

**Metropolitan Transportation Commission and the Association of Bay Area Governments
Joint MTC Planning Committee with the ABAG Administrative Committee**

May 8, 2020

Agenda Item 4a

Proposed Amendment to Plan Bay Area 2040

- Subject:** Approval of the proposed amendments to the Amended Plan Bay Area 2040 (Plan) and the Amended 2019 Transportation Improvement Program (TIP) to include the Interstate 680 Express Lanes Gap Closure Project in Alameda County, and approval of two companion technical documents - Transportation-Air Quality Conformity Analysis (Conformity Analysis) and Environmental Impact Report (EIR) Addendum that demonstrate the Amended Plan and Amended TIP comply with federal transportation conformity and California Environmental Quality Act (CEQA) requirements. The public comment period closed on April 24, 2020, and a summary of comments and responses will be presented prior to Committee action.
- Background:** The Alameda County Transportation Commission in cooperation with the California Department of Transportation (“Caltrans”) District 4, proposed an amendment to include the Interstate 680 Express Lanes Gap Closure Project in Alameda County. The Interstate 680 Gap Closure Project was not included in the adopted Plan’s financially constrained transportation investment strategy and consequently not assessed in the Plan’s two companion technical documents. The proposed project will add an express lane to the southbound and northbound travel lanes of Interstate 680 between Alcosta Boulevard and State Route 84, closing the gap between existing and in-progress express lane projects directly to the north and south. The accelerated project development would allow for coordinated project delivery with a planned rehabilitation project on the same corridor.
- Staff has prepared the planning documents described below as part of the overall process to amend the Plan and TIP. On March 26, 2020, staff released the proposed amendment and supporting documents for a 30-day public review period, closing on April 24, 2020. Staff received five comment letter/emails on the proposed amendment. A summary of the comments and responses are provided in Attachment B. The four planning documents that are subject to your review and approvals are included as Attachments C through F.
- **Transportation-Air Quality Conformity Analysis for the Amended Plan Bay Area 2040 and the Amended 2019 Transportation Improvement Program:** This conformity analysis was prepared in accordance with U.S. Environmental Protection Agency (EPA) conformity rules and MTC Resolution 3757. It was also vetted with the Air Quality Conformity Task Force, which is comprised of staff from U.S. EPA, Federal Highway Administration, Federal Transit Administration, Caltrans, and other partner agencies. The estimated total emissions projected for the amended Plan and amended TIP are consistent with (“conform to”) the purpose of the state air quality implementation plan (SIP). In addition, the timely implementation of federal transportation control measures is not affected.
 - **Addendum to the Final EIR for Plan Bay Area 2040:** This EIR Addendum was prepared in accordance to the California Environmental Quality Act (CEQA). The addition of the I-680 Gap Closure Project did not result in new significant impacts and the severity of the previously disclosed impacts did not substantially increase relative to what were previously identified in the certified Final EIR.

- **Amendment to Amended Plan Bay Area 2040:** This amendment adds the scope and cost of I-680 Gap Closure Project within the financially constrained Plan. The amendment does not conflict with the financial constraint requirements of the Plan. No other changes or revisions are made as part of this amendment.
- **Amendment to Amended 2019 Transportation Improvement Program:** This amendment adds the scope and cost of the I-680 Gap Closure Project. The amendment does not conflict with the financial constraint requirements of the TIP. No other changes or revisions are made as part of this amendment.

Issue:


In Fall 2019, federal agencies published the “Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule Part One: One National Program” creating a barrier to approving amendments to the Plan and the TIP. On March 12, 2020, the EPA determined the California Air Resources Board’s proposed methodology to account for the impacts of the SAFE Vehicle Rule Part One to be acceptable for use in transportation conformity analyses of Plan and TIP amendments.

