</td>
<td>Vehicle replacement to support Trolley service</td>
<td>$90</td>
<td>$90</td>
<td>$0</td>
<td>$90</td>
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<tr>
<td>Regional Transit Station Parking</td>
<td>Expanded transit station parking</td>
<td>$120</td>
<td>$120</td>
<td>$0</td>
<td>$120</td>
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<tr>
<td>Regional Vehicle Replacement</td>
<td>Replacement of rail vehicles</td>
<td>$294</td>
<td>$300</td>
<td>$0</td>
<td>$300</td>
</tr>
<tr>
<td>Regional Vehicle Replacement</td>
<td>New BRT and bus vehicle replacement</td>
<td>$100</td>
<td>$100</td>
<td>$0</td>
<td>$100</td>
</tr>
<tr>
<td>Regional Enhanced Bus Services</td>
<td>Expansion of bus maintenance facilities</td>
<td>$100</td>
<td>$100</td>
<td>$0</td>
<td>$100</td>
</tr>
<tr>
<td></td>
<td></td>
<td>$7,070</td>
<td>$8,746</td>
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<td>$8,746</td>
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</tbody>
</table>

Matching Funds $3,770

Total Sales Tax Needed $3,852

Financing Cost Attributable to Transit $978 $978

Total Capital + Financing Costs $9,724 $4,830
# New or Expanded Transit - Operations

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Purple Line Phase 1 San Ysidro to Kearny Mesa</td>
<td>$21.2</td>
<td>$7.4</td>
<td>$13.8</td>
<td>$304.2</td>
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<tr>
<td><strong>Rapid 2</strong> North Park to Downtown</td>
<td>$0.7</td>
<td>$0.2</td>
<td>$0.5</td>
<td>$10.0</td>
</tr>
<tr>
<td><strong>Rapid 10</strong> La Mesa to Ocean Beach</td>
<td>$4.5</td>
<td>$1.6</td>
<td>$2.9</td>
<td>$64.3</td>
</tr>
<tr>
<td><strong>Rapid 11</strong> Spring Valley to SDSU via Downtown</td>
<td>$3.6</td>
<td>$1.3</td>
<td>$2.3</td>
<td>$51.5</td>
</tr>
<tr>
<td><strong>Rapid 28</strong> Pt Loma to Kearny Mesa via Old Town</td>
<td>$1.3</td>
<td>$0.5</td>
<td>$0.8</td>
<td>$18.6</td>
</tr>
<tr>
<td><strong>Rapid 30</strong> Old Town to Sorrento Mesa via Beaches</td>
<td>$3.6</td>
<td>$1.3</td>
<td>$2.3</td>
<td>$51.5</td>
</tr>
<tr>
<td><strong>Rapid 41</strong> Fashion Valley to UTC via Linda Vista</td>
<td>$3.3</td>
<td>$1.2</td>
<td>$2.1</td>
<td>$47.2</td>
</tr>
<tr>
<td><strong>Rapid 90</strong> SR 94 Corridor Express Service: El Cajon Transit Ctr to SD Airport via Downtown</td>
<td>$0.6</td>
<td>$0.2</td>
<td>$0.4</td>
<td>$8.6</td>
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<tr>
<td><strong>Rapid 120</strong> Downtown to Kearny Mesa</td>
<td>$5.1</td>
<td>$1.8</td>
<td>$3.3</td>
<td>$72.9</td>
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<tr>
<td><strong>Rapid 550</strong> SDSU to Palomar Station via Southeast</td>
<td>$5.3</td>
<td>$1.9</td>
<td>$3.4</td>
<td>$75.8</td>
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<tr>
<td><strong>Rapid 635</strong> Eastlake to Palomar Trolley</td>
<td>$3.0</td>
<td>$1.1</td>
<td>$2.0</td>
<td>$42.9</td>
</tr>
<tr>
<td><strong>Rapid 905</strong> Iris Trolley to Otay Mesa South I-5 Corridor Rapid Express Services: San Ysidro to Old Town via Downtown San Diego/Iris to Kearny Mesa via Downtown San Diego</td>
<td>$2.1</td>
<td>$0.7</td>
<td>$1.4</td>
<td>$30.0</td>
</tr>
<tr>
<td><strong>Rapid 640A/B</strong> SR 52 Corridor Rapid Express Services: El Cajon/Santee to Kearny Mesa and UTC/Sorrento Mesa</td>
<td>$2.4</td>
<td>$0.8</td>
<td>$1.6</td>
<td>$18.7</td>
</tr>
<tr>
<td>First/Last Mile Transit Connections Mobility Hubs, transportation network connections</td>
<td>$3.9</td>
<td>$1.4</td>
<td>$2.5</td>
<td>$55.8</td>
</tr>
<tr>
<td>Advanced Transit Services Funding to advance transit operations</td>
<td></td>
<td></td>
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<td>$455.0</td>
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</table>

**Total New Transit Services - Operations** $62.9 $22.0 $40.9 $1,339.8

## Expanded Transit Operations

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Local Bus Services Augment Existing Service on High Demand Routes</td>
<td>$20.0</td>
<td>$7.0</td>
<td>$13.0</td>
<td>$350.0</td>
</tr>
<tr>
<td>COASTER and SPRINTERT Increased Frequencies and Capacity</td>
<td>$4.0</td>
<td>$1.4</td>
<td>$2.6</td>
<td>$97.5</td>
</tr>
<tr>
<td>Trolley System Increased Frequencies and Capacity, and Security Enhancements</td>
<td>$23.3</td>
<td>$8.2</td>
<td>$15.1</td>
<td>$350.0</td>
</tr>
</tbody>
</table>

**Total Expanded Transit Operations** $47.3 $16.6 $30.7 $797.5

*Assumed start dates are approximate and will depend on Board prioritization and ability to secure matching funds to implement advanced capital projects*
### Managed Lanes, HOV Lanes, and HOV Connectors

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>I-5</td>
<td>8F to 8F+2ML, SR 905 to SR 54</td>
<td>$308</td>
<td>$314</td>
<td>$169</td>
<td>$145</td>
<td>$145</td>
</tr>
<tr>
<td>I-5</td>
<td>8F to 10F+2ML, SR 54 to SR 15</td>
<td>$343</td>
<td>$350</td>
<td>$177</td>
<td>$173</td>
<td>$173</td>
</tr>
<tr>
<td>I-5</td>
<td>8F+2ML to 8F+4ML, SR 56 to SR 78</td>
<td>$1,531</td>
<td>$1,562</td>
<td>$713</td>
<td>$849</td>
<td>$849</td>
</tr>
<tr>
<td>SR 52</td>
<td>2ML from SR 125 to I-805</td>
<td>$389</td>
<td>$397</td>
<td>$71</td>
<td>$326</td>
<td>$326</td>
</tr>
<tr>
<td>SR 78</td>
<td>2HOV from I-5 to I-15</td>
<td>$1,192</td>
<td>$1,216</td>
<td>$566</td>
<td>$650</td>
<td>$650</td>
</tr>
<tr>
<td>SR 94</td>
<td>Corridor Improvements*</td>
<td>$485</td>
<td>$500</td>
<td>$353</td>
<td>$147</td>
<td>$147</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td>$4,248</td>
<td>$4,338</td>
<td>$2,049</td>
<td>$2,289</td>
<td>$2,289</td>
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</table>

### Connectors - HOV

<table>
<thead>
<tr>
<th></th>
<th></th>
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<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>I-5/SR 78 HOV Connectors</td>
<td>S to E, W to N, N to E, W to S</td>
<td>$253</td>
<td>$258</td>
<td>$0</td>
<td>$258</td>
<td>$258</td>
</tr>
<tr>
<td>I-15/SR 78 HOV Connectors</td>
<td>East to South and North to West</td>
<td>$106</td>
<td>$108</td>
<td>$71</td>
<td>$27</td>
<td>$37</td>
</tr>
<tr>
<td>SR 52/I-805 HOV Connector</td>
<td>West to North and South to East</td>
<td>$91</td>
<td>$93</td>
<td>$42</td>
<td>$51</td>
<td>$51</td>
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<tr>
<td>SR 94/SR 15 HOV Connectors</td>
<td>South to West and East to North</td>
<td>$71</td>
<td>$100</td>
<td>$48</td>
<td>$52</td>
<td>$52</td>
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<tr>
<td>SR 94/I-805 HOV Connectors (incl. I-805 Widening to accommodate)</td>
<td>$101</td>
<td>$300</td>
<td>$0</td>
<td>$300</td>
<td>$300</td>
<td></td>
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<tr>
<td>I-805/SR 15 HOV Connectors</td>
<td>South to South and North to North</td>
<td>$81</td>
<td>$100</td>
<td>$0</td>
<td>$100</td>
<td>$100</td>
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<tr>
<td></td>
<td></td>
<td>$703</td>
<td>$959</td>
<td>$161</td>
<td>$798</td>
<td>$798</td>
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</tbody>
</table>

### Total Managed Lanes, HOV Lanes, and HOV Connectors

|                          | $4,951     | $5,297     | $2,210     | $3,087     | $3,087     |

### Match

|                          | $1,544     | $1,544     |

### Sales Tax Need

|                          | $1,544     | $1,544     |

### Total Capital and Financing

|                          | $3,484     | $1,940     |

*Improvements in the SR 94 Corridor are contingent on the outcome of an environmental review process underway at the time the Ordinance was drafted. The budget identified in this Expenditure Plan for this project is based on improvements identified in San Diego Forward: The Regional Plan (2015).
## Highways and General Purpose Lane Connectors

<table>
<thead>
<tr>
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<th></th>
<th></th>
<th></th>
<th></th>
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</tr>
</thead>
<tbody>
<tr>
<td>I-8</td>
<td>4F/6F to 6F from 2nd St to Los Coches</td>
<td>$35</td>
<td>$36</td>
<td>$32</td>
<td>$4</td>
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<tr>
<td>SR 52</td>
<td>4F to 6F from Mast Blvd to SR 125</td>
<td>$76</td>
<td>$78</td>
<td>$0</td>
<td>$78</td>
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<tr>
<td>SR 56</td>
<td>4F to 6F from I-5 to I-15</td>
<td>$141</td>
<td>$144</td>
<td>$114</td>
<td>$30</td>
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<tr>
<td>SR 67</td>
<td>2C to 4C from Mapleview to Dye Road</td>
<td>$636</td>
<td>$649</td>
<td>$250</td>
<td>$399</td>
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### Connectors - General Purpose Lane

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</thead>
<tbody>
<tr>
<td>I-5/SR 56 Connectors</td>
<td>West to North and South to East</td>
<td>$273</td>
<td>$278</td>
<td>$64</td>
<td>$214</td>
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<tr>
<td>I-5/SR 78 Connectors</td>
<td>South to East and West to South</td>
<td>$273</td>
<td>$278</td>
<td>$64</td>
<td>$214</td>
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<tr>
<td>SR 94/SR 125 Connectors</td>
<td>South to East and West to North</td>
<td>$150</td>
<td>$153</td>
<td>$114</td>
<td>$39</td>
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</table>

### Total Highways and General Purpose Lane Connectors

- **Total Capital and Financing**: $1,103 million
- **Sales Tax Need**: $489 million
- **Match**: $489 million

**Financing Costs Attributable to Highways and General Purpose Lane Connectors**: $126 million

**Total Capital and Financing**: $1,103 million
### Estimate of Local Share for Future Sales Tax Measure

<table>
<thead>
<tr>
<th>Jurisdiction</th>
<th>Percent Share</th>
<th>40-year total (2015 $millions)</th>
<th>2017 - First Year Allocation ($thousands)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Carlsbad</td>
<td>3.47%</td>
<td>$150.0</td>
<td>$2,479</td>
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<tr>
<td>Chula Vista</td>
<td>7.93%</td>
<td>$342.7</td>
<td>$5,661</td>
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<tr>
<td>Coronado</td>
<td>0.84%</td>
<td>$36.1</td>
<td>$597</td>
</tr>
<tr>
<td>Del Mar</td>
<td>0.25%</td>
<td>$10.9</td>
<td>$181</td>
</tr>
<tr>
<td>El Cajon</td>
<td>3.19%</td>
<td>$138.0</td>
<td>$2,280</td>
</tr>
<tr>
<td>Encinitas</td>
<td>1.99%</td>
<td>$85.8</td>
<td>$1,418</td>
</tr>
<tr>
<td>Escondido</td>
<td>4.58%</td>
<td>$197.9</td>
<td>$3,270</td>
</tr>
<tr>
<td>Imperial Beach</td>
<td>0.93%</td>
<td>$40.4</td>
<td>$667</td>
</tr>
<tr>
<td>La Mesa</td>
<td>1.90%</td>
<td>$82.3</td>
<td>$1,359</td>
</tr>
<tr>
<td>Lemon Grove</td>
<td>0.92%</td>
<td>$39.6</td>
<td>$655</td>
</tr>
<tr>
<td>National City</td>
<td>1.93%</td>
<td>$83.6</td>
<td>$1,381</td>
</tr>
<tr>
<td>Oceanside</td>
<td>5.32%</td>
<td>$229.8</td>
<td>$3,797</td>
</tr>
<tr>
<td>Poway</td>
<td>1.61%</td>
<td>$69.5</td>
<td>$1,148</td>
</tr>
<tr>
<td>San Diego</td>
<td>41.51%</td>
<td>$1,793.9</td>
<td>$29,637</td>
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<tr>
<td>San Marcos</td>
<td>2.87%</td>
<td>$124.1</td>
<td>$2,051</td>
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<tr>
<td>Santee</td>
<td>1.81%</td>
<td>$78.3</td>
<td>$1,294</td>
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<tr>
<td>Solana Beach</td>
<td>0.52%</td>
<td>$22.5</td>
<td>$372</td>
</tr>
<tr>
<td>Vista</td>
<td>3.04%</td>
<td>$131.4</td>
<td>$2,171</td>
</tr>
<tr>
<td>County</td>
<td>15.38%</td>
<td>$664.7</td>
<td>$10,982</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>100.00%</strong></td>
<td><strong>$4,321.7</strong></td>
<td><strong>$71,402</strong></td>
</tr>
</tbody>
</table>

For comparison purposes, the TransNet Extension includes an estimated $76.7 million to local jurisdictions in FY 2017. The Future Sales Tax Measure FY 2017 estimate would represent an augmentation over and above what local cities and the county receive from TransNet in that year of 93%.

Figures above are for illustration purposes only and reflect a minimum $100,000 allocation for each jurisdiction, with the remaining funds distributed by population.
## Other Allocations

<table>
<thead>
<tr>
<th>Amount (2015 $millions)</th>
</tr>
</thead>
</table>

### Off the Top
- Administration: $182
- Independent Oversight: $10
- Subtotal: $192

### Other Programs
- Active Transportation: $540
- Open Space*: $2,000
- Specialized Transportation Grant Program: $540
- Arterial Traffic Signal Synchronization Program: $178
- Rail / Local Road Grade Separation Grant Program: $900
- Subtotal: $4,158

### Total
- $4,350

*Assumes cost of acquisition, management and monitoring of habitat preserve areas to meet the regional obligation outlined in state/federal agreements.*
## Trolley/COASTER Systems Service Increased Frequency and Capacity

### BLUE LINE

<table>
<thead>
<tr>
<th>Line</th>
<th>Day</th>
<th>Service Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Blue</td>
<td>Weekday</td>
<td>Extend 7.5-min peak frequency mid-day (additional 6 hrs)</td>
</tr>
<tr>
<td>Blue</td>
<td>Weekday</td>
<td>Extend 15-min frequency until end of service day (additional 4 hrs)</td>
</tr>
<tr>
<td>Blue</td>
<td>Saturday</td>
<td>15-min frequency until end of service day (additional 4 hrs)</td>
</tr>
<tr>
<td>Blue</td>
<td>Sunday</td>
<td>15-min frequency to start/end day (additional 7 hrs)</td>
</tr>
</tbody>
</table>

### ORANGE LINE

<table>
<thead>
<tr>
<th>Line</th>
<th>Day</th>
<th>Service Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Orange</td>
<td>Weekday</td>
<td>Extend 15-min frequency (additional 4.5 hrs)</td>
</tr>
<tr>
<td>Orange</td>
<td>Weekday</td>
<td>Add two extra trains per peak period (additional 4 trips)</td>
</tr>
<tr>
<td>Orange</td>
<td>Saturday</td>
<td>15-min frequency (additional 5.5 hrs)</td>
</tr>
<tr>
<td>Orange</td>
<td>Sunday</td>
<td>15-min frequency (additional 4 hrs)</td>
</tr>
<tr>
<td>Orange</td>
<td>Sunday</td>
<td>Extend service day with 15-min frequency (additional 1.5 hrs)</td>
</tr>
</tbody>
</table>

### GREEN LINE

<table>
<thead>
<tr>
<th>Line</th>
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<th>Service Description</th>
</tr>
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<tbody>
<tr>
<td>Green</td>
<td>Fri/Sat</td>
<td>Extend 30-minute frequency DT-SDSU (additional 3 hrs)(late night)</td>
</tr>
<tr>
<td>Green</td>
<td>Weekday</td>
<td>15-minute service (additional 4 hrs)</td>
</tr>
<tr>
<td>Green</td>
<td>Saturday</td>
<td>15-minute service (additional 5 hrs)</td>
</tr>
<tr>
<td>Green</td>
<td>Sunday</td>
<td>15-minute service to Santee</td>
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### COASTER/AMTRAK

<table>
<thead>
<tr>
<th>Line</th>
<th>Day</th>
<th>Service Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>COASTER</td>
<td>Weekday</td>
<td>Add 6 one-way mid-day trips (result: approx. 60-90 minutes between trains)</td>
</tr>
<tr>
<td>AMTRAK*</td>
<td>Weekday</td>
<td>Add 2 Amtrak Rail2Rail trips (morning northbound and evening southbound)</td>
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* Subject to approval by the LOSSAN Rail Corridor Agency
## Ballot Language Options

**SAN DIEGO COUNTY ROAD REPAIR, TRAFFIC RELIEF, SAFETY AND WATER QUALITY PROTECTION MEASURE**

Shall an ordinance be adopted to: repair roads, deteriorating bridges; relieve congestion; provide every community funds for pothole/street repairs; expand public transit, improving services for seniors, disabled, students, veterans; reduce polluted runoff; preserve open space to protect water quality/reduce wildfires by enacting a 40-year, half-cent sales tax ($308 million annually) with independent oversight/annual audits with local funds Sacramento cannot take away?

<table>
<thead>
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<th>Yes</th>
<th>No</th>
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</table>

**SAN DIEGO COUNTY ROAD REPAIR, TRAFFIC RELIEF, SAFETY AND WATER QUALITY PROTECTION MEASURE**

Shall an ordinance be adopted to: repair roads, deteriorating bridges; relieve congestion; provide every community funds for pothole/street repairs; expand public transit, including improved services for seniors, disabled, students, veterans; reduce polluted runoff; preserve open space to protect water quality/reduce wildfires by enacting, with independent oversight/annual audits, a 40-year, half-cent local sales tax ($308 million annually) with independent oversight/annual audits with local funds that Sacramento cannot take away?

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
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</table>
RESOLUTION NO. RTC-2017-01

A RESOLUTION OF THE SAN DIEGO REGIONAL TRANSPORTATION COMMISSION CONCERNING THE SAN DIEGO COUNTY ROAD REPAIR, TRANSIT, TRAFFIC RELIEF, SAFETY, AND WATER QUALITY ORDINANCE AND EXPENDITURE PLAN

WHEREAS, it has been proposed that the San Diego Regional Transportation Commission (Commission) adopt Resolution No. RTC-2017-01, concerning the San Diego County Road Repair, Transit, Traffic Relief, Safety, and Water Quality Ordinance and Expenditure Plan, hereinafter referred to as the “Ordinance and Expenditure Plan;” and

WHEREAS, the San Diego Association of Governments (SANDAG) Board of Directors, pursuant to its authority to act as the Commission, proposes to submit the Ordinance and Expenditure Plan to the voters, which would, among other things, authorize the imposition of a retail transactions and use tax (tax) for a period of 40 years at a rate of one-half of one-cent to provide funding for transportation and other improvements in the incorporated and unincorporated territory of the County of San Diego, if approved by a two-thirds majority or more of the voters at an election scheduled for November 8, 2016; and

WHEREAS, revenues generated from the tax would be allocated solely as described in the Ordinance and Expenditure Plan. Potential uses of the revenues generally would include, but not be limited to, repairing roads and deteriorating bridges and improving critical infrastructure; relieving freeway congestion; providing each local government with funds to repair potholes and streets and to protect waterways and beaches from polluted runoff; expanding transit service for all persons in the County, including seniors, people with disabilities, students, and veterans; preserving open space and better protecting water quality and reducing risk of wildfires; and enhancing the transportation network countywide; and

WHEREAS, in 1987, San Diego County voters approved TransNet – a regional half cent retail transactions and use tax collected for a period of 20 years to finance transportation improvements; and

WHEREAS, in November 2004, voters approved the extension of TransNet to 2048 known as the TransNet Extension and Section 10 of the attachment to the TransNet Extension entitled “TransNet Extension Environmental Mitigation Program (EMP) Principles,” which was last amended in March 2012, commits SANDAG to act on an additional regional funding measure (a ballot measure and/or other secure funding commitments) to meet the long-term requirements for implementing habitat conservation plans in the San Diego region, within the timeframe necessary to allow a ballot measure to be considered by the voters no later than 12 years after passage of the TransNet Extension; and
WHEREAS, Senate Bill 1685 of 2008 (Public Utilities Code Section 13230 et seq.) expanded the uses for which revenues from an additional regional funding measure could be used; and

WHEREAS, the Ordinance and Expenditure Plan will be placed on the Countywide ballot in November 2016, and is intended to meet the aforementioned commitment by SANDAG in the TransNet Extension; and

WHEREAS, habitat and open space preservation are important to the San Diego region and an integral component of the Regional Plan, SANDAG shall continue to seek a funding source to meet the long-term requirements for implementing habitat conservation plans in the San Diego region; and

WHEREAS, SANDAG adopted the Regional Plan in 2015, which is the long-range Regional Transportation Plan and Sustainable Communities Strategy for the San Diego region required by Section 65080 of the Government Code to be prepared by SANDAG as the designated Regional Transportation Planning Agency; and

WHEREAS, the Regional Plan also includes the Regional Comprehensive Plan, which integrates land use, transportation systems, infrastructure needs, and public investment strategies within a regional framework to be prepared by SANDAG as required by Section 132360 of the Public Utilities Code; and

WHEREAS, the Regional Plan specifically contemplates an additional local revenue source that this Ordinance and Expenditure Plan would satisfy as one of the funding mechanisms necessary to implement the programs and improvements proposed in the Regional Plan; and

WHEREAS, the Regional Plan also specifically contemplates continued contributions from the general funds or other funds of local governments to provide a significant share of the funding for regional transportation improvements and related local improvements; and

WHEREAS, the proposed Ordinance and Expenditure Plan contains a list of specific transportation improvement projects, and regional and local programs that will be funded in whole or in part by the tax revenues, and all such projects are consistent with the Regional Plan; and

WHEREAS, the revenues would be used in a manner consistent with Public Utilities Code Section 132320, the long range Regional Plan and the short-range, multi-year Regional Transportation Improvement Program, and for the administration of the San Diego County Regional Transportation Commission Act commencing with Public Utilities Code Section 132000; and

WHEREAS, under California Environmental Quality Act (CEQA) Guidelines Section 15378(b)(4), the Ordinance and Expenditure Plan is not a “project” subject to the requirements of CEQA because it solely creates a funding mechanism and does not constitute a binding commitment to approve, fund, implement or construct (collectively “approve”) any specific project set forth in the Ordinance and Expenditure Plan; and

WHEREAS, individual projects included in the Ordinance and Expenditure Plan will not be approved until completion of any required environmental review under CEQA and/or the National Environmental Policy Act (NEPA). Adoption of this Ordinance and Expenditure Plan would not
preclude the consideration of feasible alternatives, including the no-project alternative, and mitigation measures; and

WHEREAS, the ballot measure language to appear on the ballot for the Ordinance and Expenditure Plan (Ballot Measure Language) has been approved by the Board of Directors and is attached hereto.

NOW THEREFORE BE IT RESOLVED that the SANDAG Board of Directors, also acting as the San Diego county Regional Transportation Commission, does hereby resolve as follows:

1. The SANDAG Board of Directors finds that under CEQA (Public Resources Code, Section 21065), the CEQA Guidelines (14 California Code of Regulations, Section 15378 (b)(4)), and related case law, adoption of the Ordinance and the Expenditure Plan is not approval of a “project” subject to CEQA because it solely creates a government funding mechanism and does not constitute a binding commitment to approve, fund, implement, or construct (collectively “approve”) any specific project set forth in the Ordinance and Expenditure Plan. The Ordinance and Expenditure Plan gives only a brief, general description of the individual projects included. Individual projects would not be approved until completion of any required environmental review under CEQA and/or NEPA. Adoption of this Ordinance and Expenditure Plan would not preclude the consideration of feasible alternatives, including the no-project alternative, and mitigation measures. The list of projects included in the Ordinance and the Expenditure Plan is not fixed, and is subject to amendment. Moreover, the implementation of many projects included in the Ordinance and Expenditure Plan is contingent upon receipt of substantial matching contributions from other funding sources; therefore, inclusion of these projects in the Plan does not assure they will be implemented. Reference: Ordinance and Expenditure Plan Sections 3(F), 22(C), 24.

2. The primary purpose of the proposed Ordinance and Expenditure Plan is to provide funding for regional and local improvement projects and programs planned or proposed in the Regional Plan. The Board recognizes, however, that an additional purpose is to create a long-term funding mechanism for regional and local infrastructure improvements and programs that will extend past the planning horizon of the Regional Plan and that may be used to fund future projects that are not currently proposed or planned in the Regional Plan. In addition, it is understood that proposed projects or programs contemplated in the Regional Plan could in the future be changed or modified prior to completion on the basis of new information, changes in circumstances, or other presently unforeseen causes. The Ordinance and Expenditure Plan also is intended to provide, in part, for the distribution of some funds to local jurisdictions to fund local street and road maintenance, repairs and improvements, and other local projects undertaken directly by local governments that are consistent with the Regional Plan (or any successor Regional Transportation Plan (RTP)), but may not be directly proposed or planned in the Regional Plan. To the extent that the Ordinance and Expenditure Plan creates a funding mechanism for such future regional or local improvement projects or programs that are not currently proposed in the Regional Plan, the adoption of the Ordinance and Expenditure Plan does not constitute a project within the meaning of CEQA as provided in CEQA Guidelines §15378(b)(4). Further, as a practical matter the actual nature of these future projects or programs and their potential environmental effects, mitigation measures, and alternatives cannot presently be determined with sufficient certainty to permit meaningful environmental review at this time. In the event that the Ordinance and Expenditure Plan, or the Regional Plan
or any successor RTP, are amended to add additional transportation improvement projects or programs that may be funded in whole or in part with revenue from the Ordinance and Expenditure Plan, any required CEQA review of the potential environmental effects, mitigation measures, alternatives, and other information required by CEQA will be conducted for each such project in connection with the future adoption or amendment of the Regional Plan and/or prior to actual implementation of each such additional transportation improvement project or program. With respect to any local project or program funded through the Ordinance and Expenditure Plan, the local government responsible for carrying out the project shall be responsible for conducting any environmental review required by CEQA or NEPA prior to implementation of the project or program.

3. The SANDAG Board of Directors finds and directs that:

   a. The Ordinance and Expenditure Plan meet the statutory requirements, including those in Public Utilities Code Sections 132300 et seq. and 132632 for placement of the measure on the ballot, have been met.

   b. SANDAG will submit this Resolution, the Ordinance and Expenditure Plan, Ballot Measure Language, and all necessary information to the County of San Diego requesting that the Board of Supervisors thereby direct the County’s elections officer to render services relating to the election and placing the Ordinance and Expenditure Plan on the November 8, 2016, ballot.

   c. SANDAG shall deposit with the Registrar, at least 60 days in advance of the election, the amount of funds necessary to meet the Registrar of Voter’s estimate of the Commission’s share of the elections costs.

   d. SANDAG shall reimburse the County of San Diego in full for the services performed in response to this Resolution that are permitted by law upon presentation of a final invoice by the County of San Diego.

   e. SANDAG shall indemnify and hold harmless the County of San Diego, its officers, agents and employees from expense of liability, including reasonable attorneys’ fees, as the result of an election contest arising after conduct of an election.

   f. Pursuant to Public Resources Code §21081 and CEQA Guidelines §15091, the Ordinance and Expenditure Plan is exempt from CEQA. A true copy of the Notice of Exemption (NOE) is attached hereto and incorporated fully herein by this reference. The NOE shall be filed with the San Diego County Clerk and the Governor’s Office of Planning and Research following adoption of this Resolution.

4. The SANDAG Board of Directors requests that the County of San Diego and its elections officer do the following:

   a. That the election concerning the Ordinance and Expenditure Plan be consolidated with the statewide election.

   b. That the Ordinance and Expenditure Plan (Attachment 1) and Ballot Measure Language (Attachment 2) be used as the exact form of the proposition to be voted upon at the election, as it is to appear on the ballot. The Ballot Measure Language conforms to the requirements of
the Elections Code governing the wording of propositions submitted to the voters at a
statewide election.

c. That the consolidated election be held on November 8, 2016, and conducted in the manner
prescribed in Elections Code section 10418.

d. That the County of San Diego assign proposition letter “A” to the Ballot Measure Language.

PASSED AND ADOPTED this 8th of July 2016.

AYES:

NOES:

ABSENT:

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

[Seal]

Attest:

______________________________
Secretary of the Board of Directors of the
San Diego County Regional Transportation
Commission
Notice of Exemption

To: Office of Planning and Research  
U.S. Mail:  
P.O. Box 3044  
Sacramento, CA 95812-3044

From: San Diego Association of Governments  
401 B Street, Suite 800  
San Diego, CA 92101

County Clerk  
County of San Diego  
1600 Pacific Highway, Suite 260  
San Diego, CA 92101

Project Title: San Diego County Road Repair, Transit, Traffic Relief, Safety, and Water Quality Ordinance and Expenditure Plan

Project Location: All incorporated and unincorporated territory of the County of San Diego

Description of Nature, Purpose, Beneficiaries of Project: The San Diego Association of Governments (SANDAG), pursuant to its authority as the San Diego County Regional Transportation Commission (Commission), proposes to submit the San Diego County Road Repair, Transit, Traffic Relief, Safety, and Water Quality Ordinance and Expenditure Plan (Ordinance and Expenditure Plan) to the voters, which would, among other things, authorize the imposition of a retail transactions and use tax (tax) for a period of 40 years at a rate of one-half of one-cent to provide funding for transportation and other improvements in the incorporated and unincorporated territory of the County of San Diego, if approved by a two-thirds majority or more of the voters at an election scheduled for November 8, 2016.

Revenues generated from the tax would be allocated solely as described in the Ordinance and Expenditure Plan. Potential uses of the revenues generally would include but not be limited to repairing roads and deteriorating bridges and improving critical infrastructure; relieving freeway congestion; providing each local government with funds to repair potholes and streets and to protect waterways and beaches from polluted runoff; expanding transit service for all persons in the County, including seniors, people with disabilities, students, and veterans; preserving open space and better protecting water quality and reducing risk of wildfires; and enhancing the transportation network countywide as set forth in the Expenditure Plan. The revenues would be used in a manner consistent with Public Utilities Code Section 132320, the long range Regional Plan and the short-range, multi-year Regional Transportation Improvement Program (RTIP), and for the administration of the San Diego County Regional Transportation Commission Act commencing with Public Utilities Code Section 132000.

