

TRANSPLAN Technical Advisory Committee

651 Pine Street, 4th Floor, North Wing, Martinez, CA 94553-0095

Participating entities: Cities of Antioch, Brentwood, Oakley and Pittsburg • Contra Costa County
Tri Delta Transit • 511 Contra Costa • Contra Costa Transportation Authority • Caltrans District 4 • BART
TRANSPLAN • State Route 4 Bypass Authority • East Contra Costa Regional Fee & Financing Authority

Antioch City Offices

Tuesday, January 19, 2009 from 1:30 to 3:30 p.m.

Antioch City Hall, 3rd Floor Conference Room

AGENDA

*NOTE: The Technical Advisory Committee (TAC) agenda/packet is only distributed digitally, **no paper copies will be sent.** If you need a printed copy please contact TRANSPLAN staff.*

1:30 Item 1: Discuss and Consider Comments and/or a Recommendation to TRANSPLAN on the Measure J Growth Management Program: General Plan Amendment Review Process: ♦

The Growth Management Program for Measure J includes a requirement for ongoing cooperative, multi-jurisdictional planning. Implementation of this includes a provision for the analysis of General Plan Amendments (GPAs) and developments exceeding specified thresholds for their effects on the regional transportation system and Action Plan objectives.

*CCTA staff will present and guide the discussion on this item. TRANSPLAN participation on the development of this process included Victor Carniglia (Antioch) and Leigha Schmidt (Pittsburg). Both participated in the Growth Management Task Force meetings which guided the development of the process. **Be aware that this process will likely be used to evaluate the City of Concord's eventual General Plan Amendment to sanction the eventual development of the Concord Naval Weapons Station.** ♦*

3:00 Item 2: Environmental Notices

3:15 Item 3: Adjourn to Tuesday, February, 2010 at 1:30 p.m.

The Technical Advisory Committee meets on the third Tuesday afternoon of each month, starting at 1:30 p.m. in the third floor conference room of the Antioch City Hall building. The Technical Advisory Committee serves the TRANSPLAN Committee, the East Contra Costa Regional Fee & Financing Authority, and the State Route 4 Bypass Authority.

Persons needing a disability-related accommodation should contact John Cunningham, TRANSPLAN staff person, at least 48 hours prior to the starting time of the meeting. Mr. Cunningham can be reached at (925) 335-1243 or at jcunn@cd.cccounty.us.

g:\transportation\committees\transplan\2010\meetings\tac\jan\tac agenda jan10.doc

COMMISSIONERS: *Maria Viramontes, Chair Robert Taylor, Vice Chair Janet Abelson Newell Arnerich Ed Balico*
Susan Bonilla David Durant Federal Glover Michael Kee Mike Metcalf Julie Pierce

TO: Contra Costa Planning Directors, and Transportation/Land Use Planners
FROM: Martin R. Engelmann, Deputy Executive Director, Planning
DATE: December 2, 2009
SUBJECT: Transmittal of the Proposed Measure J General Plan Amendment Review Process for Review by Local Jurisdictions

Summary of Issues

Measure J (2004), which took effect on April 1, 2009, includes a cooperative planning component that calls for evaluation of the impacts of proposed General Plan amendments (GPAs) on the transportation system. We are currently in the process of updating that component, which was carried forward from the Measure C (1988) Growth Management Program (GMP).

Discussions on updating the GPA review process began more than a year ago with the Growth Management Task Force, a small group of local planners and Regional Committee managers that report to the Technical Coordinating Committee (TCC). I would like to take this opportunity to thank the members of the Task Force, many of whom attended every one of our lengthy meetings that focused on crafting a variety of alternatives for updating the GPA review process. The list of Task Force members is attached.

The proposed process, which was approved for circulation by the Authority in November 2009, is now available for public review. The updated process fulfills the requirements of Measure J while responding to newly raised concerns and recent legislative changes. The revised process would require four essential steps for GPA review:

1. Use of a uniform traffic model and methodology to evaluate the impacts of proposed GPAs on Regional Routes;
2. Notification, and full disclosure of impacts;
3. Cooperative discussions, with the intent of achieving mutually agreed-upon resolution; and
4. Documentation in the form of an MOU that establishes Principles of Agreement for monitoring and mitigation.

Attachment 1 provides a summary description of the required steps and the responsible parties. Attachment 2 provides details on each of the steps that local jurisdictions would follow to maintain compliance with the GMP and receive 18% Local Street Maintenance and Improvement Funds through Measure J. During the next couple of months, CCTA staff will be available to present the proposed GPA review process to the Regional Transportation Planning Committees (RTPCs) and to local Councils/Boards, if requested. To arrange for a presentation, please contact Diane Bodon at dbodon@ccta.net / (925)-256-4720.

Comments are due by Friday, February 12, 2010. Please direct your comments to my attention at mre@ccta.net or by U.S. mail. Final adoption by the Authority Board is expected in March/April 2010.

Background

The Growth Management Programs (GMP) for both Measure C and Measure J include a requirement for participation in an ongoing cooperative, multi-jurisdictional planning process. Measure C required local jurisdictions to “participate in a cooperative, multi-jurisdictional planning process to reduce [the] cumulative regional traffic impacts of development.”¹ The Measure J Sales Tax Expenditure Plan states that “Each jurisdiction shall participate in an ongoing process with other jurisdictions and agencies...to create a balanced, safe, and efficient transportation system and to manage the impacts of growth.”² The current planning process includes a provision for the analysis of General Plan Amendments (GPAs) and developments exceeding specified thresholds for their effects on the regional transportation system, including on Action Plan objectives.

