



AGENDA

Regional Planning and Highways Committee Meeting

Committee Members

Mark A. Murphy, Chairman
Barbara Delgleize, Vice Chair
Lisa A. Bartlett
Doug Chaffee
Patrick Harper
Gene Hernandez
Joe Muller
Vicente Sarmiento

Orange County Transportation Authority
Headquarters
Conf. Room 07
550 South Main Street
Orange, California

Monday, December 6, 2021 at 10:30 a.m.

Any person with a disability who requires a modification or accommodation in order to participate in this meeting should contact the Orange County Transportation Authority (OCTA) Clerk of the Board, telephone (714) 560-5676, no less than two business days prior to this meeting to enable OCTA to make reasonable arrangements to assure accessibility to this meeting.

Agenda Descriptions

The agenda descriptions are intended to give members of the public a general summary of items of business to be transacted or discusses. The posting of the recommended actions does not indicate what action will be taken. The Committee Members may take any action which it deems to be appropriate on the agenda item and is not limited in any way by the notice of the recommended action.

Public Availability of Agenda Materials

All documents relative to the items referenced in this agenda are available for public inspection at www.octa.net or through the Clerk of the Board's office at: OCTA Headquarters, 600 South Main Street, Orange, California.

Guidance for Public Access to the Board of Directors/Committee Meeting

On September 16, 2021, Governor Gavin Newsom signed into law AB-361 authorizing a local legislative body to hold public meetings via teleconferencing and make public meetings accessible telephonically or electronically to all members of the public due to the state and local State of Emergency resulting from the threat of Novel Coronavirus (COVID-19).

Members of the public can listen to audio live streaming of the Board and Committee meetings by clicking the below link:

<http://www.octa.net/About-OCTA/Who-We-Are/Board-of-Directors/Live-and-Archived-Audio/>



AGENDA

Regional Planning and Highways Committee Meeting

Members of the public may address the Committee regarding any item two ways:

Real Time Comment

To provide a real time public comment during the meeting, please access the Zoom at:

<https://us02web.zoom.us/j/82173189650>

Dial In: (669) 900-6833
Webinar ID: 821 7318 9650

Speakers will be recognized by the Chairman at the time the agenda item is to be considered. A speaker's comments shall be limited to three minutes. Anyone causing disruption can be removed from the meeting at the discretion of the Chair.

Written Comment

Written public comments may also be submitted by emailing them to ClerkOffice@octa.net, and must be sent **90 minutes prior to the start time of the meeting**. If you wish to comment on a specific agenda Item, please identify the Item number in your email. All public comments that are timely received will be part of the public record and distributed to the Committee. Public comments will be made available to the public upon request.

Call to Order

Roll Call

Pledge of Allegiance

Director Hernandez

1. Public Comments

Special Calendar

There are no Special Calendar matters.



Consent Calendar (Items 2 through 6)

All items on the Consent Calendar are to be approved in one motion unless a Committee Member or a member of the public requests separate action or discussion on a specific item.

2. Approval of Minutes

Approval of the minutes of the Regional Planning and Highways Committee meeting of November 1, 2021.

3. Comprehensive Transportation Funding Programs Semi-Annual Review - September 2021

Charvalen Alacar/Kia Mortazavi

Overview

Orange County Transportation Authority staff recently completed the September 2021 semi-annual review of Comprehensive Transportation Funding Programs projects. The review focused on the status and delivery of Measure M2 grant-funded projects and provided an opportunity for local agencies to update project information and request modifications. Staff has evaluated the requests, and the recommended project adjustments are presented for review and approval.

Recommendations

- A. Approve requested adjustments to Comprehensive Transportation Funding Programs projects and Local Fair Share and Senior Mobility Program funds.
- B. Authorize the Chief Executive Office to negotiate and execute cooperative agreement amendments for all applicable Project V cooperative agreements.



4. 2022 Technical Steering Committee Membership
Cynthia Morales/Kia Mortazavi

Overview

The Orange County Transportation Authority Technical Advisory Committee provides feedback and input on local streets and roads related items. The Technical Advisory Committee relies on a Technical Steering Committee made up of nine Technical Advisory Committee representatives from local agencies to provide guidance on technical issues. Proposed 2022 Technical Steering Committee membership recommendations are presented for Board of Directors' review and approval.

Recommendation

Approve proposed 2022 Technical Steering Committee membership recommendations.

5. Measure M2 Annual Eligibility Review
Kelsey Imler/Kia Mortazavi

Overview

Measure M2 requires local agencies to annually satisfy eligibility requirements to continue to receive Measure M2 net revenues. Required documentation for the review period ending June 30, 2021, has been received and reviewed by the Taxpayer Oversight Committee and Orange County Transportation Authority staff. Recommendations are presented for Board of Directors' review and approval.

Recommendation

Approve all Orange County local agencies as eligible to continue to receive Measure M2 net revenues.



Regular Calendar

6. Measure M2 Environmental Mitigation Program Update

Lesley Hill/Kia Mortazavi

Overview

Measure M2 includes a program to deliver comprehensive mitigation for biological impacts of 13 freeway projects in exchange for streamlined project approvals from state and federal Resource Agencies. The Environmental Mitigation Program has acquired conservation properties and provided habitat restoration projects funding as part of the Natural Community Conservation Plan/Habitat Conservation Plan. A summary of the Environmental Mitigation Program activities throughout 2021 is provided.

Recommendation

Receive and file as an information item.

Discussion Items

7. Chief Executive Officer's Report

8. Committee Members' Reports

9. Closed Session

There are no Closed Session items scheduled.

10. Adjournment

The next regularly scheduled meeting of this Committee will be held at **10:30 a.m. on Monday, January 3, 2022**, at the Orange County Transportation Authority Headquarters, Conference Room 07, 550 South Main Street, Orange, California.



**Committee Members Present
via Teleconference**

Mark A. Murphy, Chairman
Barbara Delgleize, Vice Chair
Lisa A. Bartlett
Patrick Harper
Gene Hernandez
Joe Muller
Vicente Sarmiento

Staff Present

Darrell E. Johnson, Chief Executive Officer
Jennifer L. Bergener, Deputy Chief Executive Officer
Allison Cheshire, Clerk of the Board Specialist, Senior
Gina Ramirez, Clerk of the Board Specialist, Senior
James Donich, General Counsel
OCTA Staff Members

Committee Members Absent

Doug Chaffee

Call to Order

The November 1, 2021, regular meeting of the Regional Planning and Highways Committee was called to order by Committee Chairman Murphy at 10:32 a.m.

Roll Call

The Clerk of the Board conducted an attendance roll call and announced a quorum of the Committee.

Pledge of Allegiance

Director Harper led in the Pledge of Allegiance.

1. Public Comments

There were no Public Comments received.

Special Calendar

There were no Special Calendar matters.

Consent Calendar (Items 2 through 6)

2. Approval of Minutes

A motion was made by Director Hernandez, seconded by Director Bartlett, and declared passed 7-0, to approve the minutes of the Regional Planning and Highways Committee meeting of October 4, 2021.



3. Contract Change Orders for the Interstate 405 Improvement Project from State Route 73 to Interstate 605

A motion was made by Director Hernandez, seconded by Director Bartlett, and declared passed 7-0, to :

- A. Authorize the Chief Executive Officer to negotiate and execute Contract Change Order No. 68.3 to Agreement No. C-5-3843 between the Orange County Transportation Authority and OC 405 Partners, a joint venture, in the amount of \$155,000, to provide additional environmental monitoring services.
- B. Authorize the Chief Executive Officer to negotiate and execute Contract Change Order No. 115 to Agreement No. C-5-3843 between the Orange County Transportation Authority and OC 405 Partners, a joint venture, in the amount of \$550,000, to provide additional fencing and landscaping between Interstate 405 and Lampson Avenue in the City of Seal Beach.

4. Regional Planning Update

A motion was made by Director Hernandez, seconded by Director Bartlett, and declared passed 7-0, to receive and file as an information item.

5. Regional Traffic Signal Synchronization Program Update

A motion was made by Director Hernandez, seconded by Director Bartlett, and declared passed 7-0, to receive and file as an information item.

6. Amendment to the Master Plan of Arterial Highways

A motion was made by Director Hernandez, seconded by Director Bartlett, and declared passed 7-0, to:

- A. Approve an amendment to the Master Plan of Arterial Highways to remove Glassell Street between Walnut Avenue and La Veta Avenue from the Orange County Master Plan of Arterial Highways.
- B. As applicable, direct the Executive Director of Planning, or his designee, to file Notice of Exemption from the California Environmental Quality Act in support of the Board of Director's action.



Regular Calendar

7. Interstate 405 Improvement Project Update

Jeff Mills, Project Manager Senior, provided a PowerPoint presentation on this item.

Following the presentation, no action was taken on this receive and file information item.

8. Active Transportation Program Biannual Update

Peter Sotherland, Transportation Analyst Principal, provided a PowerPoint presentation on this item.

A discussion ensued regarding:

- E-bike safety classes for users 16-years of age and under;
- Coordination with the County of Orange on the long-term plan for pedestrian and bike safety;
- Status of OC Loop;
- Inclusion of e-scooters in the micro-mobility study; and
- Usage of bicycles for transportation to work as well as recreation.

Director Sarmiento requested a listing of the campuses in disadvantaged communities to allow for better engagements with those communities.

Darrell E. Johnson, Chief Executive Officer (CEO), commented that staff would follow-up on the location requests and incorporate these activities into future planning activities.

Following the discussion, no action was taken on this receive and file information item.

Discussion Items

9. Update on Interstate 5/EI Toro Road Interchange Project

Niall Barrett, Program Manager, provided a PowerPoint presentation on this item.

A discussion ensued regarding:

- Finding a solution for the project area has been challenging;
- Funding decisions have not been decided as portions of the project may be Measure M2 and local jurisdiction;



- The developer of the mall property has been made aware of the project; and
- Right-of-way costs included in the project

Following the presentation, no action was taken on this item.

10. Chief Executive Officer's Report

Open Space Hike

- In September, OCTA reinstated the hikes and equestrian rides of the permanently protected wilderness preserves.
- A hike is scheduled for Saturday, November 6, at 9:00 a.m. at the Wren's View Preserve in Trabuco Canyon.

Veterans Appreciation Event

- On Thursday, November 11, OCTA will host the annual Veterans Appreciation event to honor OCTA employees who have served in the U.S. Armed Forces. OCTA will also be recognizing employees who have a child or grandchild in the military.
- The event will take place at 2:00 p.m. at the Garden Grove bus base.

11. Committee Members' Reports

There were no Committee Members' Reports.

12. Closed Session

There were no Closed Session items scheduled.

13. Adjournment

The meeting adjourned at 11:35 p.m.

The next regularly scheduled meeting of this Committee will be held at **10:30 a.m. on Monday, December 6, 2021**, at the Orange County Transportation Authority Headquarters, Conference Room 07, 550 South Main Street, Orange, California.

ATTEST

Mark A. Murphy
Committee Chairman

Allison Cheshire
Clerk of the Board Specialist, Senior



December 6, 2021

To: Regional Planning and Highways Committee

From: Darrell E. Johnson, Chief Executive Officer 

Subject: Comprehensive Transportation Funding Programs Semi-Annual Review – September 2021

Overview

Orange County Transportation Authority staff recently completed the September 2021 semi-annual review of Comprehensive Transportation Funding Programs projects. The review focused on the status and delivery of Measure M2 grant-funded projects and provided an opportunity for local agencies to update project information and request modifications. Staff has evaluated the requests, and the recommended project adjustments are presented for review and approval.

Recommendations

- A. Approve requested adjustments to Comprehensive Transportation Funding Programs projects and Local Fair Share and Senior Mobility Program funds.
- B. Authorize the Chief Executive Office to negotiate and execute cooperative agreement amendments for all applicable Project V cooperative agreements.

Background

The Comprehensive Transportation Funding Programs (CTFP) is the mechanism which the Orange County Transportation Authority (OCTA) uses to administer funding for streets and roads, signal synchronization, transit, and water quality projects.

The CTFP contains a variety of funding programs and sources, including Measure M2 (M2) revenues, State-Local Partnership Program funds, and Local

Partnership Program funds. The CTFP provides local agencies with a comprehensive set of guidelines for the administration and delivery of various transportation funding grants.

Through the semi-annual review, staff met with representatives from select local jurisdictions to review the status of projects and proposed project changes. This process is known as the semi-annual review. The goals of the semi-annual review are to review project status, determine the continued viability and delivery of projects, address local agency concerns, confirm availability of local match funds, ensure timely closeout of all projects funded through the CTFP, and address any other project-related issues or concerns.

Discussion

September 2021 semi-annual review project adjustment requests include the following:

- Five timely-use of funds extensions for projects funded with competitive funds,
- Two timely-use of funds extensions for Project X (Environmental Cleanup Program) projects with in-kind operations and maintenance commitments,
- 12 timely-use of funds extensions for the Local Fair Share (LFS) Program,
- 28 timely-use of funds extensions for the Senior Mobility Program (SMP),
- Five project scope changes, and
- One project fund transfer.

Local jurisdictions reported a variety of issues that have resulted in the need for project adjustments, primarily resulting from coronavirus (COVID-19) impacts. Other issues include project delivery and/or right-of-way coordination challenges, project design modifications, environmental assessment delays, and service schedule modifications. Some of the changes outlined above require changes to separate cooperative agreements between OCTA and the cities of Anaheim and San Clemente. These changes include a fund extension request for an Anaheim project and minor scope changes for San Clemente trolley services.

While the impacts of the COVID-19 pandemic have generally begun to ease, SMP services continue to be impacted by COVID-19, with 28 of this cycle's 53 total project adjustment requests coming from this program specifically. As the senior population remains particularly vulnerable to COVID-19, program usage and transit ridership has not recovered to pre-pandemic levels. As a result, local agencies are operating either reduced or suspended SMP services until this segment of the population increases community engagement.

Attachment A includes more detailed information on all proposed semi-annual review project adjustment requests and Attachment B provides a narrative discussion of each proposed project adjustment request.

M2 CTFP Summary

The M2 CTFP Summary Table provided below includes a summary of M2 CTFP-funded projects by phase and funding allocation amount. The table also documents programmatic changes that have occurred since the March 2021 semi-annual review.

M2 CTFP Summary Table				
Project Status	March 2021 Semi-Annual Review		September 2021 Semi-Annual Review	
	Project Phases	Allocations	Project Phases	Allocations ¹ (after adjustments)
Planned ²	66	\$ 67.6	76	\$ 75.2
Started ³	103	\$162.2	103	\$162.4
Pending ⁴	107	\$ 88.1	100	\$ 98.7
Completed ⁵	388	\$177.0	411	\$189.9
Cancelled ⁶	58	\$ 51.6	59	\$ 51.6
Total	722	\$546.5	749	\$577.8

¹ Allocations in millions, subject to change pending final reconciliation.

² Planned - indicates that funds have not been obligated and/or are pending contract award.

³ Started - indicates that the phase is underway, and funds are obligated.

⁴ Pending - indicates that phase work is completed, and final report submittal/approval is pending.

⁵ Completed - indicates that phase work is complete, the final report is approved, and final payment has been made.

⁶ Cancelled - indicates that the phase work will not be completed, and project savings will be returned to the program.

* Note: the project phase and allocations listed above are subject to frequent and regular changes due primarily to project status updates, final reconciliations, and project closeout processes.

Key items to note are that:

- Since the inception of Measure M, OCTA has programmed over \$577.8 million in competitive funds through the September 2021 semi-annual review period, including approximately \$37.8 million in state and federal funds.
- Total accumulated project savings, since inception, are estimated to be approximately \$64.5 million. These savings have been returned to M2 source programs and are used to support future funding cycles as appropriate. Cost savings from delivered projects are realized for various reasons such as contractor bids that are lower than the grant application estimate, equipment quantity adjustments, and minor construction modifications.

- As of publishing this report, 511 individual project phases (pending plus completed from the table above) have been completed. This represents a 74 percent project delivery rate, excluding cancelled projects.

This is an exceptional delivery rate as the percentage reflects both projects that have been allocated through the current fiscal year as well as projects programmed in later fiscal years. The type of success is indicative of local agencies' commitments to timely project delivery, as well as OCTA's commitment to careful project selection and project adjustment and monitoring procedures, like those identified in this report.

- Another 179 project phases or 26 percent are considered currently active, including 76 planned and 103 started.

Based on CTFP Guidelines, the proposed project adjustments identified in this staff report are appropriate and necessary. These proposed adjustments have also been reviewed and approved by the OCTA Technical Advisory Committee and Board of Directors, and approval of these adjustments is recommended.

