Transportation and Communications Committee
December 1, 2005

Action Minutes

THE FOLLOWING MINUTES ARE A SUMMARY OF ACTIONS TAKEN BY THE TRANSPORTATION AND COMMUNICATIONS COMMITTEE. AN AUDIOCASSETTE TAPE OF THE ACTUAL MEETING IS AVAILABLE FOR LISTENING IN SCAG'S OFFICE.

The Transportation and Communications Committee held its meeting at the SCAG office in downtown Los Angeles. The meeting was called to order by the Honorable Harry Baldwin, Chair, City of San Gabriel. There was a quorum.

Members Present

Aldinger, Jim	City of Manhattan Beach
Baldwin, Harry	City of San Gabriel
Beauman, John	City of Brea
Bone, Lou	City of Tustin
Brown, Art	City of Buena Park
Burke, Yvonne	City of Los Angeles
Correa, Lou	City of Orange County
Dale, Lawrence	City of Barstow
Daniels, Gene	City of Paramount
De Young, Cathryn	City of Laguna Niguel
Dunlap, Judy	City of Inglewood
Flickinger, Bonnie	City of Moreno Valley
Garcia, Lee Ann	City of Grand Terrace
Gurule, Frank	City of Cudahy
Hernandez, Robert	City of Anaheim
Herrera, Carol	SGVCOG
Lowenthal, Bonnie	City of Long Beach
O'Connor, Pam	City of Santa Monica
Ovitt, Gary	San Bernardino County
Pettis, Greg	Cathedral City
Ridgeway, Tod	City of Newport Beach
Roberts, Ron	City of Temecula
Rutherford, Mark	City of Westlake Village
Smyth, Cameron	City of Santa Clarita
Spence, David	Arroyo Verdugo COG
Sykes, Tom	City of Walnut
Szerlip, Don	South Bay Cities COG
Talbot, Paul	City of Alhambra
Tyler, Sidney	City of Pasadena
Wapner, Alan	City of Ontario

Members Not Present

Adams, Steve	Riverside, WRCOG
Becerra, Glen	City of Simi Valley
Buckley, Tom	City of Lake Elsinore
DeLara, Juan	City of Coachella
Dixon, Richard	City of Lake Forrest
Fasana, John	City of Duarte
Gabelich, Rae	City of Long Beach
George, Gary	City of Redlands
Herzog, Peter	OCOG
Joffe, Enid	San Gabriel Valley COG
Lowe, Robin	City of Hemet/RCTC
Marshall, Patsy	City of Buena Park
Mikels, Judy	Ventura County
Miller, Paul	City of Simi Valley
Millhouse, Keith	City of Moorpark
Moqeet, Shenna	WRCOG
Ramirez, Rick	City of Norwalk
Smith, Greg	City of Los Angeles
Stone, Jeff	Riverside County
Uranga, Tonia Reyes	City of Long Beach

New Members

Voting Members, Not Elected Official

Casey, Rose	Caltrans

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1.0 CALL TO ORDER & PLEDGE OF ALLIGANCE

The Honorable Harry Baldwin, Chair, called the meeting to order at 10:07 a.m.

2.0 PUBLIC COMMENT PERIOD

Mike Ten, Councilman City of South Pasadena, and also a member of the Community Economic and Human Development committee, stated that he would like to request that the Committee consider re-opening the RTP. Media headlines are stating that the Governor is going to be seeking 50-100 billion dollars earmarked for transportation and infrastructure so updating the RTP would be crucial to make sure that funding goes to these worthy projects. We are asking that the RTP be opened and recommend for amendments. We recommend that the RTP does not reflect the current feasibility study that is supported by the MTA for the tunnel alternative for the closure of the gap of the 710 Freeway. It is important to note that this road map only includes the surface freeway which currently does not have state or federal support. In closing we urge the Committee to consider reopening it and inserting it following the lead of the SGVCOG which submitted a New Project Priority List of transportation issues to the MTA which included the tunnel as a possible alternative for the future.