Name of Public Agency Approving and Carrying out Project: San Diego Association of Governments

Exempt Status: CEQA Guidelines Section 15378, subdivision (b)(4)

Reasons why project is exempt: Under the California Environmental Quality Act (CEQA) (Public Resources Code, Section 21065), the CEQA Guidelines (14 California Code of Regulations, Section 15378 (b)(4)), and related case law, adoption of the Ordinance and the Expenditure Plan is not approval of a “project” subject to CEQA because it solely creates a government funding mechanism and does not constitute a binding commitment to approve, fund, implement, or construct (collectively “approve”) any specific project set forth in the Ordinance and Expenditure Plan. The Ordinance and Expenditure Plan gives only a brief, general description of the individual projects included. Individual projects would not be approved until completion of any required environmental review under CEQA and/or the National Environmental Policy Act (NEPA). Adoption of this Ordinance and Expenditure Plan would not preclude the consideration of feasible alternatives, including the no-project alternative, and mitigation measures. The list of projects included in the Ordinance and the Expenditure Plan is not fixed, and is subject to amendment. Moreover, the implementation of many projects included in the Ordinance and Expenditure Plan is contingent upon receipt of substantial matching contributions from other funding sources; therefore, inclusion of these projects in the Plan does not assure they will be implemented. Reference: Ordinance and Expenditure Plan Sections 3(F), 22(C), 24.
Notice of Exemption

Lead Agency Contact Person: Rob Rundle    Area Code/Telephone: (619) 699-6949

Signature: ___________________________  Date: ___________  Title: ________________

☒ Signed by Lead Agency

Date received for filing at OPR: __________________________
AUTOMATED REGIONAL JUSTICE INFORMATION SYSTEM
ORGANIZATIONAL ASSESSMENT PROPOSED WORK PLAN

Introduction
Since early 2016, a group that includes SANDAG/local government and law enforcement representatives has met to consider the current organizational structure of the Automated Regional Justice Information System (ARJIS) and explore alternative structures. In order to facilitate this effort, an ARJIS Organizational Assessment Work Plan (Plan) is being proposed.

Discussion
ARJIS develops and maintains state-of-the-art criminal justice information technology that provides its members with seamless, cross-jurisdictional access to essential, accurate, real-time data via a secure criminal justice enterprise network. As the convening agency for regional justice technology, ARJIS enhances both officer safety for the local, state, tribal, and federal law enforcement agencies that operate in the region and public safety for the region’s residents and visitors.

The proposed Plan is provided as Attachment 1 to this report. It includes:

- Proposed membership of a Steering Group to conduct the assessment
- Tasks proposed, including assessing the current governance model and practices, identifying alternative organizational structures, assessing the alternatives, and comparing them to the current structure of ARJIS
- Proposed timeline for accomplishment of the tasks

The expected cost of the work effort associated with the Plan is between $90,000 and $100,000, which would be funded with carryover funds in Work Element 7350200, ARJIS Project Management and Administration.

Recommendation
The Public Safety Committee recommends that the Board of Directors approve the proposed Automated Regional Justice Information System Organizational Assessment Work Plan in substantially the same form as shown in Attachment 1.
**Next Steps**

Pending approval by the Board of Directors, a budget amendment to add the tasks and staff time to support this effort would be processed and work would commence, with the final report expected to come back to the Public Safety Committee and Board of Directors in late fall 2016.

GARY L. GALLEGOS  
Executive Director

Attachment: 1. Proposed ARJIS Organizational Assessment Work Plan

Key Staff Contact: Kurt Kroninger, (619) 699-6996, kurt.kroninger@sandag.org
Proposed Automated Regional Justice Information System
Organizational Assessment Work Plan

Purpose:

- Assess current organizational structure of the Automated Regional Justice Information System (ARJIS) and potential alternative structures
- Identify preferred structure for supporting ARJIS as an effective tool for both local governments and law enforcement agencies

Background:

ARJIS develops and maintains state-of-the-art criminal justice information technology that provides its members with seamless, cross-jurisdictional access to essential, accurate, real-time data via a secure criminal justice enterprise network. As the convening agency for regional justice technology, ARJIS enhances both officer safety for the local, state, tribal, and federal law enforcement agencies that operate in the region and public safety for the region's residents and visitors.

Steering Group:

SANDAG/Local Government Representatives
- SANDAG Vice Chair Terry Sinnott
- Poway Mayor Steve Vaus, Public Safety Committee Chair
- El Cajon Mayor Bill Wells, Public Safety Committee Vice Chair

Law Enforcement Representatives
- San Diego County Assistant Sheriff Michael Barnett
- San Diego Police Department Assistant Chief Albert Guaderrama
- La Mesa Chief of Police Walt Vasquez, County Chiefs'/Sheriff's Association

Scope:

Task 1: Assess existing ARJIS Joint Powers Authority (JPA) administered by SANDAG (current organizational structure)

Assess what works well and what could be improved in areas including, but not limited to:

- Governance
- Technology infrastructure and operations
- ARJIS user needs
- Financial/budget impacts
- Administrative support (e.g., personnel, office space, contracts and procurement, etc.)
- Legal/legislative issues
- Public perception
- Other (to be determined)
Assessment will consider current needs/state of practice, near-term needs, and longer-term future opportunities.

**Task 1 Deliverable:** Current ARJIS organizational assessment for presentation to Public Safety Committee and SANDAG Board of Directors (summer 2016)

**Task 2:** Identify potential alternative organizational structures. These could include, but not be limited to:
- ARJIS JPA administered by San Diego County Sheriff’s Department
- Stand-alone ARJIS JPA
- Other (to be determined)

**Task 3:** Identify positive, neutral, or negative potential of each alternative organizational structure compared to current ARJIS JPA administered by SANDAG

Assess each alternative in areas including, but not be limited to:
- Governance
- Technology infrastructure and operations
- ARJIS user needs
- Financial/budget impacts
- Administrative support (e.g., personnel, office space, contracts and procurement, etc.)
- Legal/legislative issues
- Public perception
- Other (to be determined)

Assessment will consider current needs/state of practice, near-term needs, and longer-term future opportunities.

**Tasks 2 and 3 Deliverable:** Alternative organizational structure assessment for presentation to Public Safety Committee and SANDAG Board of Directors (early fall 2016)

**Task 4:** Based on review by Public Safety Committee and direction from SANDAG Board of Directors, prepare final report, including specific recommendations and next steps

**Task 4 Deliverable:** Final report for review by Public Safety Committee and action by SANDAG Board of Directors (late fall 2016)

**Schedule:**

<table>
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<tr>
<th>Date</th>
<th>Event</th>
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<tr>
<td>May 20, 2016</td>
<td>Present ARJIS Organizational Assessment Work Plan to Public Safety Committee for recommendation to SANDAG Board of Directors</td>
</tr>
<tr>
<td>June 24, 2016</td>
<td>SANDAG Board of Directors considers ARJIS Organizational Assessment Work Plan</td>
</tr>
<tr>
<td>Summer 2016</td>
<td>Complete Task 1</td>
</tr>
<tr>
<td>Fall 2016</td>
<td>Complete Tasks 2 through 4</td>
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GILMAN DRIVE BRIDGE PROJECT: CONSTRUCTION COOPERATION AGREEMENT WITH UNIVERSITY OF CALIFORNIA, SAN DIEGO AND CALTRANS; AND SUPPLEMENT 3 TO THE CONSTRUCTION MANAGER/GENERAL CONTRACTOR CONSTRUCTION SERVICES AGREEMENT

Introduction

The Interstate 5 (I-5)/Gilman Drive Bridge (Gilman Drive Bridge) Project would construct a new bridge over I-5 at Gilman Drive on the University of California, San Diego (UC San Diego) campus. The Board of Directors approved construction of the Gilman Drive Bridge Project using the Construction Manager/General Contractor (CM/GC) project delivery method at its January 22, 2016, meeting.

Mid-Coast Transit Constructors (MCTC), a joint venture construction entity of Stacy & Witbeck Inc., Skanska USA, and Herzog Contracting Corporation, was selected by the Board of Directors to deliver this project. MCTC also is the CM/GC implementing five other SANDAG projects contiguous to the Gilman Drive Bridge Project along the corridor, which includes the Mid-Coast Corridor Transit (Mid-Coast), San Diego River Bridge Double-Track, Elvira to Morena Double-Track, I-5/Voigt Drive Improvement (I-5/Voigt), and Rose Creek Bikeway Projects.

Approval by the Board of Directors of individual supplemental agreements (Supplement) to the base general provisions agreement between SANDAG and MCTC (Construction Services Agreement) enable the construction of the Gilman Drive Bridge Project and each of the other projects. To date, the Board has approved three Supplements – the first for the relocation of wet utilities and construction of Control Point Rose (Supplement 1), the second for construction of the LOSSAN San Diego River Bridge Double Track Project (Supplement 2), and the third for the construction of the Mid-Coast Project (Supplement 4).

Recommendation

The Transportation Committee recommends that the Board of Directors:

A. (1) authorize the Executive Director to execute a Construction Cooperation Agreement with University of California, San Diego (UC San Diego) and Caltrans to fully fund the Interstate 5/Gilman Drive Bridge Project (Project); and (2) approve an amendment to the FY 2017 Program Budget to accept $4.407 million from UC San Diego to fully fund the Project (Capital Improvement Program No. 1200508); and

B. (1) approve the Guaranteed Maximum Price negotiated between Mid-Coast Transit Constructors and SANDAG for Supplement 3 to the Construction Manager/General Contractor Construction Services Agreement for the Project in the amount of $15.3 million; and (2) authorize the Executive Director to execute Supplement 3.
At its June 17, 2016, meeting, the Transportation Committee recommended the Board of Directors approve a Construction Cooperation Agreement (CCA) with UC San Diego and Caltrans to implement three regional projects (described below); approve a budget amendment for the Gilman Drive Bridge Project; and authorize the execution of Supplement 3 to the CM/GC contract for the construction of the Gilman Drive Bridge Project with a guaranteed maximum price (GMP) of $15.3 million.

Discussion

Gilman Drive Bridge

The Gilman Drive Bridge Project is a new bridge over I-5 at Gilman Drive on the UC San Diego campus to facilitate on campus circulation, as shown in Attachment 1. This project is one of three regional projects SANDAG is coordinating with UC San Diego and Caltrans in order to minimize disruption to the area and reduce costs for the agencies. The two other projects are the Mid-Coast and I-5/Voigt Projects. In return, the Gilman Drive Bridge will provide connectivity for the campus while the replacement of the existing I-5/Voigt Drive Bridge is completed in a single phase, expediting construction and reducing cost.

Construction Cooperation Agreement

The CCA addresses the right-of-way, construction, and funding for these three regional projects. It also establishes easements for the Mid-Coast Trolley alignment, a widened Voigt Drive, future I-5 widening on the UC San Diego campus and for the Caltrans I-5 right-of-way needed for the Gilman Drive Bridge.

In the proposed CCA, SANDAG would provide funding in an amount not to exceed $15 million toward construction of the Gilman Drive Bridge Project. SANDAG also would advance construction of the I-5/Voigt Project over I-5 needed for the future direct access ramps (DAR). This early construction for the future DAR would include widening of Voigt Drive to Genesee Avenue and realignment of Campus Point Drive on the UC San Diego campus to allow vehicles using the DAR to get into University City. The agreement also covers legal requirements and indemnity between the agencies.

The FY 2017 SANDAG Capital Improvement Program (CIP) includes the Gilman Drive Bridge Project (CIP No. 1200508) with an approved project budget of $15 million for construction and construction administration. The $15 million is the not-to-exceed amount SANDAG has committed for construction of the Gilman Drive Bridge. Pursuant to the CCA, UC San Diego would have responsibility for any expenditures over $15 million. The total cost for construction of the Gilman Drive Bridge is approximately $19.4 million. Therefore, the Transportation Committee recommends the Board of Directors approve a budget amendment to the Gilman Drive Bridge Project to accept $4.407 million from UC San Diego to cover additional anticipated costs for construction of the bridge. Any unanticipated additional costs would remain the responsibility of the UC San Diego. A budget change form is attached (Attachment 2).
**CM/GC Process and Agreements**

CM/GC is a two-step best value process. In the first step, a contractor is selected based on qualification and price to provide pre-construction services during the design process. In the second step, a GMP for construction services is negotiated. SANDAG retains the option to bid the construction if a GMP cannot be negotiated.

The Board of Directors approved a Pre-Construction Services Agreement with MCTC to provide constructability support for the Gilman Drive Bridge Project, including value engineering, staging, scheduling, costing, subcontracting plans, and other services to reduce the risk and cost in advance of construction. The Board also approved a CM/GC Construction Services Agreement with MCTC that includes general provisions for the control of work, methods of payment, legal responsibilities and requirements, insurance, financial conditions, and other contract requirements for all construction work approved for the CM/GC. Construction is authorized by the Board through negotiated GMP contract supplements as indicated in Table 1 below, with actual and anticipated dates shown for Board approval. Currently, staff expects a total of seven construction supplements.

<table>
<thead>
<tr>
<th>Table 1 – Construction Supplements</th>
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<tbody>
<tr>
<td>Action</td>
</tr>
<tr>
<td>Select CM/GC Contractor</td>
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<tr>
<td>Pre-Construction Services Agreement</td>
</tr>
<tr>
<td>CM/GC 1 Construction Service Agreement</td>
</tr>
<tr>
<td>Supplement 1 – Wet Utilities and CP Rose</td>
</tr>
<tr>
<td>Supplement 2 – San Diego River Bridge</td>
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<tr>
<td>Supplement 3 – Gilman Drive Bridge</td>
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<tr>
<td>Supplement 4 – Mid-Coast Transit</td>
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<td>Supplement 5 – Elvira to Morena Double Track</td>
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<td>Supplement 6 – I-5/Voigt</td>
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<td>Supplement 7 – Rose Creek Bike Path</td>
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</tbody>
</table>

GMP negotiations for the construction of each supplement are based on detailed estimates of labor, materials, equipment, and other direct construction costs to which indirect costs such as supervision, quality control, insurance, and bonds are applied. This method of cost estimating is known as bottom-up and is typical of how contractors bid projects. In a CM/GC, the contractor will develop its bottom-up estimate and SANDAG will develop its own bottom-up independent cost estimate (ICE). The initial step in negotiating a GMP is to reconcile quantities of the physical work, such as cubic yards of bridge concrete or tons of asphalt paving. Direct and indirect costs are then placed against those quantities by both the contractor and the owner. The contractor and owner then negotiate the direct and indirect cost of installing those items to reach the GMP.

**Supplement 3 – I-5/Gilman Drive Bridge Project**

SANDAG initiated the GMP negotiation process for the Gilman Drive Bridge Project in March 2016. At the start of the process, UC San Diego provided plans, specifications, and engineering reports
developed to the 95 percent design level. This GMP plan and specification set (GMP plan set) was used as the basis for reconciling quantities and negotiating the GMP price.

The GMP negotiating team for the Gilman Drive Bridge Project included SANDAG, UC San Diego, and Caltrans staffs. The team employed an expert construction estimating consultant, Hatch Mott McDonald (HMM), to prepare quantities and develop an ICE from the GMP plan set. The quantities were reconciled to those developed by MCTC and the engineer to arrive at final quantities. In February 2016, based on the reconciled quantities, SANDAG requested HMM to develop an ICE, and MCTC to prepare a GMP cost proposal. On March 7, 2016, MCTC submitted its initial GMP proposal. During March and April, the negotiating team comprised of SANDAG, UC San Diego, and Caltrans staffs and design and construction management consultant staffs met with the MCTC negotiating team in a series of technical meetings.

The two negotiating teams compared:

- direct costs for labor, material and equipment, and the rates for production
- indirect costs for supervision, quality assurance, insurance and bonding, and escalation
- construction risk including control of subcontractor work, access to work areas, third party coordination, and unanticipated conditions

Both teams provided open book access to information used to develop costs for direct, indirect, and construction risk numbers. The teams also exchanged information on construction sequencing options and production rates to come to agreement on the overall construction duration of 19 months.

The first MCTC cost proposal and ICE were substantially apart. After a number of negotiation meetings, SANDAG, UC San Diego, and MCTC were able to reach agreement on a GMP for the Gilman Drive Bridge Project in the amount of $15.3 million. The recommended GMP is within 2 percent of the final ICE, as indicated in Table 2 below. This amount is considered fair and reasonable by the members of the SANDAG negotiating team.

| Table 2 – Gilman Drive Bridge GMP |
|-------------------------------|---------------------|------------------|
|                               | Amount              | Percent Difference from ICE |
| ICE                            | $15.0 million       | --                |
| MCTC Proposal                  | $16.2 million       | 8%                |
| Recommended GMP                | $15.3 million       | 2%                |
The Disadvantaged Business Enterprise (DBE) subcontracting goal for this project is 8.3 percent. MCTC has committed to achieving the DBE goal.

**GMP Construction Scope**

The proposed $15.3 million GMP is the not-to-exceed amount to build the project within the scope of the plans and specifications agreed to by both parties in the course of negotiations including: clarifications and design refinements, duration, construction sequencing, access, permits, and other conditions.

The total cost of construction for the Gilman Drive Bridge Project also includes items outside the GMP, including connecting roadways, UC San Diego oversight, and connecting utilities and communications lines across the bridge, which will be completed separately by UC San Diego.

The parties share certain risks in the GMP. As an example, UC San Diego plans to provide SANDAG with construction management office space. If the office space is not available, UC San Diego would cover the cost for acquiring office space. The GMP also has the parties sharing the risk for hauling dirt off of the project.

A GMP Conformed Plans and Specification Set (Conformed Set) of documents will be approved as part of the executed contract for Supplement 3. The GMP Conformed Set will reflect any changes and clarifications negotiated from the original GMP plans and specifications to reflect the agreed GMP scope and price. Final construction plans will be issued after the contract is executed in work packages. In the GMP price, MCTC assumes the risk (cost) of any design advancement from the Conformed Set at approximately 95 percent to the 100 percent issued for construction documents. Change orders above the GMP would be issued only for new or undefined work added by SANDAG, at the request of UC San Diego, or for unanticipated conditions, such as differing geotechnical site conditions, late owner furnished access or materials, or new permit requirements.

**Next Steps**

Upon approval by the Board of Directors, SANDAG would execute the CCA with UC San Diego and Caltrans and Construction Supplement 3 with MCTC. Construction of the Gilman Drive Bridge Project is expected to begin this summer.

Gary L. Gallegos  
Executive Director

Attachments: 1. Gilman Drive Vicinity Map  
2. I-5/Gilman Drive Project Budget Change Form

Key Staff Contacts:  John Haggerty, (619) 699-6937, john.haggerty@sandag.org  
Greg Gastelum, (619) 699-7378, greg.gastelum@sandag.org
CONTRACTOR: SANDAG CFT-17916-10

PROPOSED FY 16 BUDGET

PROJECT NUMBER: Corridor Director: Allan Kosup
RTIP Number: V15 Project Manager: Arturo Jacobo
Project Name: I-5/Gilman Drive Bridge PM Phone Number: (619) 688-6816

PROJECT SCOPE

Construct new overcrossing over I-5 between Gilman Drive and Medical Center Drive.

PROJECT LIMITS

On I-5 between La Jolla Village Drive and the Voigt Drive overcrossing.

SANDAG EXPENDITURE PLAN ($000)

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Close-Out: Jun 18

FINAL CONSTRUCTION: Aug 17

ENVIRONMENTAL DOCUMENT: N/A

CONSTRUCTION: May 16

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1. Project Number
2. RTIP Number
3. Project Name
4. Project Manager
5. Corridor Director
6. Project Phone Number
7. Project Title
8. Project Description
9. Project Location
10. Project Scope
11. Project Limits
12. SANDAG EXPENDITURE PLAN ($000)
13. CALTRANS EXPENDITURE PLAN ($000)
14. FUNDING PLAN ($000)
15. Status of Project
16. Close-Out

ATTACHMENT 2

I-5/Gilman Drive Project Budget Change Form
DOWNTOWN MULTIUSE AND BUS STOPOVER FACILITY

Introduction

SANDAG has been studying the feasibility of a Downtown Multiuse and Bus Stopover Facility (Downtown Facility) for short-term bus parking and SANDAG office space in Downtown San Diego. At its meeting on May 22, 2015, the Board of Directors narrowed the potential locations from five to two locations and authorized staff to conduct due diligence on the two remaining locations. The two locations are known as Site A and Site B located between A Street and B Street, on either side of Union Street. The locations are shown in Attachment 2.

Discussion

The need for short-term bus parking is increasing as SANDAG and the Metropolitan Transit System (MTS) implement transit service outlined in San Diego Forward: The Regional Plan. There are numerous bus routes that terminate on western Broadway. Currently, buses are parking curbside during their stopover, taking up parking space in the downtown area. The Downtown Facility would allow for an on-time return trip in case the bus is delayed on its trip downtown. Stopover durations are usually in the 10- to 20-minute range. It also would provide a place for a break period for the bus drivers. Currently, portable toilets are provided near the curbs for the bus drivers. MTS has received several complaints about the amount of parking the buses take up and portable toilets near the curbs. The Downtown Facility would provide better accommodations for the bus drivers, free up more than 40 parking spaces, and improve the downtown streetscape.

SANDAG has received numerous comments from downtown community stakeholders that a bus stopover by itself is not preferred. Stakeholders have expressed interest in having the property developed to its fullest potential and not solely for bus parking. In response, staff studied the opportunity to construct a multiuse facility in addition to the stopover, and developed a project description for the proposed Downtown Facility project. The proposed facility includes approximately 20,000 square feet of retail space, 300,000 square feet of office space, and 280,000 square feet of residential space. The Downtown Facility could include SANDAG office space, other leasable office space, retail, and housing.

Recommendation

The Board of Directors is asked to: (1) approve Site A as the preferred site for the proposed Downtown Multiuse and Bus Stopover Facility (Project); and (2) adopt Resolution No. 2016-38 (Attachment 1), finding that no further California Environmental Quality Act review of the proposed Project at Site A is required.
Sites A and B provide an opportunity to develop Transit Oriented Development (TOD) consistent with the Regional TOD Strategy the Board of Directors accepted at its September 25, 2015, meeting. Sites A and B are in close proximity to the Santa Fe Depot, Broadway (which has many local and regional bus routes), and the future Trolley Courthouse Station.

**Due Diligence**

Staff has completed due diligence on Site A and Site B. Site A is subdivided and privately owned. There currently are five different property owners of Site A. There is an auto repair shop and two vacant buildings on the northwest quadrant of the property (see Attachment 3). The northeast quadrant is used for construction field offices for the new courthouse construction to the south across B Street. The southern half of the block is used as a parking lot.

Site B is owned by the County of San Diego. There are a number of current uses on Site B, which are shown in Attachment 4. The northwest quadrant houses a County auto repair shop. The southwest quadrant houses a portion of the County courthouse and a central plant that provides chilled water to the County courthouse complex. The remaining portions of Site B are used for parking.

The timing of availability of Site B (County property) for development purposes is uncertain. There are courthouse facilities on Site B that need to be removed before the site is fully available for redevelopment. The Judicial Council of California is responsible for the removal of the existing courthouse facilities and there currently is no funding for this removal in the state’s budget. The availability of funding will be subject to the annual state budget process. It is not known when this funding might be available. There also are facilities on Site B that may be needed for an indefinite period of time because they are relied on by other public use facilities on the site across the street from Site B that is home to the County Jail. The jail is in active use and its lease to a private sector company is not due to expire until at least March 2019.

Additionally, County staff has indicated that the County of San Diego is not willing to sell its property to SANDAG. The County is only willing to lease to SANDAG at market-rates.

**Cost Estimates**

The cost over a 40-year period for locating the stopover and SANDAG offices at Site A and Site B was analyzed. Scenario 1 includes purchasing Site A and locating a stopover and SANDAG offices at Site A. Scenario 1 assumes SANDAG would select a development partner that would construct additional office, residential, and retail at the site with the goal of maximizing site potential and reducing SANDAG costs. Scenario 2 includes leasing Site B from the County and locating a stopover and SANDAG offices at Site B as part of a County lease development that would include other uses (office, residential, and retail) designed to maximize revenue generation.

Because it would be expensive for SANDAG to construct new offices under a market-rate lease from the County at Site B, a third scenario was investigated. This scenario includes continuing to lease SANDAG office space at 401 B Street and leasing space at Site B solely for a stopover as part of a County lease development. The net present value of the occupancy costs over a 40-year period for each scenario is shown in the table below.
### 40 Year Occupancy Cost

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*Note: all of the numbers in this table have been rounded to the nearest million and the Scenario 1 number includes potential eminent domain costs.*

### Environmental Review

Staff has developed a project description for the proposed Downtown Multiuse and Bus Stopover Facility, with Site A as the preferred site, and conducted environmental technical analyses. The technical studies include traffic, noise, air quality/greenhouse gas emissions, cultural resources, hydrology/water quality, geotechnical/geologic, and hazardous materials analysis (Phase 1 site assessment).

In addition, staff has determined that the proposed project is eligible for California Environmental Quality Act (CEQA) “infill streamlining” under CEQA Guidelines Section 15183.3. CEQA Guidelines Section 15183.3 streamlines the environmental review process for eligible infill projects, in order to implement Senate Bill 226 (Simitian, 2011) (SB 226). The infill streamlining allows lead agencies to avoid repeating analysis that was completed in a prior environmental impact report (EIR) for eligible projects. In 2006, the Downtown Community Plan Final EIR (Prior EIR) (State Clearinghouse No. 2003041001) was adopted and certified by the City of San Diego.

To document that the proposed project would qualify for the CEQA infill streamlining process, the proposed project was evaluated to verify it meets the performance standards listed in CEQA Guidelines Appendix M, and an Infill Environmental Checklist (Checklist) was completed using the example provided in CEQA Guidelines Appendix N. The Checklist is included as Exhibit A to Attachment 1. Appendix A to the Checklist is the Infill Consistency Matrix and is provided as an attachment to Exhibit A. Appendix A and the remaining technical appendices are available online at sandag.org/stopover.

The Checklist documents the proposed project’s eligibility for infill streamlining, including how the proposed project meets the performance standards in CEQA Guidelines Appendix M. It also demonstrates that the proposed project incorporates all applicable measures from the Prior EIR. The Checklist demonstrates that the Downtown Facility Project would not cause any new specific effects or more significant effects not evaluated in the Prior EIR with the exception of certain specific greenhouse gas (GHG), vibration, and transportation impacts. It demonstrates that uniformly applicable development policies or standards substantially mitigate the new specific GHG, vibration, and transportation impacts not evaluated in the Prior EIR.

The Checklist and other information in the administrative record provide substantial evidence demonstrating why no further CEQA review of the Downtown Facility Project is required, as authorized by SB 226 and CEQA Guidelines § 15183.3(D)(2)(A).
Next Steps

Based on the results of the due diligence and cost estimates developed by staff, Site A is recommended for selection as the preferred site for the development of the Downtown Multiuse and Bus Stopover Facility. Site A is expected to have earlier availability for development and lower long-term costs.

If Site A is approved as the preferred site for the proposed project and the Board of Directors adopts Resolution No. 2016-38 (Attachment 1), staff would initiate negotiations and send written contingent offers to the five Site A owners to evaluate interest in SANDAG purchasing their property. Staff also would evaluate whether any of the property owners are interested in partnering with SANDAG on the Downtown Multiuse and Bus Stopover Facility. In addition, staff would begin preparing a detailed financing plan including near-term funding needs and a construction procurement strategy, including opportunities for a public-private partnership.

GARY L. GALLEGOS
Executive Director

Attachments: 1. Resolution No. 2016-38
   • Exhibit A – Infill Environmental Checklist
     o Appendix A – Infill Consistency Matrix
   2. Site A and Site B – Downtown Location Map
   3. Site A – Site Specific Map
   4. Site B – Site Specific Map

Key Staff Contact: Richard Chavez, (619) 699-6989; richard.chavez@sandag.org
                 Cheryle Hodge (619) 699-6938; cheryle.hodge@sandag.org
A RESOLUTION OF THE SAN DIEGO ASSOCIATION OF GOVERNMENTS BOARD OF DIRECTORS
MAKING FINDINGS FOR THE INFILL ENVIRONMENTAL CHECKLIST FOR THE DOWNTOWN
MULTIUSE AND BUS STOPOVER FACILITY

WHEREAS, SANDAG proposes to approve the Downtown Multiuse and Bus Stopover Facility (Project) at Site A; and

WHEREAS, the Project qualifies for California Environmental Quality Act (CEQA) infill streamlining under Public Resources Code § 21094.5 and CEQA Guidelines § 15183.3; and

WHEREAS, SANDAG prepared an Infill Environmental Checklist (Checklist), attached hereto as Exhibit A, and Technical Appendices A-H that can be viewed at www.sandag.org/stopover; and

WHEREAS the Checklist documents the Project’s eligibility for infill streamlining, including how the Project meets the performance standards in CEQA Guidelines Appendix M; and

WHEREAS, the Checklist demonstrates that the Project incorporates all applicable measures from the Downtown San Diego Community Plan EIR (Prior EIR), including but not limited to Mitigation Measures AQ-B.1-1, HIST-B.1-1, PAL-A.1-1, NOI-B.1-1, and TRF-A.1-1-2; and

WHEREAS, the Checklist demonstrates that the Project would not cause any new specific effects or more significant effects not evaluated in the Prior EIR, with the exception of certain specific greenhouse gas (GHG), vibration, and transportation impacts; and

WHEREAS, the Checklist demonstrates that uniformly applicable development policies or standards substantially mitigate the new specific GHG, vibration, and transportation impacts not evaluated in the Prior EIR; and

WHEREAS the Checklist and other information in the administrative record provide substantial evidence demonstrating why no further CEQA review of the Project is required, as authorized by CEQA Guidelines § 15183.3(D)(2)(A); and

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

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

BE IT FURTHER RESOLVED that the Board makes the following findings:

A. The Project incorporates all applicable mitigation measures from the Prior EIR

B. The Project would not cause any new specific effects or more significant effects not evaluated in the Prior EIR, with the exception of certain specific GHG, vibration, and transportation impacts

C. The following uniformly applicable development policies or standards substantially mitigate the new specific GHG, vibration, and transportation impacts not evaluated in the Prior EIR:
• Increases in GHG emissions in 2020 and 2035 are substantially mitigated by uniformly applicable development policies established in the City of San Diego Climate Action Plan (CAP), for example local strategies described on pages 31-40 of the CAP.

• Vibration impacts are substantially mitigated by uniformly applicable standards limiting vibration impacts established by City of San Diego Municipal Code (Chapter 15, Article 6, Division 3, Subsection 156.0312(1)).

• Significant level of service impacts at the following intersections are substantially mitigated by the following improvements, which are consistent with uniformly applicable standards in Prior EIR Mitigation Measure TRF-A.1.1-2:
  o Kettner Boulevard/A Street: Prohibit eastbound through movement restricting vehicles to right turn out only
  o India Street/Broadway: Increase intersection cycle lengths
  o Kettner Boulevard/Broadway: Convert left turn phasing to protected for southbound and westbound left turn lanes

D. No further CEQA review of the Project is required, as authorized by CEQA Guidelines § 15183.3(D)(2)(A).

BE IT FURTHER RESOLVED that following Board adoption of this resolution and approval of the project, staff is authorized to file a Notice of Determination for the Project pursuant to CEQA Guidelines Section § 15183.3(D)(2)(A).