Next Steps

If these recommendations are approved, staff will monitor their implementation through future semi-annual review cycles which are reported on biannually. Project V cooperative agreement amendments will also be processed scope changes and for timely-use of funds extensions, identified in the attachments, for applicable Project V services.

Summary

Consistent with the semi-annual review process, staff has reviewed all active M2 CTFP-funded project phases, as well as timely-use of funds provisions for LFS and SMP services, and is recommending approval of all proposed project adjustments. Authorization is also requested for the Chief Executive Officer to negotiate and execute updates to all applicable Project V cooperative agreements.

Attachments

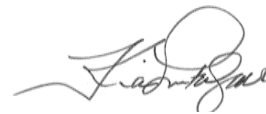
- A. Comprehensive Transportation Funding Programs, September 2021
Semi-Annual Review Adjustment Requests
- B. Comprehensive Transportation Funding Programs, September 2021
Semi-Annual Review Adjustment Request Descriptions

Prepared By:



Charvalen Alacar
Principal Transportation Funding Analyst
(714) 560-5401

Approved By:



Kia Mortazavi
Executive Director, Planning
(714) 560-5741

Comprehensive Transportation Funding Programs
September 2021 Semi-Annual Review Adjustment Requests

Timely-Use of Funds Extension Requests - Comprehensive Transportation Funding Programs*									
No	Agency	Project Number	Project	Project Title	Phase	Current FY	Current Allocation	Proposed Time Extension (Months)	Proposed Expenditure Deadline
1	Anaheim	20-ANAH-CBT-3958 ¹	V	Anaheim Canyon Circulator	CAP	20/21M	\$ 9,000	24	6/30/2029
2	Anaheim	20-ANAH-CBT-3958 ¹	V	Anaheim Canyon Circulator	O&M	20/21M	\$ 1,132,864	24	6/30/2029
3	Santa Ana	18-SNTA-ACE-3907 ²	O	Warner Avenue Improvements - (Standard Avenue to Grand Avenue)	ROW	18/19	\$ 3,066,000	24	2/26/2024
4	Santa Ana	18-SNTA-ACE-3909 ²	O	Warner Avenue Improvements - (Oak Street to Standard Avenue)	ROW	18/19	\$ 7,494,000	24	2/26/2024
5	Yorba Linda	18-YLND-ACE-3910 ³	O	Yorba Linda Boulevard Widening	ENG	18/19	\$ 375,000	24	4/2/2024
Comprehensive Transportation Funding Programs Timely-Use of Funds Extensions (5) - Total Phase Allocations							\$ 12,076,864		

*Once obligated Comprehensive Transportation Funding Programs funds expire 36 months from the contract award date. Local agencies may request extension(s) of up to an additional 24 months.

Reasons for Project Adjustments

1. Coronavirus impacts
2. Right-of-way issues
3. Environmental assessment delays

Acronyms

FY - Fiscal year
CAP - Capital
M - Multiple years
O&M - Operations and Maintenance
ROW - Right-of-way
ENG - Engineering

Comprehensive Transportation Funding Programs
September 2021 Semi-Annual Review Adjustment Requests

Timely-Use of Funds Extension Requests - Project X Tier I In-Kind Operations & Maintenance Match Commitment*								
No	Agency	Project Number	Project	Project Title	Phase	O&M In-Kind Match Commitment	Proposed Time Extension (Months)	Proposed Expenditure Deadline
1	Brea	11-BREA-ECP-3564 ¹	X	Citywide Catch Basin Inserts 7524 Phase I	O&M	\$ 91,565	24	2/3/2024
2	Brea	12-BREA-ECP-3605 ¹	X	Citywide Catch Basin Inserts 7524 Phase II	O&M	\$ 138,815	24	3/15/2025
In-Kind O&M Match Commitment Timely-Use of Funds Extensions (2) - Total Phase Allocations						\$ 230,380		

has traditionally been ten years. These requests, if approved, would provide the City of Brea with an additional 24 months beyond the traditional ten years to deliver on its O&M match contribution.

Reasons for Project Adjustments

1. Coronavirus impacts

Acronyms

O&M - Operations and Maintenance

Comprehensive Transportation Funding Programs
September 2021 Semi-Annual Review Adjustment Requests

Timely-Use of Funds Extension Requests - LFS*						
No	Agency	FY	Disbursement Date	Disbursement	Proposed Extension Amount	Extension Deadline
1-4	Brea	FY 2018/19	1/15/2019	\$ 175,889	\$ 175,889	1/15/2024
			3/12/2019	\$ 182,009	\$ 182,009	3/12/2024
			5/14/2019	\$ 170,596	\$ 170,596	5/14/2024
			6/30/2019	\$ 149,567	\$ 149,567	6/30/2024
5-8	La Habra	FY 2018/19	1/15/2019	\$ 160,199	\$ 160,199	1/15/2024
			3/12/2019	\$ 165,773	\$ 165,773	3/12/2024
			5/14/2019	\$ 155,378	\$ 155,378	5/14/2024
			6/30/2019	\$ 136,226	\$ 136,226	6/30/2024
9-12	Yorba Linda	FY 2018/19	1/15/2019	\$ 186,540	\$ 186,540	1/15/2024
			3/12/2019	\$ 193,030	\$ 193,030	3/12/2024
			5/14/2019	\$ 180,926	\$ 180,926	5/14/2024
			6/30/2019	\$ 158,624	\$ 158,624	6/30/2024
LFS Timely-Use of Funds Extensions (12) - Total					\$ 2,014,757	

*Net revenues received by local jurisdictions through the LFS Program shall be expended or encumbered within three years. An extension may be granted but is limited to a total of five years from the date of receipt of funds. The Orange County Transportation Authority uses the disbursement date as the date of receipt of funds. Requests for extensions must be submitted as part of the semi-annual review process prior to the end of the third year from the date of receipt of funds. Requests for extensions must also include a plan of expenditure.

Acronyms

FY - Fiscal year

LFS - Local Fair Share

Comprehensive Transportation Funding Programs
September 2021 Semi-Annual Review Adjustment Requests

Timely-Use of Funds Extension Requests - SMP*						
No	Agency	FY	Disbursement Date	Disbursement	Proposed Extension Amount	Extension Deadline
1-4	Dana Point ¹	FY 2018/19	1/15/2019	\$ 9,235	\$ 9,235	1/15/2024
			3/12/2019	\$ 9,556	\$ 9,556	3/12/2024
			5/14/2019	\$ 8,957	\$ 8,957	5/14/2024
			6/30/2019	\$ 7,853	\$ 7,853	6/30/2024
5-8	Laguna Hills ¹	FY 2018/19	1/15/2019	\$ 6,574	\$ 6,574	1/15/2024
			3/12/2019	\$ 6,803	\$ 6,803	3/12/2024
			5/14/2019	\$ 6,376	\$ 6,376	5/14/2024
			6/30/2019	\$ 5,590	\$ 5,590	6/30/2024
9-12	Laguna Niguel ¹	FY 2018/19	1/15/2019	\$ 13,835	\$ 13,835	1/15/2024
			3/12/2019	\$ 14,316	\$ 14,316	3/12/2024
			5/14/2019	\$ 13,418	\$ 13,418	5/14/2024
			6/30/2019	\$ 11,764	\$ 11,764	6/30/2024
13-16	Mission Viejo ¹	FY 2018/19	1/15/2019	\$ 21,690	\$ 12,057	1/15/2024
			3/12/2019	\$ 22,445	\$ 22,445	3/12/2024
			5/14/2019	\$ 21,038	\$ 21,038	5/14/2024
			6/30/2019	\$ 18,444	\$ 18,444	6/30/2024
17-20	Placentia ¹	FY 2018/19	1/15/2019	\$ 10,095	\$ 10,095	1/15/2024
			3/12/2019	\$ 10,446	\$ 10,446	3/12/2024
			5/14/2019	\$ 9,791	\$ 9,791	5/14/2024
			6/30/2019	\$ 8,584	\$ 8,584	6/30/2024
21-24	San Clemente ¹	FY 2018/19	1/15/2019	\$ 13,508	\$ 13,508	1/15/2024
			3/12/2019	\$ 13,978	\$ 13,978	3/12/2024
			5/14/2019	\$ 13,102	\$ 13,102	5/14/2024
			6/30/2019	\$ 11,487	\$ 11,487	6/30/2024
25-28	Villa Park ¹	FY 2018/19	1/15/2019	\$ 2,062	\$ 2,062	1/15/2024
			3/12/2019	\$ 2,133	\$ 2,133	3/12/2024
			5/14/2019	\$ 2,000	\$ 2,000	5/14/2024
			6/30/2019	\$ 1,753	\$ 1,753	6/30/2024
SMP Timely-Use of Funds Extensions (28) - Total					\$ 287,200	

*Net revenues received by local jurisdictions through the SMP shall be expended or encumbered within three years. An extension may be granted but is limited to a total of five years from the date of receipt of funds. The Orange County Transportation Authority uses the disbursement date as the date of receipt of funds. Requests for extensions must be submitted as part of the semi-annual review process prior to the end of the third year from the date of receipt of funds. Requests for extensions must include a service plan.

Reasons for Project Adjustments

1. Coronavirus impacts

Acronyms

FY - Fiscal year

SMP - Senior Mobility Program

Comprehensive Transportation Funding Programs
September 2021 Semi-Annual Review Adjustment Requests

Scope Change Requests*								
No	Agency	Project Number	Project	Project Title	Phase	Current FY	Current Allocation	Proposed Allocation
1	Orange	19-ORNG-STS-3933 ¹	W	Orange Safe Transit Stop Improvements	CON	21/22	\$ 98,300	\$ 98,300
2	OCTA	18-OCTA-TSP-3901 ^{1,2,3,4}	P	Main Street RTSSP	IMP	18/19	\$ 1,123,826	\$ 1,123,826
3	OCTA	18-OCTA-TSP-3905 ^{1,2,3}	P	Los Alisos Boulevard Route Project	IMP	18/19	\$ 654,327	\$ 654,327
4	San Clemente	16-SCLM-CBT-3840 ⁵	V	San Clemente Summer Trolley	O&M	16/17M	\$ 656,293	\$ 656,293
5	San Clemente	18-SCLM-CBT-3914 ⁵	V	San Clemente Trolley Expansion	O&M	18/19M	\$ 1,168,200	\$ 1,168,200
Scope Changes (5) - Total Phase Allocations							\$ 3,700,946	\$ 3,700,946

*Agencies may request minor scope changes for Comprehensive Transportation Funding Programs projects so long as the agency can demonstrate substantial consistency and attainment of proposed transportation benefits compared to the original project scope as committed to in the project application.

Reasons for Project Adjustments

1. Construction issue (design modifications, relocation of equipment, equipment changes)
2. Design issue
3. Enhanced project benefits (enhanced timing equipment)
4. Equipment installed as part of another project
5. Service schedule modification

Acronyms

FY - Fiscal year
CON - Construction
OCTA - Orange County Transportation Authority
RTSSP - Regional Traffic Signal Synchronization Programs
IMP - Implementation
O&M - Operations and Maintenance
M - Multiple years

Comprehensive Transportation Funding Programs
September 2021 Semi-Annual Review Adjustment Requests

Transfer Requests*									
No	Agency	Project Number	Project	Project Title	Phase	Current FY	Current Allocation	Transfer Amount	Proposed Allocation
1	OCTA	15-OCTA-TSP-3783 ¹	P	Chapman Avenue Corridor Traffic Signal Synchronization Project	IMP	15/16	\$ 2,274,884	\$ (24,101)	\$ 2,250,783
					O&M	18/19	\$ 69,160	\$ 24,101	\$ 93,261
Transfer Requests (1) - Total Project Allocations							\$ 2,344,044	\$ -	\$ 2,344,044

*An implementing agency may request to transfer 100 percent of savings between subsequent phases (or years) within a project. Funds can only be transferred to a phase that has already been awarded competitive funds. Such requests must be made prior to the acceptance of a final report and submitted as part of a semi-annual review process.

Reasons for Project Adjustment

1. Project savings

Acronyms

FY - Fiscal year

IMP - Implementation

OCTA - Orange County Transportation Authority

O&M - Operations and Maintenance

**Comprehensive Transportation Funding Programs
September 2021 Semi-Annual Review Adjustment Request Descriptions**

Comprehensive Transportation Funding Programs (CTFP) Timely-Use of Funds Extensions

Once obligated, CTFP funds expire 36 months from the contract award date. Local agencies may request extension(s) of up to 24 months. During this semi-annual review cycle, the following CTFP timely-use of funds extensions requests were submitted.

The City of Anaheim (Anaheim) is requesting a 24-month funds extension for both the capital and operations and maintenance (O&M) phases of the Anaheim Canyon Circulator (20-ANAH-CBT-3958) service, from June 2027 to June 2029. This request will allow Anaheim to utilize project savings that were accrued as a result of pandemic-related procurement challenges and subsequently carry these savings forward into future fiscal years (through June 30, 2029).

The City of Santa Ana (Santa Ana) is requesting a 24-month timely-use of funds extension for the right-of-way (ROW) phase of the Warner Avenue Improvements Project (Standard Avenue to Grand Avenue) (18-SNTA-ACE-3907) from February 2022 to February 2024, due to unforeseen impacts and delays in the ROW acquisition process.

Santa Ana is also requesting a 24-month timely-use of funds extension for the ROW phase of the Warner Avenue Improvements Project (Oak Street to Standard Avenue) (18-SNTA-ACE-3909) from February 2022 to February 2024, due to unforeseen impacts and delays in the ROW acquisition process.

The City of Yorba Linda (Yorba Linda) is requesting a 24-month timely-use of funds extension for the engineering phase of the Yorba Linda Boulevard Widening Project (18-YLND-ACE-3910) from April 2022 to April 2024, due to delays in completing the environmental assessment process.

Project X Tier I In-Kind O&M Timely-Use of Funds Extensions

For older Project X Tier I allocations, ongoing O&M for projects was allowed to be pledged as a match in lieu of (or in addition to) a cash match. The O&M implementation time frame has traditionally been set at ten years. During this semi-annual review cycle, the following in-kind O&M timely-use of funds extensions requests were submitted.

The City of Brea (Brea) is requesting a 24-month timely-use of funds extension, to go beyond the initial ten-year delivery period, for the Citywide Catch Basin Inserts 7524 Phase I Project (11-BREA-ECP-3564) from February 2022 to February 2024, due to unforeseen impacts and delays resulting from the pandemic.

Comprehensive Transportation Funding Programs September 2021 Semi-Annual Review Adjustment Request Descriptions

Brea is also requesting a 24-month timely-use of funds extension, to go beyond the initial ten-year delivery period, for the Citywide Catch Basin Inserts 7524 Phase II Project (12-BREA-ECP-3605) from March 2023 to March 2025, due to unforeseen impacts and delays resulting from the pandemic

Local Fair Share (LFS) Timely-Use of Funds Extensions

Once issued, LFS funds expire 36 months from the date of disbursement. Local agencies may request an extension(s) of up to 24-months. During this semi-annual review cycle, the following timely-use of funds LFS extensions requests were submitted.

Brea is requesting a 24-month timely-use of funds extension for \$678,061. The funds being considered for extension were disbursed in four separate installments and must be expended by the extension deadlines provided in Attachment A. Brea has indicated these funds will be directed towards traffic sign and signal improvements and citywide street improvements.

- \$175,889 from January 2022 to January 2024,
- \$182,009 from March 2022 to March 2024,
- \$170,596 from May 2022 to May 2024, and
- \$149,567 from June 2022 to June 2024.

The City of La Habra (La Habra) is requesting a 24-month timely-use of funds extension for \$617,576. The funds being considered for extension were disbursed in four separate installments and must be expended by the extension deadlines provided in Attachment A. La Habra has indicated these funds will be directed towards citywide street improvements.

- \$160,199 from January 2022 to January 2024,
- \$165,773 from March 2022 to March 2024,
- \$155,378 from May 2022 to May 2024, and
- \$136,226 from June 2022 to June 2024.

Yorba Linda is requesting a 24-month timely-use of funds extension for \$719,120. The funds being considered for extension were disbursed in four separate installments and must be expended by the extension deadlines provided in Attachment A. Yorba Linda has indicated these funds will be primarily directed towards activities such as traffic signal improvements, street maintenance, and projects to reduce road congestion.

- \$186,540 from January 2022 to January 2024,
- \$193,030 from March 2022 to March 2024,
- \$180,926 from May 2022 to May 2024, and
- \$158,624 from June 2022 to June 2024.

