Planning Committee **STAFF REPORT**

**Meeting Date:** June 3, 2015

<table>
<thead>
<tr>
<th>Subject</th>
<th>Approval of Amendment No. 1 to Lamphier and Gregory Agreement No. 394 for Preparation of Subsequent Environmental Impact Report (SEIR) for the 2014 CTP</th>
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</thead>
<tbody>
<tr>
<td>Summary of Issues</td>
<td>The proposed changes to the schedule and work plan for the 2014 CTP will require issuing a Draft Subsequent Environmental Impact Report (SEIR), and the preparation of a Final SEIR and associated findings and mitigation monitoring report. Staff proposes to revise the work scope and increase the budget for Agreement No. 394 with Lamphier-Gregory to carry out this additional work.</td>
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<td>Recommendations</td>
<td>Approve Amendment 1 to Agreement No. 394</td>
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<td>Financial Implications</td>
<td>The revised scope of work for the SEIR is estimated to cost an additional $300,000 including a $30,000 contingency. Total agreement value would increase from $250,000 to $550,000. Funds would be drawn from OCP18B, and are 88.53 percent federally reimbursable through MTC.</td>
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<td>Options</td>
<td>Modify or decline the proposed amendment</td>
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<td>Attachments</td>
<td>A. Proposed scope of work for preparing a Subsequent Environmental Impact Report for the 2014 CTP, including analysis of alternative investment options.</td>
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</tbody>
</table>

**Background**

At its meeting of May 20, 2015, the Authority directed staff to revise the schedule and work plan of the 2014 Countywide Transportation Plan (CTP) to incorporate a proposed Transportation Expenditure Plan (TEP) into the CTP. In addition to the work required to add the TEP to the CTP, the Authority will need to issue a Subsequent Environmental Impact Report (SEIR) to assess the potential environmental impacts of the CTP, including various transportation investment options. The SEIR would be revised to add the assessment of
alternative transportation investments options, as well as the impacts of the program of projects submitted to MTC in response to the “call for projects” for the 2017 RTP.

The previous schedule for adoption of the Final CTP had the Authority certifying the SEIR in March 2015. To allow additional time to respond to comments, and to allow adequate time to incorporate a proposed Transportation Expenditure Plan (TEP) into the CTP, the adoption has been moved to May 2016.

The schedule for the revised SEIR includes the development of alternative investment options and the analysis of their impacts starting in September. The alternatives would build on the input on RTP and project priorities identified by the RTPCs, input from the CTP Task Force and EPAC. The Draft 2014 CTP, released in August 2014, will be revised and re-released in January 2016. The revised SEIR would be released by the end of that month.

The estimated budget for the preparation of the revised SEIR is $300,000 including a contingency of $30,000.
Contra Costa Transportation Authority, Agreement #394, Amendment No. 1

By and between Contra Costa Transportation Authority (AUTHORITY) and Lamphier-Gregory (CONSULTANT).

Exhibit B: Amended Scope of Services

General
In November 2013, Lamphier-Gregory (CONSULTANT) and Contra Costa Transportation Authority (AUTHORITY) entered into an Agreement whereby Lamphier-Gregory provided consultant support services for environmental analysis of the 2014 Contra Costa Countywide Comprehensive Transportation Plan (CTP) - Consultant Agreement No. 394. The work described below is an amendment to that Agreement whereby CONSULTANT will continue to provide such services to the AUTHORITY related to ongoing planning and environmental review efforts.

Background
Pursuant to the original Agreement, CONSULTANT assisted the AUTHORITY in preparing a Draft Supplemental Environmental Impact Report for the Countywide Comprehensive Transportation Plan (CTP Draft SEIR). That Draft SEIR was issued as a public review Draft on September 19, 2014. The schedule had anticipated that the AUTHORITY would certify that CTP SEIR, and finalize and approve the CTP in March of 2015. The Authority decided to postpone the March certification of the SEIR and adoption of the CTP to allow more time to respond to comments received. At the March 18, 2015 meeting, the AUTHORITY also commenced a process to develop a Transportation Expenditure Plan (TEP).

Based upon comments received during public review of the CTP Draft SEIR, the AUTHORITY now wishes to proceed with an alternative approach that would treat the CTP and various Transportation Investment Options that may inform the ultimate composition of the TEP as part of the same overall CEQA “project”, and analyze their impacts together in one revised and recirculated CEQA document. The results of this CEQA analysis will be provided to the Regional Transportation Planning Committees (RTPCs), the Expenditure Plan Advisory Committee (EPAC) being created to assist in the development of the TEP, and other stakeholders to assist in informed decision-making on both the CTP and the TEP. Performing the analysis of the CTP concurrently with development of the TEP will provide additional analysis of project performance for consideration by the RTPCs and EPAC.
Scope of Work

This amended scope of work provides for:

- Revising previous technical studies prepared pursuant to the September 2014 CTP Draft SEIR to account for revisions to the CTP project list, and preparing new analyses of various thematic investment options;

- Evaluating the CTP and Transportation Investment Options using both quantitative thresholds and qualitative performance targets;

- Analyzing and comparing key differences between the CTP project list and the financially constrained investment options;

- Identifying any potentially new significant impacts; and

- Recirculating a Draft as a *Subsequent* EIR (SEIR), and preparing the Final SEIR in response to another round of public comments.  

