



METROPOLITAN
TRANSPORTATION
COMMISSION

Agenda Item 5a
Bay Area Metro Center
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Memorandum

TO: Planning Committee

DATE: June 2, 2017

FR: Executive Director

W.I. 1515

RE: MTC Resolution No. 4290 - Regional Advance Mitigation Planning (RAMP) Program

Background

Most large transportation projects require environmental mitigation as prescribed in each project's environmental document. These mitigation measures may include purchasing land or retaining land rights for certain affected species or activities. In the Bay Area, mitigation activities occur on a per-project basis, with each project individually satisfying its own mitigation purchase requirements. This may lead to increased project costs and a higher level of effort, with less environmental benefit because this piecemeal approach is not coordinated with other projects that may have the same or similar mitigation requirements.

Regional Advance Mitigation Planning (RAMP) is a mechanism by which transportation agencies can plan comprehensively for projects, reduce project costs, and accelerate project delivery, while achieving significant conservation benefits. Two years ago, following approval of Plan Bay Area, MTC and the Bay Area Program of the State Coastal Conservancy (SCC) sponsored an effort to consider the feasibility of a RAMP program in the Bay Area. This memo discusses the progress on RAMP and recommended next steps.

Development and Engagement

In 2015, MTC staff worked with staff from the Nature Conservancy (TNC) and SCC (the "RAMP Team") to form a Technical Advisory Committee (TAC). The TAC included state and federal regulatory agencies, three Congestion Management Agency's (Contra Costa Transportation Authority (CCTA), Solano Transportation Authority (STA), and Santa Clara Valley Transportation Authority (VTA)) and the two approved habitat conservancies in the region. The RAMP team used the TAC to set the vision and goals, develop the tools and receive feedback on the framework. The team also formed a Stakeholder Advisors group consisting of regional organizations representing conservation, business, transportation and mitigation experts to provide advice and guidance on the direction of the program and to serve as a sounding board on ideas.

Framework and Pilots

Last Fall, the Governor signed AB 2087 into law, which enables advance mitigation through approval of a new tool called a Regional Conservation Investment Strategy (RCIS). Entities that invest in conservation actions consistent with an approved RCIS will be able to receive assurances through a Mitigation Credit Agreement with California Department of Fish and Wildlife for advance mitigation. In other words, agencies that participate in RAMP by investing in a "conservation bank" will receive mitigation credit for their project; the "bank" will then use the investment to purchase or improve environmentally valuable properties in a more coordinated and strategic fashion, for instance focusing on wildlife corridors or watersheds in their entirety, rather than piecemeal.

Thanks to funding from the Bechtel Foundation, the team is testing the RCIS concept with two pilots in Santa Clara County and the East Bay (Contra Costa and Alameda counties). Both areas expressed interest given the recently-approved sales tax measures in Alameda and Santa Clara Counties. Voters approved VTA's measure and VTA is working with partners on an advance mitigation plan specific to the county. As the Contra Costa Sales tax measure failed last November, funding for RAMP is not readily available there, but CCTA remains engaged on the East Bay pilot.

Funding

The RAMP team examined a number of options for establishing RAMP in the Bay Area. A self-sustaining funding arrangement is the preferred funding mechanism, where the RAMP account is funded through initial start-up. The program would purchase mitigation land/credits based on expected impacts from projects in the regional transportation plan. Once those projects complete the environmental process and identify mitigation values, the project would purchase the advance mitigation. Proceeds would then be re-deposited into the account to purchase further mitigation land/credits.

While the RAMP team has not yet identified a fund source for the initial start up, potential sources include local sales taxes, future State Transportation Improvement Program (STIP) funds, new transportation revenues, and statewide Advance Mitigation Program funds authorized by Senate Bill 1 (SB 1). The SB 1 funds are currently limited to Caltrans projects, though further enabling legislation may allow participation from regional programs.