Comprehensive Transportation Funding Programs September 2021 Semi-Annual Review Adjustment Request Descriptions

Senior Mobility Program (SMP) Timely-Use of Funds Extensions

Once issued, SMP funds expire 36 months from the date of disbursement. Local agencies may request an extension(s) of up to 24 months. During this semi-annual review cycle, the following timely-use of funds SMP extensions requests were submitted.

The City of Dana Point is requesting a 24-month timely-use of funds extension for \$35,601. The funds being considered for extension were disbursed in four separate installments and must be expended by the extension deadlines provided in Attachment A.

- \$9,235 from January 2022 to January 2024,
- \$9,556 from March 2022 to March 2024,
- \$8,957 from May 2022 to May 2024, and
- \$7,853 from June 2022 to June 2024,

The City of Laguna Hills is requesting a 24-month timely-use of funds extension for \$25,343. The funds being considered for extension were disbursed in four separate installments and must be expended by the extension deadlines provided in Attachment A.

- \$6,574 from January 2022 to January 2024,
- \$6,803 from March 2022 to March 2024,
- \$6,376 from May 2022 to May 2024, and
- \$5,590 from June 2022 to June 2024.

The City of Laguna Niguel is requesting a 24-month timely-use of funds extension for \$53,333. The funds being considered for extension were disbursed in four separate installments and must be expended by the extension deadlines provided in Attachment A.

- \$13,835 from January 2022 to January 2024,
- \$14,316 from March 2022 to March 2024,
- \$13,418 from May 2022 to May 2024, and
- \$11,764 from June 2022 to June 2024.

The City of Mission Viejo is requesting a 24-month timely-use of funds extension for \$73,984. The funds being considered for extension were disbursed in four separate installments and must be expended by the extension deadlines provided in Attachment A.

- \$12,057 from January 2022 to January 2024,
- \$22,445 from March 2022 to March 2024,
- \$21,038 from May 2022 to May 2024, and
- \$18,444 from June 2022 to June 2024.

Comprehensive Transportation Funding Programs September 2021 Semi-Annual Review Adjustment Request Descriptions

The City of Placentia is requesting a 24-month timely-use of funds extension for \$38,916. The funds being considered for extension were disbursed in four separate installments and must be expended by the extension deadlines provided in Attachment A.

- \$10,095 from January 2022 to January 2024,
- \$10,446 from March 2022 to March 2024,
- \$9,791 from May 2022 to May 2024, and
- \$8,584 from June 2022 to June 2024.

The City of San Clemente (San Clemente) is requesting a 24-month timely-use of funds extension for \$52,075. The funds being considered for extension were disbursed in four separate installments and must be expended by the extension deadlines provided in Attachment A.

- \$13,508 from January 2022 to January 2024,
- \$13,978 from March 2022 to March 2024,
- \$13,102 from May 2022 to May 2024, and
- \$11,487 from June 2022 to June 2024,

The City of Villa Park is requesting a 24-month timely-use of funds extension for \$7,948. The funds being considered for extension were disbursed in four separate installments and must be expended by the extension deadlines provided in Attachment A.

- \$2,062 from January 2022 to January 2024,
- \$2,133 from March 2022 to March 2024,
- \$2,000 from May 2022 to May 2024, and
- \$1,753 from June 2022 to June 2024.

Scope Changes

Agencies may request minor scope changes for CTFP projects if they can assure that project benefits as committed to in the project application can still be delivered. During this semi-annual review cycle, the following scope change requests were submitted.

The City of Orange is requesting a scope change to the construction phase of the Orange Safe Transit Stop Improvements Project (19-ORNG-STS-3933). The scope change includes eliminating advertisement kiosks at four of five bus shelter locations due to Americans with Disabilities Act clearance issues and ROW constraints.

The Orange County Transportation Authority (OCTA), as the administrative lead for the Main Street Regional Traffic Signal Synchronization Programs Project (18-OCTA-TSP-3901) is requesting a scope change to the implementation (IMP) phase with several components, which include modifications to unit types, improvement locations, removal of project components that are no longer necessary, and adherence to California Department of Transportation (Caltrans) requirements. These modifications are due to

Comprehensive Transportation Funding Programs September 2021 Semi-Annual Review Adjustment Request Descriptions

unforeseen design/construction issues that emerged during the project development process and are requested in order to facilitate project completion and utilize project cost savings to enhance overall project benefits.

OCTA, as the administrative lead for the Los Alisos Boulevard Route Project (18-OCTA-TSP-3905), is requesting a scope change to the IMP phase with several components, which include modifications to unit types, improvement locations, removal of project components that are no longer necessary, and adherence to Caltrans' requirements. These modifications are due to unforeseen construction/design issues that emerged during the project development process and are requested in order to facilitate project completion processes and utilize project cost savings to enhance overall project benefits.

San Clemente is requesting a scope change to the O&M phase of the San Clemente Summer Trolley (16-SCLM-CBT-3840) in order to provide services outside of the original operating window specified in San Clemente's grant application. San Clemente is requesting to provide Project V funded services for approximately three weeks in January/February 2022 in order to alleviate congestion-related impacts resulting from a downtown construction project and to also initiate services earlier for the summer operating season.

San Clemente is requesting a scope change to the O&M phase of the San Clemente Trolley Expansion (18-SCLM-CBT-3914) in order to provide services outside of the original operating window specified in San Clemente's grant application. San Clemente is requesting to provide Project V funded services for approximately three weeks in January/February 2022 in order to alleviate congestion-related impacts resulting from a downtown construction project and to also initiate services earlier (in April) for the summer operating season.

Transfers

The CTFP Guidelines allow local jurisdictions to request to transfer up to 100 percent of projects savings between subsequent phases or years within a project. Funds can only be transferred to a phase or year that has already been awarded competitive funds. Such requests must be made prior to the acceptance of a final report and submitted as part of the semi-annual review process.

OCTA is requesting a transfer for the Chapman Avenue Corridor Traffic Signal Synchronization Project (15-OCTA-TSP-3783). The request is to transfer general project savings in the amount of \$24,101 from the IMP phase to the O&M phase.



December 6, 2021

To: Regional Planning and Highways Committee
From: Darrell E. Johnson, Chief Executive Officer
Subject: 2022 Technical Steering Committee Membership

Overview

The Orange County Transportation Authority Technical Advisory Committee provides feedback and input on local streets and roads related items. The Technical Advisory Committee relies on a Technical Steering Committee made up of nine Technical Advisory Committee representatives from local agencies to provide guidance on technical issues. Proposed 2022 Technical Steering Committee membership recommendations are presented for Board of Directors' review and approval.

Recommendation

Approve proposed 2022 Technical Steering Committee membership recommendations.

Background

The Orange County Transportation Authority (OCTA) Technical Advisory Committee (TAC) was established in 1976 under the legislation enabling the creation of the Orange County Transportation Commission, a predecessor agency to OCTA.

The TAC provides input regarding the allocation of Measure M2 competitive grant funds. The TAC also provides advice to staff on issues related to technical aspects of streets and roads planning. The TAC is comprised of representatives from all Orange County cities, the County of Orange, and a non-voting representative from the California Department of Transportation. The TAC uses a Technical Steering Committee (TSC) to vet, review, and discuss major technical items prior to submittal to the TAC for final review and consideration. The chair and vice chair of the TAC also serve as the chair and vice chair of the TSC.

The TSC consists of nine TAC voting members, which are chosen by the TAC and approved by the OCTA Board of Directors (Board). There is one position for each of Orange County's five supervisorial districts, two at-large positions, and chair and vice chair positions. The TSC membership selection process is administered by the President of the City Engineers Association of Orange County (CEAOC) and the TAC/TSC chair, with staff support from OCTA, before recommendations are advanced to the full TAC for consideration. In recommending and selecting TSC members, priority is given to maintaining a good balance between local agencies with consideration given to north and south, small and large, and balance amongst supervisorial districts.

Discussion

In August 2021, OCTA solicited letters of interest from local agencies to fill TSC vacancies for the 2022 calendar year. At that time, it was noted that five of the nine regular TSC positions would be open for consideration. These positions included the chair, vice chair, First District, Fourth District, and one at-large position.

In September, letters of interest from five eligible TAC members were received. In accordance with OCTA procedures for administering the TSC (Attachment A), the President of the CEAOC and the chair of the TSC/TAC reviewed all letters of interest, and OCTA staff provided input to develop the 2022 TSC membership recommendations (Attachment B).

Consistent with past practice, the vice chair, representing the City of Aliso Viejo, is recommended to become the 2022 chair. In order to ensure that both north and south and large and small local agencies are represented in TSC leadership positions, a representative from the City of Santa Ana is being recommended for the 2022 vice chair position. The First District position is recommended to be filled by a representative of the City of Westminster. The Fourth District position is recommended to be filled by a representative of the City of Anaheim, and the open at-large position is recommended to be filled by a representative of the County of Orange.

In finalizing these recommendations, the President of the CEAOC and the TSC/TAC chair emphasized the need to generally maintain a balance between large and small local agencies. Their consensus recommendation was unanimously endorsed by the TAC on October 27, 2021 and is now being advanced for Board consideration and approval.

Summary

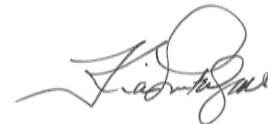
The TSC provides guidance and direction on complex technical issues before presentation to the full TAC. Members of the TSC serve two-year terms, with the exception of the chair and vice chair, who serve one-year terms. There are five positions recommended for approval in the next calendar year. The recommended list for 2022 TSC membership is presented for Board consideration and approval.

Attachments

- A. Technical Steering Committee Policies and Procedures
- B. Proposed 2022 Technical Steering Committee Membership List

Prepared By:

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Approved By:

Kia Mortazavi
Executive Director, Planning
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Technical Steering Committee Policies and Procedures

Overview

The Orange County Transportation Authority's (OCTA) Technical Steering Committee (TSC) is a subcommittee of the OCTA Technical Advisory Committee (TAC). The TAC relies on the TSC to review and discuss technical issues prior to action by the TAC.

The TSC consists of nine voting members and one non-voting ex-officio member. The voting members will be chosen by the TAC and appointed by the OCTA Board of Directors (Board). The non-voting ex-officio member will be a representative of the California Department of Transportation (Caltrans) District 12 as selected by the Caltrans District Director. Of the voting members, there is one position representing each of Orange County's five supervisorial districts, two at-large positions, and the chair and vice chair. The chair and vice chair serve one-year terms, while all other representatives serve two-year terms, with no limit on the number of terms. TSC tenure terms are staggered to ensure continuity and consistency. Current policy states that there are to be no more than two representatives from any district, and there should be a balance between large and small cities.

TSC Membership Process

- OCTA provides a report to the TAC indicating TSC positions that are open for consideration, as well as the schedule for the selection process.
- TAC members interested in serving on the TSC submit a letter of intent to the chair of the TAC, the President of the City Engineers Association of Orange County (CEAOC), and the OCTA manager. No nominations shall be accepted from the floor.
- A critical success factor for selection to serve on the TSC is active participation at the TAC meetings over the preceding 12 months.
- The President of the CEAOC, in consultation with the chair of the OCTA TAC, shall review the letters of intent and provide recommendations for the new TSC membership.
- There shall be no more than two representatives from any one district, exclusive of the chair and vice chair positions.
- The County of Orange can only serve in at-large or chair/vice chair positions.
- There will be a balance between small and large jurisdictions (small jurisdictions are defined as those with populations less than 62,808) and a balance of large and small jurisdictions between chair and vice chair positions. Consideration will also be given toward balance between north and south Orange County local agencies.
- Once TSC membership recommendations are approved by the TAC, they will be advanced to and approved by the OCTA Board.

Proposed 2022 Technical Steering Committee Membership List†

NAME	AGENCY	2021* POPULATION	MEDIAN POPULATION SIZE	DISTRICT	NORTH/ SOUTH	SEAT EXPIRES
Shaun Pelletier	Aliso Viejo	49,813	Small	Chair	South	December 31, 2022
William Galvez	Santa Ana	331,369	Large	Vice Chair	North	December 31, 2022
Jake Ngo	Westminster	91,466	Large	1	North	December 31, 2023
Raja SETHURAMAN	Costa Mesa	112,780	Large	2	North	December 31, 2022
Jamie Lai	Yorba Linda	67,846	Large	3	North	December 31, 2022
Rudy Emmi	Anaheim	353,468	Large	4	North	December 31, 2023
Tom Wheeler	Lake Forest	84,538	Large	5	South	December 31, 2022
Mark Chagnon	Mission Viejo	94,119	Large	At-Large	South	December 31, 2022
Fiona Man	County of Orange	3,153,764	N/A	At-Large	North/ South	December 31, 2023

† Shading indicates positions recommended for consideration for the 2022 Technical Steering Committee.

* State of California, Department of Finance, *E-1 Population Estimates for cities, counties, and the state with annual percent change — January 1, 2020, and 2021*. Sacramento, California, May 2021.



December 6, 2021

To: Regional Planning and Highways Committee

From: Darrell E. Johnson, Chief Executive Officer

Subject: Measure M2 Annual Eligibility Review

Overview

Measure M2 requires local agencies to annually satisfy eligibility requirements to continue to receive Measure M2 net revenues. Required documentation for the review period ending June 30, 2021, has been received and reviewed by the Taxpayer Oversight Committee and Orange County Transportation Authority staff. Recommendations are presented for Board of Directors' review and approval.

Recommendation

Approve all Orange County local agencies as eligible to continue to receive Measure M2 net revenues.

Background

Local agencies, which includes all 34 cities, and the County of Orange are required to meet Measure M2 (M2) eligibility requirements and submit eligibility verification documents to the Orange County Transportation Authority (OCTA) annually to remain eligible to receive M2 net revenues. There are 13 eligibility requirements that local agencies must either meet and/or adhere to. However, not all 13 eligibility components require verification each eligibility cycle. For reference, a summary of M2 eligibility requirements and their respective due dates are provided in Attachment A.

While OCTA staff reviews and confirms all M2 eligibility components, the M2 Ordinance also requires the Taxpayer Oversight Committee (TOC) to review five requirements. These include the Congestion Management Program (CMP), Mitigation Fee Programs (MFP), Local Signal Synchronization Plans, Pavement Management Plans (PMP), and Expenditure Reports.

Generally, local agencies must submit the required documentation on or before June 30, 2021. These submittals are reviewed by staff and the TOC in the fall. Expenditure Reports are due on December 31, 2021, six months after the close of the fiscal year, and are reviewed in the spring. This item addresses the 12 submittals that were due for the June 30, 2021, submittal cycle.

Discussion

All 35 local agencies submitted the required M2 eligibility verification documents prior to OCTA's June 30, 2021, deadline. OCTA staff reviewed all local agencies' eligibility verification documents to ensure completion, accuracy, and consistency with M2 Ordinance requirements. The TOC-designated Annual Eligibility Review (AER) Subcommittee was convened to review the eligibility components requiring TOC review. These components included CMP submittals, MFPs, and PMPs¹ (for applicable local agencies). Based on the AER Subcommittee's review, the TOC formally confirmed its required review at its October 12, 2021, meeting.

The review of all required eligibility documentation is complete. All local agencies submitted the appropriate documentation which were reviewed and deemed complete. OCTA staff recommends that all Orange County local agencies be found eligible to continue to receive M2 net revenues. A summary of the findings for the 12 M2 eligibility components that were due for this cycle is provided in Attachment B.

Summary

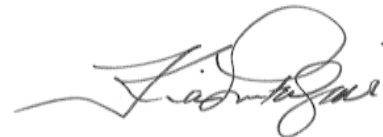
All local agencies in Orange County have submitted all required M2 documentation due at this time. TOC and OCTA staff have reviewed all required documentation and a finding of eligibility to continue receiving M2 net revenues is recommended.

Attachments

- A. Measure M2 Eligibility Requirements and Submittal Schedule Summary Due June 30, 2021 and December 21, 2021
- B. Fiscal Year 2021-22, Measure M2 Eligibility Review Summary

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Approved By:

Kia Mortazavi
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¹ For this eligibility review cycle, PMPs were required from 14 local agencies. The remaining 21 local agencies' PMPs will be submitted and reviewed during the next eligibility review cycle.