3.0 REVIEW and PRIORITIZE

4.0 CONSENT CALENDAR

4.1 Approval Item

4.1.1 Approve Minutes of November 3, 2005

It was noted that there were typographical errors on Page 4, Item 5.1, first paragraph, first sentence should have read forth instead of fourth, Page 5, Item 5.1, fourth paragraph, first sentence, intercede instead of intercepted and weakening instead of wreaking, and Page 7, Item 6.2, first paragraph, last sentence, days was left out after 30 and in the third paragraph, third sentence, new instead of next.

MOTION was then made to approve the Consent Calendar.
Motion was SECONDED and UNANIMOUSLY APPROVED.

5.0 ACTION ITEMS

5.1 Draft 2006 State and Federal Legislative Program

Charlotte Pienkos, SCAG Staff, stated that in November, the Committee's action was to approve the program, but the TCC requested information as to what SCAG was putting on the table in regards to environmental streaming lining and CEQA reform. Ms. Pienkos explained that SCAG's interest in CEQA stems from its desire to promote an urban forum that maximizes the efficient use of transportation. In

July 2005, the Regional Council adopted a set of objectives to guide Staff participation in the CEQA reform discussions that are occurring in a Working Group. That Working Group's purpose is to address the states housing supply shortage and to make the best use of planning and mitigation resources. Key in these working group discussions is the idea that whatever reform to CEQA is eventually negotiated or discussed, that local governments would voluntarily participate in any kind of program. In July the Regional Council decided that the CEQA reform should be voluntary at a local level and that it should ease development of affordable housing in appropriate and strategic locations. Whatever streamlining occurs would not diminish the environmental review; it would be complimented by it. Additionally, the Regional Council recommended that the reforms be limited geographically to specific locations identified within our 2% strategy areas.

The Resources Agencies CEQA Working Group is still meeting periodically, it meets once more this month prior to what we believe will be the Administration's release of the proposal sometime in the early part of the legislative session. It starts on January 4th, and the bill introduction deadline is around the 22nd of February. In these working groups consensus is forming around a proposal that would enable a regional or a sub-regional group of some kind, to establish standards for consistent project and to certify some sort of outcome within a plan. It is agreed that locals would participate in and implement a plan at their option. They would be encouraged to do so or might find a reason to do so because there would be some sort of financial incentive for doing it. Money might be available for planning, to provide city services or amenities, and there is also a lot of consensus around the idea that some of that incentive money must be made available for affordable housing itself.

A lot of these finer points to the programs have not been identified. SCAG is trying to figure out a way to make the Working Group proposal be palatable to everybody, but to ensure that these Regional Council goals are also incorporated into that plan. What SCAG is presenting is a revision to the legislative program just to ensure that what was said in the RC is clear in the legislative program to try and help set a tone in the program. Because the level of detail is not present in any proposal at the state level, any bill that comes forward will likely return to committees and to the Regional Council for a policy position.

Councilmember Sidney Tyler, City of Pasadena, was concerned about the possibility in which an overall EIR would be done under this concept and be used to justify overriding considerations that would go against the interest of the local jurisdiction. It was his understanding that typically a project on which an EIR would be done would be a region or sub-region, a multiple group of jurisdictions. Mrs. Pienkos stated that the group that would probably compile some sort of regional or sub-regional plan, could be a region similar to SCAG or more likely a county, or a JPA of the county and cities. The sub-regions COG's may be interested in doing those

plans. It would form a regional overview, but as a city if you had a project the kind of EIR that you might be required to perform on a project would be a Short Form. A Short Form format would depend on what was omitted from the regional plan if it covered a variety of topics but left out a few areas. Those areas would be commented on by a local government's Short Form EIR.

Councilmember Tyler then inquired on the Opt-Out option for a given city. Mrs. Pienkos stated that it would be a complete Opt-Out of the program, the city would not be eligible for any financial incentives if it did participate in the Short Form, so it would then be looking at a regular CEQA compliance process. No city would be required to participate in it. Nor, would any city be required to participate in a JPA that would be working on that qualified programmatic plan.

Councilmember John Beauman, City of Brea, stated that he had a question relative to streamlining a CEQA process in the EIR. If some cities volunteer and others do not, would that inconsistent application open up litigation from developers against cities that did not streamline. Mrs. Pienkos stated that what is hoped for in this reform process is that if there is some kind of qualifying programmatic plan that would provide some reduction in liability for cities and other local governments that are currently subject to CEQA requirements. Councilmember Beauman asked if there would be an application with guidelines that would preclude any possibility of a legal battle because of inconsistent application. Mrs. Pienkos responded that she didn't believe that this had been discussed in the group yet.