Recommendations:

1. The MTC Planning Committee finds the Transportation-Air Quality Conformity Analysis for the Amended Plan Bay Area 2040 and the Amended 2019 Transportation Improvement Program is in conformance with the applicable federal air quality plan for ozone, carbon monoxide and particulates, and refers MTC Resolution No. 4423 (Attachment C) to the Commission for approval.
2. The MTC Planning Committee and ABAG Administrative Committee has: (1) reviewed and considered the information in the EIR Addendum prior to considering the Amendment to Amended Plan Bay Area 2040, (2) finds that the EIR Addendum has been completed in compliance with CEQA, and (3) refers MTC Resolution No. 4424 and ABAG Resolution No. 12-20 (Attachment D) to the Commission and ABAG Executive Board (respectively) for approval.
3. The MTC Planning Committee and ABAG Administrative Committee refer MTC Resolution No. 4425 and ABAG Resolution No. 13-20 (Attachment E) to the Commission and ABAG Executive Board (respectively) to approve the Amendment to Amended Plan Bay Area 2040.
4. The MTC Planning Committee refer MTC Resolution No. 4375, Revised (Attachment F) to the Commission to approve the Amendment to the Amended 2019 TIP.

Attachments:

Attachment A: Presentation
Attachment B: Comments and Responses to Comments
Attachment C: Conformity Analysis
Attachment D: EIR Addendum
Attachment E: Plan Amendment, and
Attachment F: TIP Amendment