**Measure M2 Eligibility Requirements and Submittal Schedule Summary
Due June 30, 2021 and December 21, 2021**

Compliance Category	Frequency	Required
Capital Improvement Program	Annual (June 30)	✓
Circulation Element/Master Plan of Arterial Highways Consistency	Biennial (June 30)	✓
Congestion Management Program	Biennial (June 30)	✓
Expenditure Report	Annual (December 31)	✓
Local Signal Synchronization Plan	Every Three Years (i.e. June 30, 2023)	
Maintenance of Effort	Annual (June 30)	✓
Mitigation Fee Program (MFP)	Biennial (June 30) ¹	✓
No Supplanting of Developer Fees	Annual (June 30)	✓
Pavement Management Plans (PMP)	Biennial (June 30) ²	✓
Timely Submittal of Project Final Reports	Within Six Months of Project Completion	✓
Timely Use of Net Revenues	Annual (June 30)	✓
Traffic Forum Participation	Annual (June 30)	✓
Transit and Non-Motorized Transportation Land-Use Planning Strategies	Annual (June 30)	✓

¹ A local agency must submit their updated program and revised fee schedule or process methodology when the jurisdiction updates their MFP and/or nexus study.

² 14 agencies update their PMPs on odd-numbered fiscal years, while 21 agencies update their PMPs on even-numbered fiscal years.

**Fiscal Year 2021-22
Measure M2 Eligibility Review Summary**

Agency	Capital Improvement Program	Circulation Element/MPAH Consistency	Congestion Management Program	Expenditure Report ¹	Maintenance of Effort	Mitigation Fee Program	No Supplementing of Developer Fees	Pavement Management Plan ²	Timely Submittal of Final Reports	Timely Use of Net Revenues	Traffic Forum	Land-Use Planning Strategies
Aliso Viejo	Satisfactory	Satisfactory	Satisfactory	Pending	Satisfactory	Satisfactory	Satisfactory	N/A	Satisfactory	Satisfactory	✓	Satisfactory
Anaheim	Satisfactory	Satisfactory	Satisfactory	Pending	Satisfactory	Satisfactory	Satisfactory	Satisfactory	Satisfactory	Satisfactory	✓	Satisfactory
Brea	Satisfactory	Satisfactory	Satisfactory	Pending	Satisfactory	Satisfactory	Satisfactory	Satisfactory	Satisfactory	Satisfactory	✓	Satisfactory
Buena Park	Satisfactory	Satisfactory	Satisfactory	Pending	Satisfactory	Satisfactory	Satisfactory	N/A	Satisfactory	Satisfactory	✓	Satisfactory
Costa Mesa	Satisfactory	Satisfactory	Satisfactory	Pending	Satisfactory	Satisfactory	Satisfactory	N/A	Satisfactory	Satisfactory	✓	Satisfactory
County of Orange	Satisfactory	Satisfactory	Satisfactory	Pending	N/A ³	Satisfactory	Satisfactory	Satisfactory	Satisfactory	Satisfactory	✓	Satisfactory
Cypress	Satisfactory	Satisfactory	Satisfactory	Pending	Satisfactory	Satisfactory	Satisfactory	Satisfactory	Satisfactory	Satisfactory	✓	Satisfactory
Dana Point	Satisfactory	Satisfactory	Satisfactory	Pending	Satisfactory	Satisfactory	Satisfactory	Satisfactory	Satisfactory	Satisfactory	✓	Satisfactory
Fountain Valley	Satisfactory	Satisfactory	Satisfactory	Pending	Satisfactory	Satisfactory	Satisfactory	N/A	Satisfactory	Satisfactory	✓	Satisfactory
Fullerton	Satisfactory	Satisfactory	Satisfactory	Pending	Satisfactory	Satisfactory	Satisfactory	N/A	Satisfactory	Satisfactory	✓	Satisfactory
Garden Grove	Satisfactory	Satisfactory	Satisfactory	Pending	Satisfactory	Satisfactory	Satisfactory	N/A	Satisfactory	Satisfactory	✓	Satisfactory
Huntington Beach	Satisfactory	Satisfactory	Satisfactory	Pending	Satisfactory	Satisfactory	Satisfactory	N/A	Satisfactory	Satisfactory	✓	Satisfactory
Irvine	Satisfactory	Satisfactory	Satisfactory	Pending	Satisfactory	Satisfactory	Satisfactory	Satisfactory	Satisfactory	Satisfactory	✓	Satisfactory
La Habra	Satisfactory	Satisfactory	Satisfactory	Pending	Satisfactory	Satisfactory	Satisfactory	Satisfactory	Satisfactory	Satisfactory	✓	Satisfactory
La Palma	Satisfactory	Satisfactory	Satisfactory	Pending	Satisfactory	Satisfactory	Satisfactory	N/A	Satisfactory	Satisfactory	✓	Satisfactory
Laguna Beach	Satisfactory	Satisfactory	Satisfactory	Pending	Satisfactory	Satisfactory	Satisfactory	N/A	Satisfactory	Satisfactory	✓	Satisfactory
Laguna Hills	Satisfactory	Satisfactory	Satisfactory	Pending	Satisfactory	Satisfactory	Satisfactory	N/A	Satisfactory	Satisfactory	✓	Satisfactory
Laguna Niguel	Satisfactory	Satisfactory	Satisfactory	Pending	Satisfactory	Satisfactory	Satisfactory	N/A	Satisfactory	Satisfactory	✓	Satisfactory
Laguna Woods	Satisfactory	Satisfactory	Satisfactory	Pending	Satisfactory	Satisfactory	Satisfactory	N/A	Satisfactory	Satisfactory	✓	Satisfactory
Lake Forest	Satisfactory	Satisfactory	Satisfactory	Pending	Satisfactory	Satisfactory	Satisfactory	Satisfactory	Satisfactory	Satisfactory	✓	Satisfactory
Los Alamitos	Satisfactory	Satisfactory	Satisfactory	Pending	Satisfactory	Satisfactory	Satisfactory	Satisfactory	Satisfactory	Satisfactory	✓	Satisfactory
Mission Viejo	Satisfactory	Satisfactory	Satisfactory	Pending	Satisfactory	Satisfactory	Satisfactory	N/A	Satisfactory	Satisfactory	✓	Satisfactory
Newport Beach	Satisfactory	Satisfactory	Satisfactory	Pending	Satisfactory	Satisfactory	Satisfactory	Satisfactory	Satisfactory	Satisfactory	✓	Satisfactory
Orange	Satisfactory	Satisfactory	Satisfactory	Pending	Satisfactory	Satisfactory	Satisfactory	N/A	Satisfactory	Satisfactory	✓	Satisfactory
Placentia	Satisfactory	Satisfactory	Satisfactory	Pending	Satisfactory	Satisfactory	Satisfactory	N/A	Satisfactory	Satisfactory	✓	Satisfactory
Rancho Santa Margarita	Satisfactory	Satisfactory	Satisfactory	Pending	Satisfactory	Satisfactory	Satisfactory	N/A	Satisfactory	Satisfactory	✓	Satisfactory
San Clemente	Satisfactory	Satisfactory	Satisfactory	Pending	Satisfactory	Satisfactory	Satisfactory	N/A	Satisfactory	Satisfactory	✓	Satisfactory
San Juan Capistrano	Satisfactory	Satisfactory	Satisfactory	Pending	Satisfactory	Satisfactory	Satisfactory	Satisfactory	Satisfactory	Satisfactory	✓	Satisfactory
Santa Ana	Satisfactory	Satisfactory	Satisfactory	Pending	Satisfactory	Satisfactory	Satisfactory	Satisfactory	Satisfactory	Satisfactory	✓	Satisfactory
Seal Beach	Satisfactory	Satisfactory	Satisfactory	Pending	Satisfactory	Satisfactory	Satisfactory	N/A	Satisfactory	Satisfactory	✓	Satisfactory
Stanton	Satisfactory	Satisfactory	Satisfactory	Pending	Satisfactory	Satisfactory	Satisfactory	N/A	Satisfactory	Satisfactory	✓	Satisfactory
Tustin	Satisfactory	Satisfactory	Satisfactory	Pending	Satisfactory	Satisfactory	Satisfactory	Satisfactory	Satisfactory	Satisfactory	✓	Satisfactory
Villa Park	Satisfactory	Satisfactory	Satisfactory	Pending	Satisfactory	Satisfactory	Satisfactory	N/A	Satisfactory	Satisfactory	✓	Satisfactory
Westminster	Satisfactory	Satisfactory	Satisfactory	Pending	Satisfactory	Satisfactory	Satisfactory	N/A	Satisfactory	Satisfactory	✓	Satisfactory
Yorba Linda	Satisfactory	Satisfactory	Satisfactory	Pending	Satisfactory	Satisfactory	Satisfactory	N/A	Satisfactory	Satisfactory	✓	Satisfactory
Totals	35	35	35	-	35	35	35	14	35	35	35	35

Acronyms:

MPAH - Master Plan of Arterial Highways

M2 - Measure M2

N/A - Not applicable

PMP - Pavement Management Plan

¹ M2 Expenditure Reports are not due until December 31, 2021.

² 14 agencies update their PMPs on odd-numbered fiscal years, while 21 agencies update their PMPs on even-numbered fiscal years.

³ Maintenance of effort is based on a three-year average of discretionary fund expenditures for transportation purposes prior to 1990, plus adjustments permitted by the M2 Ordinance. However, Orange County Public Works and their predecessor agencies did not and do not use discretionary funds for transportation purposes. The sources of their transportation funds have been various restricted or partially restricted funds e.g., Highway Users Tax Account (HUTA), federal grants, assessment districts, developer impact fees, community facilities districts, Subdivision Map Act Highway, and bridge fees etc. It should be noted that about 40 percent of the HUTA revenues that come to Orange County local agencies go to the County.

Note: Local Signal Synchronization Plan is not shown on the table due to this component not being required during this eligibility cycle.



December 6, 2021

To: Regional Highways and Planning Committee
From: Darrell E. Johnson, Chief Executive Officer
Subject: Measure M2 Environmental Mitigation Program Update

Overview

Measure M2 includes a program to deliver comprehensive mitigation for biological impacts of 13 freeway projects in exchange for streamlined project approvals from state and federal Resource Agencies. The Environmental Mitigation Program has acquired conservation properties and provided habitat restoration projects funding as part of the Natural Community Conservation Plan/Habitat Conservation Plan. A summary of the Environmental Mitigation Program activities throughout 2021 is provided.

Recommendation

Receive and file as an information item.

Background

Measure M2 (M2) includes the Environmental Mitigation Program (EMP) intended to mitigate biological resource impacts of 13 M2 freeway projects and streamline the approval process through state and federal Resource Agencies. This was achieved through the development of a Natural Community Conservation Plan/Habitat Conservation Plan (Conservation Plan), approved by the California Department of Fish and Wildlife (CDFW) and the United States Fish and Wildlife Service (collectively referred to as Wildlife Agencies) in 2017. Consistent with the Conservation Plan, the Orange County Transportation Authority (OCTA) purchased seven conservation properties (Preserves) and funded 12 habitat restoration projects (Attachment A). In addition, OCTA established an endowment for the long-term management of the Preserves. In a parallel process, OCTA worked with the United States Army Corps of Engineers (ACOE) and the State Water Resources Control Board (SWRCB), commonly referred to as the Regulatory Agencies, to establish a framework to expedite the permitting process for those agencies.

The development of the Conservation Plan, the subsequent purchase of these Preserves, and the funding of the restoration projects have largely met the intent of the EMP. Many of the restoration projects are close to or have obtained approvals from the Wildlife Agencies.

Discussion

2020 Conservation Plan Annual Report

As a commitment of the Conservation Plan, OCTA is required to prepare an annual report on the implementation processes. The executive summary for the 2020 Conservation Plan Annual Report is included as Attachment B. The complete report is available on the OCTA website at [http://www.octa.net/Projects-and-Programs/OC-Go/OC-Go-\(2011-2041\)/Freeway-Mitigation/Conservation-Plan/](http://www.octa.net/Projects-and-Programs/OC-Go/OC-Go-(2011-2041)/Freeway-Mitigation/Conservation-Plan/). This report includes the tracking of biological impacts associated with covered freeway improvement projects, management, monitoring, status and activities on the Preserves, progress of the restoration projects, as well as additional plan administration and public outreach activities. This annual report documents that OCTA's activities between January 1, 2020 and December 31, 2020, comply with and are on target with the Conservation Plan commitments. The annual report was reviewed and approved by the Wildlife Agencies, provided to the Environmental Oversight Committee (EOC), and is available for public review. The annual report documenting the 2021 calendar year activities is anticipated to be shared with the EOC and Board of Directors (Board) in mid-2022.

OCTA Preserves' Fire Management Plans Update

As required by the Conservation Plan, OCTA is developing fire management plans (Plan) for the Preserves. Each Preserve will have its own separate Plan. These Plans will provide guidelines for decision-making at all stages, including fire prevention, pre-fire vegetation management, suppression activities, and post-fire responses that are compatible with conservation and stewardship responsibilities. It was anticipated that these Plans would be completed in 2021. However, due to delays related to easement information, external Wildlife Agencies staff turnover, and the inclusion of new 2021 species data, these Plans are now anticipated to be completed in 2022. The delay of completing these Plans does not negatively impact the Conservation Plan or associated permits. Once complete, they will be posted on OCTA's website.

Federal Highway Administration Case Study

In May 2021, the Federal Highway Administration (FHWA) released a case study featuring the OCTA EMP as an industry model for advanced compensatory mitigation. This study highlights the EMP as an example of how transportation and environmental goals can be mutually accomplished through successful partnerships. The OCTA case study is one in a series of case studies emphasizing

how transportation agencies around the country are implementing a nine-step process called Eco-Logical. This study walks through the Eco-Logical framework and details how elements of the EMP align with each of the steps of the Eco-Logical approach. The case study is included as Attachment C.

Clean Water Act Permits Update

The M2 freeway projects are anticipated to impact waters of the state or jurisdictional waters that are subject to regulation by the ACOE, the SWRCB, and the CDFW, and will require mitigation. Before construction activities can occur, OCTA must obtain sections 401 and 404 Clean Water Act permits from the aforementioned Regulatory Agencies. The Conservation Plan mitigation was utilized to help obtain Clean Water Act permits. This has streamlined the project-level permitting processes. These efforts are the result of years of collaboration between OCTA and the Regulatory Agencies and constitute another groundbreaking milestone for the M2 EMP. The success of the partnership this program has garnered is evident with the FHWA recognition as previously mentioned, as well as the ACOE swift response on three OCTA emergency projects this past year.

Freeway Projects Update

The following construction projects have benefited from the EMP. Without the EMP's established process, additional mitigation-related requirements and unknown costs could have been incurred, resulting in increased project cost and schedule risks.

- Project C (Interstate 5 Improvement Project from State Route 73 [SR-73] to El Toro Road); and
- Project F (State Route 55 Improvement Project between Interstate 405 [I-405] and Interstate 5); and
- Project K (I-405 Improvement Project from SR-73 to the Los Angeles County Line).

A strong partnership has been forged through collaboration with the environmental community as exemplified by their participation on the EOC. Furthermore, substantial risk minimization from public controversies for the freeway program has occurred as a result of these partnerships.

Endowment Fund

Conservation Plan permits were issued by the Wildlife Agencies in mid-2017 streamlining the M2 environmental process. This allowed OCTA to expedite the M2 freeway projects. The Conservation Plan requires the establishment of a \$34.5 million endowment fund for long-term management of the Preserves. It is anticipated the endowment would be established in a ten to 12-year period.

To date, OCTA has made six endowment deposits. Quarterly investment reports are provided to the Board with the most recent report presented in December 2021. As of September 30, 2021, the balance was \$22,075,031. The balance is above the fiscal year 2022 target of \$20,076,431. Staff will continue to provide regular endowment updates to the Board, Finance and Administration Committee, and the EOC.

Hikes and Equestrian Rides

The docent-led hike and equestrian ride events resumed in September after a postponement for more than a year due to the impacts of the coronavirus (COVID-19) pandemic. Two hikes and three equestrian riding events were held on the Preserves in 2021. Staff will continue to monitor the impacts of COVID-19 and determine if there is any new health agency guidance on public gatherings in the future. OCTA will release the 2022 Wilderness Preserve Hiking and Equestrian Riding Tour calendar early next year.

Summary

M2 includes an EMP that provides funding for programmatic mitigation to offset certain impacts of the 13 M2 freeway projects. To expedite the delivery of the M2 freeway projects, this program was initiated to implement early project mitigation through preservation and habitat restoration. This program is administered through a Conservation Plan, which was approved by the Wildlife Agencies in mid-2017. To maximize the benefits of the investments, OCTA has utilized some of that same mitigation to obtain Clean Water Act permits.