PASSED AND ADOPTED this 24th day of June 2016.
Downtown Bus Stopover and Multi-Use Facility

CEQA Streamlining for Infill Projects:

Appendix N - Draft Infill Environmental Checklist

San Diego, CA

June 2016

Prepared for

SANDAG
401 B Street, Suite 800
San Diego, CA 92101
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ACRONYMS AND ABBREVIATIONS

µPa  Micropascals
ACLUP  Airport Comprehensive Land Use Plan
AEOZ  Airport Environ Overlay Zone
AEP  Association of Environmental Professionals
AF  Acre foot
AGL  above ground level
ALUCP  Airport Land Use Compatibility Plan
AMSL  Above mean sea level
APN  Assessor’s Parcel Number
BDR  Building Development Review
BMPs  Best Management Practices
BRT  Bus rapid transit
Caltrans  California Department of Transportation
CAP  Climate Action Plan
CARB  California Air Resources Board
CCDC  Centre City Development Corporation
CCPD-PC  Centre City Planned District – Public/Civic
CEC  California Energy Commission
CESA  California Endangered Species Act
CEQA  California Environmental Quality Act
CMP  Congestion Management Plan
CNEL  Community Noise Equivalent Level
dB  Decibel
dBA  A-weighted decibel
DEH  Department of Environmental Health
DIFs  Development Impact Fees
DSD  Development Services Department
DTSC  Department of Toxic Substances Control
EIR  Environmental Impact Report
EPA  United States Environmental Protection Agency
ESA  Environmental Site Assessment
FAA  Federal Aviation Administration
FAR  Floor to area ratio
FESA  Federal Endangered Species Act
FHWA  Federal Highway Administration
FTA  Federal Transit Administration
<table>
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<tr>
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1.0 INTRODUCTION

1.1 PURPOSE

The San Diego Association of Governments (SANDAG) proposes to construct a bus stopover and multi-use facility on one city block located in San Diego, California. A detailed project description is provided in Section 3.0.

The need for short-term bus parking is increasing as SANDAG and the San Diego Metropolitan Transit System (MTS) implement transit service expansions outlined in the Regional Plan. There are numerous bus routes that terminate on western Broadway in downtown San Diego. Currently, busses are parking on curbs during their stopover, taking up parking space in the downtown area. A “stopover” for transit is generally defined as a break period between transit service runs. The bus stopover facility would allow the busses to be relocated from curbside, freeing up parking. The stopover facility allows for an on-time return trip in case the bus is delayed on its trip downtown. Stopover durations are usually in the 5 to 20 minute range. The Stopover also provides a break period for the bus driver. Currently, portable toilets are provided near the curbs for the bus drivers. The bus stopover facility would provide better facilities for the bus drivers and improve the downtown streetscape.

SANDAG has received numerous comments from the downtown community that a bus stopover facility by itself is not the highest and best use of downtown property. In response to this, SANDAG has developed a proposed project that includes construction of a multiuse facility in addition to the bus stopover facility. The proposed multiuse facility includes approximately 20,000 square feet of retail space, 300,000 square feet of office space, and 280,000 square feet of residential space.

The proposed project site provides an excellent opportunity to provide a Transit Oriented Development (TOD). It would be in close proximity to the Santa Fe Depot, Broadway (which has many local and regional bus route choices), and the future Trolley Courthouse Station. The SANDAG Board of Directors accepted the Regional TOD Strategy at its September 25, 2015, meeting. This strategy would be used as a guideline for planning development of the proposed project site.

1.2 CALIFORNIA ENVIRONMENTAL QUALITY ACT REQUIREMENTS

The Infill Streamlining provisions of the California Environmental Quality Act (CEQA) were adopted in compliance with Senate Bill (SB) 226 (Simitian 2011). SB 226 addresses uncertainty and delay in CEQA compliance by creating a new streamlining mechanism in CEQA for infill projects that promote a specific set of environmental policy objectives. The broad purposes of SB 226 are two-fold:

- Provide flexibility in project design by basing eligibility on meeting environmental performance standards rather than prescribing specific project characteristics; and
- Allow infill projects to avoid repetitive environmental analysis of environmental effects that were previously analyzed in a prior Environmental Impact Report (EIR) for a planning-level decision or are substantially mitigated by uniformly applicable development policies.
In order to qualify for coverage under the Infill Streamlining provisions, an “infill project” must meet the following conditions (Public Resources Code Section 21094.5(e)(1):

- Consist of any one or a combination of the following uses: residential, commercial, transit station, school, or public office building; and
- Be located in an urban and urban area that has been previously developed or that has urban uses on 75 percent of the site perimeter.

In addition, the infill project must be consistent with the general use designation, density, building intensity, and applicable policies of a Sustainable Communities Strategy adopted under SB 375 (Public Resources Code Section 21094.5(c)).

To be eligible for Infill Streamlining, a proposed project must also meet the following performance thresholds (see CEQA Guidelines Appendix M):

- Inclusion of onsite renewable generation for the non-residential portion of the project, where feasible.
- Documentation of prior or planned remediation if the site has contamination issues.
- Address local air quality health issues if the project includes residential units located near a high-volume roadway or other significant air pollution source.
- If residential, must have one of the following:
  - Location in an area with lower vehicle miles travelled (VMT) than regional average;
  - Be within 0.5 mile of an existing major transit stop or an existing stop along high-quality transit corridor; or
  - Consist of 300 or fewer units affordable to low income households.
- If commercial, must have one of the following:
  - Location in an area with lower VMT than regional average; or
  - Be within 0.5 mile of 1,800 dwelling units.
- If office, must have one of the following:
  - Location in an area with lower VMT than regional average;
  - Within 0.5 mile of an existing major transit stop or within 0.25 mile of an existing stop along high-quality transit corridor.

The proposed project’s satisfaction of these Appendix M performance standards is provided in Section 2.1 of this document.

Compliance with the Appendix M performance standards leads to the next step in the Infill Streamlining process, which is completion of the environmental checklist provided in CEQA Guidelines Appendix N. The Appendix N Infill Environmental Checklist (the “Appendix N Checklist”) provides a tool to evaluate a proposed project and document its eligibility to use the Infill Streamlining process. The Appendix N Checklist also assists the lead agency in identifying

---

1 SB 266 also allows Infill Streamlining for certain types projects if an SCS has not been adopted, but these exceptions are not relevant the proposed project since SANDAG has adopted an SCS.
and summarizing project-specific effects and how those effects are or are not addressed in a prior programmatic level document or by uniformly applicable development policies. It states that:

Once the lead agency has determined that a particular physical impact may occur as a result of an infill project, then the checklist answers must indicate whether that impact has already been analyzed in a prior EIR. If the effect of the infill project is not more significant that what has already been analyzed, that effect of the infill project is not subject to CEQA. The brief explanation accompanying this determination should include page and section references to the portions of the prior EIR containing the analysis of that effect. The brief explanation shall also indicate whether the prior EIR included any mitigation measures to substantially lessen that effect and whether those measures have been incorporated into the infill project.

SANDAG, as lead agency, has determined, based on substantial evidence contained in the administrative record, that the proposed project is eligible for Infill Streamlining pursuant to SB 226. As a result of this determination of eligibility, the next step is to analyze and substantiate that the proposed project’s impacts area addressed by and are not more significant than described in the Final Environmental Impact Report for the Proposed San Diego Downtown Community Plan, Centre City Planned District Ordinance, and 10th Amendment to the Redevelopment Plan for the Centre City Redevelopment Project (State Clearinghouse No. 2003041001) (Downtown Community Plan EIR or Prior EIR), or that uniformly applicable development policies or standards apply to the proposed project’s specific impacts and would substantially mitigate the effect.

For purposes of this document, “uniformly applicable development policies or standards” include policies and standards adopted pursuant to the Downtown Community Plan, and adopted mitigation measures in the Downtown Community Plan EIR, that reduce one or more adverse environmental impacts. These policies and standards can include, without limitation, local building codes, design guidelines, impact fee programs, traffic impact fees, policies for the reduction of greenhouse gasses contained in adopted land use plans, policies or regulations and ordinances for the protection of trees or historic resources.

The Appendix N Checklist completed for the proposed project demonstrates that it would not have any significant effects on the environment that either have not already been analyzed in a prior EIR or that are more significant that previously analyzed, or that uniformly applicable development policies would not substantially mitigate. Therefore, no further CEQA review is necessary.

1.3 ENVIRONMENTAL CHECKLIST BACKGROUND

This Infill Environmental Checklist (provided in Section 4.3 of this document) for the Downtown Bus Stopover and Multi-Use Facility Project (proposed project) has been prepared by the proposed project’s Lead Agency, SANDAG, in conformance with the provisions of the CEQA Guidelines. The lead agency is the public agency that has the principal responsibility for carrying out or approving a project. After the SANDAG Board of Directors selects a project site and completes the CEQA process, SANDAG may acquire the project site and develop the site consistent with the project description outlined above.
The project site is located within the Downtown Community Plan area. The SB 226 Infill Streamlining process is applicable to the proposed project because the project meets the performance standards in Appendix M (described below). The applicable “Prior EIR” is the Downtown Community Plan EIR, which was completed in connection with a broader planning decision (adoption of the Downtown Community Plan). In addition, the proposed project is eligible for SB 226 Infill Streamlining because it is consistent with the general use designation, density, building intensity, and applicable policies in the applicable Sustainable Communities Strategy (SCS) included in San Diego Forward: The Regional Plan (Regional Plan). This consistency analysis with the Regional Plan is provided as part of the analysis contained in Section 5.10 – Land Use and Planning of this document.
2.0 APPENDIX M AND APPENDIX N REQUIREMENTS

2.1 APPENDIX M: SATISFACTION OF PERFORMANCE STANDARDS

The following information demonstrates that the infill project satisfies the performance standard in Appendix M below. For mixed-use projects, the predominant use will determine which performance standards apply to the entire project. Please refer to Appendix A for more detailed documentation of how the proposed project meets applicable performance criteria.

1. Does the non-residential infill project include a renewable energy feature? If so, describe below. If not, explain below why it is not feasible to do so.

   Performance Standard Met - Project design would include on-site renewable power generation – e.g., solar panels. SANDAG in coordination with San Diego MTS would assess the type of on-site renewable power generation during the final design specification process.

2. If the project site is included on any list compiled pursuant to Section 65962.5 of the Government Code (“Cortese List”), either provide documentation of remediation or describe the recommendations provided in a preliminary endangerment assessment or comparable document that will be implemented as part of the project.

   Performance Standard Met –A Phase I ESA has been prepared for the proposed project site to address hazardous materials site requirements; see Appendix E. SANDAG would take the necessary steps to fulfill any remediation requirements of the Phase I and/or subsequent hazardous materials reporting (e.g., Phase II ESA). Phase I ESA remediation recommendations are described in Section 5.8(d).

3. If the infill project includes residential units located within 500 feet, or such distance that the local agency or local air district has determined is appropriate based on local conditions, a high volume roadway or other significant source of air pollution, as defined in Appendix M, describe the measures that the project will implement to protect public health. Such measures may include policies and standards identified in the local general plan, specific plans, zoning code or community risk reduction plan, or measures recommended in a health risk assessment, to promote the protection of public health. Identify the policies or standards, or refer to the site specific analysis, below. (Attach additional sheets if necessary.)

   Performance Standard Met – The proposed project site is not within 500 feet of a high-volume roadway or stationary source of air pollution.

In addition to the project features described above, Appendix M provides specific performance standards by project type. For mixed use projects, Appendix M specifies that where a project includes some combination of residential, commercial and retail, office building, transit station, and/or schools, the performance standards that apply to the predominant use shall govern the entire project. The proposed project consists of 300,000 sq. feet of office use, 280,000 sq. feet of residential use, and 20,000 sq. feet of...
retail use. The predominant use for the proposed project is office use – therefore, the performance standards for office buildings would govern the entire site. To be eligible for streamlining pursuant to Section 15183.3, an office project must satisfy one of the following:

4. For office building projects, the project satisfies which of the following?

☐ Located within a low vehicle travel area, as defined in Appendix M. (Attach VMT map.)

☒ Located within ½ mile of an existing major transit stop or within ¼ mile of a stop along a high quality transit corridor. (Attach map illustrating proximity to transit.)

Performance Standard Met – The proposed project site is 0.17 mile from the Santa Fe Train Depot. The Santa Fe Train Depot offers Coaster, Amtrak, trolley, and bus service and is a major transit stop based on the Appendix M definition of “major transit stop,” which includes a site containing an existing rail transit station. Please refer to Appendix A of this document for the map illustrating proximity of the project site to a major transit stop.

2.2 APPENDIX N: INFILL ENVIRONMENTAL CHECKLIST FORM

1. Project Title: Downtown Bus Stopover and Multi-Use Facility.

2. Lead Agency Name and Address: SANDAG; 401B Street, Suite 800; San Diego, CA 92101

3. Contact Person and Phone Number: Richard Chavez, Principal Project Manager (619) 699-6989.

4. Project Location: The proposed project would be located on one city block bounded by A Street, Union Street, B Street, and State Street (located within the Columbia Neighborhood)

5. Project Sponsor's Name and Address: SANDAG; 401B Street, Suite 800; San Diego, CA 92101


7. Zoning: Centre City Planned District – Public/Civic (CCPD-PC)

8. Prior Environmental Document(s) Analyzing the Effects of the Infill Project (including State Clearinghouse Number if assigned):

Final Environmental Impact Report for the Proposed San Diego Downtown Community Plan, Centre City Planned District Ordinance, and 16th Amendment to the Redevelopment Plan for the Centre City Redevelopment Project, SCH #: 2003041001.
9. Location of Prior Environmental Document(s) Analyzing the Effects of the Infill Project:

Civic San Diego, 401 B. Street, 4th Floor, San Diego, CA 92101 and on the Civic San Diego website (http://civicsd.com/planning/environmental-documents.html).

10. Description of Project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary.)

Please refer to Section 3, Project Description.

11. Surrounding Land Uses and Setting: Briefly describe the project’s surroundings, including any prior use or the project site, or if vacant, describe the urban uses that exist on at least 75% of the project’s perimeter.

The proposed project site is bounded by A Street, Union Street, B Street, and State Street. There are existing buildings on site. One of the buildings currently houses an auto shop while the remaining buildings are vacant and/or currently on the leasing market. Adjacent land uses consist of commercial uses and a parking lot north of the site; vacant property south of the site; government facilities and a parking lot east of the site; and a high rise office west of the site.

12. Other Public Agencies Whose Approval is Required: (e.g., permits, financing approval, or participation agreement)

- San Diego Regional Water Quality Control Board (construction general NPDES permit)
- San Diego MTS participation agreement
3.0 PROJECT DESCRIPTION

3.1 PROJECT OBJECTIVES

The proposed project is needed to facilitate operation of both local and bus rapid transit (BRT) routes that terminate in the core area of downtown San Diego. The purpose of the stopover facility would be for short term parking of buses as they finish their runs, before they leave to start their next run. The objectives of the Downtown Bus Stopover and Multi-Use Facility Project (proposed project) are as follows:

- Enhance the efficiency of existing and future local and BRT bus operations by providing off-street parking for transit vehicles (a stopover) in the downtown area;
- Minimize the distance and routing impacts between the start and stop points along the local and BRT route terminals, and the new stopover location;
- Provide a location and restroom facilities for drivers to take a break and allow for schedule recovery;
- Develop a Transit Oriented Development consisting of approximately 600,000 square feet (20,000 square feet of retail, 300,000 square feet of office space uses, 280,000 square feet of residential uses, parking and outdoor green space); and
- Minimize the number of property acquisitions and impacts to existing tenants/land uses in the study area; while making major improvements to the existing condition.

3.2 PROJECT COMPONENTS

The proposed project components are discussed below.

- **Bus Stopover Facility** – The bus stopover facility would be used by buses and MTS operators, supervisors, and maintenance staff; no passenger boardings or alightings would take place there. Buses using the facility would generally stopover for 5-20 minutes in the lot with engines idling for only a short portion of the stopover period. Light maintenance such as cleaning the interior and exterior of the buses, refilling windshield fluid or changing a light bulb would occur. The facility would be screened by multi-use facilities. The proposed stopover facility would begin operating at approximately 4:00 am and end at approximately 1:00 am, with the highest use occurring in the morning and afternoon peak commute hours.

The proposed stopover facility would accommodate up to 35 vehicles per hour during the top of the peak periods. Buses would not park in the facility overnight. A total of up to 24 bus bays would be needed to provide the required vehicle capacity to serve existing and near future local and BRT services.

- **Office Space** – Approximately 300,000 square feet of office use on the proposed project site would be devoted to offices and meeting spaces of which up to 120,000 square feet may be used for SANDAG office operations.

- **Retail Space** – Approximately 20,000 square feet on the proposed project site would be devoted to retail use.
• **Parking** – Approximately 250 parking spaces would be provided for office use on the proposed project site. Parking for other uses (e.g., retail or residential uses) would also be accommodated on the site consistent with City of San Diego standards.

• **Residential** – Approximately 280,000 square feet on the proposed project site would be devoted to residential uses.

In addition to the proposed project components noted above, project design would include on-site renewable power generation – e.g., solar panels. SANDAG in coordination with San Diego MTS would assess the type of on-site renewable power generation during the final design specification process.

### 3.3 PROJECT LOCATION

The proposed project would be located in downtown San Diego (Figure 3-1), within the Downtown Community Planning area. As shown in Figure 3-2, the proposed project would be located on one city block bounded by A Street, Union Street, B Street and State Street (located within the Columbia Neighborhood). The predominant land uses in the area are office space, commercial, high-rise residential, government/civic uses and parking facilities.

As illustrated in Figure 3-3, the proposed project site has a community plan land use designation of “Public/Civic” as identified in the San Diego Downtown Community Plan. The proposed project site has a zoning designation of CCPD-PC (Centre City Planned District – Public/Civic) (Figure 3-4).

As identified in the San Diego Municipal Code (Chapter 15, Article 6, Division 3, Section 156.0307(a)(11), the Public/Civic land use designation provides a center for government, civic uses, cultural institutions, educational facilities, and public and support services, and accommodates residential uses. Within the Public/Civic District, a minimum of 40 percent of the ground-floor street frontage shall contain active commercial uses. As identified in Table 156-0308-A (Centre City Planned District Use Regulations) of the San Diego Municipal Code, all proposed project uses are permitted uses under the Public/Civic land use designation. Therefore, the proposed development scenario would be consistent with the existing community plan land use and zoning designation.
Figure 3-1. Regional Location
Figure 3-2. Project Site Location
Figure 3-3. Existing Community Plan Land Use Designations
Figure 3-4. Existing Zoning Designations

- CCPD-ER
- CCPD-R
- CCPD-CORE
- WA ST
- WB ST
- WASH ST
- STAT ST
- COLUMBIA ST
- CCPD-PC
- FRONT ST
- 0 STAY

Project Site

Zoning: Central City Planned District
- Core (CCPD-CORE)
- Employment/Residential Mixed Use (CCPD-ER)
- Public/Civic (CCPD-PC)
- Residential (CCPD-R)
4.0 ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The infill project could potentially result in one or more of the following environmental effects.

☐ Aesthetics ☐ Land Use / Planning
☐ Agriculture and Forestry Resources ☐ Mineral Resources
☐ Air Quality ☐ Noise
☐ Biological Resources ☐ Population / Housing
☐ Cultural Resources ☐ Public Services
☐ Geology / Soils ☐ Recreation
☐ Greenhouse Gas Emissions ☐ Transportation / Traffic
☐ Hazards & Hazardous Materials ☐ Utilities / Service Systems
☐ Hydrology / Water Quality ☐ Mandatory Findings of Significance

4.1 DETERMINATION (TO BE COMPLETED BY THE LEAD AGENCY)

On the basis of this initial evaluation:

☒ I find that the proposed infill project WOULD NOT have any significant effects on the environment that either have not already been analyzed in a prior EIR or that are more significant that previously analyzed, or that uniformly applicable development policies would not substantially mitigate. Pursuant to Public Resources Code Section 21094.5, CEQA does not apply to such effects. A Notice of Determination (Section 15094) will be filed.

☐ I find the proposed infill project will have effects that either have not been analyzed in a prior EIR, or are more significant that describe in the prior EIR, and that no uniformly applicable development policies would substantially mitigate such effects. With respect to those effects that are subject to CEQA, I find that such effects WOULD NOT be significant and a NEGATIVE DECLARATION, or if the project is a Transit Priority Project a SUSTAINABLE COMMUNITIES ENVIRONMENTAL ASSESSMENT, will be prepared.

☐ I find that the proposed infill project will have effects that either have not been analyzed in a prior EIR, or are more significant than described in the prior EIR, and that no uniformly applicable development policies would substantially mitigate such effects. I find that although those effects could be significant. There will not be a significant effect in this case because revisions in the infill project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION, or if the project is a Transit Priority Project a SUSTAINABLE COMMUNITIES ENVIRONMENTAL ASSESSMENT, will be prepared.

☐ I find that the proposed infill project would have effects that either have not been analyzed in a prior EIR, or are more significant than described in the prior EIR, and that no uniformly applicable development policies would substantially mitigate such effects. I find that those effects WOULD be significant and an infill ENVIRONMENTAL IMPACT REPORT is required to analyze those effects that are subject to CEQA.

Rob Rundle
Principal Planner

6-15-16

Date
4.2 EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained if it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2. All answers must take account of the whole action involved, including offsite as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3. For the purposes of this checklist, “prior EIR” means the environmental impact report certified for a planning level decision, as supplemented by any subsequent or supplemental environmental impact reports, negative declarations, or addenda to those documents. “Planning level decision” means the enactment or amendment of a general plan, community plan, specific plan, or zoning code. (Section 15183.3(e).)

4. Once the lead agency has determined that a particular physical impact may occur as a result of an infill project, then the checklist answers must indicate whether that impact has already been analyzed in a prior EIR. If the effect of the infill project is not more significant than what has already been analyzed, that effect of the infill project is not subject to CEQA. The brief explanation accompanying this determination should include page and section references to the portions of the prior EIR containing the analysis of that effect. The brief explanation shall also indicate whether the prior EIR included any mitigation measures to substantially lessen that effect and whether those measures have been incorporated into the infill project.

5. If the infill project would cause a significant adverse effect that either is specific to the project or project site and was not analyzed in a prior EIR, or is more significant than what was analyzed in a prior EIR, the lead agency must determine whether uniformly applicable development policies or standards that have been adopted by the lead agency, or city or county, would substantially mitigate that effect. If so, the checklist shall explain how the infill project’s implementation of the uniformly applicable development policies will substantially mitigate that effect. That effect of the infill project is not subject to CEQA if the lead agency makes a finding, based upon substantial evidence, that the development policies or standards will substantially mitigate that effect.

6. If all effects of an infill project were either analyzed in a prior EIR or are substantially mitigated by uniformly applicable development policies or standards, CEQA does not apply to the project, and the lead agency shall file a Notice of Determination.

7. Effects of an infill project that either have not been analyzed in a prior EIR, or that uniformly applicable development policies or standards do not substantially mitigate, are subject to CEQA. With respect to those effects of the infill project that are subject to CEQA, the checklist shall indicate whether those effects are significant, less than significant with mitigation, or less than significant. If there are one or more “Significant
Impact” entries when the determination is made, an infill EIR is required. The infill EIR should be limited to analysis of those effects determined to be significant. (Sections 15128, 15183.3(d).)

8. “Less Than Significant with Mitigation Incorporated” applies where the incorporation of mitigation measures will reduce an effect of an infill project that is subject to CEQA from “Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how those measures reduce the effect to a less-than-significant level. If the effects of an infill project that are subject to CEQA are less than significant with mitigation incorporated, the lead agency may prepare a Mitigated Negative Declaration. If all of the effects of the infill project that are subject to CEQA are less than significant, the lead agency may prepare a Negative Declaration.

9. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project’s environmental effects in whatever format is selected.

10. The explanation of each issue should identify:
   a. The significance criteria or threshold, if any, used to evaluate each question.
   b. The mitigation measure identified, if any, to reduce the impact to a less than significant level.
## 4.3 INFILL ENVIRONMENTAL CHECKLIST

<table>
<thead>
<tr>
<th>Issues</th>
<th>Less Than Significant or Less Than Significant with Mitigation Incorporated</th>
<th>No Impact</th>
<th>Analyzed in the Prior EIR</th>
<th>Substantially Mitigated by Uniformly Applicable Development Policies</th>
</tr>
</thead>
<tbody>
<tr>
<td>I. AESTHETICS. Would the project:</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>a) Have a substantial adverse effect on a scenic vista?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>c) Substantially degrade the existing visual character or quality of the site and its surroundings?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>II. AGRICULTURE &amp; FORESTRY RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state’s inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>
### Appendix N - Infill Environmental Checklist

<table>
<thead>
<tr>
<th>Issues</th>
<th>Significant Impact</th>
<th>Less Than Significant or Less Than Significant with Mitigation Incorporated</th>
<th>No Impact</th>
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</tr>
</thead>
<tbody>
<tr>
<td>(as defined by Government Code Section 51104(g))?</td>
<td></td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>d) Result in the loss of forest land or conversion of forest land to non-forest use?</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

### III. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

<table>
<thead>
<tr>
<th>Determinations</th>
<th>Analysis</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Conflict with or obstruct implementation of the applicable air quality plan?</td>
<td>X</td>
</tr>
<tr>
<td>b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?</td>
<td>X</td>
</tr>
<tr>
<td>c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)?</td>
<td>X</td>
</tr>
<tr>
<td>d) Expose sensitive receptors to substantial pollutant concentrations?</td>
<td>X</td>
</tr>
<tr>
<td>e) Create objectionable odors affecting a substantial number of people?</td>
<td>X</td>
</tr>
</tbody>
</table>

### IV. BIOLOGICAL RESOURCES. Would the project:

<table>
<thead>
<tr>
<th>Determinations</th>
<th>Analysis</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?</td>
<td>X</td>
</tr>
<tr>
<td>b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife</td>
<td>X</td>
</tr>
</tbody>
</table>
### Appendix N - Infill Environmental Checklist

<table>
<thead>
<tr>
<th>Issues</th>
<th>Significant Impact</th>
<th>Less Than Significant or Less Than Significant with Mitigation Incorporated</th>
<th>No Impact</th>
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</tr>
</thead>
<tbody>
<tr>
<td>c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

### V. CULTURAL RESOURCES. Would the project:

<table>
<thead>
<tr>
<th>Issues</th>
<th>Significant Impact</th>
<th>Less Than Significant or Less Than Significant with Mitigation Incorporated</th>
<th>No Impact</th>
<th>Analyzed in the Prior EIR</th>
<th>Substantially Mitigated by Uniformly Applicable Development Policies</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>d) Disturb any human remains, including those interred outside of formal cemeteries?</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

### VI. GEOLOGY AND SOILS. Would the project:

<table>
<thead>
<tr>
<th>Issues</th>
<th>Significant Impact</th>
<th>Less Than Significant or Less Than Significant with Mitigation Incorporated</th>
<th>No Impact</th>
<th>Analyzed in the Prior EIR</th>
<th>Substantially Mitigated by Uniformly Applicable Development Policies</th>
</tr>
</thead>
<tbody>
<tr>
<td>a)Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:</td>
<td></td>
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</tr>
<tr>
<td>i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning map, issued by the</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>
## Appendix N - Infill Environmental Checklist

### Issues

<table>
<thead>
<tr>
<th>State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.</th>
</tr>
</thead>
<tbody>
<tr>
<td>ii) Strong seismic ground shaking?</td>
</tr>
<tr>
<td>iii) Seismic-related ground failure, including liquefaction?</td>
</tr>
<tr>
<td>iv) Landslides?</td>
</tr>
<tr>
<td>b) Result in substantial soil erosion or the loss of topsoil?</td>
</tr>
<tr>
<td>c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?</td>
</tr>
<tr>
<td>d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (2001), creating substantial risks to life or property?</td>
</tr>
<tr>
<td>e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?</td>
</tr>
</tbody>
</table>

### VII. GREENHOUSE GAS EMISSIONS

| a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? | X |
| b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | X |

### VIII. HAZARDS AND HAZARDOUS MATERIALS. Would the project:

| a) Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials? | X |
### Issues

<table>
<thead>
<tr>
<th>Issues</th>
<th>Significant Impact</th>
<th>Less Than Significant or Less Than Significant with Mitigation Incorporated</th>
<th>No Impact</th>
<th>Analyzed in the Prior EIR</th>
<th>Substantially Mitigated by Uniformly Applicable Development Policies</th>
</tr>
</thead>
<tbody>
<tr>
<td>b) Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles or a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
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<tr>
<td>g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?</td>
<td></td>
<td></td>
<td>X</td>
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<td></td>
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</tbody>
</table>

### IX. HYDROLOGY AND WATER QUALITY. Would the project:

<table>
<thead>
<tr>
<th>Issues</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Violate any water quality standards or waste discharge requirements?</td>
<td>X</td>
</tr>
<tr>
<td>b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge, such that there</td>
<td>X</td>
</tr>
</tbody>
</table>
### Issues

<table>
<thead>
<tr>
<th>Issues</th>
<th>Significant Impact</th>
<th>Less Than Significant or Less Than Mitigation with Mitigation Incorporated</th>
<th>No Impact</th>
<th>Analyzed in the Prior EIR</th>
<th>Substantially Mitigated by Uniformly Applicable Development Policies</th>
</tr>
</thead>
<tbody>
<tr>
<td>would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?</td>
<td></td>
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</tr>
<tr>
<td>c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or off-site?</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
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</tr>
<tr>
<td>f) Otherwise substantially degrade water quality?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
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</tr>
<tr>
<td>g) Place housing within a 100-year flood hazard area as mapped on a federal Flood hazard Boundary of Flood Insurance Rate Map or other flood hazard delineation map?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>h) Place within 100-year flood hazard area structures, which would impede or redirect flood flows?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>j) Inundation by seiche, tsunami, or mudflow?</td>
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<td></td>
<td></td>
<td>X</td>
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</tbody>
</table>

### X. LAND USE AND PLANNING. Would the project:

| a) Physically divide an established community? | | | | X | |
### Issues

<table>
<thead>
<tr>
<th>b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?</th>
<th>Significant Impact</th>
<th>Less Than Significant or Less Than Significant with Mitigation Incorporated</th>
<th>No Impact</th>
<th>Analyzed in the Prior EIR</th>
<th>Substantially Mitigated by Uniformly Applicable Development Policies</th>
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</thead>
<tbody>
<tr>
<td></td>
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<td></td>
<td>X</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>c) Conflict with any applicable habitat conservation plan or natural community conservation plan?</th>
<th>Significant Impact</th>
<th>Less Than Significant or Less Than Significant with Mitigation Incorporated</th>
<th>No Impact</th>
<th>Analyzed in the Prior EIR</th>
<th>Substantially Mitigated by Uniformly Applicable Development Policies</th>
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</thead>
<tbody>
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<td></td>
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<td></td>
<td>X</td>
<td></td>
</tr>
</tbody>
</table>