The Authority’s adopted policy for GPA review (Resolution 95-06-G), centers on whether a GPA will adversely affect the RTPC’s ability to achieve its Multi-modal Transportation Service Objectives (MTSOs), as set forth in its Action Plan for Routes of Regional Significance. The Measure J program, which took effect on April 1, 2009, continues that approach. It requires that:

In consultation with the Regional Transportation Planning Committees, each jurisdiction will use the travel demand model to evaluate changes to local General Plans and the impacts of major development projects for their effects on the local and regional transportation system and the ability to achieve the MTSOs established in the Action Plans.³

Refinements to Existing Policy - Conflict Resolution, Good Faith Evaluation

Under existing policy, the RTPCs play a central role in the review of proposed GPAs. The RTPC and the Sponsoring Jurisdiction meet and confer to determine whether the proposed GPA adversely affects the ability to carry out established Action Plan policies and objectives. The RTPC may change its Action Plan, and/or the Sponsoring Jurisdiction may modify its proposal. If consensus cannot be reached, the Authority provides the involved parties with a forum for conflict resolution.

Only once during the 20-year life span of Measure C was it necessary for the Authority to mediate a dispute among member agencies regarding an issue of compliance with regard to a proposed GPA. Following that dispute, the Authority determined that both parties had participated in good faith in the conflict resolution process, and therefore both were found by the Authority to have complied with the requirements of the GMP.

One important lesson learned from that dispute was that the method for resolving the dispute – mediation – required each party to sign a confidentiality agreement. Consequently, at the close of the process, the proceedings from the negotiation could not be made public without violating the agreements that had been

¹ Contra Costa Transportation Authority, *The Revised Contra Costa Transportation Improvement and Growth Management Program*, August 3, 1988, p. 11.

² Contra Costa Transportation Authority, *Measure J – Contra Costa’s Transportation Sales Tax Expenditure Plan*, July 21, 2004, p. 24.

³ *Ibid*, p. 25.

signed. Therefore, the only test for “good faith” participation became whether or not the parties had engaged in the negotiations.

Based upon that experience, a key refinement that we are proposing to existing policy is to change the method of dispute from mediation to facilitation. Unlike mediation, facilitated discussions are not subject to confidentiality agreements, and each party’s offers for compromise and exchange could be reviewed publicly.

Call for a Change

In the course of updating the Action Plans for the 2009 Countywide Plan update, significant concerns were raised about the Measure J requirement for General Plan review. Some participants called into question the existing process set forth in Resolution 95-06-G. This process was considered by some to be overly cumbersome, bureaucratic, and outmoded. The major issues raised were:

- Does the use of quantitative benchmarks to assess the impacts of growth as part of the GPA review process conflict with the goals of infill development efforts, where congestion must be balanced with other goals that affect our quality of life? For example, congestion-based evaluation may generate policy conflicts with evolving land use patterns in some areas of the county, where more dense, transit-oriented development has been encouraged near major transportation hubs.
- Does the GPA review process unnecessarily replicate CEQA or create an additional overlay to CEQA? Although progress has been made to align the GPA review process with CEQA, Measure J nonetheless requires a separate process for GPA review.
- Is it appropriate to place GPA compliance conflicts before the Authority, a policy-oriented rather than a quasi-judicial forum?

More recently, the Authority incorporated updated action plans into the 2009 Countywide Transportation Plan. This update to the Plan addressed external developments such as State legislation aimed at reducing greenhouse gas (GHG) emissions (per AB 32, Statutes of 2006, and in recognition of SB 375, Statutes of 2008). Beyond responding to technical and process-related concerns, issues were raised during the process regarding the setting and use of MTSOs. Suggestions were made that revisions to the Authority’s GPA review process were necessary to reflect the new requirements for achieving GHG emissions reductions, and better match CEQA requirements. While the proposed change to the conflict resolution process addresses a technicality in the existing process, it does not begin to address the broader issues that were raised.

Proposed GPA Review Process⁴

The proposed GPA review process involves disclosure, consultation, facilitation, principles of agreement, and the good faith test for compliance. The process builds upon existing policy by incorporating the establishment of long-range Principles of Agreement into the conflict resolution process. Given that many GPAs may take years, or even decades to reach fruition, this approach is viewed by staff as more realistic and practical than the previous requirement that all terms and conditions for mitigation should be hammered out “on the spot” during the CEQA review process. The Principles would specify roles and responsibilities of each party, and reflect a commitment on the part of the sponsoring and affected jurisdictions to continue to work together cooperatively in an ongoing effort to address transportation impacts of the proposed GPA.

The sponsoring jurisdiction fully discloses all impacts, consults with affected jurisdiction, participates in a facilitated discussion if needed, and if achievable, enters into a memorandum of understanding (MOU) with the affected jurisdiction. The MOU establishes principles of agreement regarding the timing, responsibilities and actions for (1) initial mitigations to be implemented, and (2) as development occurs, monitoring actual impacts to the routes of regional significance, and implementing appropriate further mitigations when triggered by actual impacts. The process recognizes that GPAs may take many years to develop, from conceptual plans to a completed and fully occupied project. During that time, GPA-related trip patterns, and the transportation network itself could undergo significant change.