Recommendations

MTC staff believes that a RAMP Program for the Bay Area will improve how projects are delivered, produce cost savings through mitigation efficiencies and improve environmental benefits. As part of the development of *Plan Bay Area 2040* (PBA2040), staff incorporated RAMP into the Environmental Impact Report and propose it as a resilience action in the Draft PBA2040. Furthering the region's commitment, staff recommends the following actions:

- Adopt RAMP as the preferred mitigation strategy for the Bay Area, through the adoption of Plan Bay Area 2040 and MTC Resolution No. 4290;
- Direct staff to develop RAMP pilots, and engage with Caltrans, State Coastal Conservancy, and other partners on implementation strategies;
- Direct staff to examine funding options for a self-sustaining fund and to fund reasonable costs associated with implementation, conditioned on further Commission authorization and approval of future agency budgets or other processes; and
- Report back to the Planning Committee in 2018 on the status of the RAMP pilots and implementation.

Adopting RAMP as the preferred strategy does not preclude the use of other mitigation strategies where required or appropriate, particularly as RAMP is being developed.



Steve Heminger

Attachment:

- MTC Resolution No. 4290

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Date: June 28, 2017
W.I.: 1515
Referred by: Planning

ABSTRACT

Resolution No. 4290

This resolution establishes the Regional Advance Mitigation Planning (RAMP) Program as the region's preferred mitigation strategy.

Discussion of this resolution is contained in the Executive Director's Memorandum to the Planning Committee dated June 2, 2017.

The resolution includes the following attachment:

Attachment A – Regional Advance Mitigation Planning (RAMP) Program List

Date: June 28, 2017
W.I.: 1515
Referred by: Planning

RE: Regional Advance Mitigation Planning (RAMP) Program as MTC's Preferred Mitigation Strategy

METROPOLITAN TRANSPORTATION COMMISSION

Resolution No. 4290

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

WHEREAS, MTC has adopted and periodically revises, pursuant to Government Code Sections 66508 and 65080, a Regional Transportation Plan (RTP); and

WHEREAS, MTC, with the State Coastal Conservancy, formed a Technical Advisory Committee comprised of regulatory agencies and other stakeholders to examine the viability and framework for a Regional Advance Mitigation Planning (RAMP) Program; and

WHEREAS, the State of California enacted Assembly Bill 2087 (Statutes of 2016) into law, enabling advance mitigation through approval of Regional Conservation Investment Strategies (RCISs) with the California Department of Fish and Wildlife; and

WHEREAS, the State of California enacted Senate Bill 1 (Statutes of 2017) into law, setting aside \$120 million over four years to establish an Advance Mitigation Program administered by the California Department of Transportation; and

WHEREAS, MTC finds that the RAMP Program enables an efficient use of funding and will promote better project delivery and mitigation of project impacts identified in each project's environmental document; now, therefore, be it

RESOLVED, that MTC adopts the Regional Advance Mitigation Planning (RAMP) Program as the preferred mitigation strategy for the Bay Area; and be it further

RESOLVED, that MTC supports the establishment of a self-sustaining fund to implement the RAMP Program, conditioned on further Commission authorization and approval; and be it further

RESOLVED, that MTC supports the advance mitigation efforts developed through Regional Conservation Investment Strategies (RCISs) with the California Department of Fish and Wildlife, as identified in Attachment A.

METROPOLITAN TRANSPORTATION COMMISSION

Jake Mackenzie, Chair

The above resolution was entered into by the Metropolitan Transportation Commission at a regular meeting of the Commission held in San Francisco, California on June 28, 2017.

Attachment A
MTC Resolution No. 4290

MTC Res. No. 4290
Attachment A
Adopted: 06/28/17-C

Regional Advance Mitigation Planning (RAMP)
June 2017

Program List

Regional Advance Mitigation Planning (RAMP)	
Santa Clara County RAMP Pilot Program	Santa Clara County
East Bay RAMP Pilot Program	Alameda & Contra Costa Counties

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