Mrs. Pienkos then requested that the Committee approve the legislative program with the revised CEQA reform environmental streamlining language that came under the direction of the Regional Council guidelines in July 2005.

Councilmember Paul Talbot, City of Alhambra, stated that the concern his city has was very similar to what Councilmember Tyler had expressed. We support a streamline CEQA when it benefits us. However, we are not prepared to sign on to a blanket CEQA process that a developer might use as a hammer against us to get a project approved. Mrs. Pienkos clarified that none of the proposals being discussed required any city to do anything.

Jacob Lieb, SCAG Staff, then interjected that he had been participating in the CEQA advisory discussions and perhaps he could add some clarity to the point that was brought up. He stated Mrs. Pienkos was correct in stating that the proposals staff has are conceptional. Conceptionally, all of the participants in the discussions agree that the procedural protections that exist in CEQA would be unchanged. The effect of a CEQA streamlining would be the amount of analysis that goes into a plan level EIR vs. a project level EIR and then back that up with financial incentives. So the ability

of a city to have discretion over projects to hold hearings to get information out to the public really would not be affected.

Councilmember John Beauman requested that there be something in the language that says individual cities have the prerogative to determine the extent of how that CEQA streamlining would be applied to their respective cities he would feel a lot more comfortable. Mrs. Pienkos responded that the first bullet point under advocacy, page 10, stated "Support CEQA reform that, when implemented voluntary at a local level" and inquired if that was sufficient to address his concerns. Councilmember Beauman responded that he sees a developer working in two different cities, one has a totally streamline approach and the other has a very rigid approach and using the streamline approach to force the city using the rigid approach to change. Mr. Lieb responded by stating that the way a city would implement an alternative CEQA process is another one of those areas that gets into levels of detail that have not been part of the discussions. Staff could propose that cities could adopt either by ordinance or resolution their own criteria and their own guidelines that would of course fit within the state statue. Councilmember Beauman went on to state that his concern arises from that the committee spent two years and just last year approved our general plan which has some very specific guidelines for development within the city limits and sphere of influence and wants to make sure that what we have taken a long to develop in fact is protected.

Hearing that, MOTION was made to APPROVE the revised CEQA language for inclusion in the legislative program. MOTION was then SECONDED and UNAMIOUSLY APPROVED.

5.2 Draft RTP/RTIP Amendment

Naresh Amatya, SCAG Staff, stated that he came to the Committee last month and reported that staff would bring to you a potential RTP and RTIP Amendment issue. The proposed amendment before you will modify three projects in both plans. The first two are the Centerline project which is a light rail project that would have connected the Santa Ana Transit Center with John Wayne Airport. and the second project is the Metro Link Station at Yorba Linda. Those two projects are being proposed to be replaced by a set of four projects; 1) Rapid Bus Transit Service that will serve Brea Mall to the transit center in Irvine, 2) expansion in the Metro Link service to add services between Orange County and the Inland Empire, 3) the shuttle service between Irvine Business Center and John Wayne Airport, and 4) Operation Improvement to the existing Fast Track on I-91 which would allow three plus vehicles to utilize the facility for free.

The third project that is being proposed for modification is the Foothill Corridor South toll road from Oso Parkway to the I-5 gore point. The proposed improvement is in the plan as four lanes in each direction and this revision would

downgrade that to three lanes in each direction. Staff has worked closely with OCTA Staff on this issue and we have gone through all the necessary analytical process and we are satisfied that the proposed changes will keep the original plan intact so there is no adverse impact. We have also gone through appropriate coordination process through the Conformity Working Group which is the body that is made of county commissions that come together to coordinate issues. This was also presented to the RTP Technical Advisory Committee (TAC) and they have endorsed the amendment as well.

The next step would be to release the proposed amendment for public review and comments. Staff is asking the Committee to approve the release of the document for public review and comment for a thirty-day period, closing it on January 6, 2006. Staff will then take the comments, respond to the comments and make the final adjustment, and then come back to the Regional Council for adoption of the amendment in the February time frame.