As envisioned, the MOU, a public document, would incorporate Principles of Agreement for how the conflict will be managed, specified actions, timing and responsibilities for monitoring future impacts and considering mitigations. The MOU could require that the parties monitor and revisit the progress of the project, its impacts and mitigations, at specific milestones of development. The process anticipates the significant time lag between a jurisdiction’s approval of the GPA and full occupancy/completion. As is often the case, a major GPA may take 10 or 20 years before it is fully completed. During that time, the project’s impacts on the regional transportation network may turn out to be different than originally forecast. The MOU could acknowledge this aspect of project development by requiring that the parties return to negotiations as the project evolves.

Attachment 1 summarizes the proposed GPA review process. Attachment 2 provides the detailed step-by-step process.

PDA Exemption

One question that arose during the development of this process was whether a project that qualifies as a “Priority Development Area” under ABAG/MTC criteria should be exempt from the GPA review process. Presumably, PDA’s are transit oriented developments that do not conflict with the objectives to reduce GHG emissions through reduced VMT and improved transit ridership. However, during the discussions, concerns were raised that the PDA exemption might be too broad, and did not recommend its inclusion. To

⁴ **Plural vs. singular use of the terms Jurisdiction(s), RTPC(s), and Action Plan(s)** Throughout the discussion, the Sponsoring and the Affected Jurisdiction are referred to in the singular, as though only one upstream jurisdiction could initiate a GPA, and only one downstream jurisdiction could be affected. In practice, there may be more than one sponsoring jurisdiction, and clearly, more than one affected jurisdiction. In these cases, the plural – Jurisdictions – would apply as appropriate. Similarly, if more than one RTPC, and consequently more than one Action Plan were involved, the plural – RTPCs and Action Plans – also applies.

address this concern, more narrowly defined criteria were developed to limit the eligibility requirements, but not everyone was comfortable with the concept or those details.⁵

Concerns were expressed that an exemption could mask, under the guise of “smart growth,” otherwise significant impacts of a proposed GPA on the regional network. Consequently, the PDA exemption provision is not included.

Findings of Noncompliance

Each option could result in the Authority making a finding of noncompliance with the GMP for either the Sponsoring or Affected Jurisdiction, or both. Under adopted Authority policy, a finding of noncompliance is made at the time of submittal and review of the local jurisdiction’s GMP Biennial Compliance Checklist. If, based upon review of the Checklist, the Authority makes a finding of noncompliance, then current and future allocations of Local Street Maintenance and Improvement (LSM) funds are withheld, and the jurisdiction becomes ineligible to receive Measure J Transportation for Livable Communities (TLC) funding, which at an aggregated level comprises five percent of Measure J revenues.

The Authority may, at a later date, make a determination that the non-complying jurisdiction has taken appropriate remedial action or otherwise resolved the issue(s) raised, in which case the Authority may make a finding of compliance and reinstate allocation of LSM funds. For this GPA review process, the Authority has the option of setting a firm time limit after which compliance would be automatically reinstated and payment of LSM funds would resume without remediation.

Opportunities for Public Review and Discussion

During the coming months, Authority staff will be available to present and discuss the proposed GPA review process with local staff and your Councils/Boards. If you would like a presentation on the proposed process, please contact me at (925)[256-4729](tel:9252564729) or mre@ccta.net. I look forward to hearing from you.

Attachments:

List of Growth Management Task Force Members

Attachment 1: Summary Description of Proposed GPA Review Process

Attachment 2: Detailed Proposed Process for GPA Review

File: 4.16.07

⁵ The following specific criteria were proposed to narrow eligibility: (a) housing densities of 20 units per acre or greater in housing and mixed use areas; (b) at least 50 percent of developed area is within ½ mile of rail or busway station, or major trunk bus line operating at least every 15 minutes during the business day; (c) the development has a balanced mix of housing, commercial and retail development; and (d) the development is designed to foster walking and other non-motorized modes.

Growth Management Task Force

Name		Agency	JobTitle
Christina	Atienza	WCCTAC	Executive Director
Aruna	Bhat	Contra Costa County	Deputy Dir. of Conservation & Develpmnt.
Victor	Carniglia		Consultant for the City of Antioch
John	Cunningh	C.C. Co. Cons. & Dev.	RTPC Mgr./ Senior Transportation Planner
Rich	Davidson	City of Richmond	City Engineer
Steven	Goetz	C.C. Co. Cons. & Dev.	Deputy Director- Transportation Planning
Leah	Greenblat	City of Lafayette	Transportation Planner
Lisa	Hammon	City of Hercules	Assistant City Manager
Ray	Kuzbari	City of Concord	Transportation Manager
Stephen	Lawton	City of Hercules	Economic Development Director
Jeremy	Lochirco	City of Walnut Creek	Senior Planner
Barbara	Neustadt	TRANSPAC	RTPC Manager
Paul	Reinders	City of Pittsburg	Senior Civil Engineer
Patrick	Roche	Contra Costa County	Planning Chief
John	Rudolph	WCCTAC	Project Manager
Leigha	Schmidt	City of Pittsburg	Planner
Andrew	Smith	City of Walnut Creek	Senior Planner/ Code Enforcement Supervisor
Dennis	Tagashira	City of Hercules	Planning Director