## XI. MINERAL RESOURCES. Would the project:

<table>
<thead>
<tr>
<th>a) Result in the loss of availability of a known mineral resource that would be a value to the region and the residents of the state?</th>
<th>Significant Impact</th>
<th>Less Than Significant or Less Than Significant with Mitigation Incorporated</th>
<th>No Impact</th>
<th>Analyzed in the Prior EIR</th>
<th>Substantially Mitigated by Uniformly Applicable Development Policies</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?</th>
<th>Significant Impact</th>
<th>Less Than Significant or Less Than Significant with Mitigation Incorporated</th>
<th>No Impact</th>
<th>Analyzed in the Prior EIR</th>
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<tbody>
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<td></td>
<td></td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
</tbody>
</table>

## XII. NOISE. Would the project result in:

<table>
<thead>
<tr>
<th>a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?</th>
<th>Significant Impact</th>
<th>Less Than Significant or Less Than Significant with Mitigation Incorporated</th>
<th>No Impact</th>
<th>Analyzed in the Prior EIR</th>
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<tbody>
<tr>
<td></td>
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<td></td>
<td>X</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?</th>
<th>Significant Impact</th>
<th>Less Than Significant or Less Than Significant with Mitigation Incorporated</th>
<th>No Impact</th>
<th>Analyzed in the Prior EIR</th>
<th>Substantially Mitigated by Uniformly Applicable Development Policies</th>
</tr>
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<td>X</td>
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</table>

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<thead>
<tr>
<th>c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?</th>
<th>Significant Impact</th>
<th>Less Than Significant or Less Than Significant with Mitigation Incorporated</th>
<th>No Impact</th>
<th>Analyzed in the Prior EIR</th>
<th>Substantially Mitigated by Uniformly Applicable Development Policies</th>
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<td>X</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?</th>
<th>Significant Impact</th>
<th>Less Than Significant or Less Than Significant with Mitigation Incorporated</th>
<th>No Impact</th>
<th>Analyzed in the Prior EIR</th>
<th>Substantially Mitigated by Uniformly Applicable Development Policies</th>
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<td>X</td>
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</table>

<table>
<thead>
<tr>
<th>e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?</th>
<th>Significant Impact</th>
<th>Less Than Significant or Less Than Significant with Mitigation Incorporated</th>
<th>No Impact</th>
<th>Analyzed in the Prior EIR</th>
<th>Substantially Mitigated by Uniformly Applicable Development Policies</th>
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<td>X</td>
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</tbody>
</table>
### Appendix N - Infill Environmental Checklist

#### Downtown Bus Stopover and Multi-Use Facility 24 June 2016

<table>
<thead>
<tr>
<th>Issues</th>
<th>Significant Impact</th>
<th>Less Than Significant or Mitigation Incorporated</th>
<th>No Impact</th>
<th>Analyzed in the Prior EIR</th>
<th>Substantially Mitigated by Uniformly Applicable Development Policies</th>
</tr>
</thead>
<tbody>
<tr>
<td>f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

**XIII. POPULATION AND HOUSING. Would the project:**

| a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? |                    |                                               |           |                         | X                                                                   |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? |                    |                                               |           |                         | X                                                                   |
| c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?                                                                                           |                    |                                               |           |                         | X                                                                   |

**XIV. PUBLIC SERVICES. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:**

| a) Fire protection?                                                                 |                    |                                               |           |                         | X                                                                   |
| b) Police protection?                                                               |                    |                                               |           |                         | X                                                                   |
| c) Schools?                                                                         |                    |                                               |           |                         | X                                                                   |
| d) Parks?                                                                           |                    |                                               |           |                         | X                                                                   |
| e) Other public facilities?                                                         |                    |                                               |           |                         | X                                                                   |

**XV. RECREATION.**

| a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities, such that substantial physical deterioration of the facility would occur or be accelerated? |                    |                                               |           |                         | X                                                                   |
| b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment? |                    |                                               |           |                         | X                                                                   |

**XVI. TRANSPORTATION/TRAFFIC. Would the project:**

| a) Conflict with an applicable plan, ordinance or policy establishing measure of effectiveness for the performance of |                    |                                               |           |                         | X X                                                                  |
## Appendix N - Infill Environmental Checklist

<table>
<thead>
<tr>
<th>Issues</th>
<th>Significant Impact</th>
<th>Less Than Significant or Less Than Significant with Mitigation Incorporated</th>
<th>No Impact</th>
<th>Analyzed in the Prior EIR</th>
<th>Substantially Mitigated by Uniformly Applicable Development Policies</th>
</tr>
</thead>
<tbody>
<tr>
<td>the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, street, highways and freeways, pedestrian and bicycle paths, and mass transit?</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>b) Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>X X</td>
</tr>
<tr>
<td>c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>e) Result in inadequate emergency access?</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>f) Conflict with adopted policies, plans, or programs supporting public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

### XVII. UTILITIES AND SERVICE SYSTEMS. Would the project:

<table>
<thead>
<tr>
<th>Side</th>
<th>Result</th>
<th>Mitigation</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?</td>
<td>X</td>
<td></td>
</tr>
</tbody>
</table>
### V. MANDATORY FINDINGS OF SIGNIFICANCE.

<table>
<thead>
<tr>
<th>Issues</th>
<th>Significant Impact</th>
<th>Less Than Significant or Less Than Significant with Mitigation Incorporated</th>
<th>No Impact</th>
<th>Analyzed in the Prior EIR</th>
<th>Substantially Mitigated by Uniformly Applicable Development Policies</th>
</tr>
</thead>
<tbody>
<tr>
<td>d) Have sufficient water supplies available to serve the project from existing entitlements and resources or are new or expanded entitlements needed?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>e) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project’s projected demand in addition to the provider’s existing commitments?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>f) Be served by a landfill with sufficient permitted capacity to accommodate the project’s solid waste disposal needs?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>g) Comply with federal, state, and local statutes and regulations related to solid waste?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?  

b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)  

c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?  


5.0  ENVIRONMENTAL EVALUATION

This section provides an evaluation of the resource issue areas identified above in the Infill Environmental Checklist. It should be noted that SANDAG is exempt from City of San Diego planning, zoning and building requirements. See Cooperative Agreement C-15015 (SANDAG Contract No. 5001195) dated 8/17/2009; Public Utilities Code Section 132354.4; and Government Code Sections 53090 and 53091. Wherever the below discussion indicates, however, SANDAG commits to voluntarily implement City of San Diego planning, zoning and building procedures where applicable to the proposed project, including Downtown Community Plan policies and standards, and mitigation measures in the Downtown Community Plan EIR. SANDAG would implement and ensure full compliance with applicable measures identified in the following analysis through use and tracking of final project design specifications. It should also be noted that Centre City Development Corporation (CCDC) is now Civic San Diego.

5.1  AESTHETICS

a)  Have a substantial adverse effect on a scenic vista?

Downtown Community Plan EIR – “Prior EIR” Analysis. This checklist item was analyzed in the Downtown Community Plan EIR (EIR page 5.6-16) and no mitigation measures were required. The Downtown Community Plan EIR acknowledges that buildout of the East Village sub-districts would block views of the San Diego Bay and the San Diego-Coronado Bay Bridge from Balboa Park and Highway 94. However, these impacts are not applicable to the proposed project which is located in the Columbia neighborhood. The physical conditions, as they relate to scenic vistas, have not changed in the area since the preparation of the Downtown Community Plan EIR. No substantial new information has since been presented that shows more significant effects than those originally analyzed in the Prior EIR. Therefore, there would be no new specific effects as a result of the proposed project.

      Project Analysis. For the purposes of this analysis, a scenic vista is defined as a vantage point with a broad and expansive view of a significant landscape feature (e.g., a mountain range, lake, or coastline) or of a significant historic or architectural feature (e.g., views of a historic tower). A scenic vista is a location that offers a high quality, harmonious, and visually interesting view. No designated scenic resources are located within the downtown planning area. In addition, the proposed project site is generally flat and contains limited views of surrounding areas due to topography, existing buildings, and trees.

No new significant or more significant impacts are associated with this issue. No mitigation measures contained in the Prior EIR and associated with this threshold question are applicable to the proposed project.

b)  Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State Scenic Highway?

Downtown Community Plan EIR – “Prior EIR” Analysis. This checklist item was analyzed in the Downtown Community Plan EIR (EIR page 5.6-16) and no mitigation
measures were required. The physical conditions, as they relate to scenic resources adjacent to a scenic highway, have not changed in the area since the preparation of the Downtown Community Plan EIR. No substantial new information has since been presented that shows more significant effects than those originally analyzed in the Prior EIR. Therefore, there would be no new specific effects as a result of the proposed project.

Project Analysis. The proposed project would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway. The proposed project site is visible from adjacent roadways (e.g., State Street, B Street, Union Street, and A Street); however, these local roadways are not designated as a state scenic highway by the California Department of Transportation (Caltrans). The closest designated State Scenic Highway is State Route (SR) 163, which is over 0.5 mile northeast from the proposed project site. No views of the proposed project site can be seen from any portion of SR-163.

No new significant or more significant impacts are associated with this issue. No mitigation measures contained in the Prior EIR and associated with this threshold question are applicable to the proposed project.

c) Substantially degrade the existing visual character or quality of the site and its surroundings?

Downtown Community Plan EIR – “Prior EIR” Analysis. This checklist item was analyzed in the Downtown Community Plan EIR (EIR page 5.6-7) and no mitigation measures were required. The physical conditions, as they relate to visual character, have not substantially changed in the area since the preparation of the Downtown Community Plan EIR. No substantial new information has since been presented that shows more significant effects than those originally analyzed in the Prior EIR. There would be no new specific effects as a result of the proposed project.

Project Analysis. The proposed project would result in the development of a mixed-use development on a site that currently contains a relatively low intensity of uses. It is likely that the proposed project would have buildings that would be taller than the single story buildings that currently exist within the proposed project site. In addition, building coverage of the proposed project site would substantially increase over current conditions, resulting in a more urban appearance.

The proposed project would result in a change in the visual character of the proposed project site due to the increase in development intensity. These changes would be highly visible from streets surrounding the proposed project site. Although the proposed project would increase the height and building mass at the proposed project site, this would be consistent with adjacent properties. Based on the context of the proposed project site, the scale of the proposed project would be appropriately scaled to nearby development. Taller buildings would be consistent with the Downtown Community Plan’s current redevelopment trend of building high rise residential, office, and hotel towers in the Columbia neighborhood. The proposed project would adhere to the Urban Design Standards contained in the Planned District Ordinance regarding compatible building scales and styles. Further development of high rise structures would not be out of context in the Columbia neighborhood.
No new significant or more significant impacts are associated with this issue. No mitigation measures contained in the Prior EIR and associated with this threshold question are applicable to the proposed project.

d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?

**Downtown Community Plan EIR – “Prior EIR” Analysis.** This checklist item was analyzed in the Downtown Community Plan EIR (EIR pages 5.6-16 to 5.6-17) and no mitigation measures were required. The physical conditions, as they relate to light and glare, have not changed in the area since the preparation of the Downtown Community Plan EIR. No substantial new information has since been presented that shows more significant effects than those originally analyzed in the Prior EIR. Therefore, there would be no new specific effects as a result of the proposed project.

**Project Analysis.**

**Exterior Lighting.** Proposed development on the proposed project site would result in nighttime lighting from vehicle headlights, security lighting, pedestrian pathway lighting, and the interior illumination of the office and residential buildings. The increase in building heights would make building lights visible to motorists along the adjacent streets and surrounding neighborhoods, but some of the interior lights on the lower floors would be screened by the perimeter vegetation and potentially by window overhangs and awnings. Parking would likely be provided in underground garages that would be located away from the surrounding streets and would be screened by the proposed buildings. As such, light impacts from automobiles in the proposed parking areas would be limited.

Due to the urbanized nature of the surrounding area, a significant amount of ambient nighttime lighting currently exists, affecting views of the nighttime sky. However, lighting associated with downtown development is controlled by the City of San Diego’s Light Pollution Law (Sections 101.1300 through 101.1309 of the Municipal Code), which is intended to protect surrounding land uses from excessive light generated by new development. The proposed project lighting is would generally be consistent with and similar to existing lighting in downtown San Diego. In addition, the Downtown Community Plan includes several guidelines and policies that minimize light and glare. Adherence to the Downtown Community Plan goals and policies as well as the City’s Light Pollution Law would ensure that there would be no significant impacts as a result of nighttime light and glare.

**Glare from Buildings.** Glare is caused by light reflections from pavement, vehicles, and building materials, such as reflective glass and polished surfaces. During the daylight hours, the amount of glare depends on the intensity and direction of sunlight. Glare can create hazards to motorists and be a nuisance for bicyclists and pedestrians and other sensitive viewers.

With implementation of the proposed project, highly reflective surfaces at the proposed project site could pose the most significant impacts along major road corridors adjacent the proposed project site. At this time, the specific types of building materials and glass surfaces are unknown. However, the proposed project would implement Downtown
Community Plan EIR Policy 5.7-P-2 and Policy 5.8-P-3, which emphasize building features that lessen the use of exterior surfaces that create daytime glare beyond what is present from existing buildings. Adherence to the Downtown Community Plan EIR goals and policies as well as the City’s Light Pollution Law would ensure that there would be no significant impacts as a result of daytime glare.

No new significant or more significant impacts are associated with this issue. The proposed project can be implemented consistent with the findings in the Downtown Community Plan EIR.

5.2 AGRICULTURE & FORESTRY RESOURCES

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

**Downtown Community Plan EIR – “Prior EIR” Analysis.** This checklist item was analyzed in the Downtown Community Plan EIR (EIR page 8-2) and was determined to result in no impact. The downtown planning area does not contain land that is designated as prime agricultural soils by the Soils Conservation Service, nor does it contain prime farmlands designated by the California Department of Conservation. No mitigation measures were recommended. The physical conditions, as they relate to farmland, have not changed in the Downtown Community Plan area. No substantial new information has since been presented that shows more significant effects than those originally analyzed in the Prior EIR and there would be no new specific effects as a result of the proposed project.

**Project Analysis.** According to the Farmland Mapping and Monitoring Program (FMMP) from the State Department of Conservation, the proposed project site is in an area that is designated as Urban and Built-Up Land. Implementation of the proposed project would not result in the conversion of any Prime or Unique Farmland, or Farmland of Statewide Importance since the site does not contain these designated farmlands.

No new significant or more significant impacts are associated with this issue.

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

**Downtown Community Plan EIR – “Prior EIR” Analysis.** This checklist item was analyzed in the Downtown Community Plan EIR (EIR page 8-2) and was also determined to result in no impact as the area is not subject to nor is near a Williamson Act Contract pursuant to Section 51201 of the California Government Code. No mitigation measures were required. The physical conditions, as they relate to agricultural resources, have not changed in the area since the preparation of the Downtown Community Plan EIR. No substantial new information has since been presented that shows more significant effects than those originally analyzed in the Prior EIR and there would be no new specific effects as a result of the proposed project.

**Project Analysis.** The proposed project site is not identified as being within a Williamson Act contract. In addition, the proposed project site has a Community Plan
land use designation of Public Civic and is zoned as CCPD-PC (Public/Civic). The proposed project involves the construction of a bus stopover facility, office, commercial, and residential units on land within an already developed area for similar uses. Therefore, the proposed project would not conflict with existing zoning for agricultural uses, nor would it conflict with lands subject to a Williamson Act contract.

No new significant or more significant impacts are associated with this issue.

c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?

Downtown Community Plan EIR – “Prior EIR” Analysis. This checklist item was not analyzed in the Downtown Community Plan EIR. However, since the proposed project site does not contain any forest lands or forestry resources, no new specific effects would occur. Therefore, no further analysis is required.

Project Analysis. The proposed project site is not used for growing a crop of trees for commercial lumber or other forest products; therefore, the proposed project site is not considered timberland. Per PRC Section 12220(g), forested land is defined as land that can support 10 percent native tree cover of any species. As such, the proposed project site is not considered forest land. In addition, the proposed project site has previously been developed with several different uses, none of which include forestry resources. As discussed above, the proposed project site is zoned CCPD-PC and is designated with a Public/Civic land use designation, which supports a variety of government, civic, cultural, educational, and residential uses. These land uses would continue with implementation of the proposed project. As such, the proposed project would not conflict with existing zoning for forest land or timberland and no impact would occur.

No impacts are associated with this issue.

d) Result in the loss of forest land or conversion of forest land to non-forest use?

Downtown Community Plan EIR – “Prior EIR” Analysis. Refer to Response 5.2(c).

Project Analysis. Refer to Response 5.2(c).

e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or the conversion of forest land to a non-forest use?

Downtown Community Plan EIR – “Prior EIR” Analysis. This checklist item was analyzed in the Downtown Community Plan EIR (EIR page 8-2) and was also determined to result in no impact. No mitigation measures were required. The physical conditions, as they relate to conversion of farmland or forest land, have not changed in the area since the preparation of the Downtown Community Plan EIR. No substantial new information has since been presented that shows more significant effects than those originally analyzed in the Prior EIR and there would be no new specific effects as a result of the proposed project.
Project Analysis. As discussed above, the proposed project would not involve changes in the existing environment that could result in the conversion of farmland to nonagricultural use or the conversion of forest land to non forest use. The proposed project site does not contain agricultural resources and none are proposed under the proposed project.

No new significant or more significant impacts are associated with this issue. No mitigation measures contained in the Prior EIR and associated with this threshold question are applicable to the proposed project.

5.3 AIR QUALITY

An Air Quality and Greenhouse Gas Technical Analysis was prepared for the proposed project and a copy of this report is included in Appendix B of this document.

a) Conflict with or obstruct implementation of the applicable air quality plan?

Downtown Community Plan EIR – “Prior EIR” Analysis. This checklist item was analyzed in the Downtown Community Plan EIR (EIR page 5.8-5) and was determined to not conflict with regional air quality planning because the Downtown Community Plan would implement many of the strategies and policies established by regional plans to reduce air pollution. Most notably, the mixed-use emphasis would implement an important technique to reduce mobile source emissions by co-locating housing and employment opportunities. The physical conditions, as they relate to air quality plans, have not changed substantially in the area since the preparation of the Downtown Community Plan EIR. No substantial new information has since been presented that shows more significant effects than those originally analyzed in the Prior EIR. Therefore, there would be no new specific effects as a result of the proposed project.

Project Analysis. As identified in the Air Quality and Greenhouse Gas Technical Analysis prepared for the proposed project (Appendix B, Section 2.5), the air quality plans relevant to the proposed project are the State Implementation Plan (SIP) and the San Diego County 2009 Regional Air Quality Strategy (RAQS). The SIP includes strategies and tactics, called RAQS, to be used to attain and maintain acceptable air quality in the San Diego Air Basin (SDAB). Consistency with the RAQS is typically determined by two standards. The first standard is whether the proposed project would exceed assumptions in the RAQS. The second standard is whether the proposed project would increase the frequency or severity of existing air quality violations, contribute to new violations, or delay the timely attainment of air quality standards or interim reductions as specified in the RAQS.

The RAQS relies on information from the California Air Resources Board (CARB) and SANDAG, including mobile and area source emissions, as well as information regarding projected growth in the region, to forecast future emissions and then determine the strategies necessary for the reduction of emissions through regulatory controls. The CARB mobile source emissions projections and the SANDAG growth projections are based on population and vehicle use trends, local general plans, and other application land use plans. For the proposed project, the San Diego Downtown Community Plan is
the document governing future land use within the area. The Downtown Community Plan was considered as part of SANDAG’s growth projections, which provided data for the formulation and development of the RAQS and SIP.

A project would be considered inconsistent with air quality plans if it increased population and/or employment growth that would exceed estimates used to develop applicable air quality plans. These exceedances would generate emissions greater than projected regional emission budgets. Therefore, the proposed project is evaluated to determine consistency with the land use designation and growth anticipated in the area. The purpose of the proposed project is to construct a bus stopover and multi-use facility on the proposed project site.

As identified in the Air Quality and Greenhouse Gas Technical Analysis prepared for the proposed project, construction and operation of the proposed project would not result in any increases in long-term regional air quality impacts. The proposed project would be consistent with the strategies identified by the San Diego Air Pollution Control District (SDAPCD) in the Downtown Community Plan EIR. These strategies include designating future transit corridors as “Transit Focus Areas” and zone such areas for compact, pedestrian-oriented development; incorporation of residential uses in existing employment areas; and the promotion of revitalization and infill development in mixed-use core areas. Therefore, the proposed project contains no elements that would conflict with or obstruct the implementation of applicable air quality plans.

No new significant or more significant impacts are associated with this issue. No mitigation measures contained in the Prior EIR and associated with this threshold question are applicable to the proposed project.

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

Downtown Community Plan EIR – “Prior EIR” Analysis. This checklist item was analyzed in the Downtown Community Plan Program EIR (EIR pages 5.8-5 to 5.8-13), and construction emissions were determined to be significant, but less than significant with implementation of Mitigation Measure AQ-B.1-1. Mitigation Measure AQ-B.1-1 includes best management practices during construction activities for projects requiring grading or building demolition. These best management practices include dust suppression techniques, soil management practices, construction equipment maintenance and construction activity staging. The physical conditions, as they relate to air quality standards, have not changed substantially in the area since the preparation of the Downtown Community Plan EIR. No substantial new information has since been presented that shows more significant effects than those originally analyzed in the Prior EIR. Therefore, there would be no new specific effects as a result of the proposed project.

Project Analysis.

Project Construction. Construction-generated emissions are short-term and of temporary duration, lasting only as long as construction activities occur. Construction-related activities would result in the temporary generation of emissions from limited grading and the installation of drains, paving, landscaping, and other site improvements. As identified
in the City of San Diego Significance Determination Thresholds document (Table A-2, page 9), the SDAPCD thresholds are used by the City as a screening criteria for potential impact significance. Based on these screening criteria and as documented in the Air Quality and Greenhouse Gas Technical Analysis prepared for the proposed project, short-term (construction) impacts associated with the proposed project would not exceed daily air quality pollutant thresholds of the City. Table A and B provide the anticipated emission levels associated with construction activities.

### Table A. Peak Day Construction Emissions (lb/day)

<table>
<thead>
<tr>
<th>Year</th>
<th>CO</th>
<th>NOx</th>
<th>ROG</th>
<th>SOx</th>
<th>PM10</th>
<th>PM2.5</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016</td>
<td>142.7</td>
<td>187.7</td>
<td>15.9</td>
<td>0.3</td>
<td>20.2</td>
<td>11.8</td>
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<tr>
<td>2017</td>
<td>69.2</td>
<td>39.4</td>
<td>74.8</td>
<td>0.1</td>
<td>8.8</td>
<td>3.5</td>
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<tr>
<td>2018</td>
<td>64.9</td>
<td>35.7</td>
<td>74.1</td>
<td>0.1</td>
<td>8.6</td>
<td>3.3</td>
</tr>
</tbody>
</table>

City of San Diego Threshold: 550 250 137 250 100 55

Significant? NO NO NO NO NO NO

Source: HDR, June 2015

### Table B. Annual Construction Emissions (tons/year)

<table>
<thead>
<tr>
<th>Year</th>
<th>CO</th>
<th>NOx</th>
<th>ROG</th>
<th>SOx</th>
<th>PM10</th>
<th>PM2.5</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016</td>
<td>8.3</td>
<td>9.0</td>
<td>1.0</td>
<td>0.02</td>
<td>1.5</td>
<td>0.8</td>
</tr>
<tr>
<td>2017</td>
<td>8.7</td>
<td>5.1</td>
<td>9.7</td>
<td>0.02</td>
<td>1.1</td>
<td>0.5</td>
</tr>
<tr>
<td>2018</td>
<td>4.5</td>
<td>2.6</td>
<td>5.2</td>
<td>0.01</td>
<td>0.6</td>
<td>0.2</td>
</tr>
</tbody>
</table>

City of San Diego Threshold: 100 40 15 40 15 NA

Significant? NO NO NO NO NO NA

Source: HDR, June 2015

The above tables compare the anticipated proposed project emissions (short-term) to the City’s daily and annual thresholds. As identified in Tables A and B, construction emissions associated with the proposed project would not exceed emission thresholds for criteria pollutants. In addition, the proposed project would be required to comply with all regulatory requirements including compliance with SDAPCD recommended practices for construction activity. Although no new significant or more significant impacts are identified for construction activities, SANDAG would also implement best management practices identified as part of the Downtown Community Plan EIR Mitigation Measure AQ-B.1-1 during the construction process. Therefore, a less than significant impact associated with the construction emissions would occur.

**Project Operation.** Operation-generated emissions would be generated from vehicle trips associated with the proposed project as well as the use of energy for running ventilation, wastewater, and water systems on the proposed project site. Based on the Air Quality and Greenhouse Gas Technical Analysis prepared for the proposed project, long-term
(operation) impacts associated with the proposed project would not exceed daily air quality thresholds of the City or SDAPCD. Table C and D provide the anticipated emission levels associated with operation of the proposed project.

### Table C. Daily Operational Emissions (lb/day)

<table>
<thead>
<tr>
<th>Source</th>
<th>CO</th>
<th>NOx</th>
<th>ROG</th>
<th>SOx</th>
<th>PM10</th>
<th>PM2.5</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Site</td>
<td>220.8</td>
<td>41.3</td>
<td>51.6</td>
<td>0.5</td>
<td>32.2</td>
<td>9.6</td>
</tr>
<tr>
<td>Bus Operations</td>
<td>2.1</td>
<td>0.6</td>
<td>0.3</td>
<td>0.0</td>
<td>0.04</td>
<td>0.02</td>
</tr>
<tr>
<td>Total</td>
<td>222.9</td>
<td>41.9</td>
<td>51.9</td>
<td>0.5</td>
<td>32.2</td>
<td>9.6</td>
</tr>
<tr>
<td>City of San Diego</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Threshold</td>
<td>550</td>
<td>250</td>
<td>137</td>
<td>250</td>
<td>100</td>
<td>55</td>
</tr>
<tr>
<td>Significant?</td>
<td>NO</td>
<td>NO</td>
<td>NO</td>
<td>NO</td>
<td>NO</td>
<td>NO</td>
</tr>
</tbody>
</table>

Source: HDR, June 2015

### Table D. Annual Operational Emissions (tons/year)

<table>
<thead>
<tr>
<th>Source</th>
<th>CO</th>
<th>NOx</th>
<th>ROG</th>
<th>SOx</th>
<th>PM10</th>
<th>PM2.5</th>
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<tr>
<td>Project Site</td>
<td>31.2</td>
<td>6.4</td>
<td>8.5</td>
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<tr>
<td>Bus Operations</td>
<td>0.3</td>
<td>0.1</td>
<td>0.05</td>
<td>0.0</td>
<td>0.0</td>
<td>0.0</td>
</tr>
<tr>
<td>Total</td>
<td>31.5</td>
<td>6.5</td>
<td>8.6</td>
<td>0.07</td>
<td>4.8</td>
<td>1.4</td>
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<tr>
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</tr>
<tr>
<td>Threshold</td>
<td>100</td>
<td>40</td>
<td>15</td>
<td>40</td>
<td>15</td>
<td>NA</td>
</tr>
<tr>
<td>Significant?</td>
<td>NO</td>
<td>NO</td>
<td>NO</td>
<td>NO</td>
<td>NO</td>
<td>NA</td>
</tr>
</tbody>
</table>

Source: HDR, June 2015

The above tables compare the anticipated proposed project emissions (long-term) to the City’s daily and annual thresholds. As identified in Tables C and D, operational emissions associated with the proposed project would not exceed emission thresholds for criteria pollutants. In addition, the proposed project would be required to comply with all regulatory requirements.

No new significant or more significant impacts are associated with this issue.

c) **Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?**

**Downtown Community Plan EIR – “Prior EIR” Analysis.** This checklist item was analyzed in the Downtown Community Plan EIR (EIR page 6-5). Implementation of the Downtown Community Plan would result in a significant cumulative air quality impact. Because the SDAB is already impacted, any new development would have a significant cumulative impact on regional air quality. The physical conditions, as they relate to air quality standards, have not changed substantially in the area since the preparation of the Downtown Community Plan EIR. No substantial new information has since been presented that shows more significant effects than those originally analyzed in the Prior...
EIR. Therefore, there would be no new specific effects as a result of the proposed project.

**Project Analysis.** As stated in Checklist Response 5.3(a), the RAQS and SIP are intended to address cumulative impacts in the SDAB based on future growth predicted by SANDAG in the 2050 Regional Growth Forecast Update. SANDAG uses growth projections from the local jurisdictions’ adopted general plans; therefore, development consistent with the applicable general plan or land use plan would be generally consistent with the growth projections in the air quality plans. Cumulative development would not result in a significant impact in terms of conflicting with RAQS because the cumulative projects would be required to demonstrate that the proposed development is consistent with local plans. The proposed project is consistent with the Downtown Community Plan. No substantial new information has since been presented that result in more significant effects than those originally analyzed in the Prior EIR.

No new significant or more significant impacts are associated with this issue.

d) **Expose sensitive receptors to substantial pollutant concentrations?**

**Downtown Community Plan EIR – “Prior EIR” Analysis.** This checklist item was analyzed in the Downtown Community Plan EIR (EIR pages 5.8-5 to 5.8-13). Implementation of the Downtown Community Plan would not increase the health risk to existing sensitive receptors in downtown San Diego or surrounding neighborhoods. While existing major stationary sources would continue, no major new sources would be encouraged by the Downtown Community Plan. For construction emissions, impacts to sensitive receptors were determined to be less than significant with implementation of Mitigation Measure AQ-B.1-1. The physical conditions, as they relate to air quality standards, have not changed substantially in the area since the preparation of the Downtown Community Plan EIR. No substantial new information has since been presented that shows more significant effects than those originally analyzed in the Prior EIR. Therefore, there would be no new specific effects as a result of the proposed project.

**Project Analysis.** Sensitive receptors are defined as facilities (schools, hospitals) or land uses (residential neighborhoods) that include members of the population (children, elderly, and people with illnesses) that are particularly sensitive to effects of air pollutants. Adjacent land uses consist of commercial uses and a parking lot north of the proposed project site; vacant property south of the proposed project site; government facilities and a parking lot east of the proposed project site; and a high rise office west of the proposed project site. There are no sensitive receptors adjacent to the proposed project site.

While sensitive receptors would be located on the proposed project site (e.g. residential uses), as summarized in Tables A through D, no substantial air pollutant emissions would be generated during construction or operation of the proposed project. This conclusion includes diesel exhaust particulate matter, as diesel exhaust particulate matter is part of PM$_{10}$ and, in larger proportion, PM$_{2.5}$ calculations. As identified in the Air Quality and Greenhouse Gas Technical Analysis prepared for the proposed project (Appendix B, Section 5.2.2), given the extremely low level of carbon dioxide (CO) concentrations in the project area, project-related vehicles are not expected to result in
the CO concentrations exceeding the state or federal CO standards. Because no CO hot spot would occur, there would be no project-related impacts on CO concentrations if the project was constructed on the project site. Implementation of the proposed project would not expose sensitive receptors to substantial pollutant concentrations.

No new significant or more significant impacts are associated with this issue.

e) **Create objectionable odors affecting a substantial number of people?**

**Downtown Community Plan EIR – “Prior EIR” Analysis.** This checklist item was analyzed in the Downtown Community Plan EIR (EIR page 5.1-21) and was determined to result in no significant impacts. No mitigation measures were required. The physical conditions, as they relate to odors, have not changed in the area since the preparation of the Downtown Community Plan EIR. No substantial new information has since been presented that shows more significant effects than those originally analyzed in the Prior EIR. Therefore, there would be no new specific effects as a result of the proposed project.