Councilmember Todd Ridgeway, City of Newport Beach, stated that this was the first time he had seen the one-page document and was hearing about the specifics that were being proposed. Mr. Amayta clarified that all Staff was asking of the Committee today, was to release for public review and comment. Staff was not asking the Committee to adopt the report at this time.

Hasan Ikhrata, SCAG Staff, further clarified that because of the time constraint, all that the Committee would be doing is releasing it for the public and Committee to review, not taking an action. We do have a requirement of a thirty-day public review; we have a deadline of April. If it is released now for public review, people will have time to digest the report, including the RC members, and you will have chance to vote on it in February. Rich Macias, SCAG Staff, noted that Staff finished the report yesterday. Mr. Ikhrata stated that the document would be e-mailed to the members of the Committee today.

Kia Mortazavi, OCTA Staff, stated that Staff would have very much liked to build the Centerline project. But the problem is we did not get the federal funding we were seeking as part of the SAFETEA-LU Act. We are now faced with a situation that we have a project which is a transportation control measure that must be implemented by 2010 but has no funding secured. So what Staff is trying to do is to begin to provide a replacement project that can be funded and implemented by 2010.

Councilmember Bonnie Lowenthal, City of Long Beach, then stated that she shared Councilmember Ridgeway's concern about an incomplete staff report. There's a danger in assuming that the members of the TAC who represent our Regions are communicating with us at either the Committee or Regional Council level and that

information that the TAC has should also be included in our staff report so that what we approve is complete. Mr. Ikhrata then clarified that the comments about the TAC did not mean in anyway that it should replace the information the Committee has.

MOTION was then made to MOVE the recommended action directing Staff to release the Draft 2004 RTP/RTIP Amendment for 30-day public review and comment period. MOTION was SECONDED and UNAMMISOULY APPROVED.

5.3 Proposed 2008 RTP Schedule and Approach

Naresh Amatya, SCAG Staff, stated that at the November TCC meeting he indicated that Staff would provide some options as to how we are going to update the next Regional Transportation Plan. The recommendation is to develop the next plan based on the new transportation bill that allows SCAG to update the plan on a four-year cycle rather than a three-year cycle. That means SCAG would be delaying the adoption of the plan by one year to 2010. The critical issue is that the current plan runs out of conformity in 2007. However, the SAFETEA-LU does have a provision for a one-year grace period before the lapse occurs. Staff intends to take advantage of that clause to move to the four-year cycle. In addition, if needed SCAG will also pursue clarifying legislation so the region is not stuck in a one year limbo where we will have no conforming plan and potentially limiting us in our ability to amend our Regional Transportation Improvement Programs which is the biggest issue that we face with moving along with this four-year cycle. The four- year cycle would mean that SCAG could synchronize the air quality planning process with the transportation planning process which is the main reason why we are proposing to pursue this four-year cycle. Currently, the Air Quality Plan moves ahead first and it is usually based on previous versions of information and tools. This four-year cycle, for the first time, will allow us to synchronize those two processes.

The air quality plan which defines what emission budgets we need to comply with is due to the EPA around June of 2007, so we would have adequate lead time to be able to develop our plan to comply with those new requirements. In addition to that we are also going through significant model improvement process within SCAG and we want to take full advantage of that model improvement process as well. Added to that, there is also a number of corridor and goods movement studies going on in the Region that we believe can be better integrated into the plan process if we had the one extra year.

The TAC that SCAG should make sure that our regional housing needs assessment process is meshing well with the development of the plan itself and we concur with that.

If SCAG goes with the four-year cycle we will bring the plan to the Regional Council in the Spring of 2008. After that we submit the plan for conformity evaluation to the federal agencies and they take several months to approve plan conformity. This will require a Draft RTP in the Fall of 2007. Staff seeks TCC concurrence to move forward with this four-year cycle.