Attachment 1

Summary Description of Proposed GPA Review Process

Steps	Action	Responsible Party			
		Sponsor Jurisdiction	Affected Jurisdiction	RTPC	CCTA
1-2	Evaluate Proposed GPA	√			
3	Notify Affected Jurisdiction	√			
4	Analyze Traffic Impact	√			
5	Prepare Comment Letter		√	√	
6	Respond to Comment Letter	√			
7-8	File a Letter of Concern		√		
9	Respond to Letter of Concern	√			
10-12	Initiate Cooperative Resolution Discussions	√	√		
13	Formulate MOU	√	√		
14	Revise Action Plan			√	
15	Evaluate Compliance				√

Attachment 2
Proposed General Plan Amendment Review Process
Detailed Description

Step	Process	Timeframe (CEQA Reference)
1	<p>Net New Peak Hour Vehicle Trip determination. Would the project generate 500 <i>or more</i> net new peak hour vehicle trips <u>and</u> add 50 <i>or more</i> net new peak hour vehicle trips to any Route of Regional Significance? (Note: The Sponsoring Jurisdiction’s RTPC may adopt a lower applicable threshold in its Action Plan.)</p> <p style="margin-left: 40px;">➔ NO: Project is exempt from the GPA Review Process, although it is still subject to CEQA and the CEQA notification requirements in the applicable Action Plan.</p> <p style="margin-left: 40px;">➔ YES: Sponsoring Jurisdiction shall move to the next step of the GPA Review Process.</p>	<p>Initial Study Determination (Sec. 15063)</p>
2	<p>Notification. The Sponsoring Jurisdiction or its responsible RTPC shall notify potentially affected jurisdictions and RTPCs in accordance with the notification procedure as set forth in the Authority’s <i>Implementation Guide</i> and applicable Action Plan. Notification shall take place during and as part of the required notification process in CEQA.</p> <p>The notification shall be issued as early as possible, but <i>no later</i> than the deadlines established in these procedures.</p>	<p>Notice of Intent to Adopt a Mitigated Negative Declaration (M/ND) (Sec. 15072)</p> <p>NOP (Sec. 15082)</p>
3	<p>Traffic Impact Analysis. The Sponsoring Jurisdiction conducts a traffic impact analysis for its CEQA review using “Thresholds of Significance” that include, but are not limited to, applicable MTSOs in the adopted Action Plan(s). The traffic impact analysis shall be conducted in a manner consistent with the Authority’s adopted <i>Technical Procedures</i>.</p> <p>The Sponsoring Jurisdiction may, for the purposes of conducting the CEQA analysis, raise the performance level of an MTSO established in the adopted Action Plan if it believes that the MTSO is set too low to serve as a meaningful “Threshold of Significance” under CEQA. For example, if the Action Plan establishes an MTSO of LOS F for a specific Route of Regional Significance, and the Sponsoring jurisdiction determines that this level of performance is too low, it may raise that threshold to LOS D, consistent with CEQA guidelines (Sec. 15064 & 15064.7).</p> <p>The Sponsoring Jurisdiction shall provide the Traffic Impact Analysis, complete with all necessary supporting technical information, as requested by the Affected Jurisdiction to provide an</p>	<p>Released with Draft Environmental Document (Sec. 15087)</p>

	informed response.	
4	<p>Comment Letter. An Affected Jurisdiction may submit comments to the Sponsoring Jurisdiction expressing its concerns and issues regarding the potential impacts of the proposed GPA on Regional Routes.</p> <p>The Affected Jurisdiction shall submit its comments as early as possible during the Response to NOP (Sec. 15082(b)) and <i>no later</i> than the close of the comment period for the draft CEQA document.</p> <p>To the greatest extent possible, the comment letter should indicate issues, what mitigations are sought and/or acceptable for the project, as well as any changes in scope desired in the project, and the reasons why such changes are deemed to be appropriate.</p>	<p>Public Review Period (M/ND) (Sec. 15073)</p> <p>Draft EIR Public Review Period (Sec. 15087)</p>
5	<p>Response to Comments. If the Affected Jurisdiction comments on the traffic impact analysis in the CEQA document, the Sponsoring Jurisdiction shall:</p> <ol style="list-style-type: none"> Consider requests for mitigation and changes in the scope of the project; Consider undertaking cooperative discussions; Address the comments as part of the “Response to Comments” requirement of CEQA; and Provide that response, along with the final environmental documents and all affiliated supporting documents, directly to the Affected Jurisdiction. 	<p>10 days prior to approval of environmental document and/or GPA</p>
6	<p>Notice of Intent to File a Letter of Concern. If the Affected Jurisdiction remains unsatisfied, it must notify the Sponsoring Jurisdiction with a “Notice of Intent to File a Letter of Concern” outlining a summary of its remaining issues prior to or at the scheduled public meeting when the sponsor considers approval of the environmental document and/or GPA. The Affected Jurisdiction must also submit a copy of this letter to the Authority, and subsequently document the bases for its concerns per step 7.</p>	<p>No later than the scheduled approval of the environmental document and/or GPA</p>
7	<p>Letter of Concern. The Affected Jurisdiction prepares a “Letter of Concern” for review and approval by its Council or Board. The letter should provide detailed bases for its concerns, as well as proposed changes to the project, transportation system enhancements and/or management plans to help offset the impacts, and or other mitigations. The Affected Jurisdiction’s Council or Board must approve the “Letter of Concern” and transmit it to the Sponsoring Jurisdiction, and also submit a copy of this letter to the Authority.</p>	<p>Within 20 days of having filed the “Notice of Intent to File a Letter of Concern”</p>

8

Consider Response to Letter of Concern. The Sponsoring Jurisdiction may initiate cooperative resolution discussions in writing and/or provide a written response letter to the Affected Jurisdiction, with copies of the documentation to the RTPC and Authority.

