

REGIONAL TRANSPORTATION COMMISSION

Transportation Policy Workshop

MINUTES

Thursday, February 17, 2005

9:00 am

SCCRTC Conference Room

Santa Cruz, CA 95060

Members Present:     Jan Beautz                             Dennis Norton  
                           Tony Campos                             Emily Reilly  
                           Randy Johnson                             Pat Spence  
                           Mike Keogh                             Mark Stone  
                           David Koch (Alt.)                             Marcela Tavantzis  
                           Ellen Pirie                             Mardi Wormhoudt

Staff Present:         Pat Dellin                             Luis Mendez  
                           Grace Blakeslee                             Karena Pushnik  
                           Cory Caletti                             Tegan Speiser  
                           Rachel Moriconi                             Kim Shultz

1. Introductions

Introductions were made.

2. Oral Communications

Pat Dellin welcomed Emily Reilly back to the Regional Transportation Commission as the representative for the City of Santa Cruz.

3. Additions/Deletions to the Agenda

The closed session was postponed in the agenda.

**CONSENT AGENDA (Reilly/Beautz)**

4. Approved Staff Recommendations for a Contract Amendment with Nolte Associates for the Highway 1 Widening/HOV Lane PA/ED (Resolution 31-05)

5. Approved Minor Amendments to the 2004 *Regional Transportation Improvement Program* (RTIP) (Resolution 32-05)

6. Accepted Updated Three-Month Schedule of Meetings
7. Accepted Draft Minutes of the January 27, 2005 Budget and Administration/ Personnel Committee Meeting

## **REGULAR AGENDA**

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### **CLOSED SESSION**

8. Conference with Real Property Negotiator for Acquisition of the Santa Cruz Branch Rail Line Property: Santa Cruz Branch Rail Line from Watsonville Junction to Davenport

*This item was delayed until after Item # 10.*

### **OPEN SESSION**

9. Received Draft 2005 Regional Transportation Plan (RTP) and Draft Environmental Impact Report (DEIR)

Pat Dellin reported that the *Draft 2005 Regional Transportation Plan (RTP)* and *Draft Environmental Impact Report (EIR)* were officially released for public review on February 15, 2005. She added that the Regional Transportation Commission had approved sections of the document incrementally over the last year. The RTP is a state-mandated document and projects must be listed or be consistent with the RTP to receive federal, state or some local transportation funds. She added that a ½ cent sales tax is included as revenue in the RTP because, as a 25-year plan, it is assumed that a tax measure will pass within that timeframe.

As approved by the Commission at earlier meetings, the Draft RTP was prepared in coordination with the Transportation Agency for Monterey County and Association of Monterey Bay Area Governments (AMBAG)'s RTP and Metropolitan Transportation Plan development efforts and has been folded into the AMBAG plan. There was an economy of scale to prepare the program-level DEIR this year in conjunction with these other plans. Funded projects must undergo specific environmental review prior to construction.

Copies (paper and compact disks) of the Draft RTP and EIR were sent to committee members, libraries, and local jurisdictions. In an effort to save paper, copies of both documents are also available on RTC website and at the office. Notices were sent to community groups, schools, and the media.

Commissioner Campos requested that a hearing on the Draft RTP be held in Watsonville.

Commissioner Pirie made a motion to hold the RTP/EIR meeting on March 17 in south county. Commissioner Beautz seconded the motion and it passed unanimously.

Commissioner Reilly requested examples of project impacts and how the current draft EIR is different from the EIR prepared for the 2001 RTP. Rachel Moriconi referred to Chapter 5 of the Draft RTP which lists the impacts identified in the draft EIR and noted that since this draft EIR covers projects in Santa Cruz, Monterey, and San Benito Counties that the draft EIR combines the impacts that were identified for each of these counties in past EIRs for all three counties. She emphasized that this is a Program-level draft EIR and that the potentially significant, unavoidable impacts do not reflect cumulative impacts. In some instances it may only be one project in one county that would actually result in one of the identified impacts.

#### 10. Approve Proposed FY 05-06 Budget and Work Program

Pat Dellin reviewed this item noting that the Budget and Administration/Personnel Committee recommend approval of the draft budget and work program. Some projects have been downscaled such as the rideshare and bicycle programs due to the staff and resources needed for high priority projects such as Highway 1 and the rail line acquisition. It was also noted that the SAFE call box program will require additional resources this fiscal year due to the need for retrofitting the call boxes to meet Americans with Disabilities Act (ADA) accessibility requirements.

STIP allocations may not come through for the Rideshare, Freeway Service Patrol (FSP), and planning, so the RTC may need to make budget and/or services adjustments later on.