Therese W. McMillan

Plan BayArea 2040

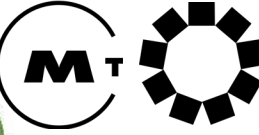
AIR QUALITY
CONFORMITY
ANALYSIS

EIR ADDENDUM
PLAN AMENDMENT
TIP AMENDMENT

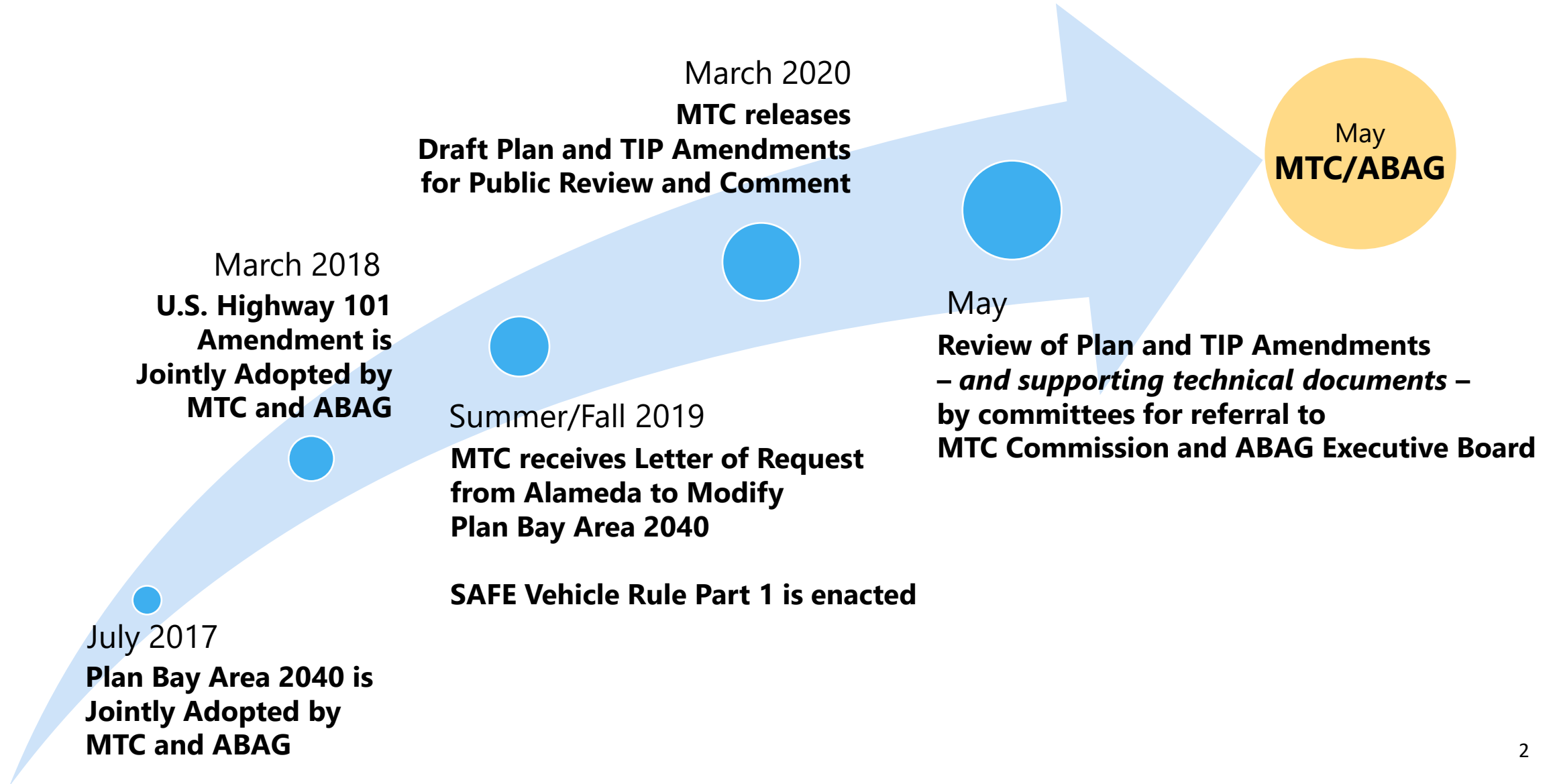
May 8, 2020

*Joint MTC Planning &
ABAG Administrative
Committee*

Adam Noelting
Bay Area Metro Staff

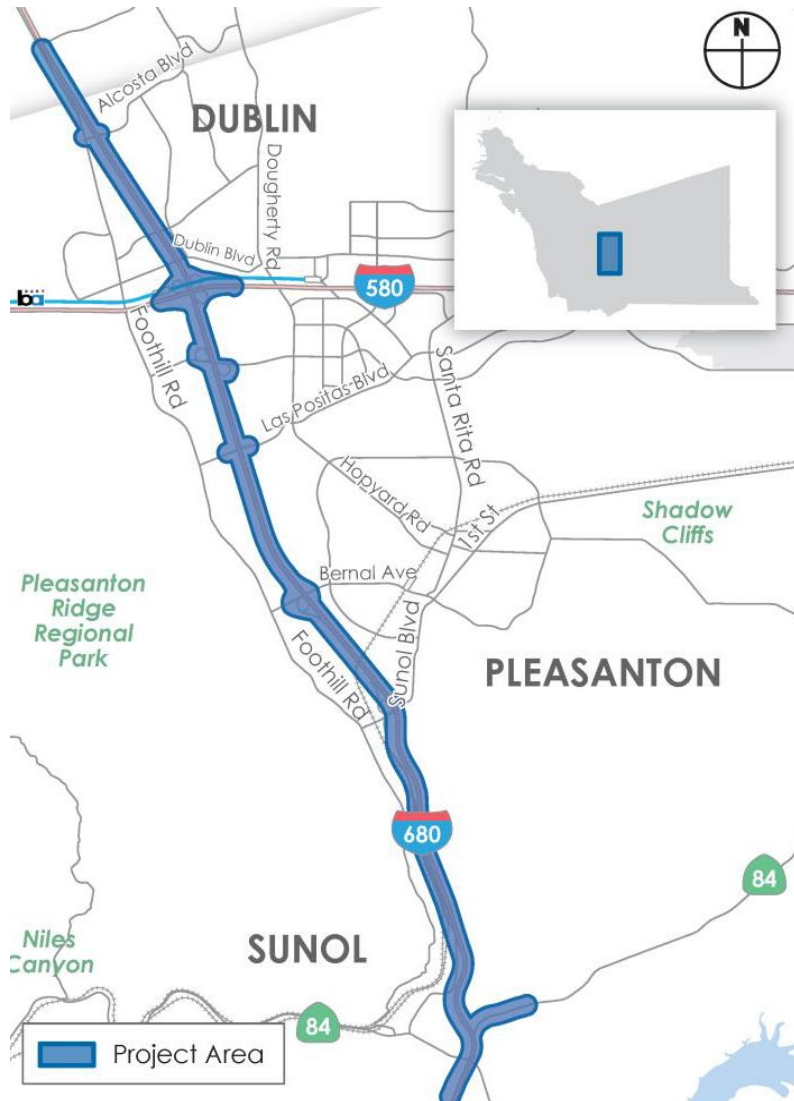


Plan Bay Area 2040 Milestones



The proposed Amendment adds the scope and cost assumptions of the I-680 Express Lanes Gap Closure Project.