9

GPA Approval. Has the Sponsoring Jurisdiction approved the proposed General Plan Amendment?

Approval of the
GPA

→ **YES:** Sponsoring Jurisdiction shall move to step 10 of the GPA Review Process.

→ **NO:** GPA Review Process is concluded or suspended.

10

Affected Jurisdiction Response. Has the Affected Jurisdiction that submitted a Letter of Concern concluded that the Sponsoring Jurisdiction has adequately responded to the concerns and issues outlined in its Letter of Concern?

→ **YES:** Sponsoring Jurisdiction so informs the Authority in writing with a copy to the Affected Jurisdiction, and all involved parties move to Step 13 of the GPA review process.

→ **NO:** Affected Jurisdiction informs the Sponsoring Jurisdiction in writing, with a copy to the Authority, that its actions on the GPA do not adequately respond to the concerns and issues of the Affected Jurisdiction. Proceed to Step 11.

11

Initiate Cooperative Planning Discussions. At the request of either the Sponsoring or Affected Jurisdiction, the Authority shall facilitate cooperative discussions structured to offer an opportunity to create principles of agreement that will serve as a framework for monitoring, review, and mitigation of potential impacts as the GPA develops over time. The goal is for these discussions is to develop principles of agreement that will maintain a cooperative planning context regarding impacts on the affected Regional Route or Routes, proposed mitigations, responsibilities for implementing those mitigations, and the timing for monitoring and review. The principles of agreement shall be memorialized in a Memorandum of Understanding (MOU) between the sponsoring and affected jurisdictions. Have the involved jurisdictions entered into cooperative planning discussions?

→ **YES:** Sponsoring and Affected Jurisdictions move to Step 12 of the GPA review process.

→ **NO:** If either or all jurisdictions decline to participate in cooperative resolution discussions, those jurisdictions that have declined shall be subject to review, as specified through the Checklist review procedure, to a findings of

noncompliance by the Authority (Step 14).

12 Formulation of Principles of Agreement. Have the involved parties agreed to a set of principles, specified actions, timing and responsibilities for monitoring impacts, and for implementing mitigations on Regional Routes, memorialized in an MOU?

- **YES:** Sponsoring and Affected Jurisdictions have adopted Principles of Agreement and asked the RTPC to revise the affected Action Plan to reflect the actions in the agreement. (All involved parties move to Step 13)
- **NO:** Through their respective RTPCs, both the Sponsoring and Affected Jurisdictions report on progress to date on the development of principles of agreement. If Principles of Agreement have not been adopted by the time for Authority review of the GMP Biennial Compliance Checklist of one or more involved jurisdictions, then Step 14 comes into play.

13 RTPC Revises Action Plan. The affected RTPC, working with the Sponsoring and Affected jurisdictions, revises the Action Plan to incorporate projects, programs, systems management investments and processes, mitigations or other actions to address the anticipated impacts and proposed mitigations and monitoring as set forth in the Sponsoring Jurisdiction's response to the Letter of Concern (if the outcome of Step 10 was "yes"), or the MOU (if the outcome of Step 12 was "yes").

14 Good Faith Participation: If all of the above steps have been followed, and the GPA remains the subject of dispute, the Authority may find one or both of the parties out of compliance with the GMP. The Authority will evaluate good faith participation in the GPA review process through the GMP Biennial Compliance Checklist in consideration of a number of factors, as shown in Exhibit 1. If principles are adopted, future compliance would be assessed based on continuing adherence of the sponsoring and affected jurisdiction to the principles of agreement.

END OF PROCESS

Exhibit 1

EXAMPLES OF GOOD FAITH PARTICIPATION IN THE GPA REVIEW PROCESS

For the Initiating Jurisdiction, did it take the following actions:

