

ALAMEDA-CONTRA COSTA TRANSIT DISTRICT



STAFF REPORT

MEETING DATE: 9/11/2019

Staff Report No. 12-083d

TO: AC Transit Board of Directors

FROM: Michael A. Hursh, General Manager

SUBJECT: East Bay Bus Rapid Transit - Modifications to Locally Preferred Alternative Project Scope

ACTION ITEM

RECOMMENDED ACTION(S):

Consider receiving report on proposed modifications to the scope of the East Bay Bus Rapid Transit (BRT) Project; the adoption of Resolution No. 19-030 approving modifications to the Locally Preferred Alternative as described in the Environmental Impact Report (EIR); and authorize the General Manager to file an amendment to the Notice of Determination (NOD) with the Alameda County Clerk-Recorder's Office and the California State Clearinghouse to complete the environmental review process.

BUDGETARY/FISCAL IMPACT:

There is a fee of \$100.00 to file the amendment to the NOD with Alameda County and the State of California. The proposed scope modifications will result in an approximate net savings to the project of \$500,000.

BACKGROUND/RATIONALE:

In early 2012, the AC Transit District (District) and the Federal Transit Administration (FTA) issued a combined National Environmental Policy Act (NEPA) Environmental Impact Statement (EIS)/California Environmental Quality Act (CEQA) Environmental Impact Report (EIR) for the East Bay BRT Project.

Subsequent to the 2012 Record of Decision (ROD), the BRT project advanced through detailed engineering, accompanied by continued public and stakeholder outreach. During approximately the first eighteen months of detailed design, a number of BRT station locations were adjusted in response to requests from the public, businesses, and city officials. In accordance with the conditions of the ROD, the District notified the FTA of these changes. An evaluation of their potential effects was made in accordance with FTA environmental procedures (23 C.F.R 771.13) on supplemental environmental documentation and submitted in a letter report to the FTA in early 2014; hereafter referred to as the 2014 Environmental Review.

The 2014 Environmental Review concluded that no new significant concerns resulted from the proposed project changes. Thus, no new mitigation measures or other actions to address effects of the project were warranted. Based on these findings, the District determined that no supplemental environmental report was required under CEQA and filed an amendment to the project NOD to this effect with the Alameda County Clerk-Recorder's Office. In a letter report to the FTA summarizing the 2014 Environmental Review, the District requested that the FTA make a similar finding under NEPA (23 C.F.R. 771.130) - that no formal supplemental environmental review was necessary. The FTA concurred with this conclusion following close consultation with

the District and technical review of the 2014 Environmental Review (March 14, 2014 letter from FTA Regional Administrator Leslie Rogers to The District).

During the remaining course of completing the final design from January 2014 through October 2015, several further refinements to the project were adopted by the Board, including:

- Minor relocation of five curbside platforms from the locations proposed in the EIS/EIR to be constructed within the existing public right-of-way.
- Adding a new bus layover facility in Oakland near the north terminus of the BRT alignment.
- Curb realignments at intersections to comply with the Americans with Disability Act (ADA) curb ramps guidelines.
- Traffic lane geometry and corresponding striping adjustments.
- Lighting and landscaping adjustments.
- Station canopy architectural refinements.
- Replacement parking space relocations based on input from city and neighborhood stakeholders.

A second post-ROD environmental re-evaluation was performed in late 2015, which concluded that the changes did not introduce new adverse impacts or increase the severity of impacts previously disclosed in the EIS/EIR or the 2014 Environmental Review.

2019 Environmental Reviews

Between early 2017 and mid-2019, several further refinements to the project were agreed to. These changes included:

- **Relocating the bus layover facility for the northern terminus from Northgate Avenue to San Pablo Avenue.** The District proposes to repurpose one existing southbound lane on San Pablo Avenue to create a bus-only lane with a layover area that could accommodate up to three buses. The layover area would include three bus pads and a modular bus operator lounge and restroom facility. As part of the project, the existing bike lane on San Pablo Avenue would be shifted to the curb to reduce potential conflicts between buses and cyclists. Pedestrian-scale lighting along the path of travel between the bus pads and the operator lounge, as well as adjustments to traffic signal splits and offsets (at the intersections of San Pablo Avenue and West Grand Avenue, San Pablo Avenue and Castro Street, San Pablo Avenue and 20th Street, Martin Luther King Jr Way and West Grand Avenue, Telegraph Avenue and West Grand Avenue) are also proposed.
- **Eliminating the installation of three new traffic signals in the City of Oakland.** The planned traffic signals at three intersections (E.12th Street & 13th Avenue, International Boulevard & 13th Avenue and International Boulevard & 12th Avenue) were determined to not be warranted and would not provide a direct benefit to the project or public.