**Project Analysis.** The proposed project would not include any typical odor sources of concern, which include wastewater treatment plants, sanitary landfills, transfer stations, composting facilities, petroleum refineries, asphalt batch plants, chemical manufacturing facilities, fiberglass manufacturing facilities, auto body shops, rendering plants, and coffee roasting facilities.

Construction associated with implementation of the proposed project could result in minor amounts of odor compounds associated with diesel heavy equipment exhaust. However, these odors would be limited to the time that construction equipment is operating during the construction period of the proposed project. All construction equipment is required to be maintained in accordance with the manufacturer's specifications and all construction equipment is turned off when not in use. These activities would be short term and are not likely to result in nuisance odors that would affect surrounding uses. Upon completion of the proposed project's construction, the temporary sources of diesel exhaust would cease.

The proposed project would potentially include commercial retail uses (e.g., restaurant space), however, these uses would include required ventilation systems. Therefore, commercial uses would not create an objectionable odor.

No new significant or more significant impacts are associated with this issue.

### 5.4 BIOLOGICAL RESOURCES

**a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?**

**Downtown Community Plan EIR – “Prior EIR” Analysis.** This checklist item was analyzed in the Downtown Community Plan Final EIR (EIR page 8-1) and was determined to be less than significant as the highly urbanized setting is almost entirely
lacking in native vegetation and its associated wildlife. In addition, no sensitive plant or animal resources have been identified within the downtown planning area due to its urbanized character. The physical conditions, as they relate to biological resources, have not changed substantially in the Downtown Community Plan area since the preparation of the Downtown Community Plan EIR. No substantial new information has since been presented that shows more significant effects than those originally analyzed in the Downtown Community Plan EIR and, therefore, there would be no new specific effects as a result of the proposed project. No mitigation measures were identified in the Prior EIR and none are required as there are no impacts associated with this issue.

**Project Analysis.** No sensitive status species are present within the boundaries of the proposed project site. Project activities would occur within the boundaries of an existing urban/landscaped developed area. The proposed project site is not adjacent to the San Diego Bay and its associated coastal zones. Since there are no Federal Endangered Species Act (FESA) and California Endangered Species Act (CESA) species located within or adjacent to the proposed project site, there would be no impact under CEQA.

No new significant or more significant impacts are associated with this issue. No mitigation measures contained in the Prior EIR and associated with this threshold question are applicable to the proposed project.

b) **Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game [Wildlife] or U.S. Fish and Wildlife Service?**

**Downtown Community Plan EIR – “Prior EIR” Analysis.** This checklist item was analyzed in the Downtown Community Plan Final EIR (EIR page 8-1) and was determined to be less than significant as ornamental trees, parkways, occasional lawns, and gardens comprise the only perennial vegetation within the downtown planning area. The value of this ornamental landscaping to native wildlife is insignificant in their present location. Where vacant lots and exposed strips of soil are left undisturbed, weedy annual herbs and grasses have become established. Furthermore, no sensitive plant or animal resources have been identified within the downtown planning area due to its urbanized characters. The physical conditions, as they relate to riparian habitats or other sensitive natural communities, have not changed substantially in the Downtown Community Plan area since the preparation of the Downtown Community Plan EIR. No substantial new information has since been presented that shows more significant effects than those originally analyzed in the Prior EIR. Therefore, there would be no new specific effects as a result of the proposed project.

**Project Analysis.** No riparian habitat or natural plant communities are present within the boundaries of the proposed project site. Project activities would occur within the boundaries of an existing urban/landscaped developed area. No wetlands or other waters of the United States are present on or adjacent to the site. Since there is no riparian habitat or other sensitive natural community located within or adjacent to the proposed project site, there would be no impact under CEQA.
No new significant or more significant impacts are associated with this issue. No mitigation measures contained in the Prior EIR and associated with this threshold question are applicable to the proposed project.

c) **Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?**

_Downtown Community Plan EIR – “Prior EIR” Analysis._ Refer to Response 5.4(b).

_Project Analysis._ Project activities at the proposed project site occur within the boundaries of an existing developed area. No wetlands or other waters of the United States are present within the Downtown Community Plan area, and, therefore are not present at the proposed project site. Since there are no federally protected wetlands as defined by Section 404 of the Clean Water Act located within or adjacent to the proposed project site, the proposed project would result in no impact.

No new significant or more significant impacts are associated with this issue.

d) **Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?**

_Downtown Community Plan EIR – “Prior EIR” Analysis._ This checklist item was analyzed in the Downtown Community Plan EIR (EIR page 8-1). This highly urbanized setting is almost entirely lacking in native vegetation and its associated wildlife and impacts determined to be less than significant. The physical conditions, as they relate to biological resources, have not changed substantially in the area since the preparation of the Downtown Community Plan EIR. No substantial new information has since been presented that shows more significant effects than those originally analyzed in the Prior EIR. Therefore, there would be no new specific effects as a result of the proposed project.

_Project Analysis._ Wildlife movement corridors, also called dispersal corridors or landscape linkages, are linear features primarily connecting at least two substantial habitat areas. Wildlife corridors and linkages are important features in the landscape, and the viability and quality of a corridor or linkage are dependent upon site-specific factors. The proposed project site is not located within any wildlife movement corridors, is not used as a migratory wildlife corridor, and does not qualify for use as a native wildlife nursery site.

No new significant or more significant impacts are associated with this issue.

e) **Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?**

_Downtown Community Plan EIR – “Prior EIR” Analysis._ This checklist item was analyzed in the Downtown Community Plan EIR (EIR page 8-1). This highly urbanized setting is almost entirely lacking in native vegetation and its associated wildlife. The
physical conditions, as they relate to biological resources, have not changed substantially in the area since the preparation of the Downtown Community Plan EIR. No substantial new information has since been presented that shows more significant effects than those originally analyzed in the Prior EIR. Therefore, there would be no new specific effects as a result of the proposed project.

**Project Analysis.** The proposed project site and surrounding areas are urban and almost completely developed. As a result, mature trees are primarily located within the public right-of-ways, including streets, sidewalks, and other public areas, or private properties. The Downtown Community Plan includes numerous guidelines calling for the enhancement of downtown through distinctive streetscapes and promotion of street trees and unified landscape treatments along streets (Goal 5.4-G-2). Implementation of the proposed project would adhere to the landscaping and streetscaping goals of the Downtown Community Plan and would not conflict with any local policies or ordinances protecting biological resources.

No new significant or more significant impacts are associated with this issue. No mitigation measures contained in the Prior EIR and associated with this threshold question are applicable to the proposed project.

f) **Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?**

**Downtown Community Plan EIR – “Prior EIR” Analysis.** This checklist item was analyzed in the Downtown Community Plan EIR (EIR page 8-1) and was also determined to result in no impact. No substantial new information has since been presented that shows more significant effects than those originally analyzed in the Prior EIR. Therefore, there would be no new specific effects as a result of the proposed project.

**Project Analysis.** The entire proposed project site is developed and covered in impervious surfaces including buildings and pavement. The entire site is zoned CCPD-PC (Centre City Planned District – Public/Civic). This zoning and land use is not conducive to natural features and is not part of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan.

No new significant or more significant impacts are associated with this issue.

### 5.5 CULTURAL RESOURCES

A Cultural Resources Technical Report was prepared for the proposed project and a copy of this report is included in Appendix C of this document.
a) **Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?**

**Downtown Community Plan EIR – “Prior EIR” Analysis.** This checklist item was analyzed in the Downtown Community Plan EIR (EIR pages 5.3-4 to 5.3-17, and 5.3-19 to 5.3-36) and was determined to a significant impact notwithstanding implementation of the Downtown Community Plan’s goals and policies for historic preservation; Mitigation Measures HIST-A.1-1 through HIST-A.1-3 were developed to reduce this impact, but it remained significant and unavoidable. The Downtown Community Plan primarily relies on the regulatory process for conserving historic properties established by the Land Development Code and the preservation incentives provided for properties listed on the National Register, California Register or San Diego Register in addition to the goals and policies identified in the Downtown Community Plan. Policy 9.1-P-1 is aimed at maintaining review procedures for projects potentially affecting National Register, California Register, and San Diego Register properties and district Consistent with this policy, a Cultural Resources Technical Report (Appendix C) was prepared and included site specific evaluations of the existing buildings at the proposed project site. The evaluations determined that none of the buildings would meet the definition of a historical resource. In addition, no substantial new information has since been presented that shows more significant effects than those originally analyzed in the Prior EIR. Therefore, there would be no new specific effects as a result of the proposed project.

**Project Analysis.** Implementation of the proposed project would require the demolition of all existing buildings on the proposed project site. The three historic-age buildings (50 years old or older) at 1241, 1253, and 1263 State Street were identified during the survey within the area of potential effects for the proposed project. The three previously unsurveyed buildings were documented, researched, and evaluated for significance in the Cultural Resources Technical Report prepared for the proposed project. Information identified during background research indicates that the buildings (1) are not associated with significant events in California history; (2) are not associated with persons important in California history; (3) do not represent distinctive architectural styles, methods of construction, or the work of an important creative individual; and (4) have not yielded, nor are likely to yield, information important in history. Therefore, none of these buildings are listed on, or appear to be eligible for listing on the National Register, California Register or local registers. In addition, none of the buildings meet the definition of a historical resource pursuant to State CEQA Guidelines Section 15064.5(a).

The Downtown Community Plan did not identify buildings at the proposed project site as historical resources. Therefore, removal of these buildings would result in a less than significant impact under CEQA. Based on the site-specific evaluation of the existing buildings at the proposed project site (Appendix C, Cultural Resources Technical Report), the proposed project is consistent with Policy 9.1-P-1 (EIR page 5.3-20) of the Downtown Community Plan EIR and no additional mitigation is required. No new significant or more significant impacts are associated with this issue.

b) **Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?**

**Downtown Community Plan EIR – “Prior EIR” Analysis.** This checklist item was analyzed in the Downtown Community Plan EIR (EIR page 5.3-22 and EIR pages 5.3-29
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Project Analysis. Based on the site specific Cultural Resources Technical Report prepared for the proposed project, there exists the possibility of encountering subsurface cultural material within the proposed project site. The proposed project site is highly sensitive for archaeological deposits. This sensitivity is indicated by: (1) historical archaeological materials identified within proximity to the proposed project site; (2) documented historical activity in and adjacent to the proposed project site; and (3) the lack of evidence to indicate substantial historical subsurface disturbance of the proposed project area. Subsurface project construction could result in damage to such cultural material, which may result in a significant impact on cultural resources. However, implementation of Mitigation Measure HIST-B.1-1 (EIR page 5.3-29), as presented in the Downtown Community Plan EIR, would reduce this impact to a less than significant level.

On January 5 and 7, 2016, SANDAG sent correspondence to 22 Native American tribes or individuals regarding the proposed project and for further information regarding any Native American cultural resources in the general project vicinity. SANDAG received a response from two tribes. In a letter dated February 25, 2016, Mr. Whipple of the Rincon Band of Luiseno Indians indicated that the project location is not within the Luiseno Aboriginal Territory and recommended that the tribe within the area be located to receive direction on how to handle any inadvertent findings. On January 12, 2016, Ms. Gahughen of Pala Band of Mission Indians emailed a letter (incorrect date of April 14, 2015) stating that the proposed project is not within boundaries of the recognized Pala Indian Reservation and beyond the territory that the tribe considers its Traditional Use Area (TUA). Ms. Gahughen indicated that they defer to Tribes in closer proximity to the area. Copies of these letters have been provided in Appendix C. To date, no other responses have been received.

No new significant or more significant impacts are associated with this issue.

c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Downtown Community Plan EIR – “Prior EIR” Analysis. This checklist item was analyzed in the Downtown Community Plan EIR (EIR pages 5.12-1 to 5.12-7). Implementation of Mitigation Measure PAL-A.1-1 would reduce paleontological resource impacts to a less than significant impact. The physical conditions, as they relate to paleontological resources, have not changed in the area since the preparation of the Downtown Community Plan EIR. The proposed project would implement Mitigation
Measure PAL-A.1-1. No substantial new information has since been presented that shows more significant effects than those originally analyzed in the Downtown Community Plan EIR and, therefore, there would be no new specific effects as a result of the proposed project.

**Project Analysis.** Except in areas underlain by artificial fill, all development associated with the Downtown Community Plan would occur on geologic formations that are assigned a high paleontological resource sensitivity. Any development that involves grading or excavation beyond the one to three-foot depth of surficial fills for foundations, subterranean parking, or below-grade features would have the potential to expose fossil-bearing geologic formations and paleontological resources. The proposed project would require grading excavation beyond the three-foot depth. As identified in the Geotechnical and Geologic Constraints Evaluation (Appendix D), the project area is underlain by Old Paralic deposits and also includes Young Alluvium (Qya), Tertiary-age San Diego Formation (Tsd), and artificial fill. As identified in the Downtown Community Plan EIR (EIR page 5.12-1), the San Diego Formation is considered to have a high paleontological resource sensitivity.

Due to the location of the proposed project, the depth of excavation required, and the extent of high paleontological resource sensitive soils located on the site, the proposed project site is considered highly sensitive for paleontological resources. Ground-disturbing construction could encounter paleontological resources during construction of the proposed project. However, implementation of Mitigation Measure PAL-A.1-1 (EIR pages 5.12-2 to 5.12-6), as included in the Downtown Community Plan EIR, would reduce this impact to a less than significant level. No new significant or more significant impacts are associated with this issue.

d) **Disturb any human remains, including those interred outside of formal cemeteries?**

**Downtown Community Plan EIR – “Prior EIR” Analysis.** Refer to Response 5.5(b).

**Project Analysis.** Construction of the proposed project would require soil excavation and grading for building foundations and utilities. This project activity has the potential to disturb previously unknown human remains, including those interred outside of formal cemeteries, resulting in potentially significant impacts. Implementation of Mitigation Measure HIST-B.1-1 was identified to reduce impacts to archaeological resources. Implementation of Mitigation Measure HIST-B.1-1 would mitigate proposed project impacts on the discovery of human remains to a less than significant level. No new significant or more significant impacts are associated with this issue.

5.6 **GEOLOGY AND SOILS**

A Geotechnical and Geologic Constraints Evaluation was prepared for the proposed project and a copy of this report is included in Appendix D of this document.

a) **Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:**
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i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning map, issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

Downtown Community Plan EIR – “Prior EIR” Analysis. This checklist item was analyzed in the Downtown Community Plan EIR (EIR pages 5.5-8 to 5.5-9). Adherence to the goals and policies identified in the Downtown Community Plan as well as conformance to building construction standards for seismic safety within the Uniform Building Code would ensure that new structures would be able to withstand anticipated seismic events within the downtown planning area. Impacts associated with this issue were determined to be less than significant and no mitigation measures were required. The physical conditions, as they relate to exposure of people to strong seismic ground-shaking, have not changed in the area since the preparation of the Downtown Community Plan EIR. No substantial new information has since been presented that shows more significant effects than those originally analyzed in the Prior EIR. Therefore, there would be no new specific effects as a result of the proposed project.

Project Analysis. A review of existing available geotechnical and geological data associated with the proposed project site and adjacent property was conducted for the proposed project to identify any significant geologic and geotechnical constraints that could impact the planning, design, and construction of the proposed project. As identified in the Geotechnical and Geologic Constraints Evaluation prepared for the proposed project, the proposed project site is not located within an Alquist-Priolo Earthquake Fault Zone but is located within the Downtown Special Study Zone as shown in the City of San Diego Seismic Safety Study.

The closest active fault zone to the proposed project site is the Rose Canyon Fault Zone (RCFZ) Silver Strand Section (San Diego Fault). The San Diego Fault is a known active fault (i.e., faults that exhibit evidence of ground displacement in the last 11,000 years). It is possible that traces of the San Diego Fault as identified by other geotechnical studies prepared for adjacent properties continue trending in a northwest/southeast direction and may intersect the proposed project site in the northeast corner of the site. Other fault traces or splays may occur at other locations within this site. The nearest traces of the San Diego Fault have been mapped at approximately 30 feet east of this site.

A site-specific geotechnical and/or geologic investigation would further evaluate the potential for surface fault rupture at the proposed project site and provide recommendations for design and construction of the proposed project. This site-specific geotechnical and/or geologic investigation would likely be similar in scope to the investigations performed by others around adjacent properties and would likely consist of several trenches, continuous borings, cone penetration tests, geophysical methods, or other methods as selected by the geotechnical/geologic designer. In addition, this investigation would be consistent with the City of San Diego Guidelines for Geotechnical Reports (2011).

Results from this investigation would guide development on the proposed project site and identify potential geotechnical constraints on the site. Specifically, the
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investigation could possibly determine if the fault (either active or potentially active) exist within the site, and provide data to help in the delineation of a fault hazard zone for the proposed site. Additionally, site-specific designs for foundations, soil conditions, and seismicity would be developed or recommended as part of the site-specific geotechnical investigation.

Downtown Community Plan Policy 13.1-P-1 requires implementation of all seismic-safety development requirements, including the Alquist-Priolo Zone Act, City requirements for the Downtown Special Fault Zone and areas subject to potential liquefaction, and building codes. The proposed project would be consistent with Policy 13.1-P-1. No new significant or more significant impacts are associated with this issue.

ii) Strong seismic ground shaking?

Downtown Community Plan EIR – “Prior EIR” Analysis. This checklist item was analyzed in the Downtown Community Plan EIR (EIR pages 5.5-8 to 5.5-9) and was also determined to result in a less-than-significant impact. No mitigation measures were required. The physical conditions, as they relate to exposure of people to strong seismic ground-shaking, have not changed in the area since the preparation of the Downtown Community Plan EIR. No substantial new information has since been presented that shows more significant effects than those originally analyzed in the Prior EIR. Therefore, there would be no new specific effects as a result of the proposed project.

Project Analysis. As identified in the Geotechnical and Geologic Constraints Evaluation prepared for the proposed project, the proposed project site is located within an active seismic region and is expected to experience ground shaking. However, seismic activity is considered to be a hazardous geologic condition in the downtown planning area. All of downtown San Diego is located essentially within approximately one mile of the RCFZ, which is considered a significant seismic hazard to the San Diego metropolitan area. Therefore, there is potential for improvements to experience substantial ground shaking throughout the proposed project site. For newly constructed structures, all of the aforementioned seismic hazards can generally be mitigated through the application of current industry standard geotechnical practices and seismic structural design according to the requirements found in the most recent version of the California Building Code and Special Publication 117, where applicable. Moreover, major development is typically subject to site-specific analysis of seismic and other geologic risk. After decades of study of past earthquakes and the performance of structures and other improvements, building codes have incorporated measures to reduce the potential for catastrophic damage to occur in buildings, roadways, and utility connections. Although damage and injury cannot be completely avoided during a major seismic event, adherence to building code requirements would reduce the potential damage and personal injury to what is generally recognized to be an acceptable level. No new significant or more significant impacts are associated with this issue.

iii) Seismic-related ground failure, including liquefaction?

Downtown Community Plan EIR – “Prior EIR” Analysis. This checklist item was analyzed in the Downtown Community Plan EIR (EIR pages 5.5-7 to 5.5-8) and was
also determined to result in a less-than-significant impact with adherence to the
defined goals and policies of the Downtown Community Plan EIR and conformance
to building construction standards for seismic safety within the Uniform Building
Code. The physical conditions, as they relate to exposure of people to seismic-
related ground failures, have not changed in the area since the preparation of the
Downtown Community Plan EIR. No substantial new information has since been
presented that shows more significant effects than those originally analyzed in the
Prior and, therefore, there would be no new specific effects as a result of the
proposed project.

**Project Analysis.** Liquefaction typically occurs in areas underlain with loose
saturated cohesionless soils within the upper 50 feet of subsurface materials. These
soils, when subjected to ground shaking, can lose their strength resulting from the
buildup of excess pore water pressure causing them to behave closer to a liquefied
state. Damage from earthquake-induced ground failure could be high in buildings
constructed on improperly engineered fills or saturated alluvial sediments that have
not received adequate compaction or treatment. As identified in the Geotechnical
and Geologic Constraints Evaluation prepared for the proposed project, the
proposed project site has a low liquefaction potential due to the presence of medium
dense to dense soils and the relatively deep location of groundwater at the site.
Adherence to building code requirements would reduce the potential damage and
personal injury to what is generally recognized to be an acceptable level. No new
significant or more significant impacts are associated with this issue.

iv) **Landslides?**

**Downtown Community Plan EIR – “Prior EIR” Analysis.** This checklist item was
analyzed in the Downtown Community Plan EIR (EIR page 5.5-8) and was
determined to result in a less-than-significant impact. Since the downtown planning
area is relatively flat and has no history of landslides, the potential for landslides
caused by earthquakes is considered to be low. The physical conditions, as they
relate to exposure of people to landslides, have not changed in the area since the
preparation of the Downtown Community Plan EIR. No substantial new information
has since been presented that shows more significant effects than those originally
analyzed in the Prior EIR. Therefore, there would be no new specific effects as a
result of the proposed project.

**Project Analysis.** The proposed project site is located on flat topography and is not
identified as being within an area susceptible to landslides. No impacts are
associated with this issue. No new significant or more significant impacts are
associated with this issue.

b) **Result in substantial soil erosion or the loss of topsoil?**

**Downtown Community Plan EIR – “Prior EIR” Analysis.** This checklist item was
analyzed in the Downtown Community Plan EIR (EIR pages 5.9-7 to 5.9-10 and 5.9-13
to 5.9-14) and was also determined to result in a less than significant impact with
adherence to Federal, State, and local stormwater pollution standards and regulations.
No mitigation measures were required. The physical conditions, as they relate to soil
erosion or loss of top soil, have not changed in the area since the preparation of the
Downtown Community Plan EIR. No substantial new information has since been
presented that shows more significant effects than those originally analyzed in the Prior EIR. Therefore, there would be no new specific effects as a result of the proposed project.

**Project Analysis.** The majority of the proposed project site is currently covered by impervious surface such as asphalt, buildings, and concrete. The impervious areas are generally landscaped and vegetated. However, the proposed project would require removing the existing impervious surfaces and expose underlying soils to the effects of wind and water. The relatively flat topography of the proposed project site generally reduces the potential for erosion and loss of topsoil during construction activities. Nonetheless, areas of the proposed project site subject to concentrated runoff, and areas of unprotected slopes or piles of bare soil would still pose erosion hazards. Once covered by an impermeable surface such as asphalt or a new structure the resulting potential for erosion on the proposed project site would be substantially reduced.

Protection of soils during construction can generally be maintained through well-established erosion control measures. Every construction project in the State of California that causes a disturbance of one acre or more of soil through grading, clearing, and or excavation is subject to the Construction General Permit Order 2009-0009 DWQ (Construction General Permit), also referred to as the General Permit, adopted by the State Water Resources Control Board (State Water Board). In order to complete the General Permit application, the proposed project developers would submit a Notice of Intent to obtain coverage under the General Permit. This General Permit requires dischargers to develop and implement a Storm Water Pollution Prevention Plan (SWPPP), which specifies the Best Management Practices (BMPs) that would prevent construction pollutants from contacting storm drains, with the intent of keeping all products of erosion from moving offsite into receiving waters. Furthermore, the SWPPP would also include BMPs to control erosion associated with grading, trenching, and other ground surface-disturbing. With adherence to the requirements of the General Permit, impacts related to soil erosion and stormwater pollution from construction would be less than significant. No new significant or more significant impacts are associated with this issue.

c) **Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?**

**Downtown Community Plan EIR – “Prior EIR” Analysis.** This checklist item was analyzed in the Downtown Community Plan EIR (EIR pages 5.5-1 to 5.5-9) and was also determined to result in a less than significant impact. No mitigation measures were required. The physical conditions, as they relate to unstable geologic units or soil, have not changed in the area since the preparation of the Downtown Community Plan EIR. No substantial new information has since been presented that shows more significant effects than those originally analyzed in the Prior EIR. Therefore, there would be no new specific effects as a result of the proposed project.

**Project Analysis.** The proposed project site is largely developed and most of the near surface soils have likely been reworked to some degree as part of construction. Generally, prior to laying a foundation or roadway, the site soils are prepared or compacted in accordance with the building code requirements. Older structures were, in
general, built to less stringent codes when compared to recent standards so conditions would likely vary throughout the proposed project site.

Site preparation conducted according to current standards would likely improve the stability of soils throughout the proposed project site. Standard geotechnical practices include an evaluation of subsurface soils and identifying engineering properties as well as providing appropriate recommendations to prepare underlying soils for a stable foundation of a planned improvement. These geotechnical investigations routinely evaluate the potential for lateral spreading, subsidence, and collapse. The proposed project site is generally flat and there is little likelihood for landslides to affect any proposed development. Lateral spreading is related to liquefaction which is discussed above. Lateral spreading can occur on gentle slopes and is dependent on site-specific conditions. Placement of compacted fills or design of foundation systems to mitigate the effects of subsidence is a standard practice.

Soils that are susceptible to collapse are typically found in regions outside of the proposed project site. Collapsible soils are most often encountered in arid climates, where wind and intermittent streams deposit loose low density materials. For all the potential geologic hazards mentioned, the use of standard geotechnical practices through a required geotechnical investigation and implementation of building code requirements are proven means of mitigation. The proposed project would implement these requirements; therefore, the impacts from unstable soils, landslides, lateral spreading, subsidence, and collapse would be less than significant. No new significant or more significant impacts are associated with this issue.

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (2001), creating substantial risks to life or property?

Downtown Community Plan EIR – “Prior EIR” Analysis. This checklist item was analyzed in the Downtown Community Plan EIR (EIR pages 5.5-1 to 5.5-9) and was also determined to result in a less than significant impact. No mitigation measures were required. The physical conditions, as they relate to expansive soils, have not changed in the area since the preparation of the Downtown Community Plan EIR. No substantial new information has since been presented that shows more significant effects than those originally analyzed in the Prior EIR. Therefore, there would be no new specific effects as a result of the proposed project.

Project Analysis. The Geotechnical and Geologic Constraints Evaluation prepared for the proposed project site indicates Old Paralic, Young Alluvium, Tertiary-age San Diego Formation, and artificial fill soil deposits are present underneath the proposed project site. Structural damage, warping, and cracking of roads, driveways, parking areas, and sidewalks, and rupture of utility lines may occur if the potential for expansive soils and the nature of the artificial fill are not considered during design and construction of improvements. However, standard engineering practices would be used to reduce potential hazards associated with soils at the proposed project site. As part of the construction permitting process, SANDAG would require completed reports of soil conditions to identify potentially unsuitable soil conditions. The evaluations would be conducted by registered soil professionals. The reports would (a) identify potentially unsuitable soil conditions and (b) contain appropriate recommendations for foundation
type and design criteria that conform to the analysis and implementation criteria described in the City Building Code.

Adherence to the soil and foundation support parameters of the City Building Code, as required by City and State law, would ensure the protection from soil failures under static or dynamic conditions for structures and their associated trenches and foundations. The proposed project would be required to incorporate these recommendations into project design. In view of these circumstances, hazards related to expansive soil units at the proposed project site are considered less than significant. No new significant or more significant impacts are associated with this issue.

e) Have soils capable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

Downtown Community Plan EIR – “Prior EIR” Analysis. This checklist item was analyzed in the Downtown Community Plan EIR (EIR page 5.4-9) and was determined to be result in no impact as wastewater generated by the downtown planning area is currently transported to the Point Loma Wastewater Treatment Plan (PLWTP) through a network of underground collector pipes, trunk lines, and force mains. No mitigation measures were required as there are no septic tanks or alternative wastewater disposal systems in use within the Downtown Community Plan area. The physical conditions, as they relate to septic tanks, have not changed in the area since the preparation of the Downtown Community Plan EIR. No substantial new information has since been presented that shows more significant effects than those originally analyzed in the Prior EIR. Therefore, there would be no new specific effects as a result of the proposed project.

Project Analysis. The proposed project would not include any septic tanks or leach field systems. Wastewater generated at the proposed project site would be disposed through the existing sanitary sewer system. Existing sanitary sewer service for the proposed project site is provided via a sewer main that runs under the adjacent streets. Because the proposed project does not require soils capable of supporting septic systems, there would be no impact associated with this issue. No new significant or more significant impacts are associated with this issue.

5.7 GREENHOUSE GAS EMISSIONS

An Air Quality and Greenhouse Gases Technical Report was prepared for the proposed project and a copy of this report is included in Appendix B of this document.

a) Generate greenhouse gas emission, either directly or indirectly, that may have a significant impact on the environment?

Downtown Community Plan EIR – “Prior EIR” Analysis. The Downtown Community Plan EIR did not analyze greenhouse gas emissions.

Project Analysis. As identified in the Air Quality and Greenhouse Gas Technical Analysis (Appendix B) prepared for the proposed project, neither CARB nor the
SDAPCD has adopted significance criteria applicable to land use development projects for the evaluation of greenhouse gas (GHG) emissions under CEQA. In addition, the City does not currently have adopted GHG thresholds or guidance available.

Project Construction. Construction of the proposed project would result in temporary emissions associated with diesel engine combustion from mass grading and site preparation construction equipment. Construction-related GHG emissions include demolition, site preparation, excavation, and associated construction of the proposed underground parking and residential/commercial structures. The proposed project site would be cleared, graded, and constructed over the course of approximately two years.

Construction of the proposed project would generate 3,727.14 metric tons of CO2e. As stated in County GHG analysis guidelines (Guidelines page 28), construction emissions may be distributed over the expected (long-term) operational life of a project, which can conservatively be estimated at 20 years, unless evidence is provided demonstrating a longer or shorter project life, for the purposes of determining a cumulatively considerable contribution. Thus, the yearly contribution to GHG from the aggregate of construction on the proposed project site would be 186.4 metric tons of CO2e per year.

Project Operation. During operation of the proposed project, a variety of activities could directly or indirectly contribute to the generation of GHG emissions. These include gas, electricity, and water use; solid waste disposal; and motor vehicle use. Based on these activities, proposed project operations (including amortized construction emissions) are anticipated to generate average annual emissions of 10,097.7 metric tons of CO2e/year. A detailed GHG analysis was conducted for the proposed project. This detailed GHG analysis included a comparison of GHG reductions when applicable State regulations, City of San Diego Climate Action Plan (CAP) strategies, and project design features were taken into account. The combined effect of these reduction strategies would reduce the GHG emissions by 1,929.9 metric tons to 7,994.1 metric tons of CO2e per year for the proposed project in 2020, and from 7,939.2 metric tons to 6,272.4 metric tons in 2035.

As discussed in previously, neither the City nor the SDAPCD have adopted significance criteria applicable to land use development projects for the evaluation of GHG emissions under CEQA. Therefore, the proposed project’s GHG impacts have been evaluated using an efficiency-based metrics approach.

As identified by the Draft White Paper Beyond 2020 and Newhall (page 67) released by the Association of Environmental Professionals (AEP), GHG efficiency metrics can be used as significance thresholds to assess the GHG efficiency of a project on a per capita basis (residential only projects) or on a “service population” basis (the sum of the number of jobs and the number of residents provided by a mixed-use project). GHG Efficiency Thresholds can be determined by dividing the GHG emissions inventory goal (allowable emissions) by the estimated population and employment. This method allows highly efficient projects (e.g., compact and mixed-use development) with higher mass emissions to meet the overall GHG reduction goals of AB 32.