Programs included in the budget such as the Community Traffic Safety Coalition and Bike to Work activities will need to come back to the RTC to request an allocation through the traditional claims process.

Transportation Development Act (TDA) fund estimates are optimistic and the budget includes the Santa Cruz Metropolitan Transit District's (Metro) request for TDA funding. However, it was noted that a 3% growth rate was projected by the Auditor-Controller for the current fiscal year, but revenues are coming in less than projected. The TDA Reserve fund exists to backfill if at the end of the fiscal year TDA revenues are still less than the projections.

Currently the amount budgeted for all TDA claimants is about 5 to 7% higher than their current fiscal year allocations except for the RTC which is 1.4% higher.

Commissioner Pirie moved to approve the staff recommendation to approve a resolution adopting the FY 2005-06 Budget and Work Program. Dennis Norton seconded the motion (Resolution 33-05) and it passed unanimously.

**CLOSED SESSION****8. Conference with Real Property Negotiator for Acquisition of the Santa Cruz Branch Rail Line Property: Santa Cruz Branch Rail Line from Watsonville Junction to Davenport**

The Commission adjourned for closed session at 9:45 am and reconvened the public session at 10:05 am.

**OPEN SESSION****11. Santa Cruz Branch Rail Line Acquisition Project - Approve Staff Recommendations Regarding Phase II Environmental Site Assessment (ESA) and Structures Assessment**

Pat Dellin referred to the financial plan and the timeline for acquisition of the Santa Cruz Branch Rail Line. The RTC will have another opportunity for detailed review of the timeline at a future meeting. Proposed amendments to the project budget include an increase in the funding for structures assessment from \$15,000 to \$80,000 based on the bids from companies to perform this assessment. In addition, the Phase II Environmental Site Assessment line item was augmented \$40,000 to increase the number of soil samples and ensure a more thorough investigation. Other items have come in under budget, so there is no net change to the acquisition budget.

It was reported that there has been no response as yet from the California Transportation Commission (CTC) staff about the proposal to use the existing Big Trees recreational rail service for the passenger rail requirement in the Proposition 116 application. RTC Staff expects to hear from them soon and remains cautiously optimistic. CTC staff support of the Big Trees proposal is helpful for approval of the Proposition 116 application by the California Transportation Commissioners. Assistance from state legislators may be requested when the Proposition 116 application is on the CTC agenda. The RTC is scheduled to act on the Proposition 116 application in March and the outcome may determine whether the Request for Proposals (RFP) for the Short Line Operator is a combined or separate freight and passenger proposal. The RFP for the short line operators is scheduled to be reviewed at the March Transportation Policy Workshop

Kirk Trost reviewed the Draft Right of Entry agreement and the schedule for acquisition. The preliminary title report is scheduled to be complete by the end of February. Mr. Trost reported that four proposals were received on the structures assessment RFP and an additional proposal is expected. Evaluations will be based not only on price, but also qualifications.

Mr. Trost reported that he and staff would be meeting with RMC Pacific Materials later today to discuss the Santa Cruz Branch Rail Line Acquisition Project. He also reported that the demonstration train concept is moving forward with a BUDD Rail Diesel car. However there is a narrow window of opportunity if the cars from Oregon are used. Their seasonal service starts again in June. Another BUDD car is available but it is located in a much more remote area and would cost approximately \$20,000 to ship it to and from the Santa Cruz area.

Commissioner Keogh requested more information about the increase in funds for the Geomatrix contact. Mr. Trost responded that sampling was proposed based on the historic use assessments generated in the Phase I Preliminary Site Assessment. Mr. Trost suggested additional funds for a plan to increase borings through a statistically based sampling plan to increase the RTC's comfort level with the presence and/or absence of hazardous materials. Geomatrix will investigate surrounding land uses as well as historic railroad uses.

Sylvia Previtali expressed interest in targeted sampling and indicated that additional sampling should be conducted at sites such as near Seacliff where conductors stop and have lunch, other sites in Live Oak and along Mission Street. Ms. Previtali also asked whether there would be sampling along the Buena Vista Landfill.

Commissioner Beautz asked whether information is available about the general effects of train use: lead from wheel stops, etc.

Mr. Trost replied that additional random sampling will help the RTC know what's out there, that Geomatrix can expand the search if it finds something that triggers a Phase 3 or expanded Phase 2, and that it is not economically feasible to test every square foot of the 32-mile corridor. The RTC will hear the recommendations directly from Geomatrix.

A member of the public asked when UP would release its information about potential environmental hazards. Mr. Trost responded that during the course of the acquisition the railroad will be required to disclose information about derailments, industrial areas, fueling areas, etc. Luis Mendez noted that the consultants will also perform site reconnaissance to check areas where there is physical evidence of hazardous materials. Commissioner Beautz requested that the Thompson Avenue area be included in the Phase II Environmental Site Assessment.