Attachments

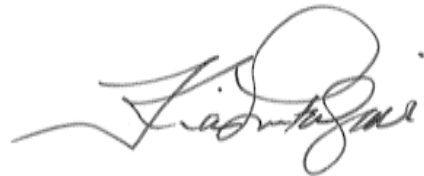
- A. OCTA Preserves and Funded Restoration Projects
- B. Measure M2 Natural Community Conservation Plan/Habitat Conservation Plan - 2020 Annual Report - Executive Summary
- C. FHWA Eco-Logical Case Studies Series, Example of Implementing Eco-Logical, A Novel Approach to Establish Programmatic Advance Mitigation for the M2 Program Transportation Projects

Prepared by:



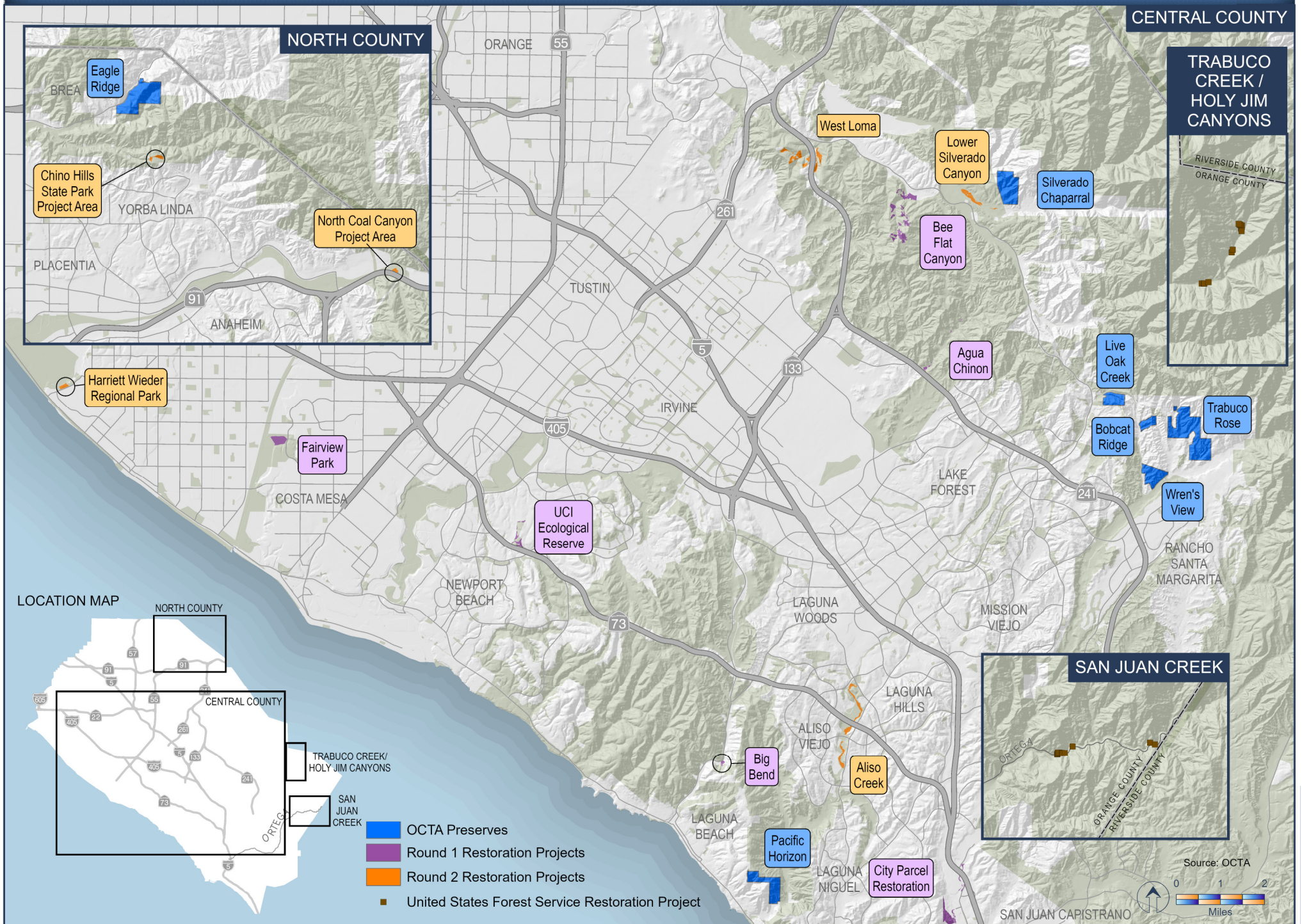
Lesley Hill
Environmental Mitigation Program
Project Manager
(714) 560-5759

Approved by:



Kia Mortazavi
Executive Director, Planning
(714) 560-5741

OCTA Preserves and Funded Restoration Projects



**Measure M2 (M2) Natural Community Conservation Plan/
Habitat Conservation Plan
2020 Annual Report - Executive Summary**



Prepared by:

Orange County Transportation Authority
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Orange, CA 92863
Contact: Lesley Hill
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November 2021

Orange County Transportation Authority. 2021. *M2 Natural Community Conservation Plan/Habitat Conservation Plan – 2020 Annual Report*. Orange, CA

Executive Summary

This is the third annual report for the Orange County Transportation Authority (OCTA) M2 Natural Community Conservation Plan/Habitat Conservation Plan (NCCP/HCP or Plan), covering all activities between January 1, 2020 and December 31, 2020. This report summarizes the tracking of impacts associated with covered freeway improvement projects and other management and monitoring activities on Preserves (Covered Activities), status and activities on the OCTA Preserves, progress on the implementation of OCTA-funded restoration projects, and additional Plan administration and public outreach activities. This annual report has been reviewed and approved by the California Department of Fish and Wildlife (CDFW) and U.S. Fish and Wildlife Service (USFWS), collectively referred to as the Wildlife Agencies. In addition, this annual report is presented to the OCTA Environmental Oversight Committee (EOC) and is available for a public review.

Tracking Impacts from Covered Activities

OCTA keeps an accounting of the Plan-to-date impacts on habitat types from all covered freeway improvement projects to ensure impacts stay within the caps established within the Plan. To date, a total of 9.2 acres of habitat impacts have been authorized relative to a cap of 141.0 acres. In addition, OCTA uses a consistency determination checklist to evaluate how and when avoidance and minimization measures are implemented on covered freeway improvement projects. No projects had consistency determinations drafted, modified, or completed within the timeframe of this annual report. Other tracking requirements include:

- *Tracking for Covered Plant Species Policy* – OCTA tracks the credits for covered plant species protection (on Preserves) and restoration/enhancement (restoration projects) relative to allowable impacts. The Plan-to-date balance for each plant species is net positive (intermediate mariposa lily [+1303], many-stemmed dudleya [+180], southern tarplant [+8,377 + 1 acre]).
- *Tracking Impacts on Habitat Types Resulting from Covered Activities within Preserves* – The Plan establishes a cap that no more than 13 acres (approximately 1%) of the natural habitat within the OCTA Preserves will be impacted by Preserve management activities. To date, no measurable permanent impacts have been recorded on the Preserves.
- *Maintaining Rough Proportionality* – The Plan requires implementation of conservation measures roughly proportional in time and extent to impacts on natural communities and Covered Species. To date, three restoration projects, Big Bend, City Parcel and Bee Flat, have received sign-off from the Wildlife Agencies as meeting their success criteria and have achieved conservation credits that keeps the Plan ahead of allowable impacts.

OCTA Preserves

OCTA acquired seven properties resulting in the protection of 1,236¹ acres of natural habitat (Figure 1). In all instances, the seven Preserves are located within priority conservation areas and immediately adjacent to other protected lands. These Preserves add to the protection of large blocks of natural open space in areas important for regional conservation. OCTA has completed Resource Management Plans (RMPs) for each Preserve that includes Preserve-specific goals and objectives and define an appropriate level of public access and trail use consistent with protection of biological resources. It is anticipated that conservation easements will be completed and recorded in the near future. Currently each Preserve is being managed by OCTA. OCTA is working to identify and transition to long-term Preserve managers in the near future. OCTA has contracted with the following consulting firms to support Preserve management: (1) Glenn Lukos Associates to provide biological monitoring, prepare invasive species management plans, and assist with public outreach events, (2) RECON Environmental to support general Preserve stewardship including maintenance of access roads, tree trimming, and control of public access, (3) Wildland Res Mgt to complete fire management plans, and (4) ICF to assist with general program needs including the development of the conservation easements. OCTA has hosted numerous Preserve-specific outreach events to educate the public about property value and access and plans to continue this process in the near term as part of a managed access approach. No fires or major events have occurred on the Preserves in 2020, although a level of trespassing and vandalism continues to occur requiring ongoing monitoring and enforcement.

OCTA-Funded Restoration Projects

OCTA has approved funding for 11 restoration projects and a check dam removal project that will result in over 350 acres of restored habitats and improvement to habitat functions for Covered Species. The restoration projects occur throughout the Plan Area in core habitat areas and within key habitat linkages and riparian corridors (Figure 1). The restoration projects are on lands that are currently managed and will enhance habitat for Covered Species. OCTA is working with the restoration project sponsors to complete implementation and monitoring of the restoration activities and achieve sign-off from the Wildlife Agencies that the restoration projects meet their success criteria. Each restoration project is at different stages of the process. Wildfires in late 2020, impacted three OCTA funded restoration projects. To date, 3 of the 11 restoration projects have obtained sign-off.

Additional Conditions for Coverage

As part of the Conservation Analysis (Chapter 6) in the Plan, there were two Covered Species, arroyo chub and many-stemmed dudleya, noted for additional conditions for coverage above and beyond the acquisition of the OCTA Preserves and funding of restoration projects. In 2017, the EOC and Wildlife Agencies approved OCTA to fund the United States Forest Service Dam Removal restoration project

¹ The acreage of natural habitat preserved is based on best available information used during the preparation of RMPs and may be slightly different from acreages reported in the M2 NCCP/HCP.

that, when complete, will satisfy the conditions for coverage of arroyo chub. Work began in 2018 and was completed in 2020. A total of 14 dams were removed using the funds provided by OCTA. For many-stemmed dudleya, OCTA is currently taking steps to protect and enhance an existing population of many-stemmed dudleya on the Pacific Horizon Preserve with the hope that it will expand to help meet or will meet the criteria needed to achieve coverage for many-stemmed dudleya.

Public Outreach

OCTA has been committed to transparency in how the M2 funds have been and are being used to implement the Plan and the broader Environmental Mitigation Program (EMP). OCTA has conducted a variety of public outreach activities aimed at informing and engaging the public on the overall EMP as well as Preserve-specific issues and events. These have included public meetings during the preparation of the Preserve RMPs, maintaining a website with information and documents related to the program, and engaging in various outreach efforts and encouraging volunteer programs. Many events planned for 2020 were impacted due to stay at home orders and restrictions relating to the COVID-19 epidemic. In 2020, OCTA participated in 3 EMP public outreach events and meetings and 2 Preserve-specific public outreach events.

Plan Funding

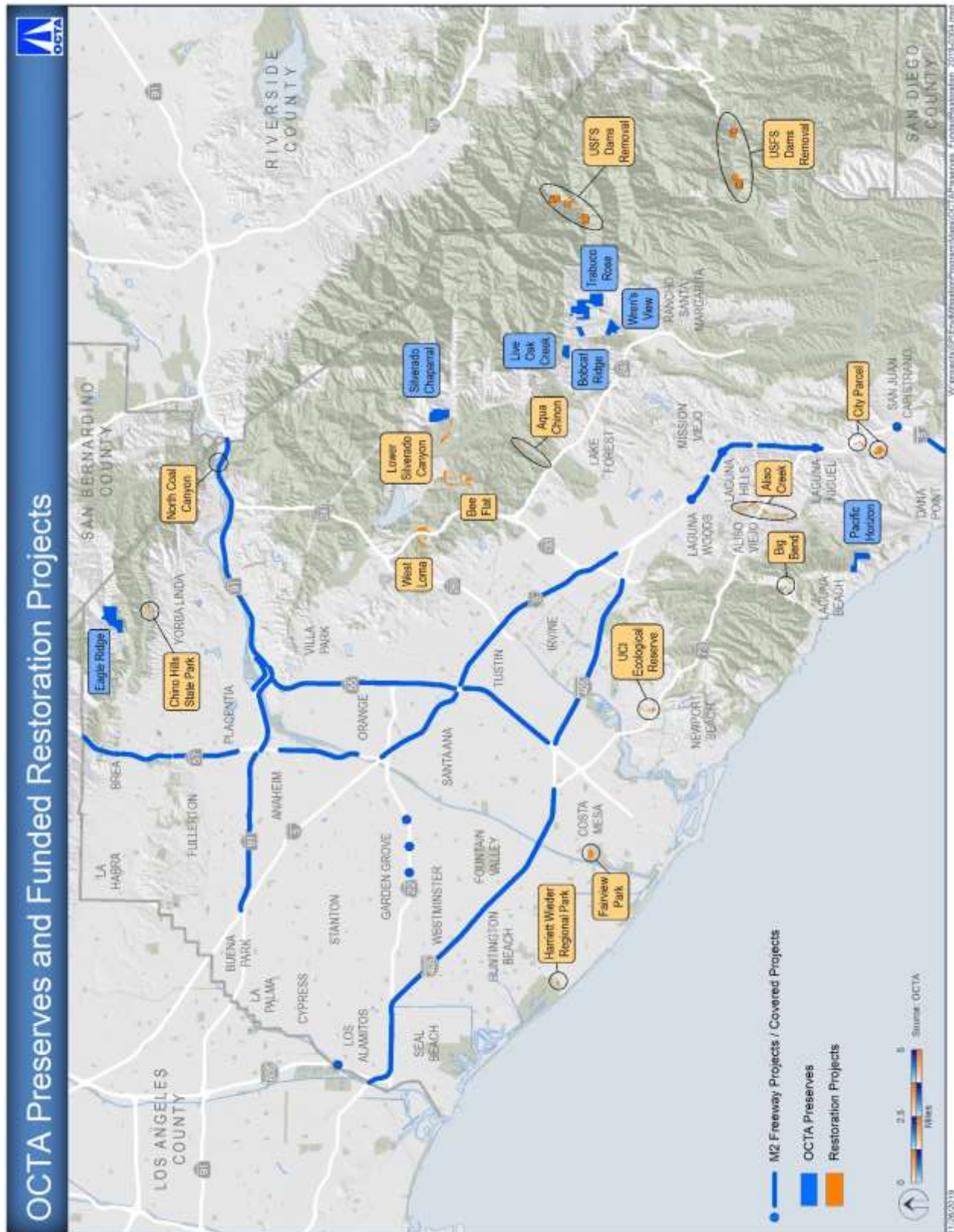
The primary source of funding for the Plan will derive from the M2 transportation sales tax designed to raise money to improve Orange County's transportation system. As part of the M2 sales tax initiative, at least 5% of the revenues from the freeway program will be set aside for the M2 EMP revenues. There are sufficient funds available through the M2 EMP to cover the development and implementation of the Plan. OCTA is currently in a 12-15 year process to accumulate and establish an endowment that will provide a long-term funding source to cover ongoing Preserve management and monitoring, adaptive management, and responses to changed circumstances, in perpetuity. In the short-term, the current M2 EMP revenue stream is used to cover Plan implementation and administration.

Plan Administration

OCTA is responsible for implementing the Plan and staffing an NCCP/HCP Administrator position. OCTA has designated Lesley Hill as the NCCP/HCP Administrator. Her role includes overseeing Preserve management and monitoring, coordinating with restoration project sponsors, serving as the primary point of contact with the Wildlife Agencies, ensuring avoidance and minimization measures are implemented pursuant to the Plan, tracking impacts and conservation, assisting with public outreach, and preparing this annual Report.

The Plan outlines how modifications, Minor Amendments, and Major Amendments can be made to the Plan. This annual report summarizes Plan modifications that have been made in collaboration with the Wildlife Agencies that address revisions to restoration project design plans and sponsors, minor Preserve boundary adjustments, and approval of a new restoration project since Plan approval. No minor or major amendments are proposed.

Figure 1 – OCTA M2 NCCP/HCP Preserves and Funded Restoration Projects





U.S. Department
of Transportation
**Federal Highway
Administration**

FHWA Eco-Logical Case Studies Series

Example of Implementing Eco-Logical

A Novel Approach to Establish Programmatic Advance Mitigation for the M2 Program Transportation Projects

Eco-Logical is an approach designed to help transportation, resource, and regulatory agencies integrate their infrastructure development and conservation planning processes and arrive at a joint set of environmental priorities. It organizes current methods to address natural resource identification, avoidance, minimization, and compensation into a systematic, nine-step process that starts at the beginning of the transportation planning process and concludes with establishing programmatic approaches to recurring natural resource issues that are implemented at the project level. This is one case study in a series that highlights how transportation agencies around the country are implementing the nine steps of Eco-Logical.