The proposed project would result in the construction and operation of a bus stopover facility and up to 300,000 square feet of office space, 280,000 square feet of residential uses, and 20,000 square feet of retail space. CalEEMod estimates the population of the
residential uses dwelling units to be 1,218 persons. Using SANDAG’s estimate of 221 square feet per employee for office spaces over 100,000 square feet and 383 square feet of space per employee for community retail the total employee population of the Project site is 1,409. In addition, the stopover facility component would employ approximately 16 workers and supervisors. Therefore, the total service population of the proposed project site is 2,643.

- **2020 Forecast.** SANDAG’s 2050 Regional Growth Forecast estimates that the City of San Diego will have a population of 1,542,324 and 838,909 jobs in 2020 for a total service population of 2,381,233. The City of San Diego’s CAP has a 2020 GHG emission goal of 11,037,244 metric tons CO₂e. Therefore, the City’s 2020 efficiency forecast is 4.64 metric tons of CO₂e per service population.

The proposed project would generate 7,994.1 metric tons of CO₂e in 2020. Based on the service population of 2,643, the proposed project’s 2020 efficiency rate would be 3.02 MT CO₂e. This efficiency rate is much lower than the 4.64 metric tons of CO₂e rate the City needs to meet in order to achieve its 2020 GHG target. By exceeding the City’s efficiency rate, the proposed project would not prevent the City from meeting its fair share contribution to meeting the State’s 2020 AB 32 emission target.

- **2035 Forecast.** SANDAG’s 2050 Regional Growth Forecast estimates that the City of San Diego will have a population of 1,759,260 and 916,990 jobs in 2035 for a total service population of 2,676,250. The City of San Diego’s CAP has a 2035 GHG emission goal of 6,492,497 metric tons CO₂e. Therefore, the City’s 2035 efficiency forecast is 2.43 metric tons of CO₂e per service population.

The combined effect of the project GHG reduction strategies for 2035 would reduce GHG emissions to 6,272.4 metric tons of CO₂e in 2035. Based on the service population of 2,643, the proposed project’s 2035 efficiency rate would be 2.37 metric tons CO₂e. This efficiency rate is lower than the 2.43 metric tons of CO₂e rate the City needs to meet in order to achieve its 2035 GHG target.

The City’s CAP includes the following statement:

> By meeting the 2020 and 2035 targets, the City will maintain its trajectory to meet its proportional share of the 2050 state target

By exceeding the City’s 2035 efficiency rate, the proposed project would not prevent the City from meeting its fair share contribution to meeting the State’s 2050 AB 32 emission target. Therefore, the proposed project would result in a less than significant impact to GHG emissions. This less than significant impact is substantially mitigated by uniformly applicable development policies established in the City of San Diego CAP; for example, see local strategies on pages 31-40 of the CAP described in section 5.7(b) of this Checklist.

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b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Downtown Community Plan EIR – “Prior EIR” Analysis. The Downtown Community Plan EIR did not analyze greenhouse gas emissions.

Project Analysis. On December 15, 2015, the San Diego City Council unanimously approved their CAP. Based on the 2011 California Air Resources Board’s (ARB) Scoping Plan, the City of San Diego’s CAP is a proactive step toward addressing the City’s GHG emissions. The CAP includes a quantitative inventory of GHG emissions, a projection of emissions for 2020 and 2035 (business-as-usual scenarios), and City-specific targets to reduce GHGs by 2020 and 2035, helping to achieve statewide 2020 and 2030 targets, and putting the City on the trajectory of meeting its share of the 2050 statewide target.

The CAP identifies a comprehensive set of goals, actions, and targets that the City can use to reduce GHG emissions. These actions include a combination of ordinances, City Council policies, resolutions, programs, and incentives, as well as outreach and education activities. These strategies are divided into five categories – Strategy 1: Water & Energy Efficient Buildings; Strategy 2: Clean & Renewable Energy; Strategy 3: Bicycling, Walking Transit & Land Use; Strategy 4: Zero Waste (Gas & Waste Management); and Strategy 5: Climate Resiliency. Strategy 1 goals include reducing residential and municipal energy consumption, and reduce daily per capita water consumption. Strategy 2 goals include achieving 100% renewable energy city-wide by 2035 and increasing municipal zero emissions vehicles. The proposed project would include on-site renewable power generation as part of future project design and would be consistent with the goals identified for Strategies 1 and 2.

Strategy 3 goals include increasing the use of mass transit, increasing commuter walking and bicycling opportunities, and promoting effective land use to reduce vehicle miles travelled. The proposed project would be consistent with Strategy 3 goals as the proposed project site is in close proximity to a major transit stop, would provide improved efficiencies in the existing bus system through the provision of bus stopover facility, and would promote a mixed use development strategy that would encourage walking and bicycling opportunities within the area. Strategy 4 goals include diverting more solid waste and capturing landfill methane gas emissions and maximizing waste diversion opportunities. Strategy 5 goals include increasing urban tree canopy coverage. The proposed project would be consistent with the goals identified in Strategies 4 and 5 through adherence to City standards and requirements regarding solid waste and urban tree canopy coverage.

The proposed project would not conflict with the City of San Diego CAP, and this less than significant impact is substantially mitigated by uniformly applicable development policies established in the City of San Diego CAP.
5.8 HAZARDS AND HAZARDOUS MATERIALS

A Phase I Environmental Site Assessment (ESA) Study was prepared for the proposed project and a copy of this report is included in Appendix E of this document.

a) Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?

**Downtown Community Plan EIR – “Prior EIR” Analysis.** This checklist item was analyzed in the Downtown Community Plan EIR (EIR pages 5.10-1 to 5.10-7) and was also determined to result in a less than significant impact. The EIR found that implementation of existing mandatory federal, state, and local regulations manage these risks so that this impact would be less than significant. No mitigation measures were required. The physical conditions, as they relate to the transport and use of hazardous materials, have not changed in the area since the preparation of the Downtown Community Plan EIR. No substantial new information has since been presented that shows more significant effects than those originally analyzed in the Prior EIR. Therefore, there would be no new specific effects as a result of the proposed project.

**Project Analysis.**

*Project Construction.* Based on historical data obtained during the completion of the Phase I ESA for the proposed project site, it is likely that contamination exists in the proposed project site footprint. In addition, it is possible that the existing building components contain quantities of asbestos-containing materials (ACMs) or lead based paints. These contaminated soils and building materials would be hauled offsite during construction for disposal. Federal and State laws regulate the handling of building materials which contain hazardous materials (e.g., asbestos and lead-based paint).

During construction, workers may come into contact with hazardous or potentially hazardous materials during demolition of buildings or excavation activities. The types of hazardous materials occurring within the downtown planning area are not likely to occur in sufficient concentrations to represent significant carcinogenic or non-carcinogenic risks to construction workers or adjacent uses. The potential does exist that construction workers could encounter hazardous materials in buried drums or underground storage tanks. However, SANDAG would conduct a property specific Phase II ESA as recommended in the Phase I ESA prior to development. This process would identify areas most likely to contain such materials prior to construction. This identification would allow for appropriate actions to be taken to control risk exposure.

In addition, as a construction best management practice recommended by the Phase I ESA, all construction contractors would be instructed to immediately stop all subsurface activities in the event that potentially hazardous materials are encountered, an odor is identified, or significantly stained soil is noted during construction. Contractors would be instructed to follow all applicable regulations regarding discovery and response for hazardous materials encountered during the construction process.

If soils underneath the proposed project site are determined to contain contaminants that pose a potential unacceptable risk to human health or the environment, the County of San Diego Department of Environmental Health (DEH) and Department of Toxic
Substances Control (DTSC) would likely require remedial activities to take place to reduce the potential risk. Typically, the soil is remediated either in place (in situ) or after it has been excavated (ex situ). Adherence to Federal, State, and local regulations controlling hazardous materials would be sufficient to avoid significant impacts related to transport, use, and disposal of hazardous materials during construction activities. The proposed project would not result in impacts beyond what was discussed in the Downtown Community EIR.

**Project Operation.** It is anticipated that the proposed project would use hazardous materials typical of non-medical office, retail and residential uses (e.g., solvents, cleaning agents, paints, pesticides, petroleum fuels, propane, aerosol cans). These hazardous material products are generally used in small, localized amounts, and any spills that may occur would be cleaned up immediately. Although implementation of the proposed project might account for an increase in amounts of common types of hazardous materials, normal routine use of these products would not result in a significant hazard to residents or workers in the vicinity. In addition, the proposed project would not handle acutely hazardous materials, substances, or waste. Moreover, any applicant handling hazardous materials would be required to submit a Hazardous Materials Release Response and Inventory Plan as required under Chapter 6.95 of the California Health and Safety Code. The purpose of the Hazardous Materials Release Response and Inventory Plan is to ensure that employees are adequately trained to handle the materials and provide information to the DEH and applicable emergency responders should emergency response be required. Proper handling and disposal of contaminated building materials would reduce unforeseen risks to the environment and prevent potential future adverse health, safety, or environmental effects. As a result, the proposed project would have less than significant impacts related to transport, use, and disposal of hazardous materials.

No new significant or more significant impacts are associated with this issue.

b) **Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous material into the environment?**

Downtown Community Plan EIR – “Prior EIR” Analysis. Refer to Response 5.8(a).

**Project Analysis.** Refer to Response 5.8(a).

c) **Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?**

Downtown Community Plan EIR – “Prior EIR” Analysis. The Downtown Community Plan EIR covers impacts associated with current and future residents of the downtown planning area, which includes students attending schools in the downtown area (EIR page 5.10-7). As noted above in Response 5.8(a), the physical conditions, as they relate to the transport, use, and handling of hazardous materials have not changed in the area since the preparation of the Downtown Community Plan EIR. No substantial new information has since been presented that shows more significant effects than those originally analyzed in the Prior EIR. Therefore, there would be no new specific effects as a result of the proposed project.
**Project Analysis.** The closest existing school is the King Chavez High School located at 201 A Street, approximately 0.15 mile from the proposed project site. All other schools in the vicinity are located at distances greater than one-quarter mile. As discussed above, under Section 5.8(a), it is possible that soil contamination may exist at the proposed project site. Construction activities related to the proposed project may encounter contamination during grading, excavation, and the installation of support structures for new buildings. However, the types of hazardous materials occurring within the downtown planning area are not likely to occur in sufficient concentrations to represent significant carcinogenic or non-carcinogenic risks to nearby uses such as schools. During operation, it is anticipated that the proposed project would use hazardous materials typical of non-medical office, retail and residential uses. These hazardous materials would generally be used in small, localized amounts, and any spills that may occur would be cleaned up immediately. In addition, the proposed project would not handle acutely hazardous materials, substances, or waste.

No new significant or more significant impacts are associated with this issue.

d) **Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?**

**Downtown Community Plan EIR – “Prior EIR” Analysis.** Refer to Response 5.8(a).

**Project Analysis.** Based on the Phase I ESA conducted for the proposed project, four sites located within the proposed project site and one site adjacent to the proposed project site are considered to be Recognized Environmental Conditions (RECs). These include A Street Auto (1263 State Street), Antique Building Material (1253 State Street); Professional Printing (1240 Union Street); Garage Gilboa (1250 Union Street); and County of San Diego Maintenance Facility (1251 Union Street).

Due to current and historical land uses and an adjacent Leaking Underground Storage Tank (LUST), there is potential to have subsurface contaminants present. The Phase I ESA recommended the preparation of a Phase II ESA be conducted throughout the proposed project site and that all subsurface construction immediately stopped in the event that potentially hazardous materials are encountered, an odor identified, or significantly stained soil is noted during construction.

As identified in Response 5.8(a), the Downtown Community Plan requires property specific Phase II Environmental Assessments prior to development, SANDAG would implement a property specific Phase II ESA as recommended in the Phase I ESA. If soils underneath the proposed project site are determined to contain contaminants that pose a potential unacceptable risk to human health or the environment, the County of San Diego DEH and DTSC would likely require remedial activities to take place to reduce the potential risk. Adherence to Federal, State, and local regulations controlling hazardous materials would be sufficient to avoid significant impacts related to discovery and remediation of hazardous materials or conditions during construction activities. The proposed project would not result in impacts beyond what was discussed in the Prior EIR. No new significant or more significant impacts are associated with this issue.
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?

Downtown Community Plan EIR – “Prior EIR” Analysis. This checklist item was analyzed in the Downtown Community Plan EIR (EIR page 5.1-18) and was also determined to result in less than significant impacts. No mitigation measures were required. The physical conditions, as they relate to safety hazards in the vicinity of an airport land use plan area, have not changed in the area since the preparation of the Downtown Community Plan EIR. No substantial new information has since been presented that shows more significant effects than those originally analyzed in the Prior EIR. Therefore, there would be no new specific effects as a result of the proposed project.

Project Analysis. The closest public/public use airport is the San Diego International Airport (SDIA), located approximately 0.85 mile northwest of the proposed project. Airport Influence Area boundaries around the SDIA have been adopted by the San Diego County Regional Airport Authority in its Airport Land Use Compatibility Plan (ALUCP). Based on ALUCP Exhibit 1-1 (Airport Influence Area), the proposed project site is within the SDIA influence area boundary. The proposed project would be consistent with the identified Downtown Community Plan Airport Influence goals and policies. These policies include Policy 13.3-P-1 and Policy 3.2-P-6 which regulate development within the various areas affected by Lindbergh Field (including building heights, use and intensity limitations, and noise sensitive uses).

The proposed project site may be restricted by a height allowance due to the proximity to the SDIA. The actual height allowed would be determined by a formal review that would be conducted by the Federal Aviation Administration (FAA), by a precise survey to be conducted for the FAA review and project design, and by the City of San Diego’s interpretation of the Centre City Planned Development Ordinance and associated variances.

The ALUCP and the Centre City Planned Development Ordinance were used to determine the following preliminary limits that may be imposed by the proximity of the site to Lindbergh Field. As indicated in a Height Limit Memorandum prepared for the proposed project (Appendix I), a 400-foot high building as measured from above ground level (AGL) would be the maximum considered for conceptual planning. This would allow the temporary construction crane to remain below the 500-foot MSL elevation requirement identified in the Centre City Planned Development Ordinance. Antennas and other extensions up to the 500-foot MSL elevation could be installed on top of the building. The materials and type of construction would need to be considered in order to ensure that the building construction can be accomplished while remaining under the 500-foot MSL limit.

The proposed project is consistent with development envisioned in the Downtown Community Plan and the Downtown Community Plan is designed to integrate and implement the ALUCP. Therefore, implementation of the proposed project would not result in a significant airport safety hazard for people residing or working in the area. No new significant or more significant impacts are associated with this issue.
The Naval Air Station North Island (NAS North Island) is the home port of several aircraft carriers of the United States Navy with the airfield utilized for military operations. The San Diego Regional Airport Authority is in the process of preparing an ALUCP for NAS North Island, so it is considered a public use airport for purposes of this checklist item. NAS North Island is approximately 2.3 miles southwest of the proposed project site is beyond the 2-mile limit associated with this this issue; therefore safety impacts on the proposed project are considered less than significant.

f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

Downtown Community Plan EIR – “Prior EIR” Analysis. This checklist item was not analyzed in the Downtown Community Plan EIR. However, there is no private airstrip within the vicinity of the proposed project that could cause significant safety hazards; no new specific effects would occur.

Project Analysis. Since there is no private airstrip within the vicinity of the proposed project that could cause significant safety hazards, there are no impacts associated with this issue.

g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Downtown Community Plan EIR – “Prior EIR” Analysis. This checklist item was analyzed in the Downtown Community Plan EIR (EIR page 5.10-7) and was also determined to result in less than significant impacts. No mitigation measures were required. The physical conditions, as they relate to emergency preparedness, have not changed in the area since the preparation of the Downtown Community Plan EIR. No substantial new information has since been presented that shows more significant effects than those originally analyzed in the Prior EIR. Therefore, there would be no new specific effects as a result of the proposed project.

Project Analysis. The proposed project does not include any characteristics (e.g., permanent road closures or roadway modifications) that would physically impair or otherwise interfere with emergency response or evacuation in the project vicinity. Adherence to the City of San Diego’s Emergency Operations Plan and the requirements of the San Diego Fire and Police Departments would ensure adequate response to emergencies and evacuation plans as growth occurs, and reduce the potential for interfering with emergency plans. No new significant or more significant impacts are associated with this issue.

h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

Downtown Community Plan EIR – “Prior EIR” Analysis. This checklist item was not analyzed in the Downtown Community Plan EIR. However, since the proposed project site is not subject to wildland fires, no new specific effects would occur.

Project Analysis. The proposed project site does not fall into an area characterized as either (1) a wildland area that may contain substantial forest fire risk and hazard, or (2)
very high fire hazard severity zone. In addition, the proposed project site is surrounding on all sides by urban development. Therefore, the development and operation of the proposed project would not expose people or structures to a significant risk of loss, injury, or death involving wildland fires. No impacts are associated with this issue.

5.9 HYDROLOGY AND WATER QUALITY

A Hydrology and Water Quality Evaluation was prepared for the proposed project and a copy of this report is included in Appendix F of this document.

a) Violate any water quality standards or waste discharge requirements?

Downtown Community Plan EIR – “Prior EIR” Analysis. Refer to Response 5.6(b).

Project Analysis. Refer to Response 5.6(b).

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

Downtown Community Plan EIR – “Prior EIR” Analysis. This checklist item was analyzed in the Downtown Community Plan EIR (EIR page 5.9-2 and EIR page 5.9-13) and was also determined to result in a less-than-significant impact for groundwater dewatering. No mitigation measures were required. Adherence to NPDES requirements for groundwater dewatering would ensure that construction dewatering would not significantly impact water quality in the area. The Downtown Community Plan also identified that underlying groundwater in the downtown area is not used for municipal uses due to existing water contaminants. The physical conditions, as they relate to depletion of groundwater supplies, have not changed in the area since the preparation of the Downtown Community Plan EIR. No substantial new information has since been presented that shows more significant effects than those originally analyzed in the Prior EIR. Therefore, there would be no new specific effects as a result of the proposed project.

Project Analysis. As stated above, the proposed project site is already developed and covered by impervious surfaces. The underlying groundwater encountered a few feet above mean sea level in the downtown planning area is not currently used for groundwater supply and is exempt from municipal use. In addition, the proposed project is not located in an area identified for groundwater recharge. As such, the proposed project would not substantially deplete groundwater supplies or interfere with groundwater recharge such that there will be a net deficit in aquifer volume or a lowering of the local groundwater table. No new significant or more significant impacts are associated with this issue.
c) **Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in flooding on- or off-site?**

**Downtown Community Plan EIR – “Prior EIR” Analysis.** This checklist item was analyzed in the Downtown Community Plan EIR (EIR pages 5.9-12 to 5.9-13) and was also determined to be less than significant. The downtown planning area is highly urbanized, paved with impervious surfaces, and contains very little vacant land. The hydrology of the downtown planning area would not be substantially altered as the Downtown Community Plan would propose land uses that would maintain the existing quantity of impervious surfaces and general runoff characteristics. No mitigation measures were required. The physical conditions, as they relate to existing drainage patterns and runoff, have not changed substantially in the area since the preparation of the Downtown Community Plan EIR. No substantial new information has since been presented that shows more significant effects than those originally analyzed in the Prior EIR. Therefore, there would be no new specific effects as a result of the proposed project.

**Project Analysis.** The proposed project would develop and implement a SWPPP during the construction phase and would incorporate NPDES requirements and Downtown Community Plan EIR recommended BMPs (EIR page 5.9-10) into the final design. Adherence to these stormwater management requirements would ensure that construction and operation of the proposed project would not result in substantial erosion or siltation that could cause flooding in the area. The proposed project would not have a direct effect on the course of a stream or river as there are no streams or rivers present at the proposed project site. No new significant or more significant impacts are associated with this issue.

**d)** **Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or off-site?**

**Downtown Community Plan EIR – “Prior EIR” Analysis.** Refer to Response 5.9(c).

**Project Analysis.** Refer to Response 5.9(c).

**e)** **Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?**

**Downtown Community Plan EIR – “Prior EIR” Analysis.** This checklist item was analyzed in the Downtown Community Plan EIR (EIR page 5.9-11 to 5.9-12) and was also determined to be less than significant as the amount and type of runoff entering the existing storm drain system would not change with redevelopment activities. No mitigation measures were required. In addition, the downtown planning area is highly urbanized, paved with impervious surfaces, and contains very little vacant land. Development within the downtown area as identified in the Downtown Community Plan would not result in a substantial increase in impervious surface areas and would not significantly impact the existing storm drain systems in place. The physical conditions, as they relate to runoff and existing stormwater drainage systems, have not changed.
substantially in the area since the preparation of the Downtown Community Plan EIR. No substantial new information has since been presented that shows more significant effects than those originally analyzed in the Prior EIR. Therefore, there would be no new specific effects as a result of the proposed project.

**Project Analysis.** The proposed project site is currently being served by the City’s stormwater drainage system. Based on a site specific Hydrology and Water Quality Analysis prepared for the proposed project, redevelopment of the proposed project site is not expected to result in significant changes to the existing drainage patterns or runoff flows generated on the site. The proposed mix of uses is anticipated to replace the impervious surfaces that already exist on the proposed project site and would maintain existing general runoff characteristics. Therefore, the proposed project would not exceed the capacity of the City’s stormwater system and would not contribute substantial new sources of polluted runoff. No impacts are associated with this issue. No new significant or more significant impacts are associated with this issue.

f) **Otherwise substantially degrade water quality?**

**Downtown Community Plan EIR – “Prior EIR” Analysis.** Refer to Response 5.6(b).

**Project Analysis.** Refer to Response 5.6(b).

g) **Place housing within a 100-year flood hazard area as mapped on a federal Flood hazard Boundary of Flood Insurance Rate Map or other flood hazard delineation map?**

**Downtown Community Plan EIR – “Prior EIR” Analysis.** This checklist item was analyzed in the Downtown Community Plan EIR (EIR page 5.9-12) and was also determined to result in no impact as no 100-year flood hazard areas exist within downtown. No mitigation measures were required. The physical conditions, as they relate to flood hazards and flood flows, have not changed in the area since the preparation of the Downtown Community Plan EIR. No substantial new information has since been presented that shows more significant effects than those originally analyzed in the Prior EIR. Therefore, there would be no new specific effects as a result of the proposed project.

**Project Analysis.** Based on a site specific Hydrology and Water Quality Analysis prepared for the proposed project, the proposed project site is not located within a designated 100-year flood hazard zone. Implementation of the proposed project would not place a new structure or housing within the 100-year flood zone that could impede or redirect flows. No new significant or more significant impacts are associated with this issue.

h) **Place within a 100-year flood hazard area structures, which would impede or redirect flood flows?**

**Downtown Community Plan EIR – “Prior EIR” Analysis.** Refer to Response 5.9(g).

**Project Analysis.** Refer to Response 5.9(g).
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

Downtown Community Plan EIR – “Prior EIR” Analysis. This checklist item was not analyzed in the Downtown Community Plan EIR. However, since the proposed project site is not within a dam inundation area, no new specific effects would occur.

Project Analysis. According to the County of San Diego Floodplain Management Plan, the downtown area (which includes the proposed project site) is not located within a dam inundation area. Therefore, the proposed project would not expose people or structures to a significant loss, injury, or death involving flooding as a result of the failure of a levee or dam, resulting in no impact.

j) Inundation by seiche, tsunami, or mudflow?

Downtown Community Plan EIR – “Prior EIR” Analysis. This checklist item was not analyzed in the Downtown Community Plan EIR. However, since the proposed project site is not within a tsunami, seiche, or mudflow hazard area, no new specific effects would occur. Therefore, no further analysis is required.

Project Analysis. The proposed project site is situated approximately 38-46 feet above mean sea level (AMSL) and approximately 0.37 mile west of the San Diego Bay. The San Diego County Multi-Jurisdiction Hazard Mitigation Plan used FIRM data to determine hazard risk for floods in the County of San Diego. This plan also identified that most of the San Diego County coastal area as being within a coastal storm/erosion/tsunami hazard areas. However, the proposed project site is not identified within the coastal storm/erosion/tsunami hazard area. The proposed project site is mainly flat with little potential to create future mudflow or landslides. Therefore, there would be no impact related to seiche, tsunami, or mudflow.

5.10 LAND USE AND PLANNING

a) Physically divide an established community?

Downtown Community Plan EIR – “Prior EIR” Analysis. This checklist item was analyzed in the Downtown Community Plan EIR (EIR page 5.1-22), and the impact was determined to be less than significant. The Downtown Community Plan would not divide an established community but would strengthen identifiable neighborhoods that would be integrated and connected together. The physical conditions, as they relate to the division of an established community, have not changed substantially in the area since the preparation of the Downtown Community Plan EIR. No substantial new information has since been presented that shows more significant effects than those originally analyzed in the Prior EIR. Therefore, there would be no new specific effects as a result of the proposed project.

Project Analysis. The physical division of an established community typically refers to the construction of a physical feature (such as an interstate highway or railroad tracks) or removal of a means of access (such as a local road or bridge) that would impair mobility within an existing community, or between a community and outlying areas. The proposed project would be constructed on one City block and would not alter the existing
street grid. The proposed project is envisioned to be a multi-use neighborhood center that would be consistent with the land uses envisioned in the Downtown Community Plan. Therefore, implementation of the proposed project would promote additional connectivity in the area and would not further exacerbate existing barriers or create a new physical barrier that would divide the community. No new significant or more significant impacts are associated with this issue.

b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

Downtown Community Plan EIR – “Prior EIR” Analysis. This checklist item was analyzed in the Downtown Community Plan EIR (EIR pages 5.1-1 to 5.1-18) and the impact was also determined to be less than significant. Since the adoption of the Downtown Community Plan EIR in 2006, select land use plans have been updated including the City’s General Plan (revised in 2008), the SDIA ALUP (revised in May 2014), and SANDAG’s Regional Plan (adopted in October 2015). These plans have been discussed throughout this document as they apply to the proposed project. The physical conditions, as they relate to applicable land use plans and policies, have not changed substantially in the area since the preparation of the Downtown Community Plan EIR. No substantial new information has since been presented that shows more significant effects than those originally analyzed in the Prior EIR. Therefore, there would be no new specific effects as a result of the proposed project.

Project Analysis.

Consistency with the Downtown Community Plan. The adoption of the Downtown Community Plan was accompanied by the Centre City Planned District Ordinance (San Diego Municipal Code Chapter 15, Article 6, Division 3) that replaced General Plan land use designations, goals, and policies with those in the Downtown Community Plan. Because the proposed project site is within the Downtown Community area, the City’s General Plan is replaced by the Downtown Community Plan and is not discussed here. In addition, the current Zoning Ordinance refers to the Downtown Community Plan as the guiding document.

As identified in the San Diego Municipal Code (Chapter 15, Article 6, Division 3, Section 156.0307(a)(11), the Public/Civic land use designation provides a center for government, civic uses, cultural institutions, educational facilities, and public and support services, and accommodates residential uses. Within the Public/Civic District, a minimum of 40 percent of the ground-floor street frontage shall contain active commercial uses. As identified in Table 156-0308-A (Centre City Planned District Use Regulations) of the San Diego Municipal Code, all proposed project uses are permitted uses under the Public/Civic land use designation. Therefore, the proposed development scenario would be consistent with the existing community plan land use and zoning designation.

The Downtown Community Plan establishes an approach to land use that is based on the plan’s overall objective of preserving and enhancing community life, character, and vitality through public space improvements, mixed-use infill projects, and improved connections across the downtown area.
The eight guiding principles of the Downtown Community Plan are: (1) enhance the area’s waterfront setting and promote the area as a transportation hub and outdoor/creative lifestyles; (2) sustain downtown’s character as the regional administrative, commercial, and cultural center of San Diego; (3) foster vibrancy and sustain San Diego’s village strategy; (4) promote regional mobility goals; (5) promote diverse uses that create opportunities for urban living; (6) encourage open space and promote healthy living and sustainability; (7) promote connectivity; and (8) encourage sense of place. The proposed project would help to support these guiding principles.

The proposed project would recognize and promote healthy living and activity by encouraging access to public transit as an alternative to vehicular use. The proposed project site is 0.17 mile from the Santa Fe Train Depot. The Santa Fe Train Depot offers Coaster, Amtrak, trolley, and bus service and is considered to be a major transit stop.

The proposed residential and employee density at the proposed project site within close proximity to local and regional public transportation hubs would promote carbon emissions reductions and sustainable living in the downtown area. In addition to the above guiding principles, the Downtown Community Plan includes standards and guidelines to help control development. The proposed project would be consistent with these applicable standards and guidelines.

Key standards used to achieve compatibility between new buildings and the existing built character are based on massing controls and include limits on setbacks, façade heights and lengths, upper level building profiles, and façade modulation. Other controls, such as allowed building projections for canopies, awnings and similar features, building breaks, and required minimum open space further support existing patterns in the built environment. The proposed project would be consistent with the FAR, height, and densities permitted at the proposed project site.

Compatibility with Existing Land Uses. Although the proposed project would introduce more residential uses to the immediate area than currently exist, the residential use would complement existing commercial, office, and service uses by creating a stronger customer base for these uses. The land uses proposed at the proposed project site are consistent with existing land uses.

The emphasis on residential use is compatible with surrounding neighborhoods and the increased FAR and residential densities support the community’s objectives to encourage the development of underutilized parcels, generate vibrancy in the downtown, and increase the use of transit. The included standards and guidelines in the Downtown Community Plan help to integrate new development into the existing environment and, therefore, the proposed intensities and densities would not, in itself, result in adverse effects on the compatibility of surrounding land uses. Other physical effects of increased FAR and density, such as traffic impacts and associated air quality emissions, are analyzed in the applicable checklist discussions.

Consistency with San Diego Forward – The Regional Plan (Regional Plan). Consistent with SANDAG’s previous SCS, the Regional Plan includes five building blocks, in accordance with SB 375, which are accompanied by strategies. They include land use pattern (that accommodates our region’s future employment and housing needs, and
protects sensitive habitats, cultural resources, and resource areas); transportation network (which includes public transit, Managed Lanes and highways, local streets, bikeways, and walkways built and maintained with reasonably expected funding); Transportation Demand Management, or TDM (which identifies ways that reduce or eliminate traffic congestion during peak periods of demand); Transportation System Management, or TSM (which identifies measures that maximize the overall efficiency of the transportation network); and pricing policies (aimed at reducing the number of miles people travel in their vehicles, as well as traffic congestion during peak periods of demand).

The proposed project is consistent with the overarching policies identified in the Regional Plan. The proposed project would result in the construction and operation of a bus stopover and multi-use facility that accommodates future employment and housing needs, while protecting resource areas. As identified in the Regional Plan (page 32), Government Code Section 65080(b)(2)(B) requires that the SCS be based on the most recent planning assumptions considering local general plans and other factors. The Centre City Planning District land use designations, densities, and building intensities are incorporated into the City of San Diego General Plan which is incorporated into the Regional Plan. Therefore, the proposed project’s land uses are generally consistent with the land use designations, densities, and building intensities that the SCS assumed for the Centre City Planning District. In addition, the bus stopover would support the existing and future transportation network through increased efficiencies in the existing bus system, while the multi-use facility would locate employment, residential, and commercial uses near mass transit services and facilities. Therefore, the proposed project is consistent with the SCS.