Project Map:



Amendment Details:

Scope

Add an express lane to the southbound and northbound travel lanes of Interstate 680 between Alcosta Boulevard and State Route 84

Cost

\$252 millions (Southbound)

\$228 millions (Northbound)

The cost increase is accommodated by reducing the East and North Bay Express Lanes Reserve (RTPID 17-10-0056)

Schedule

2024 (Southbound)

2030 (Northbound)

No other changes or revisions are proposed in this amendment.

A 30-day public review and comment period was opened, beginning March 26, 2020, and closing April 24, 2020.

Comments:

- Staff received five comments regarding the I-680 Express Lanes Gap Closure Project
- Comments focused on concerns related to the affects of adding freeway capacity, the accessibility of express lanes, and alternatives to adding freeway capacity

Response:

- Staff provided a response to address the comments, including clarifications to the project's scope and the Bay Area Express Lanes ("HOV/HOT") toll policy and operating requirements

A summary of public comment and staff's response is provided as Attachment B



The Conformity Analysis demonstrates that the Amendments to the Plan and TIP are consistent with the federal air quality plan.

Plan
BayArea
2040

- The Conformity Analysis is prepared to demonstrate that the Amended Plan and the Amended 2019 TIP will not cause new air quality violations, worsen existing violations, or delay timely attainment of the federal air quality standards
- The analysis was conducted consistent with the U.S. EPA's transportation-air quality conformity regulations and with the Bay Area Air Quality Conformity Protocol
- The analysis was conducted consistent with the California Air Resource Board's methodology to account for the impacts of the SAFE Vehicle Rule Part One
- The analysis demonstrates that both the Amended Plan and the Amended 2019 TIP conform to the federal air quality plan, which is referred to as the state implementation plan