Summary

The Orange County Transportation Authority (OCTA) engaged state and federal permitting agencies in an innovative approach akin to Eco-Logical to develop mechanisms allowing for advance compensatory mitigation for projects included in the OCTA M2 Highway/Freeway Program (M2 Program). The project-specific Natural Community Conservation Plan (NCCP)/Habitat Conservation Plan (HCP) (Conservation Plan), Section 404 Clean Water Act (CWA) letter of permission (LOP) Procedures, and Section 401 CWA assurance letter address permitting and mitigation needs for the M2 Program of projects. In turn, these mechanisms expedite the environmental review for individual M2 Program projects while improving environmental outcomes.



Key Elements

To provide advance compensatory mitigation and expedite the environmental review process, agencies partnered to:

- Prioritize sensitive habitats and species in Southern California by developing a suite of mitigation planning resources including the **M2 Conservation Plan** and **Preserve-specific Resource Management Plans (RMPs)** resulting in a comprehensive **Environmental Mitigation Program (EMP)**.
- Develop a programmatic approach for the review of Section 404 CWA permit applications and identification of appropriate and adequate compensatory mitigation for unavoidable losses of waters of the U.S. (WOTUS) resulting from M2 Program construction activities through **Section 404 LOP Procedures** established by the U.S. Army Corps of Engineers Los Angeles District (referred to throughout as USACE).
- Expedite the Section 401 water quality certification review process for waters impacted by M2 Program projects through an **assurance letter from the State Water Resources Control Board (SWRCB)**.
- Accelerate USACE's development of the Section 404 LOP Procedures and review of subsequent Section 404 CWA LOP applications for M2 Program projects through the development and implementation of a **Section 214 Water Resources Development Act (WRDA) Funding Agreement between USACE and OCTA**.

Benefits

The Conservation Plan, Section 404 LOP Procedures, and Section 401 assurance letter have **improved or will improve the efficiency of project coordination and approval for 13 transportation projects** under the M2 Program, currently funded through 2041 with dedicated funding. They allow for advance compensatory mitigation and expedite permit decision making and project delivery for the suite of transportation projects defined in the M2 Program. The Conservation Plan and Section 404 LOP Procedures have **reduced the permitting process time from several months to within 30 days of receiving documentation a project is consistent with the Conservation Plan, and within 45 days from receipt of a complete LOP application, respectively**. In addition, the Conservation Plan established seven Preserves totaling over **1,300 acres of preserved land, and additionally restored over 350 acres of habitat throughout Orange County**, affording managed recreational opportunities as well as safeguarding natural resources.

The Challenge

As the champion behind the M2 Program, OCTA sought to accelerate the permitting process and efficiently deliver transportation projects through the M2 Program. The M2 Program addresses long-term transportation needs in Orange County by planning and funding a suite of 13 transportation projects that include freeway and local interchange improvements over 30 years through a sales tax initiative (see Figure 1). OCTA's challenge was to develop an innovative approach that embraced environmental stewardship, collaborated with partners, and acted in the public's interest.

Mitigation approach: Rather than mitigate impacts on a project-by-project basis, OCTA sought an approach to develop program-level mitigation that would help expedite project delivery and establish a mitigation strategy for the life of the program.

Interagency coordination: OCTA needed to address the array of permitting and consultation challenges that would accompany the suite of planned transportation projects. OCTA also needed to find a solution acceptable to several State and Federal agencies, including the California Department of Transportation (Caltrans), USACE, SWRCB, the U.S. Fish and Wildlife Service (USFWS), and the California Department of Fish and Wildlife (CDFW).

Funding: By engaging Orange County citizens, OCTA has secured dedicated sales tax revenues through a referendum overwhelmingly approved by voters in 2006 to fund the M2 Program projects, with a portion of the funds dedicated to environmental mitigation (see the call-out box for more details).



Figure 1: Map showing the locations of the 13 planned M2 Program transportation projects in Orange County, labeled A-M.

Image: OCTA

Main Challenges

The main challenges for this effort included:

- **Ensuring protection of threatened and endangered species and sensitive habitats.** OCTA, in collaboration with the regulatory and resource agencies, sought to develop a solution for compensatory mitigation for unavoidable impacts to wildlife and WOTUS resources associated with constructing the M2 Program projects.

M2 Program Funding and Public Support

Sales Tax Funding Mechanism

In a bid to improve local transportation infrastructure, Orange County residents first approved Measure M instituting a half-cent sales tax increase to help fund a 20-year package of transportation improvement projects in 1990. The Renewed Measure M (M2, later rebranded OC Go) Freeway Program was approved in 2006 by 70 percent of voters, providing a 30-year extension of the tax, continuing the commitment to transportation improvements in the County. The M2 Program allocates 43 percent of anticipated revenues to a suite of freeway projects, with a subset (5 percent) dedicated to comprehensive environmental mitigation.

High Level of Public Support

The M2 tax measure required a two-thirds supermajority to pass, underscoring the importance of garnering support from environmentally motivated voters and organizations, who are often ambivalent or resistant to transportation infrastructure improvements. The commitment to comprehensive programmatic mitigation was instrumental in not only attracting the active support of more than 30 environmental organizations and the voters they represent, but also encouraging ongoing cooperation and collaboration in implementing the projects and associated mitigation program.

- Creating viable and efficient permitting solutions to satisfy multiple agency requirements for an entire project portfolio.**
 To account for existing and future transportation challenges for Orange County residents, OCTA identified 13 projects for the M2 Program over a 30-year horizon. This suite of projects may be subject to multiple Federal permitting authorities, including Sections 401 and 404 of the CWA, Section 14 of the Rivers and Harbors Act (33 USC 408, "Section 408"), and Sections 7 and 10 of the Endangered Species Act (ESA). Projects are also subject to State-level permitting for impacts to species protected by the California Endangered Species Act through the Natural Community Conservation Planning Act (NCCPA) Section 2835 or for impacts to streams or lakes that could adversely affect any fish or wildlife resource. Traditional permitting processes involve reviewing compensatory mitigation solutions on a project-by-project basis. These types of projects often require overlapping permits from multiple agencies, leading to cumbersome and sometimes conflicting mitigation guidance. OCTA and Caltrans needed a programmatic mitigation solution for proposed projects that require compensatory mitigation.

The Eco-Logical Approach

Eco-Logical's nine steps organize how agencies can partner and integrate plans to identify environmental priority areas and ecological considerations in project planning and delivery. Agencies can apply the steps in order or independently of each other.

The nine steps include:

- Step 1: Build and strengthen collaborative partnerships and vision
- Step 2: Characterize resource status and integrate natural environment plans
- Step 3: Create a Regional Ecosystem Framework (REF)
- Step 4: Assess effects on conservation objectives
- Step 5: Establish and prioritize ecological actions
- Step 6: Develop a crediting system
- Step 7: Develop programmatic consultation, biological opinion, or permit
- Step 8: Implement agreements, adaptive management, and project delivery
- Step 9: Update REF and plan

Implementing Eco-Logical

The interagency collaboration involved to develop the various mechanisms aiding in effectively and efficiently implementing the M2 Program projects align closely with many steps of the Eco-Logical approach. This case study walks through the Eco-Logical framework and details how elements of these efforts align with each of the steps of the Eco-

Logical approach. Figure 2 provides a timeline of key milestones.

Step 1 (Collaborate):

In October 2007, OCTA established the [Environmental Oversight Committee \(EOC\)](#) to

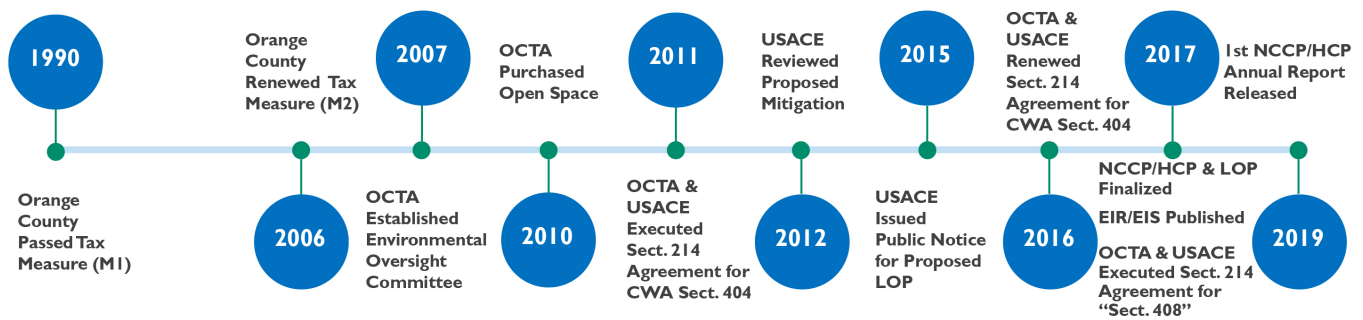


Figure 2: Timeline for process to develop the programmatic advance mitigation approaches for M2 Program transportation projects.

Image: FHWA/U.S. DOT Volpe Center

evaluate and make recommendations on the allocation of collected environmental freeway mitigation funds related to resource protection and regulatory requirements. The EOC is comprised of twelve members representing the agencies involved in the Conservation Plan and Section 404 LOP Procedures, environmental stakeholders, and public members, along with two members from the OCTA Board of Directors. Committee members serve a three-year term with no term limits and meet regularly.

The M2 Program dedicated 43 percent of the anticipated sales tax revenue to the freeway projects, 5 percent of which is dedicated to comprehensive environmental mitigation through the [Environmental Mitigation Program \(EMP\)](#). The EMP offers comprehensive, rather than piecemeal, mitigation to provide higher-value environmental benefits such as habitat protection, wildlife corridors, and resource preservation, which facilitates accelerated project approvals for the M2 Program as a whole.

As OCTA considered potential compensatory mitigation for potential unavoidable WOTUS impacts associated with constructing the M2 Program projects, it coordinated with SWRCB and USACE to address these impacts and potential mitigation options programmatically, with the goal of further expediting the project permitting process.

Coordination for wildlife resources: Initially the mitigation funds were focused to help offset impacts to wildlife resources. OCTA, USFWS, CDFW, and Caltrans (as a special participating agency rather than a signatory agency) collaborated to develop the M2 Program Conservation Plan focused on species conservation for federally and State-listed threatened, endangered, and candidate species (see more details in Step 3). Due to the nature of the resources and permitting requirements, OCTA's coordination with the two wildlife agencies, USFWS and CDFW, was relatively straightforward.

"[Developing the Section 404 LOP Procedures] really was an opportunity to come together and make sure that everybody's mandated requirements were addressed in a comprehensive, forward-thinking manner."

– USACE

Building Partnerships

The following partner agencies collaborated closely to establish programmatic advance mitigation for the M2 Program:

- Orange County Transportation Authority
- U.S. Army Corps of Engineers Los Angeles District
- U.S. Fish and Wildlife Service
- California Department of Fish and Wildlife
- California Department of Transportation
- State Water Resources Control Board

Coordination for aquatic resources: OCTA concurrently engaged USACE and the SWRCB to develop a parallel programmatic water resources permitting process to further accelerate M2 Program project delivery. Relative to the process for developing the wildlife mitigation plans, coordination on compensatory mitigation and permitting for potential impacts to aquatic resources was more complex. At the time, USACE Los Angeles District lacked an established procedure to programmatically address compensatory mitigation for a suite of planned construction projects impacting WOTUS such as those proposed under the M2 Program other than to establish a mitigation bank or In-Lieu Fee (ILF) Program. Many of these projects did not yet have defined impacts by aquatic resource type, size, and location, so USACE questioned how it could address Section 404 permitting requirements. Even with OCTA's restoration and compensatory mitigation commitments known, USACE may only approve compensatory mitigation at the end of its evaluation process, after determining proposed WOTUS impacts have been avoided and minimized to the maximum extent practicable.

After discussing several programmatic mitigation options allowed under USACE's [2008 Compensatory Mitigation Rule](#), OCTA made the case that advance permittee-responsible mitigation (PRM) (see more details in Step 6) authorized under LOP procedures would best address its mitigation needs for planned aquatic resource impacts associated with constructing the M2 projects, and would also honor the sales tax commitments made through the M2 Program (see the sidebar on next page for more detail on why the Section 404 LOP Procedures

mechanism was selected). While LOP procedures are not unusual for USACE, incorporating advance PRM into LOP procedures is a novel strategy.

Having the Conservation Plan already in place was an asset for discussions between OCTA and USACE and helped alleviate many of USACE's concerns about developing the Section 404 LOP Procedures. The Conservation Plan demonstrated that using conservative estimates for impacts could minimize risk while providing enhanced outcomes. However, engaging the USACE earlier, while the M2 tax measure was being developed, might have facilitated earlier agreement on a programmatic process for impacts to WOTUS.

To further facilitate the permitting process, OCTA identified which projects might be subject to Section 408 and engaged in additional collaborative efforts with the Engineering Division at USACE, which issue Section 408 permission decisions (Civil Works Program). Additionally, the USACE Los Angeles District developed and executed funding agreements with OCTA under Section 214 of the WRDA of 2000, as amended ("Section 214 agreement"), to help expedite permit application evaluations for OCTA's projects requiring permit decisions under Section 404 of the CWA and "Section 408". The Section 214 agreements provide funding for dedicated USACE

staff to work on the development of the Section 404 LOP Procedures, and continues funding dedicated permit reviewers at USACE to expedite the review of OCTA's priority permit applications. The original funding agreement for Section 404 of the CWA was executed in January 2011, and renewed in October 2016. A second agreement for "Section 408" was executed in March 2017.

Step 2 (Characterize Resources):

Projects in the M2 Program were expected to impact a variety of State and federally protected species and critical habitat, as well as WOTUS. By analyzing the overlapping impacts to several species, aquatic resources, and habitats, and considering other ecological concerns, OCTA established watershed-level mitigation priorities. Resources were characterized by natural community type and predicted species habitat. Generally, project footprints were compared to known natural community data and predicted species habitat models—using regional level habitat mapping for existing site conditions and county vegetation mapping coupled with known sensitive species (see Figure 3) occurrence data—to determine the amount of impact the projects would have. The Conservation Plan also identified key habitat linkage areas, using the County as the Planning Area. To

Selecting the LOP Procedures Mechanism

What are LOPs?

LOPs are a streamlined form of an individual permit. They are defined as "a type of permit issued through an abbreviated processing procedure which includes coordination with Federal and state fish and wildlife agencies, as required by the Fish and Wildlife Coordination Act, and a public interest evaluation, but without the publishing of an individual public notice" (33 CFR 325.2(e)(1)).

Activities authorized under an LOP neither require an individual public notice nor an environmental analysis under the National Environmental Policy Act (NEPA). Through its NEPA implementing regulations, USACE has determined that all LOPs are categorically excluded under NEPA.

USACE Districts must first establish "LOP procedures" to issue a Section 404 LOP. Regulations at 33 CFR 325.2(e)(1)(ii) describe the process required to establish Section 404 LOP procedures, which includes a public notice and programmatic NEPA Environmental Assessment (EA).

Why was an LOP selected?

Comparing ILF programs, mitigation banks, and advance PRM approved under the Section 404 LOP Procedures, OCTA ultimately decided the Section 404 LOP Procedures would be the most beneficial for addressing WOTUS impacts from the M2 Program transportation projects because it:

- Honored the sales tax commitments made through the M2 Program to provide comprehensive environmental mitigation for the M2 Program projects.
- Provided a programmatic mechanism for approving compensatory mitigation in advance of the planned M2 project impacts to WOTUS.
- Would remain valid and an available mechanism to support the remaining 20-year timeframe of the M2 Program projects.
- Provided a mechanism to approve compensatory mitigation for watersheds requiring in-watershed mitigation that was previously unattainable due to a lack of mitigation banks or ILF credits available for use.



Figure 3: OCTA's managed preserves provide habitat for 13 sensitive "covered species" under the Conservation Plan, such as the cactus wren, San Diego horned lizard, bobcat, and the intermediate Mariposa lily (listed from Left to Right).

Images: OCTA

address aquatic resource permitting needs, a Preliminary Jurisdictional Determination with a geographic delineation of non-wetland and WOTUS within the OCTA M2 Program area was completed in 2011; the boundaries for the delineation were developed using the planned project alignments as well as a buffer area.