No new significant or more significant impacts are associated with this issue.

c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

Project Analysis. Refer to Response 5.4(f).


5.11 MINERAL RESOURCES

a) Result in the loss of availability of a known mineral resource that would be a value to the region and the residents of the state?

Downtown Community Plan EIR – “Prior EIR” Analysis. This checklist item was analyzed in the Downtown Community Plan EIR (EIR page 8-1) and was also determined to result in no impact. No mitigation measures were required. The downtown planning area has been urbanized since the early part of the 20th century. The potential for viable extraction of mineral resources is limited due to the urbanized character of the area. The physical conditions, as they relate to mineral resources, have not changed in the area since the preparation of the Downtown Community Plan EIR. No substantial new information has since been presented that shows more significant effects than
those originally analyzed in the Prior EIR and there would be no new specific effects as a result of the proposed project.

**Project Analysis.** As indicated in the Downtown Community Plan EIR (EIR page 8-1), there are no known mineral resources at the proposed project site. Although there is limited information about the mineral resource potential of the proposed project site, the site and its vicinity have been previously developed with a variety of commercial, office, and residential uses, which are uses that are incompatible with mineral extraction activities. Consequently, there is a very low likelihood that mining or quarry activities would be permitted in the area.

No new significant or more significant impacts are associated with this issue.

b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

**Downtown Community Plan EIR – “Prior EIR” Analysis.** Refer to Response 5.11(a).

**Project Analysis.** Refer to Response 5.11(a).

5.12 NOISE

A Noise and Vibration Impact Assessment was prepared for the proposed project and a copy of this report is included in Appendix G of this document.

a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

**Downtown Community Plan EIR – “Prior EIR” Analysis.** This checklist item was analyzed in the Downtown Community Plan EIR (EIR pages 5.7-7 to 5.7-19). Construction noise impacts were determined to not be significant as construction noise is regulated by the City of San Diego Municipal Code. Ballpark noise levels generated from Petco Park were determined to be significant within a four block radius of the park (EIR page 5.1-19). The proposed project site is beyond the four block radius of Petco Park; therefore, ballpark noise would not impact the project site. Traffic noise levels on affected roadway segments were determined to be significant, with no feasible mitigation measures available to reduce this impact to less than significant levels (Impact NOI-A.1). Interior noise level impacts generated from Community Plan traffic were significant, but determined to be less than significant with implementation of Mitigation Measure NOI-B.1-1. For exterior traffic noise in residential development, implementation of Mitigation Measure NOI-C.1-1 would reduce significant noise impacts on required open space areas but not to a less than significant level. The physical conditions, as they relate to noise levels, have not changed substantially in the area since the preparation of the Downtown Community Plan EIR. The proposed project would incorporate Mitigation Measures NOI-B.1-1 and NOI-C.1-1 (as applicable). No substantial new information has since been presented that shows more significant effects than those originally analyzed in the Prior EIR.
Project Analysis.

Project Construction. Construction related noise impacts could result from the operation of heavy duty construction equipment, including graders, scrapers, loaders and other equipment. Noise impacts could also occur due to on road vehicles associated with the proposed project, including construction worker commute vehicles, delivery trucks, and haul trucks. This impact was evaluated in the Downtown Community Plan EIR and was found to not be significant as construction noise is regulated by the City of San Diego Municipal Code (Section 59.5.0404).

Based on the Noise and Vibration Impact Assessment conducted for the proposed project, noise levels would not exceed the City’s 75 A-weighted decibel (dBA) Time averaged equivalent sound pressure level (Leq) construction noise threshold. Traffic noise associated with construction of the proposed project would not be a significant source of noise. Traffic noise is not substantially influenced by low levels of traffic, such as those associated with the proposed project’s construction effort. For example, traffic levels would have to double in order for traffic noise on area roadways to increase by 3 dBA. The proposed project’s construction traffic on area roadways would increase hourly traffic volumes by much less than double; therefore, the increase in construction related traffic noise would be less than 3 dBA and is not significant.

Similar to the Downtown Community EIR, construction noise impacts associated with the proposed project would be less than significant with adherence to Section 59.5.0404 of the Municipal Code.

Project Operation. Operational noise from the proposed project would occur at loading docks, trash compactors, within the parking areas, and within the bus stopover facility. The proposed site plan has not been finalized; therefore the on-site noise sources would be designed in such a way that the City’s Municipal Code limits are not exceeded at any on-site or off-site sensitive land use. Based on the Noise and Vibration Impact Assessment conducted for the proposed project, Project-related traffic noise levels would not significantly impact adjacent land uses during existing year, opening year (2019), and cumulative year (2035) conditions. Noise level increases for these years for all analyzed roadway segments would be below the 3.0 dBA noise increase threshold.

For the bus stopover facility component of the proposed project, project-generated noise would consist solely of transit vehicle movements along existing roadways. Upon entering the project site, transit vehicles would be moving at speeds below 10 mph, directly to parking stalls, where the engines would be shut off. On-site bus noise levels would be as high as approximately 52 dBA at 100 feet during bus startup. The on-site residences would be shielded from the bus noise by the proposed structures and the noise levels at the off-site land uses would be lower than the existing traffic noise levels. Therefore, noise generated by project operations on the parking site was considered negligible.

As identified in the City’s CEQA Significance Thresholds (Table K-2 page 51), noise sensitive outdoor lands uses or exterior usable areas do not include residential front yards or balconies, unless the areas such as balconies are part of the required usable open space calculation for multi-family units. Therefore, balconies would not be counted towards the open space calculation for residential uses envisioned on the project site.
Therefore, only the interior noise standards would apply to the proposed residential land uses on the proposed project site.

With windows closed, new residential units located within the 69 dBA Community Noise Equivalent Level (CNEL) noise contour of the local roads would be exposed to interior noise levels exceeding the City’s 45 dBA CNEL standard (69 – 24 = 45). As identified in the Noise and Vibration Analysis conducted for the proposed project, the 69 dBA CNEL noise contour extends beyond the roadway right-of-way along several roadway segments directly adjacent to the proposed project site. These roadways are State Street within 20 feet of the roadway centerline and A Street within 53 feet of the roadway centerline.

Although no site design is available for the proposed project site, residential uses could be built along State Street within 35 feet of the roadway centerline. This distance is outside of the 69 dBA CNEL noise contour. Therefore, no mitigation measures would be required.

Although no site design is available for the proposed project site, residential uses could be built along A Street within 40 feet of the roadway centerline. Ground floor units at this location would be exposed to traffic noise levels of 70 dBA CNEL. As the distance to the centerline of A Street increases with elevation, residential units on the fourth floor and higher would be located outside of the 69 dBA CNEL contour.

Downtown Community Plan EIR Mitigation Measure B.1-1 (EIR page 5.7-16) calls for an acoustical analysis to be performed to confirm that architectural or other design features are included in residential projects to ensure that noise levels within habitable rooms would not exceed 45 dBA CNEL. Design features for residential units on the first through the third floors that would be considered include:

- Windows and doors with Sound Transmission Class (STC)-32 or higher could be installed in first through third floor residential uses developed along A Street for the proposed project site.
- A 6-foot high sound barrier along the property line could be installed and consist of materials with a minimum density of 3.5 pounds per square foot or a combination of materials that meet this requirement. Such barrier materials include, but are not limited to, the following: ¾-inch plywood, ¼-inch tempered glass, ¼-inch laminated glass, ¼-inch Plexiglas, or masonry.

The Downtown Community Plan EIR requires implementation of Title 24 standards, Building Code requirements, and Mitigation Measure NOI-B.1-1 that together reduce interior noise impacts to below a level of significance. Implementation of Mitigation Measure NOI-B.1-1 ensures that noise levels within habitable rooms would not exceed the 45 dBA CNEL threshold. The recommendations identified above are consistent mitigation requirements identified in the Downtown Community Plan EIR.

No new significant or more significant impacts are associated with this issue.
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

Downtown Community Plan EIR – “Prior EIR” Analysis. This checklist item was not specifically analyzed in the Downtown Community Plan EIR. However, as identified in the City of San Diego Municipal Code (Chapter 15, Article 6, Division 3, Subsection 156.0312(1)), “no use, activity, or process shall produce continuous noise, vibrations, or noxious odors that are perceptible without instruments by the average person at the property lines or a site of above the site.” Potential vibration impacts are substantially mitigated by uniformly applicable development policies established in the City of San Diego Municipal Code.

Project Analysis. Construction of the proposed project may require pile driving and has the potential to result in temporary vibration impacts to structures and humans. Based on the potential site locations, pile driving activities would not occur closer than 75 feet from the nearest off-site structures. As impact pile drivers have higher vibration levels than vibratory pile drivers, the potential vibration impact calculations assume that impact pile drivers would be used. Other construction activities are less intensive than pile driving and would have lower peak particle velocity (PPV) than pile driving. Therefore, vibration levels from pile driving are considered worst case for the project construction.

As identified in the Noise and Vibration Impact Assessment conducted for the proposed project, the calculated PPV at the nearest structure (75 feet) would be 0.14 PPV, which according to the Caltrans guidance would not damage buildings and would be barely perceptible. Based on preliminary research conducted for the proposed project site, there are no historic structures on site or any adjacent historic structures that could be impacted from impact pile driver vibration. In addition, the proposed project would be required to adhere to requirements identified in the City of San Diego Municipal Code as it relates to generation of groundborne vibration. Therefore, vibration impacts associated with construction of the proposed project would be less than significant.

c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?


Project Analysis. Please refer to Response 5.12(a).

d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?


Project Analysis. Please refer to Response 5.12(a).
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

**Downtown Community Plan EIR – “Prior EIR” Analysis.** This checklist item was analyzed in the Downtown Community Plan EIR (EIR page 5.7-10 to 5.7-12 and EIR page 5.7-15). The Downtown Community Plan EIR concluded that compliance with Title 21, Title 24 and Building Code standards would ensure that interior noise levels of residential uses within the Downtown Community Plan would not exceed the 45 dBA CNEL threshold. For outdoor open space areas in new residential development, the Downtown Community Plan EIR concluded that aircraft noise would be in excess of the 65 dBA CNEL threshold for properties within the 65 dBA CNEL noise contour for SDIA. The physical conditions, as they relate to airport noise, have not changed in the area since the preparation of the Downtown Community Plan EIR. No substantial new information has since been presented that shows more significant effects than those originally analyzed in the Prior EIR. Therefore, there would be no new specific effects as a result of the proposed project.

**Project Analysis.** As identified in the Noise and Vibration Impact Assessment conducted for the proposed project, the proposed project site is not located within the 65 dBA CNEL noise contour of the SDIA.

NAS North Island is located approximately 2.3 miles southwest of the proposed project site, beyond the 2-mile limit associated with this issue, so safety impacts on the proposed project would be less than significant. The Naval Air Station North Island (NAS North Island) is the home port of several aircraft carriers of the United States Navy with the airfield utilized for military operations. The San Diego Regional Airport Authority is in the process of preparing an ALUCP for NAS North Island, so it is considered a public use airport for purposes of this checklist item. The 65 dBA CNEL contour from this airfield does not extend into the downtown planning area (or to the proposed project site) and does not generate sufficient noise to affect outdoor areas of sensitive land uses.

Interior and exterior noise levels for potential residential uses on the proposed project site would not be significantly impacted by airport noise. Therefore, the proposed project would not expose people working in the area to excessive noise levels. No new significant or more significant impacts are associated with this issue.

f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

**Downtown Community Plan EIR – “Prior EIR” Analysis.** This checklist item was not analyzed in the Downtown Community Plan EIR. However, there is no private airstrip within the vicinity of the proposed project that could cause significant safety hazards; no new specific effects would occur.

**Project Analysis.** There is no private airstrip located within the vicinity of the proposed project that could cause significant safety hazards; therefore, no impacts associated with this issue.
5.13 POPULATION AND HOUSING

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

Downtown Community Plan EIR – “Prior EIR” Analysis. This checklist item was analyzed in the Downtown Community Plan EIR (EIR pages 5.11-1 to 5.11-5) and was also determined to result in a less-than-significant impact. The proposed project would be within the limits of development envisioned within the Downtown Community Plan. Since the impact would be less than significant, no mitigation measures were required in the Downtown Community Plan EIR. The physical conditions, as they relate to population and housing, have not changed substantially in the area since the preparation of the Downtown Community Plan EIR. No substantial new information has since been presented that shows more significant effects than those originally analyzed in the Prior EIR. Therefore, there would be no new specific effects as a result of the proposed project.

Project Analysis. Construction of the proposed project, including the site preparation and building demolition phase, would temporarily increase construction employment. Given the relatively common nature and scale of the construction associated with the proposed project, the demand for construction employment would likely be met within the existing and future labor market in the City and the County. The size of the construction workforce would vary during the different stages of construction, but a substantial quality of workers from outside the City or County would not be expected to relocate permanently.

The proposed project would constitute infill development within an already developed neighborhood in downtown San Diego and has been considered as part of the population growth identified for the buildout of the Downtown Community Plan. The proposed project site is within walking distance of downtown’s retail and service district, the Santa Fe Train Depot, and numerous transit routes. As such, the proposed project site is well-served by urban infrastructure, services, and transit. The development of higher density projects on infill sites near downtown areas is considered by most regional government planning agencies to be an environmentally sound way to add housing to growing metropolitan regions. In addition, because the proposed project site is located in an infill setting, no infrastructure would be extended to undeveloped areas; therefore, the proposed project would not result in substantial indirect population growth. No new significant or more significant impacts are associated with this issue.

b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

Downtown Community Plan EIR – “Prior EIR” Analysis. This checklist item was analyzed in the Downtown Community Plan EIR (EIR page 5.11-1 to 5.11-5) and was also determined to result in less than significant impacts. The Downtown Community Plan would contribute additional housing to a region that is currently experiencing housing deficiencies and would have a beneficial effect on housing supply. No mitigation measures were required. The physical conditions, as they relate to displacement of
housing units, have not changed in the area since the preparation of the Downtown Community Plan EIR. No substantial new information has since been presented that shows more significant effects than those originally analyzed in the Prior EIR. Therefore, there would be no new specific effects as a result of the proposed project.

**Project Analysis.** The proposed project would demolish the existing onsite buildings, which are either vacant or include an auto repair shop. None of the existing buildings proposed to be demolished include residences, and as a result no housing would be displaced as a result of the proposed project, necessitating the construction of replacement housing elsewhere. No new significant or more significant impacts are associated with this issue.

c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

**Downtown Community Plan EIR – “Prior EIR” Analysis.** Refer to Response 5.13(b).

**Project Analysis.** Refer to Response 5.13(b).

### 5.14 PUBLIC SERVICES

Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

a) Fire protection?

**Downtown Community Plan EIR – “Prior EIR” Analysis.** This checklist item was analyzed in the Specific Plan EIR (EIR page 5.4-13) and was determined not be a significant impact. No substantial new information has since been presented that shows more significant effects than those originally analyzed in the Prior EIR and, therefore, there would be no new specific effects as a result of the proposed project.

**Project Analysis.** Fire protection services within the downtown planning area are provided by the San Diego Fire Department (SDFD). Residential and non-residential development, including the proposed project, would be consistent with policies identified in the Downtown Community Plan. These policies include Policy 8.2-P-1 which calls for collection of Development Impact Fees (DIFs) to help pay for needed fire facilities. Payment of DIFs would maintain existing fire fighting facilities and levels of service within the area. No new significant or more significant impacts are associated with this issue.

b) Police protection?

**Downtown Community Plan EIR – “Prior EIR” Analysis.** This checklist item was analyzed in the Downtown Community Plan EIR (EIR pages 5.4-13 to 5.4-14) and was determined not to be a significant impact. The physical conditions, as they relate to police services, have not changed substantially in the area since the preparation of the
Downtown Community Plan EIR. No substantial new information has since been presented that shows more significant effects than those originally analyzed in the Prior EIR. Therefore, there would be no new specific effects as a result of the proposed project.

**Project Analysis.** Police services are provided by the San Diego Police Department (SDPD). The downtown area which includes the proposed project site is served by the Central Division Police Station. The quality of police protection services to the downtown planning area is evaluated by the average response time to an emergency call. According to SDPD, the Central Division’s average response times for emergency and Priority 1 calls is somewhat less than the Citywide average due to the shorter distances that officers travel to get to the calls. The proposed project would not generate a level of demand for law enforcement facilities beyond the level assumed by the Downtown Community Plan EIR. In addition, the need for new or upgraded facilities or services is addressed through the various means the City uses to fund the capital and operating expenses related to public facilities (e.g., developer fees and City Council budget decisions). No new significant or more significant impacts are associated with this issue.

c) **Schools?**

**Downtown Community Plan EIR – “Prior EIR” Analysis.** This checklist item was analyzed in the Specific Plan EIR (EIR pages 5.4-11 to 5.4-12) and was determined not to be a significant impact. No substantial new information has since been presented that shows more significant effects than those originally analyzed in the Prior EIR. Therefore, there would be no new specific effects as a result of the proposed project.

**Project Analysis.** The proposed project includes a potential residential component and could result in an increase in students within the City. Residential and non-residential development, including the proposed project, is subject to SB 50 School Impact Fees (established by the Leroy F. Greene School Facilities Act of 1998). As a result of the wide-ranging changes in the financing of school facilities, including the passage of state school facilities bonds intended to provide a major source of financing for new school facilities, Section 65996 of the State Government Code explains that payment of school impact fees established by SB 50 is deemed to constitute full and complete mitigation for school impacts from development that may be required from a developer by any state or local agency. No new significant or more significant impacts are associated with this issue.

d) **Parks?**

**Downtown Community Plan EIR – “Prior EIR” Analysis.** This checklist item was analyzed in the Downtown Community Plan EIR (EIR pages 5.1-22 to 5.1-27) and was determined to result in a less than significant impact. No mitigation measures were required. The Downtown Community Plan’s intention to increase the number, variety, quality, and accessibility of park and recreation opportunities within downtown is expressed in several goals and policies: The land use concept identified in the Downtown Community Plan calls for several blocks to be devoted to larger parks while encouraging the creation and utilization of plazas and pocket parks. The physical conditions, as they relate to parks, have not changed substantially in the area since the preparation of the Downtown Community Plan EIR. No substantial new information has
since been presented that shows more significant effects than those originally analyzed in the Prior EIR. Therefore, there would be no new specific effects as a result of the proposed project.

**Project Analysis.** A variety of public and private recreational opportunities are available to the residents of downtown San Diego including City operated parks and recreation areas, school facilities, and non City operated recreation areas. Given the availability of City and regional parks, population growth related to development under the proposed project would not increase the use of recreational resources and parks such that substantial physical deterioration would occur. In addition, the residential development portion of the proposed project would pay into the City’s Transfer of Development Rights (TDR) program which is used to facilitate the purchase of new park space. Payment of these recreation in-lieu fees would mitigate impacts to recreational facilities. No new significant or more significant impacts are associated with this issue.

e) Other public facilities?

**Downtown Community Plan EIR – “Prior EIR” Analysis.** This checklist item (library impacts) was analyzed in the Downtown Community Plan EIR (EIR pages 5.4-12 to 5.4-13) and was determined to not be a significant impact. No mitigation measures were required. The physical conditions, as they relate to other public facilities, have not changed substantially in the area since the preparation of the Downtown Community Plan EIR. No substantial new information has since been presented that shows more significant effects than those originally analyzed in the Prior EIR. Therefore, there would be no new specific effects as a result of the proposed project.

**Project Analysis.** The population of at buildout of the Downtown Community Plan is anticipated to increase to a total of 89,100 people. There would be a corresponding increase in demand for library services, including the possible need for additional library space. Population estimates for the proposed project may include up to 1,218 people associated with residential uses proposed and up to 1,409 people associated with office and commercial uses proposed. The Main Library is anticipated to adequately serve downtown’s residential population at buildout (which includes the proposed project); therefore, no new or expanded library facilities would be needed. No new significant or more significant impacts are associated with this issue.

### 5.15 RECREATION

a) **Would the project increase the use of existing neighborhood and regional parks or other recreational facilities, such that substantial physical deterioration of the facility would occur or be accelerated?**

**Downtown Community Plan EIR – “Prior EIR” Analysis.** Refer to Response 5.14(d).

**Project Analysis.** Refer to Response 5.14(d).
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?


Project Analysis. Refer to Response 5.14(d).

5.16 TRANSPORTATION/TRAFFIC

A Traffic Impact Study was prepared for the proposed project and a copy of this report is included in Appendix H of this document.

a) Conflict with an applicable plan, ordinance or policy establishing measure of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, street, highways and freeways, pedestrian and bicycle paths, and mass transit?

Downtown Community Plan EIR – “Prior EIR” Analysis. This checklist item was analyzed in the Downtown Community Plan EIR (EIR pages 5.2-14 to 5.42-41). Impacts on grid streets, certain streets surrounding downtown, and freeway segments and ramps were determined to be significant; mitigation measures were developed to reduce these impacts, but not to less than significant levels. As identified in the project-specific traffic study (Appendix H, page 1), the traffic study area for the proposed project was defined based on an assessment of those intersections and roadways segments potentially impacted by the proposed project. For purposes of the proposed project, the traffic study area is bounded by Ash Street to the north, Broadway to the south, Kettner Boulevard to the west, and Front Street to the east. Impacts on other intersections, roadway segments, and freeway ramps identified in the Downtown Community Plan EIR were assumed to be negligible due to distance from the project study area.

The Downtown Community Plan EIR includes a mitigation measure calling for a project specific traffic study to be prepared for any development that would generate a sufficient number of trips to quality as a large project under the Congestion Management Plan (CMP). Mitigation Measure TRF-A.1.1-2 of the Downtown Community Plan EIR (EIR page 5.2-52) specifies that the traffic study be prepared in accordance with the City of San Diego's Traffic Impact Study Manual. If the traffic study indicates that roadways substantially affected by the project would operate at LOS F with the addition of project traffic, the traffic study must identify improvements to grid street segments and/or intersections which would be required within the next five years to achieve an acceptable LOS or reduce congestion, to the extent feasible.

If the needed improvements are already included in Civic San Diego’s (formerly CCDC’s) CIP, or the equivalent, no further action shall be required. If the any of the required improvements are not included in the CIP, or not expected within five years of project completion, Civic San Diego (formerly CCDC) must amend the CIP, within one year of project approval, to include the required improvements and assure that they will
be implemented within five years of project completion. At Civic San Diego’s (formerly CCDC’s) discretion, the developer may be assessed a pro-rated share of the cost of improvements.

The Traffic Impact Study identified improvements that are feasible and that would achieve an acceptable LOS or reduce congestion in the area, but that are not currently included in the Civic San Diego’s (formerly CCDC’s) CIP or the equivalent. The proposed project would coordinate with the Civic San Diego (formerly CCDC) to add the required improvements to the CIP to ensure that the required improvements be implemented within five years of project completion. In addition, the proposed project would also contribute a fair share contribution for the identified improvements, consistent with the requirements of the Mitigation Measure TRF-A.1.1-2 of the Downtown Community Plan EIR.

Project Analysis.

Project Construction. A small increase in traffic would occur in the area during the construction phase of the proposed project from construction vehicles and construction workers accessing the site. Anticipated construction trips are included in Table E. However, these impacts would be short-term, occurring only during the construction period and would not exceed a level of service standard for roads or highways in the City.

Project Operation. During operation of the proposed project, trips to and from the site would primarily consist of workers and residents accessing commercial and residential uses. San Diego Metropolitan Transit System (MTS) buses would also access the site as a transit stopover facility to park their vehicles at an off-street location, which would remove idling buses from the roadway.

The City of San Diego established impact standards in the Downtown San Diego Traffic Impact Assessment (TIA) Methodology for Evaluation of New Projects, June 2007. These standards deviate from the traffic impact thresholds outlined in the City of San Diego Significance Determinations Thresholds, January 2011. The proposed project is located within the Centre City and therefore is subject to the June 2007 significance criteria thresholds as follows:

- A project is deemed to have a significant direct impact on the operation of an intersection when the addition of project traffic results in a Level of Service (LOS) dropping from LOS E or better to LOS F (this significance threshold is the same as used for Impact TRF-A.1 in the Downtown Community Plan EIR). Under this condition, the project applicant would be responsible for direct project impact mitigation necessary to restore the intersection to LOS E conditions or better.

- If an intersection currently operates at LOS F under base conditions and the project adds more than an additional 2 seconds of average vehicle delay, the project is determined to have a cumulatively considerable impact. Under this condition, the project applicant would be responsible for mitigating the intersection LOS to pre-development conditions or better.
These significance criteria are the same as the Downtown Community Plan EIR Transportation, Circulation, and Access Study (EIR Volume 2, Appendix 2.2, page 16).

A total of 20 intersections and 35 roadway segments were analyzed as part of the traffic analysis. Table E provides the forecasted number of trips that could be generated by the proposed project. As identified in Table E, the proposed project is estimated to generate approximately 6,059 daily trips, approximately 659 trips during the morning peak hour and approximately 633 trips during the afternoon peak hour. The trips associated with local bus routes are existing trips already using streets in the study area to access on-street stopover spaces.

### Table E. Project Traffic

<table>
<thead>
<tr>
<th>Project Trips</th>
<th>Daily</th>
<th>AM Peak-Hour</th>
<th>PM Peak-Hour</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>In</td>
<td>Out</td>
</tr>
<tr>
<td><strong>Office Space</strong></td>
<td>3,138</td>
<td>367</td>
<td>43</td>
</tr>
<tr>
<td><strong>Retail Space</strong></td>
<td>476</td>
<td>9</td>
<td>6</td>
</tr>
<tr>
<td><strong>Residential Space</strong></td>
<td>1,448</td>
<td>23</td>
<td>93</td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td>5,062</td>
<td>399</td>
<td>140</td>
</tr>
<tr>
<td><strong>Construction</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Construction Truck Trips</strong></td>
<td>628</td>
<td>31</td>
<td>31</td>
</tr>
<tr>
<td><strong>Construction Worker Trips</strong></td>
<td>192</td>
<td>10</td>
<td>10</td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td>820</td>
<td>41</td>
<td>41</td>
</tr>
<tr>
<td><strong>Other Transit Services</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Maintenance and Supervisor Vehicle</strong></td>
<td>32</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td><strong>Stopover Bus Service</strong></td>
<td>145</td>
<td>18</td>
<td>18</td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td>177</td>
<td>20</td>
<td>20</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>6,059</td>
<td>459</td>
<td>200</td>
</tr>
</tbody>
</table>

Source: IBI Group, June 2015

Table F provides a summary of intersections and roadway segments conditions during existing year, Opening Year (2019), and Future Year (2035) for with proposed project and without proposed project scenarios.
**Table F. Intersection and Roadway Segment Summary**

<table>
<thead>
<tr>
<th>Scenario</th>
<th>Without Project Conditions</th>
<th>With Project Conditions</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Existing Year</strong></td>
<td>All study intersections are operating at LOS E or better during both peak periods.</td>
<td>All study intersections are operating at LOS E or better during both peak periods</td>
</tr>
<tr>
<td></td>
<td>LOS E is considered to be a satisfactory LOS – no existing significant traffic conditions.</td>
<td>LOS E is considered to be a satisfactory LOS – no significant traffic conditions would occur with addition of project traffic.</td>
</tr>
<tr>
<td><strong>Opening Year</strong></td>
<td>All roadway segments are operating at LOS C or better</td>
<td>All roadway segments are operating at LOS D or better during both peak periods</td>
</tr>
<tr>
<td>(2019)</td>
<td>LOS C is considered to be a satisfactory LOS – no existing significant traffic conditions.</td>
<td>LOS D is considered to be a satisfactory LOS – no significant traffic conditions would occur with addition of project traffic.</td>
</tr>
<tr>
<td></td>
<td>Three intersections would operate at LOS F during one or both peak periods:</td>
<td>Three intersections would operate at LOS F during one or both peak periods</td>
</tr>
<tr>
<td></td>
<td>- Kettner Blvd/A Street (a.m./p.m. peak hour)</td>
<td>- Kettner Blvd/A Street (a.m./p.m. peak hour)</td>
</tr>
<tr>
<td></td>
<td>- Union St/B St (p.m. peak hour)</td>
<td>- Union St/B St (p.m. peak hour)</td>
</tr>
<tr>
<td></td>
<td>- India St/Broadway (a.m./p.m. peak hour)</td>
<td>- India St/Broadway (a.m./p.m. peak hour)</td>
</tr>
<tr>
<td></td>
<td>Existing significant traffic conditions - LOS F is considered to be an unsatisfactory LOS.</td>
<td>Project traffic contributes to existing significant traffic conditions. Kettner Blvd/A Street and Union St/B Street traffic contributions not considered significant as the project does not exceed the 2 seconds of additional delay threshold. India St/Broadway is improved to LOS D after recommended improvements applied.</td>
</tr>
<tr>
<td><strong>Future Year</strong></td>
<td>All roadway segments would operate at LOS D or better</td>
<td>All roadway segments would operate at LOS D or better</td>
</tr>
<tr>
<td>(2035)</td>
<td>LOS D is considered to be a satisfactory LOS – no existing significant traffic conditions.</td>
<td>LOS D is considered to be a satisfactory LOS – no significant traffic conditions would occur with addition of project traffic.</td>
</tr>
<tr>
<td></td>
<td>Four intersections would operate at LOS F during one or both peak periods</td>
<td>Four intersections would operate at LOS F during one or both peak periods</td>
</tr>
<tr>
<td></td>
<td>- Kettner Blvd/A Street (a.m./p.m. peak hour)</td>
<td>- Kettner Blvd/A Street (a.m./p.m. peak hour)</td>
</tr>
<tr>
<td></td>
<td>- Union St/B St (p.m. peak hour)</td>
<td>- Union St/B St (p.m. peak hour)</td>
</tr>
<tr>
<td></td>
<td>- India St/Broadway (a.m./p.m. peak hour)</td>
<td>- India St/Broadway (a.m./p.m. peak hour)</td>
</tr>
<tr>
<td></td>
<td>- Kettner Blvd/Broadway (p.m. peak hour)</td>
<td>- Kettner Blvd/Broadway (p.m. peak hour)</td>
</tr>
<tr>
<td></td>
<td>LOS F is considered to be an unsatisfactory LOS – existing significant traffic conditions.</td>
<td>Project traffic contributes to existing significant traffic conditions. Union St/B Street traffic contributions not considered significant as the project does not exceed the 2 seconds of additional delay threshold. Kettner Blvd/A Street is improved to LOS B, Kettner Blvd/Broadway is improved to LOS D (a.m.), and India St/Broadway is improved to LOS D after recommended improvements applied.</td>
</tr>
<tr>
<td></td>
<td>One roadway segment (B Street between Columbia)</td>
<td>One roadway segment (B Street between Columbia)</td>
</tr>
</tbody>
</table>
Street and State Street) would operate at LOS E
LOS E is considered to be a satisfactory LOS – no existing significant traffic conditions.

Columbia Street and State Street) would operate at LOS E
LOS E is considered to be a satisfactory LOS – no significant traffic conditions would occur with addition of project traffic.