- **Traffic lane geometry and corresponding striping adjustments near International Boulevard & 73rd Avenue/Hegenberger Road.** Changes to lane geometry involve the elimination of one of two general-purpose travel lanes along International Boulevard near 73rd Avenue/Hegenberger Road in both the northbound and southbound directions.

Because these recent changes to the project definition were not presented in the 2012 EIS/EIR, the 2014 Environmental Review, or the 2015 Environmental Re-evaluation, two additional post-ROD environmental re-evaluations were performed in 2019 to determine the potential environmental impacts. The first 2019 Environmental Review focused on the change to the Northern Layover facility location. The second Environmental Review focused on the striping and traffic signal changes. The rationale for all these recent changes is explained in Attachments 3 and 4 of this staff report.

Based on these 2019 Environmental Reviews of both the Northern layover change and the striping/ traffic signal changes, the District has concluded that the changes do not introduce new adverse impacts or increase the severity of impacts previously disclosed in the EIS/EIR, the 2014 Environmental Review or the 2015 Environmental Review.

Staff recommends the Board adopt Resolution No. 19-030 approving the latest project changes and concur with the findings of the 2019 Environmental Review, after which the East Bay BRT NOD will be amended through a filing with the Alameda County Clerk-Recorder's Office. A notice of the District's action will also be prepared and sent to the State of California Governor's Office of Planning and Research State Clearinghouse in Sacramento. These actions will conclude the CEQA process for the Project. Staff has simultaneously been working with the FTA regarding the federal NEPA process. The FTA completed their review of the project and provided the District with a letter (dated July 12, 2019) stating that the proposed changes to the project, either individually or cumulatively, do not have any significant environmental impacts.

ADVANTAGES/DISADVANTAGES:

Adopting the resolution approving the proposed modifications will allow the District to satisfy stakeholder concerns regarding the location of the Northern Layover and the displacement of parking around the Hegenberger/73rd Avenue intersection.

By not approving the proposed modifications, the Northern Layover project will directly conflict with the Northgate Business Improvement Council's redevelopment plans. In addition, bus schedule and headway operations could be adversely impacted with unwarranted signals. Finally, public parking will be permanently eliminated in these areas.

ALTERNATIVES ANALYSIS:

Staff considered building the Northern Layover along 21st Street between San Pablo Avenue and Telegraph Avenue in Oakland. This alternative layover location allowed for a shorter routing to/from the Uptown Oakland station than what is being considered today. This location, however, was not considered a viable solution by the City of Oakland due to its proximity to residential dwellings and concerns over parking loss.

Staff also considered not modifying the striping at 73rd Avenue as proposed. This was not considered a viable

solution due to the concerns expressed by the community that the loss of parking at this intersection would have on the community.

Staff also considered not eliminating the traffic signals. This alternative was not considered a viable solution due to these traffic signals not being warranted by a signal warrant study.

PRIOR RELEVANT BOARD ACTION/POLICIES:

Staff Report 12-083a: Certification of East Bay BRT Final EIR & Adoption of New LPA.

Resolution No. 12-018: Certifying Final EIR, selecting DOSL as LPA and authorizing to file NOD.

Resolution No. 14-018: Approving the Information and the Modifications in the Section 130C Report for the East Bay Bus Rapid Transit Project; and Authorizing the filing of a Notice of Determination NOD.

Staff Report 12-083c: East Bay BRT- Changes to Locally Preferred Alternative Project Scope.

ATTACHMENTS:

1. Resolution 19-030
2. CEQA Next Steps
3. Impact Assessment Table- Northern Layover
4. Impact Assessment Table - Striping Changes and Signal Elimination Design Changes
5. Signed 130c Letter Re East Bay BRT

Approved by:

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