The OCTA in coordination with USFWS prepared an [environmental impact report \(EIR\)/environmental impact statement \(EIS\)](#) under the California Environmental Quality Act (CEQA) and NEPA, respectively, for the M2 Program Conservation Plan in November 2016. The [EIR/EIS was published in the Federal Register](#) on March 31, 2017.

The EIR/EIS extensively referenced an existing Long Range Transportation Plan Programmatic EIR from 2006 addressing the infrastructure improvement projects. Each individual M2 Program project will also have a project-specific NEPA/CEQA analysis completed by OCTA and approved by Caltrans; the EIR/EIS provides supporting information for these future documents, particularly with respect to impacts to biological resources.

The USFWS was the Lead Agency for the NEPA action required for the Conservation Plan. OCTA was the Lead Agency under CEQA and was the permittee under the NCCP and HCP. CDFW was the Lead Agency under the NCCP. Caltrans was a special participating agency, as the owner/operator of the state highway system for which the improvements were being made. The EIR/EIS process happened in parallel with the development, finalization, and USFWS and CDFW approval of the Conservation Plan. These actions allowed Caltrans to utilize the mitigation provided by OCTA through the certificate of inclusion process. As part of its decision-making process for the issuance of the Section 404 LOP

Procedures, USACE prepared a programmatic NEPA EA that incorporated information from the EIR/EIS by reference.

The permits issued by the wildlife agencies address a defined set of species listed as threatened or endangered, or those that may become listed during the permit term, that may be impacted by covered activities, and that would benefit from Conservation Plan-related conservation and management.

The USACE participated in the EOC's mitigation site evaluation and approval process during the development of the LOP procedures to ensure that the mitigation plans included appropriate compensatory mitigation for unavoidable permanent impacts to WOTUS associated with constructing the M2 projects. USACE was the lead agency under NEPA, Section 7 of the ESA, and Section 106 of the National Historic Preservation Act for mitigation site activities that required Section 404 authorization.

Step 3 (Create a REF):

To offset anticipated direct and indirect impacts that the M2 Program projects might have to sensitive species and habitats, OCTA worked with its partner agencies to develop multiple ecosystem-level plans. The various plans and programs developed include:

- The M2 Program [Natural Community Conservation Plan \(NCCP\)/Habitat Conservation Plan \(HCP\)](#) (Conservation Plan), finalized in spring 2017, protect and enhance ecological diversity and function, and strengthen and enhance the integrity and connectivity of the existing protected lands in Orange County. The Conservation Plan addresses permitting requirements for impacts to federally and State-listed threatened and endangered species and

species that may become listed during the permit term, and develop avoidance and minimization measures to offset anticipated direct and indirect impacts from the M2 Program projects. The Conservation Plan designated funding to purchase land to be permanently preserved as open space by establishing seven Preserves and fund restoration projects to address the biological mitigation required relative to the M2 Program projects. OCTA collaborated with CDFW and USFWS during development of the Conservation Plan to ensure it met the requirements of the NCCPA and ESA, respectively. The RMPs are requirements of the Conservation Plan that ensure resources are conserved or maintained in perpetuity.

- [Resource Management Plans \(RMPs\)](#), developed in 2015 and finalized in late 2018, guide the management and monitoring of each of the seven Preserves, and ensure the ongoing protection, preservation, and management of the natural resources found within each preserve (see Figure 4).

To offset losses of aquatic resources that were expected under the M2 Program projects, the USACE required mitigation plans associated with either a USACE-approved Habitat Mitigation and Monitoring Plan (HMMP), or—for preservation-only sites—a USACE-approved Long-Term Resource Management Plan (LTRMP). OCTA proposed three specific PRM sites that were selected in accordance with a USACE-approved HMMP or LTRMP and approved as

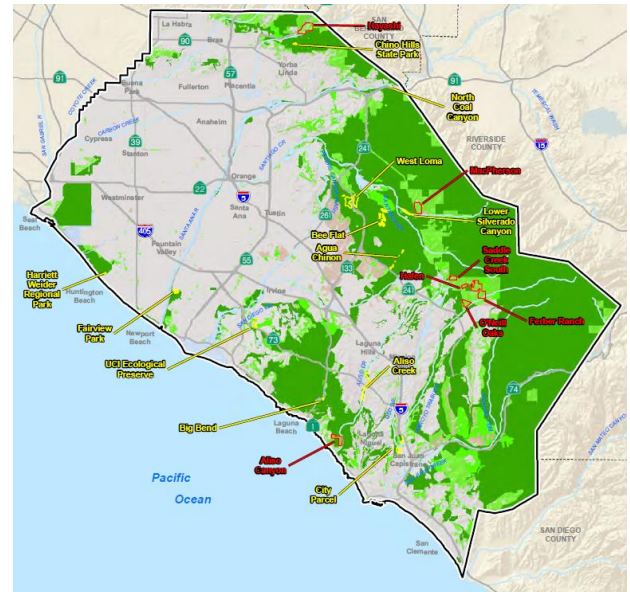


Figure 4: Sample map of the Plan Area used to overlay OCTA Preserves (in red) and funded restoration projects (in yellow) alongside other public space in the county.
Image: OCTA

compensatory mitigation by USACE in the special conditions of the established LOP Procedures. As such, these sites provide compensatory mitigation for the construction of M2 Program projects with unavoidable permanent impacts to WOTUS that are authorized using the Section 404 LOP Procedures. All three PRM sites are located within the Preserves and/or restoration projects established through the Conservation Plan. Two of these PRM sites propose compensatory mitigation through enhancement and rehabilitation projects, and one proposes mitigation through preservation. The PRM approach is further described in Step 6. Figure 5 shows a completed M2 Program project.

Linking the mitigation sites used to address WOTUS impacts with the Conservation Plan's biological mitigation sites in this way allows for landscape-scale mitigation addressing all impacted ecological resources. As the Conservation Plan was being developed, the USACE participated in the EOC and mitigation site evaluation process in tandem. This coordination helped ensure the enhancement, restoration, and preservation of aquatic resources alongside the upland habitat. It also resulted in a more comprehensive mitigation approach along riparian corridors, rather than traditional piecemeal mitigation.

In November 2010, the EMP allocated \$42 million to purchase open space in Orange County and fund



Figure 5: Interstate 5 Avenida Pico to San Juan Creek Road freeway project was completed in 2018 as part of the M2 Program.

Image: OCTA

habitat restoration projects to offset the environmental impacts of M2 Program projects. At OCTA's request, in August 2012, USACE provided a letter stating its preliminary determination that the proposed mitigation generally represented the type and location of compensatory mitigation that may be acceptable to offset potential unavoidable permanent impacts to WOTUS. In January 2018, shortly after USACE issued the Section 404 LOP Procedures, the SWRCB provided an assurance letter recognizing the USACE permitting strategy and concurring that the proposed mitigation and compensation ratios were consistent with the mitigation requirements for state waters impacted by the projects under the California Water Board water quality plans and policies. An actual certification was not issued, but the assurance letter has streamlined the process with the SWRCB.

Step 4 (Assess Effects):

OCTA worked with the regulatory and resource agencies to ensure that analyses for the programmed projects occurred within an appropriate footprint and were adequate to address the potential impacts of the projects.

Assessing impacts to wildlife resources: Since the footprint and impacts had the potential to vary significantly between projects, USFWS used conservative estimates of anticipated direct impacts

based on early project designs provided by OCTA, including a 300-foot-wide buffer around the existing roadways to ensure all effects of potential impacts were addressed in its analyses and mitigation requirements.

The allowable amount of take associated with the M2 Program projects was quantified by overlaying the direct and indirect effect footprints on natural communities, predicted species habitat, species occurrences data, and designated critical habitat. Because the take analysis is based on regional-level habitat mapping and the tracking of impacts is completed using project-specific field survey information, OCTA, in coordination with USFWS and CDFW, adjusted the amount of allowable take for each individual habitat types to account for the precision and accuracy of the regional-level habitat mapping data.

These analyses leveraged existing information from previous large-scale conservation planning efforts to map resources, limiting the need for new mapping and survey efforts. Project-specific surveys will be conducted as needed to ensure that impacts are consistent with those anticipated in the M2 Program Conservation Plan. The M2 Program Conservation Plan also includes a requirement that projects cannot impede wildlife connectivity and that any structural solutions necessary to mitigate impacts to wildlife connectivity will be part of the construction cost for the individual projects. For more information, see Chapter 4 of the [Conservation Plan](#).

Assessing impacts to aquatic resources: OCTA led the efforts with USACE and Caltrans to determine the footprints used to identify aquatic resources and potential impacts, conduct a formal aquatic resource delineation to identify all aquatic resources within the footprints, analyze and assess the potential impacts from construction of the M2 Program projects at a watershed scale (a reasonable worst-case analysis), and prioritize compensatory mitigation. Project footprints varied based on the level of completed planning. Some projects were further along in the development process with defined project footprints and some had not yet begun the planning process. The OCTA Transportation Investment Plan project descriptions were used for projects that had not begun the planning process. Project impacts were estimated based on planning documents or by establishing a conservative buffer based upon input from both

Priority Conservation Areas (PCAs)

Based on the evaluation of conservation opportunities throughout the Plan Area, PCAs were identified as part of the open space acquisition process. They include candidate parcels and properties that could be managed as preserved open space for mitigation purposes. A standardized criteria and prioritization process was developed to facilitate property evaluation and assessment.

Properties for acquisition and restoration/preservation were selected based on the criteria listed below:

- Contain habitats impacted by the freeway projects.
- Contain habitat for covered species.
- Enhance natural lands connectivity, including significant wildlife corridors.
- Has potential to mitigate covered activities.
- Adjacent to or in close proximity to already conserved lands.

OCTA and Caltrans project engineers. USACE used OCTA's aquatic resource delineation to issue a preliminary jurisdictional determination, which assumes all aquatic resources within a given area are jurisdictional. Through coordination with the USACE and as part of the Section 404 LOP Procedures application requirements, OCTA demonstrated all projects processed through these LOP Procedures would avoid and minimize impacts to WOTUS to the maximum extent practicable.

Step 5 (Prioritize Actions):

The M2 Program mitigation project selection occurred within OCTA with formal input from the resource agencies as part of the EOC. OCTA and a subset of the EOC—including USFWS, USACE, CDFW and Caltrans—developed criteria to evaluate and prioritize property acquisition and restoration projects, taking into account biological questions related to habitat, species, vegetative communities, and contiguity of riparian areas and watershed location, along with non-biological factors such as land cost valuation and property acquisition. The project review and selection process was as follows:

- OCTA issued a request for proposal to solicit proposals for mitigation projects, including sites on available open space lands as well as restoration projects on other lands.
- OCTA EMP staff, along with representatives from the wildlife agencies, Caltrans, and USACE, reviewed the mitigation proposals based on the developed criteria and ranking system. The group first ensured the proposal covered the necessary mitigation for the freeway project and then looked at other factors such as contiguity to other protected lands, threat of development, and quality of habitat. See the call-out box for more information.
- After the EOC reviewed and endorsed, the proposals were sent to the OCTA Regional Planning and Highways Committee for approval.
- After the OCTA Regional Planning and Highways Committee reviewed and approved the proposals, the OCTA Board of Directors considered the proposals for final approval.

USFWS project prioritization: The USFWS balances working to meet regulatory timeframes and working with applicants on their priorities, with a focus on

projects that will provide substantial conservation benefits. Caltrans provides a funded position with USFWS to have staff work exclusively on Caltrans priority projects.

USACE project prioritization: Under the USACE's traditional business practices, permit applications are reviewed on a first come, first served basis. However, OCTA and USACE's Section 214 funding agreement allows OCTA to fund the work of a dedicated reviewer at USACE that can expedite the review of OCTA's priority permit applications and related efforts.



Figure 6: Potential for M2 Freeway projects to impact WOTUS spurred collaboration between management and regulatory agencies to develop the Section 404 LOP Procedures.

Image: USACE

Step 6 (Use a Crediting System):

To implement Section 404 CWA compensatory mitigation for OCTA project impacts to WOTUS (see Figure 6), the established LOP Procedures utilize an advance [PRM](#) approach. PRM is defined as “an aquatic resource restoration, establishment, enhancement, and/or preservation activity undertaken by the permittee to provide compensatory mitigation for which the permittee retains full responsibility” (33 CFR 332.2). In contrast to a mitigation bank or ILF programs, PRM does not require an applicant to have mitigation credits available at the time a permit is issued. Although no formal credits are associated with the PRM sites, OCTA was required to provide final mitigation plans for USACE approval, which were presented in the form of the HMMPs and LTRMP. USACE's issued Section 404 LOP Procedures

incorporate these final mitigation plans for three specific PRM sites. The LOP Procedures also include an estimate of permanent WOTUS impacts for each of the planned M2 Program projects, approved mitigation ratios, and estimated compensatory mitigation amounts from the three PRM sites for each of the M2 Program projects. Under the approved LOP Procedures, OCTA and Caltrans can propose compensatory mitigation for M2 Program project unavoidable WOTUS impacts using the three approved PRM sites, in accordance with the PRM sites' USACE-approved final HMMPs or LTRMP.

Similarly, OCTA worked with the USFWS and CDFW to develop a standardized approach for crediting conservation efforts for sensitive, threatened, and endangered species based on the acres of suitable habitat conserved or restored for each species.

By looking at the required wildlife and aquatic resource mitigation comprehensively, OCTA was able to develop a funding and conservation protection strategy that focuses on large sites with a multitude of resources rather than multiple piecemeal sites. The comprehensive mitigation approach also allows OCTA to concentrate staffing, consulting, and/or attorney resources on larger mitigation sites that would satisfy the requirements for multiple projects/agencies.

Steps 7 (Develop Agreements) and 8 (Implementation): Conservation Plan and LOP

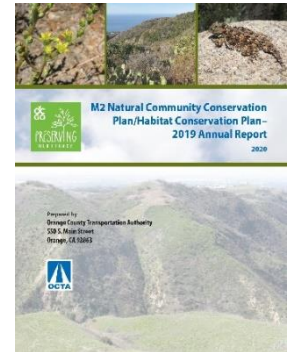
More recent activities by the group of partner agencies have aligned particularly closely with Steps 7 and 8 of Eco-Logical.

Natural Community Conservation Plan (NCCP)/Habitat Conservation Plan (HCP):

The USFWS and CDFW, in collaboration with OCTA, developed the Conservation Plan to address Section 10 of the ESA and Sections 2800-2835 of the State Fish and Game Code for impacts to wildlife resources, and establish the necessary avoidance and minimization measures to offset anticipated direct and indirect impacts from the M2 Program transportation projects. They developed the framework to establish the seven Preserves, fund restoration projects to address the biological mitigation required related to the M2 Program projects, and ensure that resources are conserved or maintained in perpetuity. Additionally, as part of the Section 404 LOP Procedures, the three PRM sites that allow for compensatory mitigation for

permanent impacts to WOTUS associated with constructing the M2 Program projects are either located within publicly owned lands under protection and management by Orange County or are within an OCTA Conservation Plan Preserve.

The Annual Report, shown in Figure 7, is a requirement of the Conservation Plan, and focuses on OCTA's obligations and commitments for wildlife resources. It does not address impacts to WOTUS. OCTA is responsible for producing the Annual Report and it is posted on the [OCTA EMP website](#).



*Figure 7: The 2019 Annual Report.
Image: OCTA*

Implementing the Conservation Plan:

The Conservation Plan established a programmatic approach for the review of projects and identification of appropriate and adequate compensation for impacts to species listed pursuant to the State and Federal ESA. It issues up-front permits pursuant to Section 10 of the Federal ESA and NCCPA that address all impacts to State and federally threatened and endangered species from M2 Program projects. The review of individual projects permitted under the Conservation Plan is completed within 30 days of receiving documentation that a project is consistent with the plan, as opposed to between 60 and 135 days for activities that require project-specific consultation under the Federal ESA.

Through the considerations of the Conservation Plan and agency collaboration, the EMP has allocated \$42 million to purchase over 1,300 acres to establish the seven Preserves, and funded 12 restoration projects throughout Orange County, allocating another \$10 million to restore over 350 acres of open space land for both the Section 404 LOP Procedures PRM sites as well as the wildlife resource mitigation sites. These efforts have helped clean up local waterways and have successfully ensured the protection of 13 sensitive species in their native habitats. Figure 8 shows one of the seven Preserves established through the M2 Program.