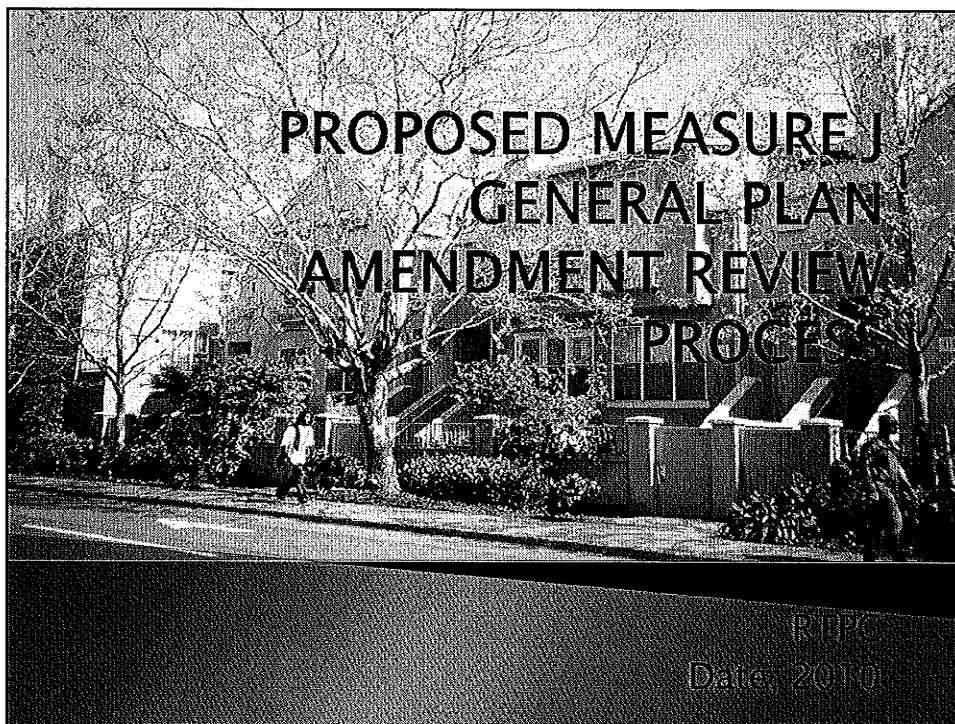
1. Analysis: Was the Countywide Model and Authority *Technical Procedures* used to evaluate impacts on Routes of Regional Significance?
2. Evaluation: Were impacts to Routes of Regional Significance identified and appropriate and feasible mitigations defined?
3. Notification: Were all Affected Jurisdictions properly notified?
4. Meet and Confer: Did the Sponsoring Jurisdiction meet and confer with the Affected Jurisdiction, RTPC, and others who expressed interest in and/or concerns about the proposed GPA?
5. Responsiveness to concerns/comments: Did the Sponsoring Jurisdiction agree to evaluate specific concerns and impacts? Was the Sponsoring Jurisdiction responsive and did it attempt to resolve and work out issues and concerns? Did the Sponsoring Jurisdiction propose to and/or agree to participate in continued discussions?

For the Affected Jurisdiction, did it take a sufficient number of the following actions:

1. Accept Capacity Improvements: Agree to accept capacity improvements or modest physical modifications to regional routes which are not in fundamental conflict with the jurisdiction's socio-economic character.
2. Accept systems management procedures and protocols, and/or other "non-physical" improvements to enhance carrying capacity or system efficiency.
3. Accept additional transit service.
4. Support federal, state or regional funding for improvements that serve the proposed development.

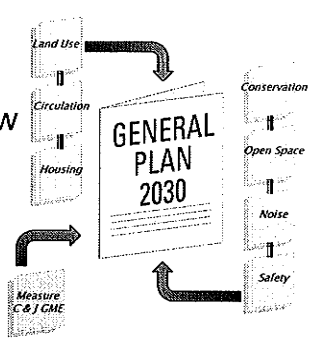
For all involved parties, have they, for example:

1. Committed to monitor MTSOs;
2. Agreed on thresholds that would trigger mitigations; and
3. Assigned responsibilities for funding and implementing mitigations? (Mitigation may include participation in a Traffic Management Program.)



What is a General Plan?

- ▶ California zoning and planning law requires that local jurisdictions prepare and adopt a comprehensive, long-range general plan which shall serve as a guide in land use decisions
- ▶ A General Plan is a statement of policy goals which define the way a community desires to grow in the future



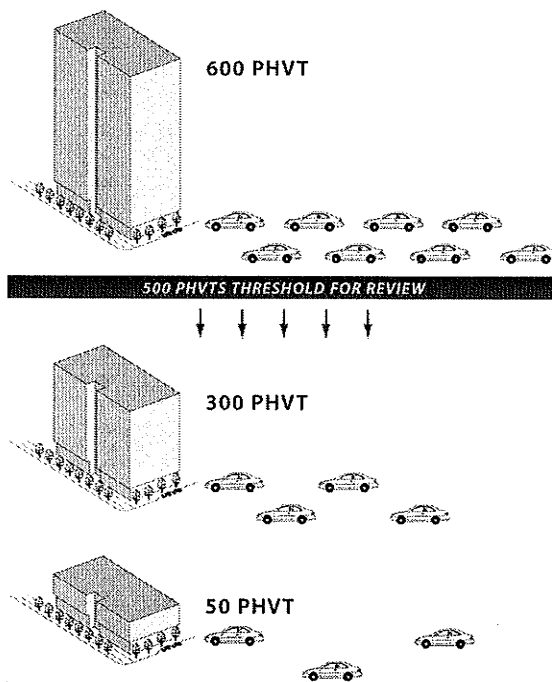
What is a General Plan Amendment

- ▶ Any minor or major change to any of the Plan elements constitutes an amendment
- ▶ Could take from 6 months to a year, depending on environmental review process
- ▶ Measure J focuses on GPAs that generate transportation impacts
- ▶ Land use & circulation elements