The scope of work for Consultant support must necessarily cover a wide range of possible tasks over the period of the contract. These potential tasks are described below. However, some may not be needed within the period of this contract and others may require more depth than contemplated at this time. Thus, the tasks listed below show the breadth of work contemplated under this contract, but not the specific work that may be actually performed.

The following general services describe the amended Consultant Support for Environmental Analysis for the 2014 Contra Costa Countywide Comprehensive Transportation Plan in greater detail. The intent of this project is to provide the necessary environmental review of the 2014 CTP Update and various investment options that: a) fully complies with the requirements of the California Environmental Quality Act (CEQA); b) minimizes legal risk to CCTA of a CEQA lawsuit; and c) focuses on critical issues to the AUTHORITY related to transportation, land use, greenhouse gas emissions, air quality and noise.

As with past CTP EIRs, this analysis will be programmatic and cumulative in nature, evaluating the CTP Update as a single project, together with various Transportation Investment Options. The individual transportation projects included in the CTP Update are anticipated to undergo

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1 CEQA Guidelines, Section 15162, allows the lead agency to prepare a Subsequent EIR when “Substantial changes are proposed in the project which will require major revisions of the previous [2009] EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;” A Subsequent EIR is more comprehensive than a “Supplement to an EIR”, which Section 15163 of the Guidelines allows when “only minor additions or changes would be necessary to make the previous EIR adequately apply to the project in the changed situation.”
subsequent project-level environmental review prior to their approval. Given the nature of the 2014 CTP Update, a Subsequent EIR (SEIR) is applicable, given the programmatic nature of the prior environmental assessment, the level of detail available from the prior 2009 EIR which was prepared and certified by the Authority for the 2009 CTP Update on June 17, 2009, changes in the regulatory environment, and changes in the physical setting pertaining to many of the EIR threshold topics. The SEIR will accommodate subsequent analysis of new regulatory requirements and CTP project list changes since the 2009 EIR. The SEIR would follow the same process for noticing and public review as any EIR, but may result in a smaller document by focusing on updating information only for those sections where changes have occurred in the project description, physical setting or applicable regulations and where such changes would result in significant environmental effects.

AUTHORITY staff will be responsible for overall project management and will work in close consultation with CONSULTANT to develop an overall work program to maintain the schedule for the CEQA analysis, paralleling the AUTHORITY’s implementation schedule.

CONSULTANTS shall submit all deliverables, other than those intended solely for use by AUTHORITY staff, as administrative drafts for review by AUTHORITY staff. AUTHORITY staff will review and comment on these administrative draft submittals and CONSULTANT shall revise the deliverable prior to the submittal of required draft or final documents for review by outside parties. In addition, CONSULTANT shall submit all administrative draft, draft and final documents in both "hard copy" and electronic format.

Task Descriptions

Task 1: Re-Start and Pre-EIR Efforts

1-A: AUTHORITY staff and CONSULTANTS will hold a kickoff meeting to discuss scope, approach and schedule. A detailed approach and scope of work will be attached to this Summary Scope of Work once completed and agreed upon by both parties.

1-B: AUTHORITY staff and CONSULTANT will work collaboratively to address and resolve (with resolution concluded in a technical whitepaper[s]) several key issues pertinent to the CEQA review, including:

- Consideration of optional qualitative performance thresholds (in addition to those used in the 2014 Draft SEIR) that may be suitable for evaluating the CTP and the Transportation Investment Options. These thresholds may relate to, or be informed by the MTC-developed performance targets for Plan Bay Area. If the AUTHORITY decides to add thresholds of significance, then CONSULTANT will work with staff to determine whether to add new thresholds as CEQA or non-CEQA criteria. The latter category could be considered performance measures.

- Verify and validate the appropriateness of using a future year baseline condition, rather than an existing 2015 baseline for comparison of environmental effects.

- Confer and verify the previous 2014 approach for addressing the implications of SB 743, which included significance thresholds with greater focus on transportation metrics that
were better able to measure greenhouse gas emissions and traffic-related air pollution reductions, promoting development of a multimodal transportation system, providing efficient transit access, and balancing the needs of congestion management with other goals related to infill development and promotion of public health through active transportation.

- Confer and adopt an approach for addressing the implications of Executive Order AB 32 (which mandated lowering GHG emissions to 1990 levels by 2020), Executive Order S-3-05 (which calls for an 80% reduction in greenhouse gas emissions from 1990 levels by 2050) and the Governor’s recent Executive Order to cut greenhouse gas emissions by 40% from 1990 levels by 2030.