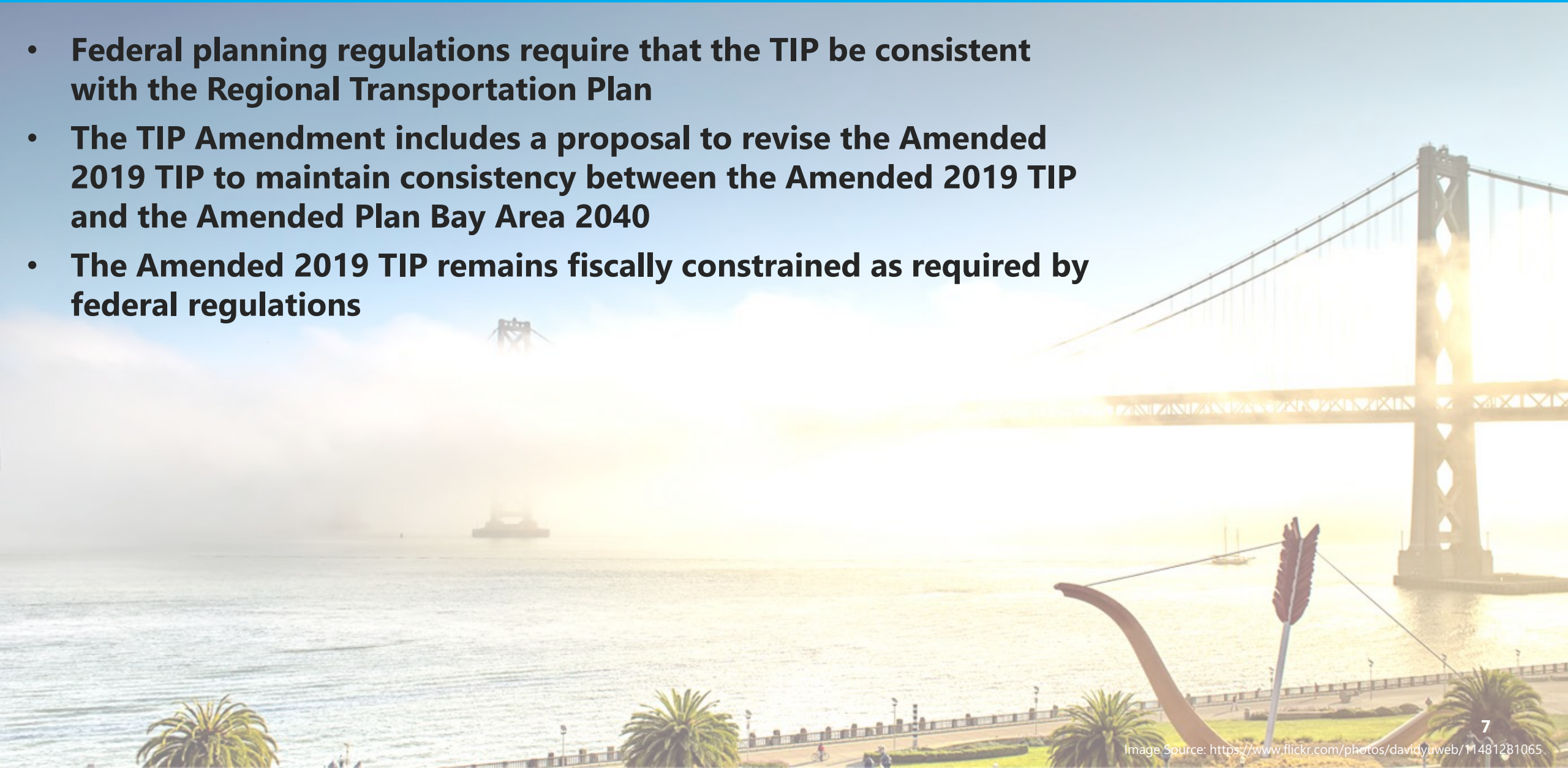
Image Source: <https://www.flickr.com/photos/wilsonhui/1576709868>

The Addendum to the Final EIR demonstrates that the Amendment does not change the conclusions of the Final EIR.

- This Addendum evaluates whether the Amended Plan could result in additional significant effects on the environment relative to the conclusions reached in the certified Final EIR
- This Addendum relies on the significance criteria for each issue area described in the Final EIR to assess the potential impacts of the Amendment
- This Addendum discloses that the Amended Plan would not result in any new significant environmental effects or substantial increases in the severity of the previously identified significant effects

The TIP Amendment ensures consistency between the TIP and the proposed Amendment to Plan Bay Area 2040.

- **Federal planning regulations require that the TIP be consistent with the Regional Transportation Plan**
- **The TIP Amendment includes a proposal to revise the Amended 2019 TIP to maintain consistency between the Amended 2019 TIP and the Amended Plan Bay Area 2040**
- **The Amended 2019 TIP remains fiscally constrained as required by federal regulations**



Staff requests referral of the four items to the Commission and ABAG Executive Board, as detailed below, to consider for approval.



MTC Resolution 4423
Approves the Air Quality
Conformity Analysis/
Determination

Planning Committee

MTC Resolution 4424
ABAG Resolution 12-20
Approves the Addendum to the
Final EIR

Planning Committee &
Administrative Committee

MTC Resolution 4425
ABAG Resolution 13-20
Approves the Amendment to the
Amended Plan Bay Area 2040

Planning Committee &
Administrative Committee

MTC Resolution 4375
Approves the Amendment to the
Amended 2019 Transportation
Improvement Program

Planning Committee

Amendment to Plan Bay Area 2040:

Comments and Responses

In accordance with MTC's public participation plan, the Draft Transportation-Air Quality Conformity Analysis for the Amended Plan Bay Area 2040 and Amended 2019 Transportation Improvement Program (TIP), the Draft Amendment to Amended Plan Bay Area 2040, and the Draft Amendment to the Amended 2019 TIP were released for a 30-day public review and comment period, beginning March 26, 2020, and closing April 24, 2020.