Kirk Trost presented the Right of Entry Agreement and requested the RTC's approval of the document. Included in the agreement is a confidentiality provision which limits disclosure of information about the right of way. Contents of the environmental investigation may be made public when the RTC Executive Director determines that she will recommend final approval of the acquisition of the property. All legal requirements will be followed including regulatory reporting requirements.

Commissioner Spence requested that references be made to the current (Union Pacific) mile post markers and requested that the Geomatrix assessment reference those mile post markers. Ms. Spence shared information she secured from web searches regarding Environmental Protection and waste and water sites along the railroad line. RTC staff will forward this information to the consultants.

Commissioner Reilly requested more information about private property owner rights regarding pollution caused by another property. Kirk Trost said that this would best be answered by the RTC's legal council.

Commissioner Beutz requested more information about why the financial plan appears to show \$10 million for both acquisition and the loan from the Coastal Conservancy. RTC Staff will correct the financial plan to show this amount only once.

Bill Comfort asked whether the current scope of work for Geomatrix includes a review of dry and wet creek beds downstream of the rail line. This concern will be forwarded to the consultants and it was requested that everyone submit their concerns in writing to be forwarded to the consultants for analysis and possible inclusion in the environmental assessment scope of work.

Dennis Norton moved the following staff recommendation with the additions that revisions be made to the financial plan and authorizing the Executive Director to make minor amendments to the Right of Entry agreement. Emily Reilly seconded the motion and it passed unanimously.

1. Approved the right of entry agreement and confidentiality agreement with Union Pacific for Phase II Environmental Site Assessment of the Santa Cruz Branch Line.
2. Adopted a resolution (Resolution 34-05) authorizing the Executive Director to:
  - a. Take \$30,000 from the Miller, Owen and Trost contract resulting from unanticipated cost savings from the title review work;
  - b. Transfer \$30,000 from 2.a above to the contract with Geomatrix Consultants for a Phase II Environmental Site Assessment (ESA) to add systematic soil sampling and analysis for a more thorough Phase II ESA of the Santa Cruz Branch Rail Line;
  - c. Transfer \$10,000 from the funds allocated to the historical site investigation to the Geomatrix Consultants contract for the Phase II ESA for a total contract amount of \$160,000;
  - d. Transfer \$65,000 within the Miller, Owen and Trost contract from the title review work to the structures assessment work of the Santa Cruz Branch Rail Line for a total amount of \$80,000 for a structures assessment;
  - e. Make the necessary amendments to the fiscal year 04-05 SCCRTC budget for the actions listed above.
3. Accepted an oral report on new information from other aspects of the Santa Cruz Branch Rail Line Acquisition Project.

Kirk Trost announced that Santa Cruz Branch Line Economic Analysis, which was superseded by the Business Plan, was made available in closed session and will be available for the public on Friday, February 18, 2005 in the afternoon.

12. Next Meetings / Adjournment: The meeting was adjourned at 11:30 am.

The next regular RTC meeting will be held Thursday, March 3, 2005 at 9:00 a.m. at the Board of Supervisors Chambers, 701 Ocean Street, Santa Cruz, CA.

The next Transportation Policy Workshop and Public Hearing on the Draft RTP and Draft RTP EIR will be held Thursday, March 17, 2005 at 9:00 a.m. at the **City of Watsonville Council Chambers, 250 Main Street, Watsonville, CA.**

**An evening Recreational Rail Draft EIR Public Hearing will be held on March 17<sup>th</sup>, 2005 at 7 p.m. the Board of Supervisors Chambers, 701 Ocean Street, Santa Cruz, CA.**

Respectfully submitted,

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Karena Pushnik, Sr. Transportation Planner

**ATTENDEES**

| <u>Name</u>          | <u>Representing</u>      |
|----------------------|--------------------------|
| Robert Yount         |                          |
| Les White            | SCMTD                    |
| Bill Comfort         |                          |
| Rahn Garcia          | County Counsel           |
| Peter Scott          | CFST                     |
| Dena Loijos          | Health Services Agency   |
| Bill Delaney         |                          |
| Bob Carr             |                          |
| Ken Kannegaard       | RMC Pacific Materials    |
| Kirby Nicol          |                          |
| Sylvia Previtali     |                          |
| Corinne Hyland       | CTSC                     |
| Joe Moreno           |                          |
| Genevieve Bookwalter |                          |
| Cliff Walters        | Big Trees RR             |
| Bob Scott            | SCCRTC Technical Advisor |