- Identify and prepare written descriptions of “the Project,” the No-Build Alternative, the Comprehensive Project List (CTPL) Alternative, the Transportation Investment Options, and other alternatives as appropriate that CONSULTANT will then analyze in the SEIR.

1-C: If required, CONSULTANT will prepare an updated Notice of Preparation of a Recirculated Draft SEIR, and will confer with AUTHORITY Staff as to whether to re-issue (and potentially update) the 2013 Initial Study for the November 2014 CTP Draft SEIR.

1-D: AUTHORITY will provide to CONSULTANT specific and stable (as reasonable) transportation projects and programs lists that reflect the updated CTPL, the No Project Alternative, the 2017 RTP, and up to four financially-constrained Transportation Investment Options for analysis.

Deliverables:

- Detailed Scope of Work
- Whitepaper(s) regarding thresholds, baseline, transportation metrics and GHG emissions analysis approach
- NOP and updated/revised Initial Study (if necessary)

**Task 2: Environmental Analysis**

CONSULTANTS will prepare a recirculated draft SEIR for the CTP and various Transportation Investment Options as agreed under the Detailed Scope of Work (Task 1A). Specific tasks related to preparation of this SEIR include, but are not limited to the following:

2-A: Confirm with AUTHORITY staff the project and program lists developed for the CTP and investment alternatives, prior to commencing with detailed analysis.

2-B: Create transportation model networks that reflect those project and program lists developed for the CTP, alternatives and transportation investment options. Conduct model runs for each alternative, and process the model results to extract the metrics needed for the EIR.

2-C: Utilize the transportation model results as input into air quality and GHG modelling programs. Conduct model runs for the CTP and investment options, and process the model results to extract the metrics needed for the EIR.
2-D: Revisit the prior 2014 Draft SEIR and update the analyses included in that document related to non-transportation, air quality and GHG topics as necessary for the CTP. Prepare supplemental analysis for each investment option, to the extent there are differences in impacts among the alternatives.

2-E: Prepare revised Transportation Chapter for the recirculated Draft SEIR, based on the transportation model results.

2-F: Prepare new Air Quality and GHG Chapters for the recirculated Draft SEIR, based on the transportation model results [Note: this approach is substantially different than the 2014 Draft SEIR, which was a much more qualitative comparison to the 2009 EIR conclusions].

2-G: Prepare an Admin internal review Draft SIER, following the general outline presented below:

1. Introduction
2. Executive Summary
3. Project Description
4. For each Environmental Topic:
   a. Existing Setting
   b. Regulatory Setting
   c. Impacts related to:
      i. CTP
      ii. Investment Option #1 (for example, a roadway capacity-focused list of financially constrained projects and programs specifically intended to facilitate economic development)
      iii. Investment Option #2 (for example, a transit enhancement-focused list of financially-constrained projects and programs specifically intended to facilitate transportation system effectiveness and equitable access)
      iv. Investment Option #3 (for example, a local road, bike and pedestrian-focused list of financially-constrained projects and programs specifically intended to promote active transport and healthy and safe communities)
      v. A fourth Investment Option may be developed and analyzed to reflect the proposed TEP

5. CTP Alternatives
   a. No Project
   b. 2017 RTP list of Financially-Constrained projects
   c. Transportation Investment Options (Alternatives)
   d. The CTPL (a financially unconstrained list of projects and programs)

6. CEQA Conclusions

2-H: AUTHORITY staff review and iterative responses toward publication of the public Draft SEIR

2-I: Notice of Availability of the Draft SEIR, and participation at a public hearing during the 45-day public review process, including presenting the findings of the Draft SEIR to the Authority’s Technical Coordinating Committee or CTP Task Force
2-J: Preparation of responses to all comments received on the Draft SEIR, and completion of the Final SEIR, including preparation of a Notice of Completion.

2-K: Presenting the Final EIR to the Authority’s Planning Committee, or the full Authority Board, or both, with final adjustments and Notice of Determination to follow.

Deliverables:
- Notice of Preparation and other CEQA notices,
- Admin Review Draft SEIR,
- Public Review Draft SEIR, and
- Final SEIR, including CEQA Findings and Mitigation Monitoring and Reporting Program (MMRP)

Budget Estimate

As full consideration for the satisfactory performance and completion by CONSULTANT of this Agreement, AUTHORITY shall pay to CONSULTANT compensation as set forth below. Total compensation for the Agreement shall not exceed the following:

Base Work:
- $90,000 Fehr & Peers (traffic modeling)
- $45,000 GHG and AQ modeling
- $25,000 Supplemental bio/noise/historic and other
- $65,000 Draft EIR preparation
- $35,000 Final EIR
- $10,000 Meeting and Hearings
- $270,000 Total

Extra Work: $30,000

Total Agreement Value: $300,000.00

Extra Work must be authorized in accordance with Section 18.4 of Exhibit A, General Conditions. No additional compensation will be paid without a written amendment to the Agreement.