Hasan Ikhrata, SCAG Staff, noted that there was a risk with going to the four-year cycle which Staff felt was minimal and was worth taking because of the extra time needed to do the plan. Councilmember Don Szerlip, South Bay Cities COG, inquired what this would mean if we fall out of conformity, what do we have as a fall back to now accelerate our process. Mr. Ikhrata stated that we do not fall out of conformity, the risk that you are taking is within the twelve extra months is that we may not be able to process our TIP Amendment. Additionally, since we will not be out of conformity the federal money and other monies will still flow to the region. The new SAFETEA-LU is very clear; it says an MPO can go to a four-year process. There are risks associated with the three-year plan as well. SCAG will be out of sync with data and will be using a different model. This has more risks than the twelve month risk of not being able to process amendments, consequently there are risks both ways on that issue of conformity. Staff feels the risk is less in going to the four-year than it is to continue with the existing schedule.

Councilmember Szerlip, stated that he saw the advantages of going to a four-year, the problem is you are making the adoption at a phase where we are going to fall out of conformity based on these previous rules. Mr. Ikhrata responded that we are not going to fall out of conformity; the new law allows us the twelve months of time to not fall out of conformity, but that twelve months may mean we cannot process amendments, but this has not been finalized yet.

Mrs. Rose Casey, Caltrans, asked what the time constraint was on making a decision on the four-year cycle vs. the time where we will get clarification on that one year time period. Mr. Ikhrata stated that a decision needed to be made now that is why it has been brought to the Committee. Staff has the RHNA we are trying to coordinate with the RTP process, another is the completion of one South Coast Air Quality Management Plan by the Summer, and we have our own internal analytical capability questions so there is a push to bring it to the TCC now and go to the RC next month to finalize that. The four-year cycle brought also new requirements, the plan now has to spell out environmental mitigation and for that we need to prepare internally how to do that so there is an urgency to take an action now.

Councilmember John Beauman, City of Brea, then quoted from documentation that the words state, "could potentially face a conformity lapse for a period of about a year". Mr. Beauman then inquired as to what were the specific consequences of a conformity lapse. Mr. Ikhrata responded that specifically the conformity lapse

could mean that we would not be able to do the RTIP amendment. This would be the only risk entailed; there would be no financial penalty that is why the new law gives us the twelve months to lapse.

MOTION was then made to MOVE the Staff recommendation to approve the proposed 2008 RTP update approach and the schedule. MOTION was SECONDED and UNAMMIOUSLY APPROVED.

6.0 INFORMATION ITEMS

6.1 I-405 (L.A. County) Carpool Lane

Al Bowser, SCAG Staff, stated he recommended on bringing this project forward to the Committee for explanation and a look at the process of developing a major transportation improvement. The Sepulveda Pass Project (NB I-405, between National Boulevard and Greenleaf Street) in West Los Angeles is a good example of a project that started to take a back seat because of lack of funding and SAFETEA-LU came along and provided an injection of funding so it could help us complete an important gap on the 405 on the Westside of Los Angeles in the ride share lane system. Mr. Bowser then introduced Mr. Edward Andraos, Project Engineer, Caltrans 07 who gave a brief explanation of the procedure to complete the EIS process.

Mr. Andraos, stated this was the last segment on the 405 which will provide a continuous carpool lane from L.A. County to Orange County. Caltrans started this project in 2002 beginning with scoping meetings at which alternatives were presented for public review and comment. Based on public input, the initial alternatives have been refined and narrowed to five that will be analyzed in the Draft EIR/EIS and will be available for public review when completed. The refined alternatives are: 1) no build, 2) standard at-grade Northbound HOV Lane, 3) standard at-grade Northbound and Southbound HOV Lane, 4) four lane viaduct structure, and 5) transit enhancement.

The allotted funds from TCRP were allotted specifically for the PAED, Project Approval and Environmental Document, which will take us through the environmental process. Caltrans is trying to get back 75 million dollars from the TCRP to add to the 130 million dollars. The project cost in general, from the first alternative to the last alternative, is going to range between 500 million to 1.5 billion dollars. The 130 million and the additional 75 million is not going to be enough for this project. With a project of this magnitude we are going to have to segment the stretch of about 8-9 miles, and will probably have to divide the project into three or four segments.

A new consultant team was selected in June 2005 to assist Caltrans with public outreach efforts and in preparing the Draft EIR/EIS. The original project schedule called for the Draft EIR/EIS to be circulated as early as 2003, but due to state budget constraints, this original schedule was delayed. The current plans include re-initiating

some of the old contracts for needed studies that were canceled due to the constraints. Once these contracts are re-initiated, we will be able to better define a new schedule. The tentative new schedule is as follows: Winter 2006 - technical studies complete, Fall 2006 - circulate Draft EIR/EIS for public review, Summer 2007 - final EIR/EIS approval (recommended project).