Opportunities to comment were publicized via MTC's website, email notifications, a press release, and display ads in local newspapers. The following is a list of the public comments submitted to MTC along with staff's responses to these comments. The following is a list of the public comments submitted to MTC along with staff's responses to these comments.

No.	Name	Agency/Organization	Date/Source
#1	Bill Mellberg	No affiliation	03/31/2020, Email
	<p>"To say you are adding a lane to fill the gap from Alcosta to Sunol or Washington to 580 is a play on words. There is no "new" lanes other than the existing 3 lanes, you can designate the third lane as an express lane, but that is not adding a lane. Let's be honest until there is a fourth lane added both north of Sunol and south of 580 nothing changes. I believe anything you do will be obsolete and ineffective before you even start."</p>		
#2	Michael T. Henn	No affiliation	03/31/2020, Email
	<p>"I strongly oppose the construction of any more toll express lanes on any freeway. The High Occupancy Vehicles lanes should be reserved for car pools. It is socially and environmentally counterproductive to allow a single-occupant vehicle to be allowed to pay to drive in a Lexus Lane. It's analogous to being able to pay to have a red light turn green for some and not others. It's fundamentally unfair.</p> <p>Furthermore, having free-flowing HOV lanes encourages people to carpool, thus reducing traffic and pollution. That's why such lanes were created. Filling the lanes up with solo drivers removes the incentive. So-called Express Lanes are the worst idea you could come up with.</p> <p>Please, stop this misguided program."</p>		
#3	David Vartanoff	No affiliation	03/31/2020, Web Comment
	<p>"building a new HOV lane is no longer the right idea. When and if the current covid crisis abates, thousands of workers will continue WFH. Secondly, if a new lane is added, it will simply encourage more (induced demand is a well understood concept). Redesignating an existing lane to discourage SOVs; fine. Better still deploy Express buses in the no longer wasted lane on short headways with 'bus pads' similar to those on 101, allowing quick off/quick on. and rapid trips from BART in either WC or PH to Dublin. adding a third track and second platform at Bayfair so that trains from Dublin can offer crossplatform connections to Berryessa is the next step."</p>		

	NO new freeway lanes!			
#4	John Weeks	No affiliation	03/31/2020, Web Comment	
	<p>“No Fee Cap: Please do not cap the fees on Express Lanes. In high congestion scenarios only a fee which will actually discourage SOV access will maintain throughput. The caps on regional express lanes that are already in place are too low.</p> <p>Driver Education: Please make sure the public knows about safe speeds in express lanes. I operate buses in the express lanes and get complaints from other SOV drivers that think the express lane is the fast lanes on the freeway. They complain that buses operating below the speed limit are in their way and slowing them down and dangerously pass.”</p>			
#5	Steven Dunbar	No affiliation	04/07/2020, Web Comment	
	<p>“I can't believe we are still adding lanes in 2020. Sure, they are better than standard carpool lanes and induce marginally less traffic than regular lanes.</p> <p>But they are not anywhere CLOSE to the level of mitigation we need to be doing in our transportation environment.</p> <p>The highway is already 3 lanes in each direction. You need to do much better than one more express lane.”</p>			

RESPONSE

The I-680 Gap Closure project's scope is to construct an express lane in both the southbound and northbound directions between the existing express lanes on I-680 that terminate at Alcosta Boulevard at the northern terminus and SR-84 at the southern terminus. The number of lanes on I-680 between Alcosta Boulevard to SR-84 will increase from three lanes to four lanes in each direction. When open, the added lanes will close the gap and create continuous express lanes between Walnut Creek and Milpitas.

The Bay Area Express Lanes (“HOV/HOT”) are specially designated freeway lanes that allow vehicles to pay tolls, pay discounted tolls, or travel toll-free based on the lane's operating requirements. The Bay Area's Express Lanes are currently toll-free to carpools that meet the posted vehicle occupancy requirements, as well as to qualifying clean air vehicles (CAVs) regardless of vehicle occupancy. The pricing signs on some express lanes may occasionally display “HOV ONLY” instead of a price. This indicates the lane is too crowded and does not have room for toll-paying single occupant non-clean air vehicles to enter.