Net New Peak Hour Vehicle Trips

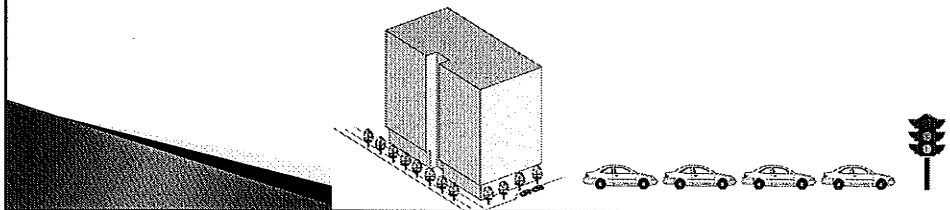
Review process applies to GPAs that generate 500 or more net new peak hour vehicle trips and add 50 or more trips to a RORS

RTPCs may set a lower threshold



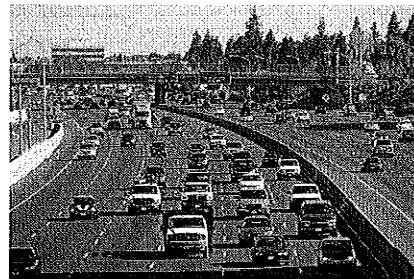
Upstream/Downstream Conundrum

- ▶ Generally, the “sponsoring” jurisdiction is upstream, and the “affected” jurisdiction is downstream
- ▶ A sponsoring jurisdiction’s GPA may generate traffic that could adversely affect the downstream jurisdiction
- ▶ Sometimes, the “affected” jurisdiction resides upstream from the “sponsor”



Performance Measures

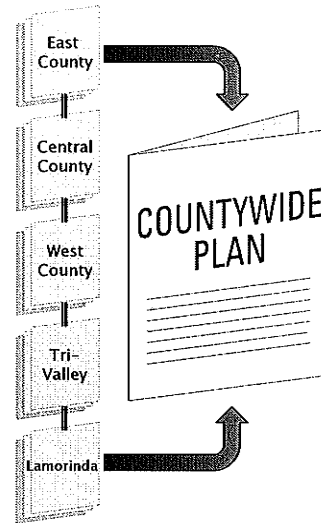
- ▶ MTSOs (Multimodal Transportation Service Objectives) provide a frame of reference for analysis of GPAs
- ▶ MTSOs can serve as thresholds of significance under CEQA
- ▶ Examples include Level of Service and Delay Index



RTPCs have adopted a Level of Service “D” as an MTSO for many routes in Contra Costa

Role of the Action Plans

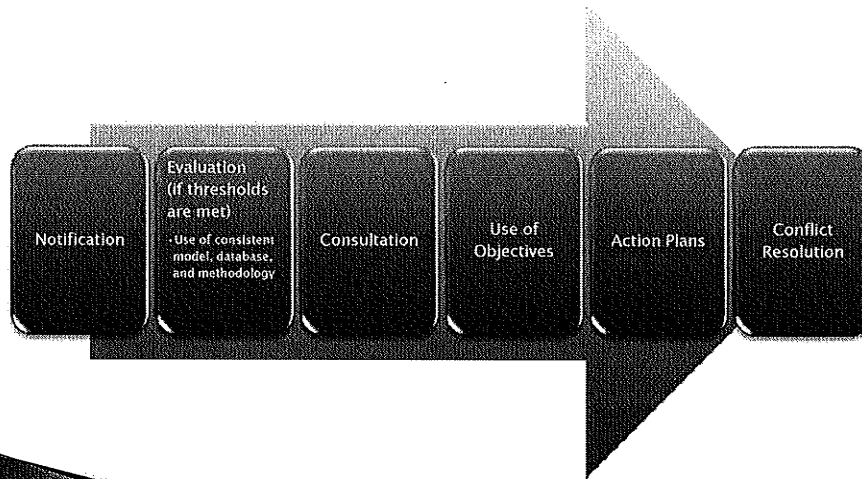
- ▶ Action Plans use adopted general plans to establish a 25-year time horizon for development
- ▶ Travel forecasts are based on adopted general plans
- ▶ Action Plans include MTSOs, which provide a framework for analysis of GPAs



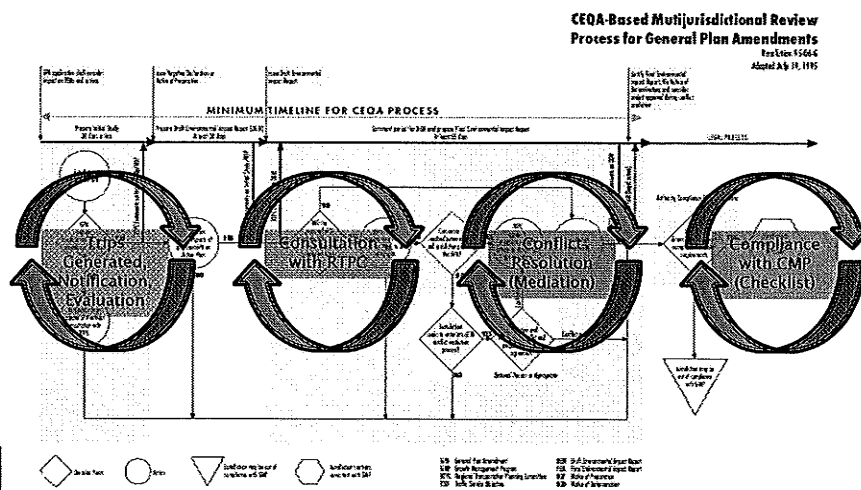
Proposed GPA

- ▶ Proposed GPA may generate traffic patterns that could affect the MTSOs
- ▶ Proposed GPA review procedure helps us evaluate the impacts of the proposed GPA on the Countywide Plan