6.2 Presentation by State Office of Emergency Services

Bob Huddy, SCAG Staff, stated that in the new SAFETEA-LU legislation Staff had some new direction given in the planning language about incorporating areas such as Home Land Security and Emergency Services preparedness. There were also some areas in transit security enhancement which we will be required to look at. To bring the TCC up to speed on this subject we will have a presentation on what the current state with our Office of Emergency Services (OES).

Mr. Huddy, introduced Mr. Stephen Sellers, Regional Administrator for the Office of Emergency Services (OES) Southern California Region. The OES is fundamentally the State's Emergency Management Agency, and the lead state agency for the recovery programs administered by FEMA. The goal of the agency is to support local government. The OES primarily works with what is called the operational area, which for you is a county, and all the jurisdictions and districts within that county.

Mr. Sellers explained the Mutual Aid System which entailed three areas: 1) fire, 2) law, and 2) the state warning center in Sacramento for federal notifications. The OES is the regional entity for the state of California's emergency program. The OES has six mutual aid regions in the state for fire and seven for law. Mutual Aid was established in California in 1950, the fire incident command system was established in the 1970's. The OES has a satellite link between every county and the warning center in Sacramento that was put together in 1991 under the Standardized Emergency Management System. The system tells how we relate to local government, the regional offices, and the state government.

The OES is the coordinating agency for federal assets. When the state needs federal support OES goes to FEMA for disaster events in the local jurisdictions. The OES administers all the federal assistance for the state which is a critical area when you are talking about rebuilding roads, bridges, public infrastructure.

In closing Mr. Sellers stated the Incident Command, Mutual Aid, and the Standardized Emergency Management Systems have put California on a very strong foundation for future emergency planning and emergency response. There is a lot we can still do; the transportation arena is one area of interest.

6.3 Regional Comprehensive Plan – Security and Emergency Preparedness Chapter
Alan Thompson, SCAG Staff, stated that at the General Assembly the Committee had directed Staff to re-examine the approach to the Regional Comprehensive Plan and the Security and Emergency Preparedness Chapter. In developing this chapter Staff is going to examine what the overall roles of SCAG cities and counties are in terms of security and emergency readiness, as well as provide an overview of state and federal roles as an educational aspect. It will describe interactions between all levels of government when an incident and the required response cross political boundaries.
Staff will examine what the overall roles and responsibilities are of local jurisdictions, the counties, the state, and FEMA. Then Staff can look at what SCAG can do within its role as a transportation planning agency to assist them in doing their job more efficiently, to possibly improve response times, with the SAFETEA-LU requirements for the new RTP requiring SCAG to look at safety and security for motorized and non-motorized transportation. This gives SCAG a way to focus on our core transportation planning functions as it relates to the 2008 RTP.

7.0 MAGLEV TASK FORCE REPORT

Councilmember Lou Bone, City of Tustin, stated that the Maglev Task Force approved the Cost Estimation Methodology presented by Lockheed Martin on November 10, 2005. We also had a presentation from Al Perdon, Executive Director of the Maglev Orange Line, he gave us an update on what they are doing. We have a notice to proceed with issues for Task 1 - Review of Existing Plans and Data of the Alternative Analysis along the Initial Operating Segment. Staff is working with Project Managers to finalize the remaining tasks of the Detailed Work Plan, which will be subject to approval by the Federal Railroad Administration. The next meeting of the Task Force will be on December 8th at 11:00 a.m. at the SCAG office.

8.0 CHAIR REPORT

None at this time

9.0 STAFF REPORT

10.0 GOODS MOVEMENT TASK FORCE REPORT

None at this time

11.0 FUTURE AGENDA ITEMS

None at this time

12.0 ANNOUNCEMENTS

None at this time

13.0 ADJOURNMENT

The Honorable Harry Baldwin, adjourned the meeting at 11:40 a.m.

The next committee meeting will be held on **Thursday, February 2, 2006, at the SCAG office.**

Rich Macias, Manager
Transportation Planning Division