Source: IBI Group, June 2015

Consistent with Prior EIR Mitigation Measure TRF-A.1.1-2, the traffic study prepared for the proposed project recommends improvements to improve three locations that operate at LOS F where the proposed project exceeds the 2 seconds of additional delay significance threshold; these improvements would reduce significant impacts to less than significant levels. For intersections experiencing an LOS F with project conditions, impacts are not considered significant if the addition of project traffic does not exceed the two second additional delay threshold. This would apply to the Union/B Street intersection under the opening year (2019) and future year (2035) scenarios, and the Kettner Blvd/A Street intersection under the opening year (2019) scenario.

As identified in the traffic study, a fair share contribution for the following improvements would be implemented for selected intersections:

**Opening Year (2019):**
- *India Street/Broadway:* Increase intersection cycle lengths

**Future Year (2035):**
- *Kettner Boulevard/A Street:* Prohibit eastbound through movement restricting vehicles to right turn out only.
- *India Street/Broadway:* Increase intersection cycle lengths
- *Kettner Boulevard/Broadway:* Convert left turn phasing to protected for southbound and westbound left turn lanes.

These improvements can be feasibly completed and require no additional right of way. As mentioned previously, the proposed project would coordinate with Civic San Diego to add the required improvements to the CIP to ensure that the required improvements be implemented within five years of project completion. In addition, the proposed project would contribute fair share contributions towards these improvements consistent with City of San Diego fair share funding requirements. This is consistent with the requirements of the Mitigation Measure TRF-A.1.1-2 of the Downtown Community Plan EIR. Implementation of these recommended improvements would result in LOS and vehicle delay improvements better than or at conditions without the proposed project.

In summary, impacts on local streets were analyzed in the Prior EIR. At the project-level, the proposed project has significant impacts on certain intersections that were not identified in the Prior EIR, but uniformly applicable development policies and standards (MM TRF-A.1.1-2) apply to the project and would substantially mitigate these impacts to a level less than significant.
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency or designated roads or highways?

Downtown Community Plan EIR – “Prior EIR” Analysis. Regarding level of service impacts, refer to Response 5.16(a). In 2009, the SANDAG region elected to be exempt from the State Congestion Management Program.

Project Analysis. Regarding level of service impacts, refer to Response 5.16(a). In 2009, the SANDAG region elected to be exempt from the State Congestion Management Program.

c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

Downtown Community Plan EIR – “Prior EIR” Analysis. Refer to Response 5.8(e). The proposed project would not change air traffic patterns because it would not increase air traffic levels or change the location of air traffic. Therefore, there would be no new specific effects as a result of the proposed project.

Project Analysis. Refer to Response 5.8(e). The proposed project would not change air traffic patterns because it would not increase air traffic levels or change the location of air traffic.

d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Downtown Community Plan EIR – “Prior EIR” Analysis. This checklist item was analyzed in the Downtown Community Plan EIR (EIR page 5.2-40) with respect to pedestrian and bicyclist safety. No significant impacts were identified. No substantial new information has since been presented that shows more significant effects than those originally analyzed in the Prior EIR. Therefore, there would be no new specific effects as a result of the proposed project.

Project Analysis. The proposed project site is located within a highly urbanized area of downtown. The proposed project would result in the construction and operation of a bus stopover facility combined with a mixed use development which includes commercial, office, and residential uses. Local bus routes currently operate within the study area and use local streets and on-street parking for stopover facilities. With implementation of the proposed project, buses would be able to park their vehicles at an off-street location, which would remove idling buses from the roadway. Although the proposed project would add localized vehicle traffic to nearby intersections, the proposed project would not result in physical changes to these study intersections. Therefore, since design features at the intersections would not be altered as a result of the proposed project, the collision rates are not expected to increase and no additional hazards would occur.

The Downtown Community Plan includes goals and policies that are designed to address pedestrian and non-motorized transportation movements within the downtown area. Specifically, Goal 7.1-G-1 (EIR page 5.2-30) aims to develop street typology based
on functional and urban design considerations, emphasizing connections and linkages, pedestrian and cyclist comfort, transit movement and compatibility with adjacent uses. Policy 7.1-P-1 (EIR page 5.2-30) requires implementation of street typology when carrying out streetscape improvements. Policy 7.3-P-2 (EIR Page 5.2-39) requires interagency coordination to support planned street improvements to accommodate transit. The Downtown Community Plan’s neighborhood concept would result in pedestrian-oriented and -scaled neighborhoods.

The proposed project would be designed to accommodate vehicles entering and exiting the proposed project site in a safe manner. At driveways, a substantially clear line of sight would be maintained between the driver of a vehicle waiting to access the site and any surrounding drivers or pedestrians travelling along the roadway or sidewalk. Adequate time would be provided for the waiting vehicle to either cross, turn left, or turn right, without requiring the through traffic to radically alter its speed or to create unsafe walking conditions. Through site design, SANDAG would ensure that adequate sight distance is provided at the proposed driveways. Adherence to Goal 7.1-G-1 and Policies 7.1-P-1 and 7.3-P-2 would also ensure that vehicle and pedestrian movements associated with the proposed project do not conflict with one another.

No new significant or more significant impacts are associated with this issue.

e) Result in inadequate emergency access?

Downtown Community Plan EIR – “Prior EIR” Analysis. This checklist item was analyzed in the Downtown Community Plan EIR in the context of emergency preparedness (EIR page 5.10-7) and was also determined to result in less than significant impacts. No mitigation measures were required. The physical conditions, as they relate to emergency access, have not changed in the area since the preparation of the Downtown Community Plan EIR. No substantial new information has since been presented that shows more significant effects than those originally analyzed in the Prior EIR. Therefore, there would be no new specific effects as a result of the proposed project.

Project Analysis. The proposed project does not include any characteristics (e.g., permanent road closures or roadway modifications) that would physically impair or otherwise interfere with emergency response or evacuation in the project vicinity. During construction activities, there could be slight delays to emergency access due to construction vehicles accessing the proposed project site. However, construction activities would be short-term and temporary. The proposed project’s effects on emergency access would be limited to construction of the proposed project and would be temporary in nature. Therefore, the proposed project would not result in inadequate emergency access.

No new significant or more significant impacts are associated with this issue.
f) Conflict with adopted policies, plans, or programs supporting public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

Downtown Community Plan EIR – “Prior EIR” Analysis. This checklist item was analyzed in the Downtown Community Plan EIR (EIR page 5.2-37 to 5.2-41). Although development of downtown under the Downtown Community Plan would increase the demand for transit service including the Trolley and bus service, SANDAG, which is responsible for long-range planning for transit, indicated that existing and planned transit services would have capacity of meet the increased demand. The Downtown Community Plan also includes goals and policies that promote adequate transit service. These include Goal 7.3-G-1 which encourages development of land uses to support a flexible, fast, frequent, and safe transit system that provides connections within downtown and beyond; Policy 7.3-P-3 which encourages coordination with the transit agency and other appropriate organizations to implement BRT service and bus service modifications to improve service and increase transit accessibility; and Policy 7.3-P-8 which encourages cooperation with transit agencies to increase transit use for work, shopping, and entertainment.

The Downtown Community Plan also includes goals and policies relating to pedestrian and bicycle travel. These goals and policies include Goal 7.2-G-2 which encourages development of mixed-use neighborhoods within convenient walking distance to open space, services, and retail and Goal 7.2-G-1 which encourages the development of a cohesive and attractive walking and bicycle system within downtown that provides links within the area and to surrounding neighborhoods.

No significant impacts were identified. No substantial new information has since been presented that shows more significant effects than those originally analyzed in the Prior EIR. Therefore, there would be no new specific effects as a result of the proposed project.

Project Analysis. The proposed project would result in the construction and operation of a bus stopover facility combined with a mixed use development which includes commercial, office, and residential uses. The need for short-term bus parking is increasing as SANDAG and MTS implement transit service expansions outlined in the Regional Plan. Currently, busses are parking on curbs during their stopover, taking up parking space in the downtown area. The bus stopover facility would allow the busses to be relocated from curbside, freeing up parking. In addition, the stopover facility allows for an on-time return trip in case the bus is delayed on its trip downtown.

The proposed project is consistent with the goals and policies identified in the Downtown Community Plan as the bus stopover component would promote adequate transit service for work, shopping, and entertainment within the downtown area. In addition, the development of bus stopover would allow for better performance and safety of the existing bus system. The multi-use facility component of the project would result in the development of a mixed use facility in close proximity to employment, services and retail.

The proposed project would be designed to accommodate and encourage walking and other non-motorized modes of transportation as noted in the Downtown Community Plan. Adherence to previously identified Goal 7.1-G-1 and Policies 7.1-P-1 and 7.3-P-2...
would also ensure that vehicle and pedestrian movements associated with the proposed project do not conflict with one another.

No new significant or more significant impacts are associated with this issue.

5.17 UTILITIES AND SERVICE SYSTEMS

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

Downtown Community Plan EIR – “Prior EIR” Analysis. This checklist item was not analyzed in the Downtown Community Plan EIR. However, since all wastewater generated within the Downtown Community Plan would be treated by Publicly Owned Treatment Works (POTWs) operating under applicable wastewater treatment requirements, no new specific effects would occur.

Project Analysis. Local governments and districts are responsible for complying with State and Federal regulations, both for wastewater plant operation and the collection systems (e.g., sanitary sewers) that convey wastewater to the wastewater treatment facility. Proper operation and maintenance is critical for sewage collection and treatment as impacts from these processes can degrade water resources and affect human health. For these reasons, Publicly Owned Treatment Works (POTWs) receive Waste Discharge Requirements (WDRs) to ensure that such wastewater facilities operate in compliance with water quality regulations set forth by the State. WDRs, issued by the State and also serving as federal NPDES permits, establish effluent limits on the kinds and quantities of pollutants that POTWs can discharge. These permits also contain pollutant monitoring, record keeping, and reporting requirements. The proposed project would include construction and operation of a bus stopover and multi-use facility. The proposed project would be connected to the existing City sewer system and wastewater would be treated appropriately per the WDRs issued for the POTWs in the City. Therefore, no new significant or more significant impacts are associated with this issue.

b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

Downtown Community Plan EIR – “Prior EIR” Analysis. This checklist item was analyzed in the Downtown Community Plan EIR (EIR pages 5.4-14 to 5.4-15), and significant impacts were not identified. The physical conditions, as they relate to water and wastewater treatment facilities and supply, have not changed substantially in the area since the preparation of the Downtown Community Plan EIR. No substantial new information has since been presented that shows more significant effects than those originally analyzed in the Prior EIR. Therefore, there would be no new specific effects as a result of the proposed project.

Project Analysis. The Downtown Community Plan EIR determined that buildout under the Downtown Community Plan would increase the demand for treated water downtown from approximately 8.62 million gallons per day (mgd) to approximately 18.89 mgd. As identified in the Downtown Community Plan EIR (EIR page 5.4-6), the San Diego County
Water Authority projects that in the year 2020 its imported water supplies would be 589,500 acre feet (AF) (equivalent to 159,947 mgd). To supplement this and meet the additional need, San Diego County Water Authority (SDCWA) indicates that it will have a local water supply (from surface water, water recycling, groundwater, and seawater desalination) of 245,000 AF (equivalent to 66,475 mgd) (including the additional demand resulting from the buildout of the Downtown Community Plan). The additional proposed project demand would not represent a substantial increase in the challenge of meeting the otherwise anticipated demand for water within the SDCWA service area.

The Alvarado Water Treatment Plant currently has a capacity of 200 mgd. With an additional demand of 10.3 million gallons per day (mgd) generated by the Downtown Community Plan, the Alvarado Water Treatment Plant would still have a remaining supply capacity of approximately 39.7 mgd. Consequently, implementation of the Downtown Community Plan including subsequent development (e.g., the proposed project) would not have a significant impact on water supply and would not result in the construction of a new or expanded water treatment facility. As no potential physical impacts related to new or expanded water facilities would occur, no significant impacts would be associated with meeting the proposed water demand. In addition, construction and operation of the proposed project would comply with all applicable policies and regulations related to water supply and treatment. The proposed project would also comply with Senate Bill 610 (SB 610) requirements, as applicable.

Buildout of the Downtown Community Plan would increase the demand for wastewater services to 13.1 mgd. This represents a substantial increase in demand; however, the PLWTF would be able to accommodate the increased flow. The PLWTF currently treats 180 mgd of flow and has a treatment capacity of 240 mgd, leaving 60 mgd of unused capacity. With the additional demand of 8 mgd generated by the Downtown Community Plan, the PLWTF would still have a remaining treatment capacity of 52 mgd. Therefore, buildout under the Downtown Community Plan (which includes the proposed project) would not result in a physical change related to new or expanded wastewater facilities and would not result in a significant environmental impact.

No new significant or more significant impacts are associated with this issue.

c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

Downtown Community Plan EIR – “Prior EIR” Analysis. Refer to Response 5.9(e).

Project Analysis. Refer to Response 5.9(e).

d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

Downtown Community Plan EIR – “Prior EIR” Analysis. Refer to Response 5.17 (b).

Project Analysis. Refer to Response 5.17 (b).
e) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

*Downtown Community Plan EIR – “Prior EIR” Analysis.* Refer to Response 5.17(b).

*Project Analysis.* Refer to Response 5.17(b).

f) Be served by a landfill with sufficient permitted capacity to accommodate the project’s solid waste disposal needs?

*Downtown Community Plan EIR – “Prior EIR” Analysis.* This checklist item was analyzed in the Downtown Community Plan EIR (EIR pages 5.4-15 to 5.4-16) and no significant impacts were identified. The physical conditions, as they relate to landfills, have not changed substantially in the area since the preparation of the Downtown Community Plan EIR. No substantial new information has since been presented that shows more significant effects than those originally analyzed in the Prior EIR. Therefore, there would be no new specific effects as a result of the proposed project.

*Project Analysis.* The Downtown Community Plan EIR determined that impacts to landfill capacity would be less than significant and, overall, the total anticipated development under the Downtown Community Plan would not exceed remaining capacity at solid waste facilities. Construction and operation of the proposed project would comply with all applicable statutes and regulations related to solid waste. State law (AB 341 and AB 939) requires that businesses recycle and that cities achieve a 50 percent diversion of solid waste from landfills. The proposed project would also adhere to the City's requirement to submit a Waste Management Plan to limit construction and demolition waste and to provide long-term solid waste management after construction. No new significant or more significant impacts are associated with this issue.

g) Comply with federal, state, and local statutes and regulations related to solid waste?

*Downtown Community Plan EIR – “Prior EIR” Analysis.* Refer to Response 5.17(f).

*Project Analysis.* Refer to Response 5.17(f).
6.0 MANDATORY FINDINGS OF SIGNIFICANCE

The following are Mandatory Findings of Significance in accordance with Section 15065 of the CEQA Guidelines.

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

Downtown Community Plan EIR – “Prior EIR” Analysis. This checklist item was analyzed throughout the Downtown Community Plan EIR, which considered any impacts associated with biological resources and cultural resources. Refer to Sections 5.4 and 5.5. The physical conditions, as they relate to the degradation of the physical environment, have not changed substantially in the area since the preparation of the Downtown Community Plan EIR. No substantial new information has since been presented that shows more significant effects than those originally analyzed in the Prior EIR. Therefore, there would be no new specific effects as a result of the proposed project.

Project Analysis. The proposed project would not substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or reduce the number of rare plants or animals. Refer to Sections 5.4 and 5.5. As described in Section 5.5, Cultural Resources, there are no historic resources at the proposed project site or in the surrounding area that would be affected by the proposed project. Therefore, demolition of the existing non-historic buildings at the proposed project site and construction of the proposed buildings would have a less-than-significant impact on historic resources. The proposed project could affect cultural resources during construction activities if the presence of buried artifacts or remains were discovered. However, implementation of Mitigation Measure HIST-B.1-1 and Mitigation Measure PAL-A.1-1, as presented in the Downtown Community Plan EIR, would reduce impacts on archaeological resources, paleontological resources, and human remains to less than significant.

No new significant or more significant impacts are associated with the potential impacts included in this mandatory finding.

b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)

Downtown Community Plan EIR – “Prior EIR” Analysis. This checklist item was analyzed throughout the Downtown Community Plan EIR, which specifically considered cumulative impacts in Chapter 6. These impacts were mitigated throughout the EIR in the respective EIR topics and uniformly applicable development policies/measures have been applied to the proposed project, as discussed above. No substantial new information has since been presented that shows more significant cumulative effects than those originally
analyzed in the Prior EIR and there would be no new specific cumulative effects as a result of the proposed project.

**Project Analysis.** The proposed project would not directly result in substantial population growth beyond that expected for the City and in the Downtown Community Plan area and, therefore, the proposed project would not contribute to new or more severe population-driven cumulative impacts (such as population and housing, utilities, recreation, and public services). All reasonably foreseeable future development in the downtown area would be subject to the same land use and environmental regulations that have been described throughout this document. Furthermore, all development projects would be guided by goals and policies identified in the Downtown Community Plan and regulations established in the City’s Municipal Code. Therefore, compliance with applicable land use and environmental regulations would ensure that environmental effects associated with the proposed project would not combine with effects from reasonably foreseeable future development in the downtown area to cause new cumulatively significant or more severe cumulatively significant impacts.

c) **Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?**

**Downtown Community Plan EIR – “Prior EIR” Analysis.** This checklist item was analyzed throughout the Downtown Community Plan EIR, which considered any impacts associated with adverse effects on human beings. These impacts were mitigated throughout the Downtown Community Plan EIR in the respective topics and applicable measures have been applied to the proposed project. The physical conditions, as they relate to the degradation of the physical environment, have not changed substantially in the area since the preparation of the Downtown Community Plan EIR. No substantial new information has since been presented that shows more significant effects than those originally analyzed in the Prior EIR and there would be no new specific effects as a result of the proposed project.

**Project Analysis.** Project construction and operation would not have the potential to generate significant adverse impacts on human beings, either directly or indirectly with the adherence to and implementation of goals, policies, and mitigation measures identified in the Downtown Community Plan EIR. No new significant or more significant impacts are associated with potential impacts on human beings.
7.0 REFERENCES


Centre City Development Corporation, Final Environmental Impact Report for the Proposed San Diego Downtown Community Plan, Centre City Planned District Ordinance, and 10th Amendment to the Redevelopment Plan for the Centre City Redevelopment Project (SCH No. 2003041001), March 2006.

Centre City Development Corporation, San Diego Downtown Community Plan, adopted April 2006.

City of San Diego, California Environmental Quality Act Significance Determination Thresholds, January 2011.

City of San Diego, City of San Diego Climate Action Plan, adopted December 2015.

City of San Diego, City of San Diego General Plan, adopted March 2008.


County of San Diego, Draft Guidelines for Determining Significance Climate Change, June 2012.


HDR, Inc., *Downtown Bus Stopover and Multi-Use Facility Phase I Environmental Site Assessment Study*, June 2016.


APPENDICES

Appendix A  Infill Consistency Matrix
Appendix B  Air Quality and Greenhouse Gases Technical Analysis
Appendix C  Cultural Resources Technical Report
Appendix D  Geotechnical and Geologic Constraints Evaluation
Appendix E  Phase I Environmental Site Assessment Study
Appendix F  Hydrology and Water Quality Evaluation
Appendix G  Noise and Vibration Impact Assessment
Appendix H  Traffic Impact Study
Appendix I  Height Limit Memorandum
APPENDIX A – INFILL CONSISTENCY MATRIX
### Eligibility

To be eligible for the streamlining procedures prescribed in this section, an infill project must:

<table>
<thead>
<tr>
<th>Condition</th>
<th>Criteria Met</th>
</tr>
</thead>
<tbody>
<tr>
<td>Be located in an urban area on a site that either has been previously developed or that adjoins existing qualified urban uses on at least seventy-five percent of the site's perimeter. For the purpose of this subdivision &quot;adjoin&quot; means the infill project is immediately adjacent to qualified urban uses, or is only separated from such uses by an improved public right-of-way.</td>
<td>The proposed project site is located in an urban area and is currently developed. The proposed project site is surrounded by urban uses consisting of commercial, office, and parking lot uses.</td>
</tr>
<tr>
<td>Satisfy the performance standards provided in Appendix M</td>
<td>The proposed project would satisfy the performance standards provided in Appendix M (see Appendix M Performance Standards below).</td>
</tr>
<tr>
<td>Be consistent with the general use designation, density, building intensity, and applicable policies specified for the project area in either a sustainable communities strategy or an alternative planning strategy, except as provided in subdivisions (b)(3)(A) or (b)(3)(B) below.</td>
<td>The proposed project would be consistent with general use designation, density, and building intensity in the Sustainable Communities Strategy (SCS) included in San Diego Forward: The Regional Plan.</td>
</tr>
</tbody>
</table>

#### Appendix M Performance Standards

**Performance standards related to project design:** To be eligible for streamlining pursuant to Section 15183.3, a project must implement all of the following performance standards related to project design:

<table>
<thead>
<tr>
<th>Standard</th>
<th>Met/Criteria Met/Not applicable</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Renewable Energy.</strong> All non-residential projects shall include on-site renewable power generation, such as solar photovoltaic, solar thermal and wind power generation, or clean backup power supplies, where feasible. Residential projects are also encouraged to include such on-site renewable power generation.</td>
<td>Performance Standard Met. Project design would include some form of on-site renewable power generation (e.g. solar panels). SANDAG in coordination with San Diego MTS would assess the type of on-site renewable power generation during the final design specification process.</td>
</tr>
<tr>
<td><strong>Soil and Water Remediation.</strong> If the project site is included on any list compiled pursuant to Section 65962.5 of the Government Code, the project shall document how it has remediated the site, if remediation is completed. Alternatively, the project shall implement the recommendations provided in a preliminary endangerment assessment or comparable document that identifies remediation appropriate for the site.</td>
<td>Performance Standard Met. A Phase I ESA has been prepared for the proposed project site to fulfill hazardous materials site requirements; see Appendix E. SANDAG would take the necessary steps to fulfill any remediation requirements of the Phase I and/or subsequent hazardous materials reporting (e.g., Phase II ESA). Phase I ESA remediation recommendations are described in Section 5.8(d).</td>
</tr>
</tbody>
</table>
### Residential Units Near High-Volume Roadways and Stationary Sources.

If a project includes residential units located within 500 feet, or other distance determined to be appropriate by the local agency or air district based on local conditions, of a high volume roadway or other significant sources of air pollution, the project shall comply with any policies and standards identified in the local general plan, specific plan, zoning code or community risk reduction plan for the protection of public health from such sources of air pollution. If the local government has not adopted such plans or policies, the project shall include measures, such as enhanced air filtration and project design, that the lead agency finds, based on substantial evidence, will promote the protection of public health from sources of air pollution. Those measures may include, among others, the recommendations of the California Air Resources Board, air districts, and the California Air Pollution Control Officers Association.

### Additional Performance Standards by Project Type.

In addition to the project features described above in Section III, specific eligibility requirements are provided below by project type. Several of the performance standards below refer to "low vehicle travel areas". Such areas can be illustrated on maps based on data developed by the regional Metropolitan Planning Organization (MPO) using its regional travel demand model. Several of the performance standards below refer to distance to transit. Distance should be calculated so that at least 75 percent of the surface area of the project site is within the specified distance.

### Mixed-Use Projects.

Where a project includes some combination of residential, commercial and retail, office building, transit station, and/or schools, the performance standards in this Section that apply to the predominant use shall govern the entire project.

### Performance Standard Met.

The proposed project consists of 300,000 square feet of office use, 280,000 square feet of residential use, and 20,000 square feet of retail use. The predominant use for the project is office use. Therefore, the performance standards for office building would govern the entire project site.

### Office Building.

To be eligible for streamlining pursuant to Section 15183.3, a project must satisfy one of the following:

<table>
<thead>
<tr>
<th>Regional Location</th>
<th>Performance Standard Met.</th>
<th>The proposed project is not located in a low vehicle travel area.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proximity to a Major Transit Stop</td>
<td>Performance Standard Met.</td>
<td>The project site is 0.17 mile from the Santa Fe Train Depot. The Santa Fe Train Depot offers Coastera, Amtrak, trolley, and bus service and is considered to be a major transit stop based on the Appendix M definition of “Major Transit Stop” which includes a site containing an existing rail transit station. Figure 1 illustrates the proximity of the project site to the Major Transit Stop.</td>
</tr>
</tbody>
</table>
Figure 1. Project Site Proximity to Major Transit Stop
APPENDIX B –
AIR QUALITY AND GREENHOUSE GASES TECHNICAL ANALYSIS
APPENDIX C –
CULTURAL RESOURCES TECHNICAL REPORT
APPENDIX D –
GEOTECHNICAL AND GEOLOGIC CONSTRAINTS EVALUATION
APPENDIX E –
PHASE I ENVIRONMENTAL SITE ASSESSMENT STUDY
APPENDIX F –
HYDROLOGY AND WATER QUALITY EVALUATION
APPENDIX G –
NOISE AND VIBRATION IMPACT ASSESSMENT
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APPENDIX H – TRAFFIC IMPACT STUDY
APPENDIX I –
HEIGHT LIMIT MEMORANDUM
## Eligibility
To be eligible for the streamlining procedures prescribed in this section, an infill project must:

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Criteria Met/Not applicable</th>
</tr>
</thead>
<tbody>
<tr>
<td>Be located in an urban area on a site that either has been previously developed or that adjoins existing qualified urban uses on at least seventy-five percent of the site’s perimeter. For the purpose of this subdivision “adjoin” means the infill project is immediately adjacent to qualified urban uses, or is only separated from such uses by an improved public right-of-way.</td>
<td>Criteria Met. The proposed project site is located in an urban area and is currently developed. The proposed project site is surrounded by urban uses consisting of commercial, office, and parking lot uses.</td>
</tr>
<tr>
<td>Satisfy the performance standards provided in Appendix M</td>
<td>Criteria Met. The proposed project would satisfy the performance standards provided in Appendix M (see Appendix M Performance Standards below).</td>
</tr>
<tr>
<td>Be consistent with the general use designation, density, building intensity, and applicable policies specified for the project area in either a sustainable communities strategy or an alternative planning strategy, except as provided in subdivisions (b)(3)(A) or (b)(3)(B) below.</td>
<td>Criteria Met. The proposed project would be consistent with general use designation, density, and building intensity in the Sustainable Communities Strategy (SCS) included in San Diego Forward: The Regional Plan.</td>
</tr>
<tr>
<td>- (A) Only where an infill project is proposed within the boundaries of a metropolitan planning organization for which a sustainable communities strategy or an alternative planning strategy will be, but is not yet, in effect, a residential infill project must have a density of at least 20 units per acre, and a retail or commercial infill project must have a floor area ratio of at least 0.75.</td>
<td>Not applicable. The proposed project is within the boundaries of a metropolitan planning organization and the San Diego Downtown Community Plan is currently in effect.</td>
</tr>
<tr>
<td>- (B) Where an infill project is proposed outside of the boundaries of a metropolitan planning organization, the infill project must meet the definition of a small walkable community project in subdivision (f)(5), below.</td>
<td>Not applicable. The proposed project is within the boundaries of a metropolitan planning organization.</td>
</tr>
</tbody>
</table>

### Appendix M Performance Standards

#### Performance standards related to project design:
To be eligible for streamlining pursuant to Section 15183.3, a project must implement all of the following performance standards related to project design:

<table>
<thead>
<tr>
<th>Standard</th>
<th>Performance Standard Met</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Renewable Energy.</strong> All non-residential projects shall include on-site renewable power generation, such as solar photovoltaic, solar thermal and wind power generation, or clean backup power supplies, where feasible. Residential projects are also encouraged to include such on-site renewable power generation.</td>
<td>Performance Standard Met. Project design would include some form of on-site renewable power generation (e.g. solar panels). SANDAG in coordination with San Diego MTS would assess the type of on-site renewable power generation during the final design specification process.</td>
</tr>
<tr>
<td><strong>Soil and Water Remediation.</strong> If the project site is included on any list compiled pursuant to Section 65962.5 of the Government Code, the project shall document how it has remediated the site, if remediation is completed. Alternatively, the project shall implement the recommendations provided in a preliminary endangerment assessment or comparable document that identifies remediation appropriate for the site.</td>
<td>Performance Standard Met. A Phase I ESA has been prepared for the proposed project site to fulfill hazardous materials site requirements; see Appendix E. SANDAG would take the necessary steps to fulfill any remediation requirements of the Phase I and/or subsequent hazardous materials reporting (e.g., Phase II ESA). Phase I ESA remediation recommendations are described in Section 5.8(d).</td>
</tr>
</tbody>
</table>
### Infill Consistency Matrix

<table>
<thead>
<tr>
<th>Residential Units Near High-Volume Roadways and Stationary Sources. If a project includes residential units located within 500 feet, or other distance determined to be appropriate by the local agency or air district based on local conditions, of a high volume roadway or other significant sources of air pollution, the project shall comply with any policies and standards identified in the local general plan, specific plan, zoning code or community risk reduction plan for the protection of public health from such sources of air pollution. If the local government has not adopted such plans or policies, the project shall include measures, such as enhanced air filtration and project design, that the lead agency finds, based on substantial evidence, will promote the protection of public health from sources of air pollution. Those measures may include, among others, the recommendations of the California Air Resources Board, air districts, and the California Air Pollution Control Officers Association.</th>
<th>Performance Standard Met. Significant sources of air pollution is identified as including airports, marine ports, rail yards, and distribution centers that receive more than 100 heavy duty truck visits per day, as well as stationary sources that are designated major by the Clean Air Act. The proposed project site is not within 500 feet of a high-volume roadway or stationary source of air pollution.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Additional Performance Standards by Project Type. In addition to the project features described above in Section III, specific eligibility requirements are provided below by project type. Several of the performance standards below refer to &quot;low vehicle travel areas&quot;. Such areas can be illustrated on maps based on data developed by the regional Metropolitan Planning Organization (MPO) using its regional travel demand model. Several of the performance standards below refer to distance to transit. Distance should be calculated so that at least 75 percent of the surface area of the project site is within the specified distance.</td>
<td></td>
</tr>
<tr>
<td>Mixed-Use Projects. Where a project includes some combination of residential, commercial and retail, office building, transit station, and/or schools, the performance standards in this Section that apply to the predominant use shall govern the entire project.</td>
<td>Performance Standard Met. The proposed project consists of 300,000 square feet of office use, 280,000 square feet of residential use, and 20,000 square feet of retail use. The predominant use for the project is office use. Therefore, the performance standards for office building would govern the entire project site.</td>
</tr>
<tr>
<td>Office Building. To be eligible for streamlining pursuant to Section 15183.3, a project must satisfy one of the following:</td>
<td>Performance Standard Met. The proposed project is not located in a low vehicle travel area. Performance Standard Not Met. The proposed project is not located in a low vehicle travel area.</td>
</tr>
<tr>
<td>Regional Location. Office buildings, both commercial and public, are eligible if they are located in a low vehicle travel area.</td>
<td>Performance Standard Met. The project site is 0.17 mile from the Santa Fe Train Depot. The Santa Fe Train Depot offers Coaster, Amtrak, trolley, and bus service and is considered to be a major transit stop based on the Appendix M definition of &quot;Major Transit Stop&quot; which includes a site containing an existing rail transit station. Figure 1 illustrates the proximity of the project site to the Major Transit Stop.</td>
</tr>
<tr>
<td>Proximity to a Major Transit Stop. Office buildings, both commercial and public, within ½ mile of an existing major transit stop, or ¼ mile of an existing stop along a high quality transit corridor, are eligible.</td>
<td></td>
</tr>
</tbody>
</table>
Figure 1. Project Site Proximity to Major Transit Stop