Existing Policy



Existing Policy



Development Process



Guiding Principles

- ▶ Build upon our experience with Measure C
- ▶ Simplify/streamline the process as much as possible
- ▶ Eliminate conflicts with CEQA
- ▶ Work with stakeholders and involved parties to improve the process
- ▶ Anticipate "on the ground" procedural issues
- ▶ Consider SB 375 GHG emissions reductions objectives

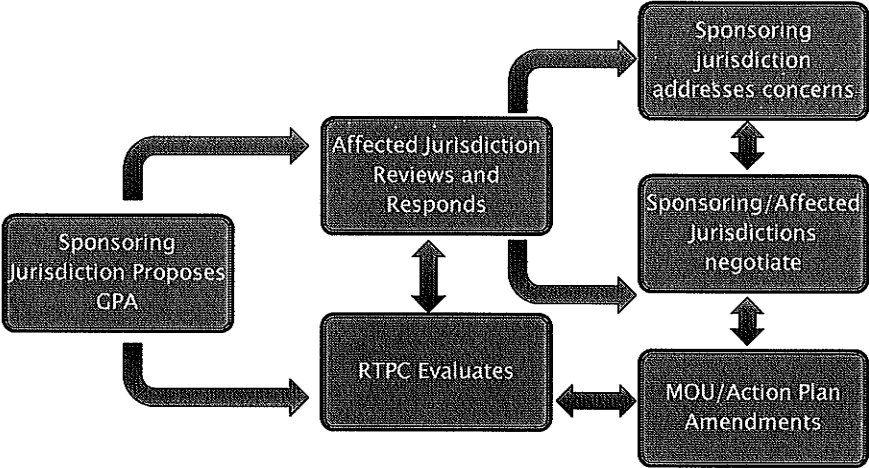
Issues and Responses

ISSUES RAISED: WHAT WE HEARD	OUR RESPONSE
Use of mediation cumbersome, bureaucratic, outmoded.	Use facilitation, instead of mediation
Use of quantitative benchmarks conflicts with other goals?	Quantitative objectives may conflict with other goals, however, the GPA process should recognize and, where appropriate, address conflicting goals
The GPA review process unnecessarily replicates CEQA.	Realign process with CEQA
The Authority may not be the appropriate body for "judging" GPA conflicts.	CCTA has a role in determining GMP compliance in the context of Measure J
"Smart Growth" projects should be exempt	Exemptions were considered, but not recommended

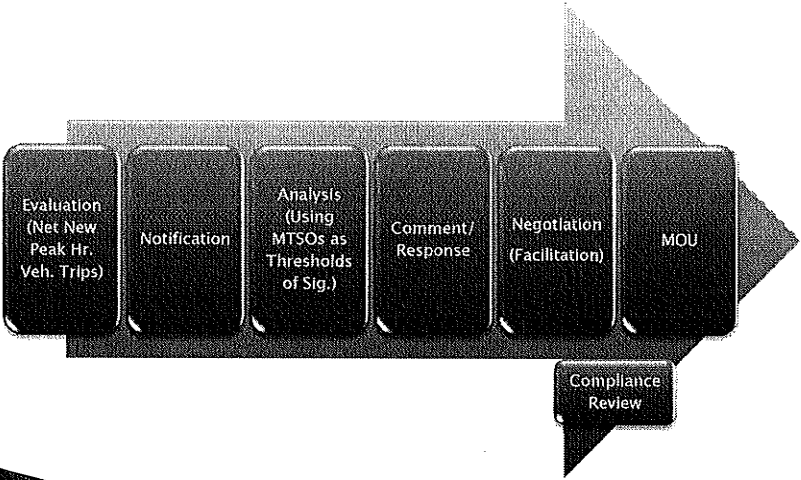
PDA Exemption

- ▶ Transit oriented developments that do not conflict with the objectives to reduce GHG emissions
- ▶ Priority Development Areas could be exempted under ABAG/MTC's broad criteria
- ▶ Additional criteria was developed and considered
- ▶ TCC elected not to allow PDA exemptions

Basic Relationships



Proposed Process Summary



Summary Description

Steps	Action	Responsible Party			
		Sponsor Jurisdiction	Affected Jurisdiction	RTPC	CCTA
1	Evaluate Proposed GPA	√			
2	Notify Affected Jurisdiction	√			
3	Analyze Traffic Impact	√			
4	Prepare Comment Letter		√	√	
5	Respond to Comment Letter	√			
6-7	File a Letter of Concern		√		
8	Respond to Letter of Concern	√			
9-11	Initiate Cooperative Resolution Discussions	√	√		√
12	Formulate MOU	√	√		
13	Revise Action Plan			√	
14	Evaluate Compliance				√

Role of the MOU

- ▶ Acknowledgement that GPAs may take years (or decades) to reach fruition
- ▶ Project's impacts may change over time
- ▶ More realistic than "on the spot" settlement agreement
- ▶ Incorporates Principles of Agreement on how conflicts will be managed
- ▶ Specifies actions, timing, responsibilities for monitoring, and mitigations
- ▶ MOU could require that the parties return to negotiations



Timeline for Development, Review, and Adoption