The RMPs are to be reviewed every five years and updated as necessary to continually address



*Figure 8: OCTA's Environmental Mitigation Program has allowed for the purchase 1,300 acres to preserve a variety of important habitats
Image: Courtesy of OCTA*

potential modifications to the management activities of the Preserves in response to any changes in the Preserves' needs. Should any changes be necessary, the RMPs must receive approval from the USFWS and CDFW and will be available for public review.

The first two Annual Reports for the established Conservation Plan have been published following review and approval by USFWS and CDFW. Together, they cover all activities up to December 31, 2019, including impacts associated with covered activities, status of OCTA Preserves and related activities, the progress on implementing OCTA-funded restoration projects, and additional Plan administration and public outreach activities.

Letter of Permission (LOP):

The USACE Los Angeles District's Regulatory Division, in collaboration with OCTA, developed and issued the project-specific CWA Section 404 LOP Procedures to address permitting and mitigation needs for the M2 Program projects. USACE issued a Special Public Notice for OCTA's M2 Program projects in April 2015, proposing the LOP procedures as an alternative regulatory mechanism to the typical evaluation of permit applications. A final public notice announcing the establishment of the final LOP procedures was issued in December 2017. The LOP procedures were established for 30 years, through December 2047.

Implementing the LOP:

The Section 404 LOP Procedures were developed specifically for OCTA's M2 Program projects. To

obtain project-specific approval under Section 404, the LOP procedures require OCTA or Caltrans to submit a permit application to USACE that identifies the proposed WOTUS impacts of a given M2 Program project, all avoidance and minimization measures that have been incorporated into the project, and the compensatory mitigation required through use of one or more of the three-approved PRM sites. The LOP procedures includes spreadsheets that are used to calculate the amount of compensatory mitigation required based on the approved compensatory mitigation ratios. The spreadsheets also allow for tracking the amount of compensatory mitigation available at each of the three PRM sites based on the amount of the site that is meeting performance standards, and the amount of compensatory mitigation that has already been used to mitigate impacts from other projects. Excess or "rollover" compensatory mitigation may be used for projects that are in non-compliance or for projects in which impacts were underestimated at the planning level.

The Section 404 LOP Procedures reduce the uncertainty about the applicable USACE requirements for this set of projects during the life of the M2 Program. Regulatory requirements can and do change over time – for example, USACE Nationwide Permits (NWP) are typically reevaluated and reissued every 5 years by USACE Headquarters through a rulemaking process, with the possibility for changes in the permit terms and conditions. The Section 404 LOP Procedures were tailored specifically to the types of projects OCTA was proposing, are valid through the lifespan of the M2 Program, and are not subject to these sorts of rulemaking changes.

An additional benefit of the established Section 404 LOP Procedures is that it approved compensatory mitigation in watersheds that did not have any mitigation bank or ILF credits available for use. The Section 404 LOP Procedures provide a streamlined approach for some of the M2 projects that occur within Special Area Management Plans (SAMPs) areas, within which the Los Angeles District has revoked the NWPs and only PRM is accepted.

The Section 404 LOP Procedures state that USACE will make a decision within 45 days of receipt of a complete project-specific LOP application, unless a Section 408 permission decision, Section 7 of the ESA consultation, or Section 106 of the National

Historic Preservation Act consultation is required. This is well below the USACE Regulatory Program's national goal of issuing decisions for applications requiring an individual permit within 120 days. As such, the integration of the Conservation Plan and Section 404 LOP Procedures further expedites environmental review and application processing.

Key Results & Outcomes

Developing the Conservation Plan and Section 404 LOP Procedures were high priority activities for the agencies involved since these mechanisms would:

- Allow OCTA and Caltrans to accelerate delivery of a suite of vital transportation projects; and
- Provide substantial protection, conservation, and restoration benefits consistent with USACE, USFWS, and CDFW missions.

Figure 9 shows the various agency collaborative efforts key to the successful development of the Conservation Plan and Section 404 LOP Procedures.

The Conservation Plan and LOP procedures have shortened the expected permitting process for the M2 Program projects from several months to within 45 days, saving agencies staff time and money. The Conservation Plan establishes a programmatic approach for covered species and covered activities in the Plan Area, so USFWS and CDFW only need to confirm a project falls within the scope and constraints of the Conservation Plan to rely on the issued permits. If an individual project covered by the established Section 404 LOP Procedures includes a "may affect" determination for federally listed species or critical habitat not covered under the Conservation Plan, Caltrans, as assigned by FHWA under the NEPA Assignment Memorandum of Understanding, or USACE will initiate appropriate Section 7 consultation with the USFWS for the individual LOP project. As such, the Section 404 LOP Procedures and Conservation Plan can expedite environmental review and permitting processes, and reduce duplicative efforts. By engaging in agency collaborative efforts, estimating project impacts to WOTUS upfront, and establishing the PRM and Section 404 LOP Procedures, USACE is able to confirm if a project application's proposed regulated activities comply with the general conditions of the Section 404 LOP Procedures, and write an individual LOP to authorize that project's regulated impacts.

While difficult to assign a dollar value to expedited processes under the Conservation Plan and Section 404 LOP Procedures, this coordination provided a multitude of long-term benefits, including:

- **Provided a programmatic approach that addresses projects up to 30 years into the future and expedites environmental review:** The Section 404 LOP Procedures allow for a programmatic approach to authorizing advance PRM. This results in a consistent and efficient permit evaluation process for large-scale and potentially high-impact projects that often require compensatory mitigation in an area that is lacking in third-party mitigation options or within SAMPs restricted to PRM, and thus are often unable to capitalize on efficiencies built into USACE's existing NWP program. Also, as compared to the NWPs, which are typically reevaluated and reissued by USACE every five years, the Individual Permit that authorizes the Section 404 LOP Procedures has an expiration date of December 8, 2047, which make the Section 404 LOP Procedures an innovative regulatory mechanism to support the 30-year timeframe of the M2 Program projects. The Conservation Plan established a programmatic approach to satisfy consultation and permitting requirements pursuant to the Federal and State ESA for covered activities in the Plan Area.
- **Established an advance mitigation framework that accelerates project-level approvals:** The established Section 404 LOP Procedures and Conservation Plan helps guarantee that established mitigation requirements and sites developed in advance will be approved for offsetting impacts resulting from the M2 Program projects, including those under construction and planned to occur in the future.
- **Established a coordinating body that dedicated time and resources for agency collaboration:** Establishing the EOC and dedicating time to develop and complete the Conservation Plan and the Section 404 LOP Procedures built and enhanced interagency relationships and trust through increased communication and understanding of the various partners' missions and operations. These enriched relationships will likely foster future early coordination and collaboration amongst all agencies involved.

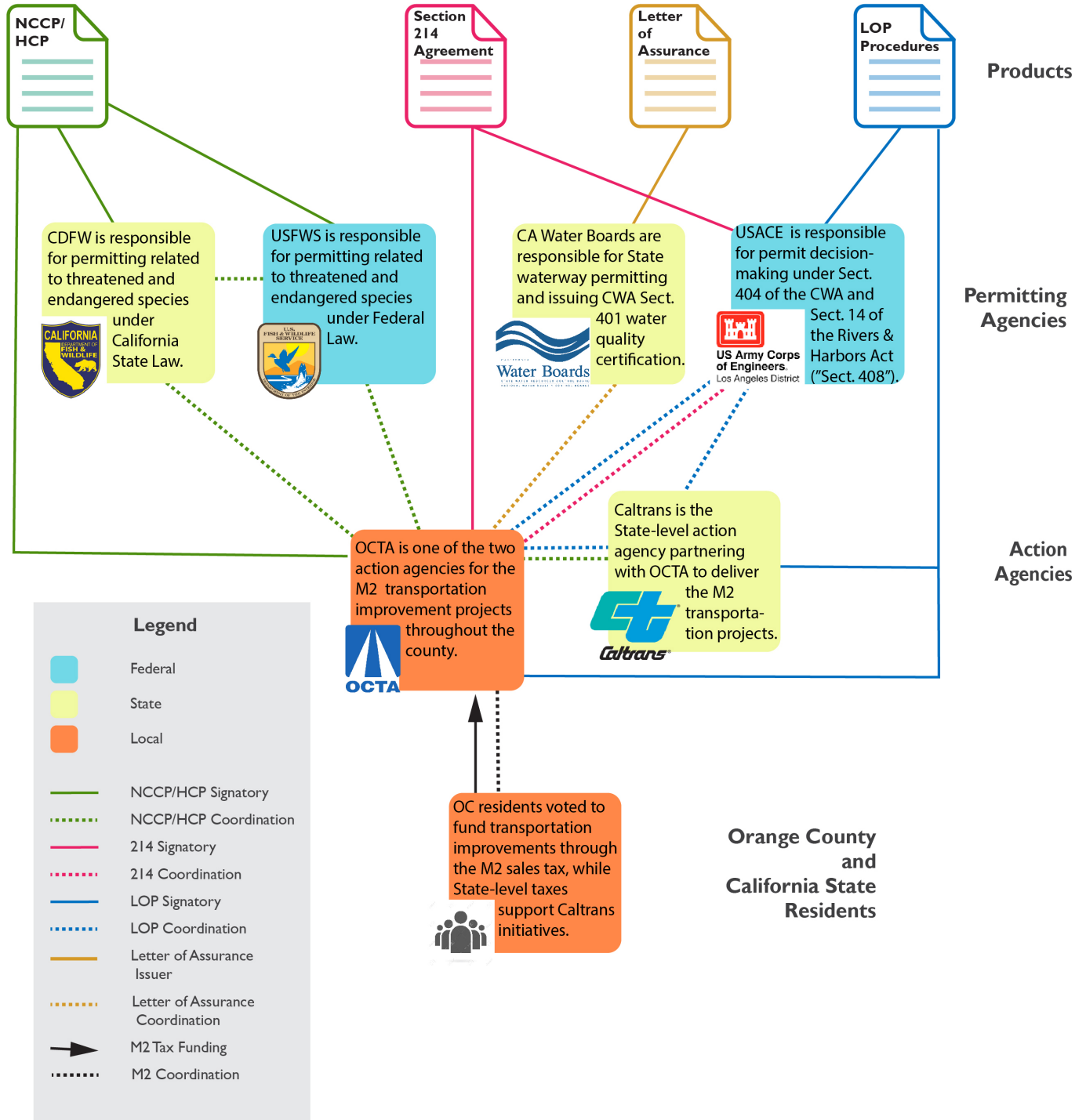


Figure 9: Collaborative efforts, agency coordination, and supporting milestones involved in the successful development and implementation of the Conservation Plan and Section 404 Letter of Permission (LOP) Procedures. Note that the USACE recently updated their procedures to not require an applicant signature on LOP Procedure documents.

Image: FHWA/U.S. DOT Volpe Center

- **Provided consistency and certainty that reduces project risk:** Risks for the regulatory and resource agencies (USACE, USFWS, and CDFW) and applicant agencies (OCTA and Caltrans) are reduced through the standardized process and requirements established in the Section 404 LOP Procedures and Conservation Plan, which set clear expectations for the agencies involved. For example, terms and conditions have been set for the Section 404 LOP Procedures, so there is predictability and certainty regarding USACE's requirements for the regulated aspects of the M2 Program projects now and in the future.
- **Enhanced conservation measures that provide improved environmental and community outcomes:** Considering the likely impacts of the entirety of the M2 Program of projects upfront allows for a programmatic approach to impact identification and mitigation on a landscape level, resulting in improved species conservation and aquatic resource mitigation outcomes that would not be attainable through traditional project-by-project review processes. Implementing mitigation in advance of authorized impacts also provides an opportunity to reduce temporal loss between when project impacts occur and when functional gains are realized at a mitigation site; this, in turn, can result in less required mitigation and lower costs. The Conservation Plan and

Section 404 LOP Procedures incorporate OCTA's comprehensive mitigation approach providing higher-value environmental benefits in tandem with an accelerated project approval process.

- **Provided managed recreational opportunities for the public:** The primary focus of the Preserves is addressing the needs of the biological resources, however recreation is offered as a co-benefit when feasible. Where aligned with the preservation goals, multiple Preserves established through the Conservation Plan provide opportunities for managed recreational activities. Since 2010, the EMP has held 56 Hike and Equestrian Ride Events, with over 1,070 total participants (see Figure 10).



Figure 10: Hiking and horseback riding are popular activities in the OCTA Preserves, established through the M2 Program mitigation efforts.

Image: Courtesy of OCTA

Lessons Learned and Best Practices

There are a number of lessons learned and best practice takeaways from the development and implementation of the Conservation Plan and Section 404 LOP Procedures.

Lessons Learned

The major lesson learned through the development of the Conservation Plan and Section 404 LOP Procedures is to **engage all potential stakeholders in early coordination**. Early coordination ensures all involved agencies' constraints and requirements are considered early in the planning process, and reduces the potential for duplication of efforts. Engaging USACE and SWRCB early on during the development of the M2 tax measure would likely have facilitated establishing an agreed upon comprehensive mitigation process for impacts to WOTUS as part of the EMP.

Best Practices

There are several best practices that are integral to the successful development and implementation of the Conservation Plan and Section 404 LOP Procedures, summarized in the following table.

Best Practice	Benefit to the Conservation Plan & Section 404 LOP Procedures Development and Implementation	General Application
Identify all impacted resources	Developing the Section 404 LOP Procedures to complement the Conservation Plan allowed OCTA to accelerate the M2 Program projects for both wildlife and WOTUS permitting requirements.	<i>Agencies may be working to improve and find efficiencies in processes to satisfy certain resource or agency requirements, but projects could still be delayed by other requirements. Projects should consider impacts to all resources, permitting needs, and agency requirements.</i>
Dedicate staff and document efforts	The EMP provided dedicated, consistent staff with both biological and transportation perspectives to efforts for developing and implementing the Conservation Plan and Section 404 LOP Procedures. Establishing agreements such as the Section 214 WRDA funding agreement and similar arrangements between Caltrans and USFWS to fund a dedicated reviewer at the regulatory/resource agency expedited priority projects' approval. Documenting the Conservation Plan and Section 404 LOP Procedure development processes helped retain knowledge and improve agency relationships throughout the various stages of agency engagement.	<i>Consistent staff dedicated to developing and implementing solutions is critical and helps with knowledge retention, improves understanding of the processes and goals, and assists with relationship-building for effective development and implementation. For programs with extensive permitting needs, a liaison agreement, or similar position can help expedite project delivery. Documenting the process development and detailing why decisions were made retains knowledge, maintains agency relationships, and serves as a training resource when new staff join the effort.</i>
Dedicate funding	The forward-thinking, strategic mitigation policies developed in the M2 measure dedicating tax dollars to comprehensive environmental mitigation allowed for the successful agency collaboration necessary to develop the Conservation Plan, Section 404 LOP Procedures, and mitigation sites. Providing dedicated funding allowed the M2 Program to take a proactive stance for project impacts.	<i>Dedicated funding facilitates the development of programmatic solutions such as LOP procedures, and allows for proactive measures in avoiding and minimizing effects to impacted resources, and implementing mitigation where effects are unavoidable.</i>
Create partnerships	The development and success of the Section 404 LOP Procedures would not have been possible without the confidence and support from senior management at USACE, OCTA, and Caltrans.	<i>Support from senior management, committed staff, successful problem-solving, and increased communication help establish and reaffirm stronger partnerships between all parties, and is essential to the successful development of innovative solutions.</i>
Consider long-term benefits over short-term costs	The Section 404 LOP Procedures create an accelerated Section 404 permitting mechanism for projects requiring compensatory mitigation. The Conservation Plan creates a programmatic approach to satisfy consultation requirements for wildlife resources. These mechanisms were developed through an up-front investment of resources and effort, including early agency coordination, impact analyses, and mitigation determinations, which ultimately result in future savings of staff time and money, and improved environmental outcomes.	<i>Developing proactive or programmatic procedures may initially be cumbersome for the agencies involved, but they provide long-term benefits that save future staff time and money for applicants and regulators, and provide improved environmental outcomes.</i>

Looking Ahead

There are a number of next steps for OCTA and stakeholders to continue these efforts and ensure the successful implementation of the M2 Program transportation projects and associated compensatory mitigation.

Continue regular interagency communication to maintain the enhanced agency relationships and allow for future collaboration: Developing the Conservation Plan and Section 404 LOP Procedures required extensive collaboration and engagement among the agencies that built lasting partnerships. These stakeholders aim to maintain positive relationships and interdisciplinary collaboration by continuing to work together and engage each other early in project planning processes and to continue successful project implementation and mitigation for the M2 Program and any new initiatives

Honor mitigation commitments, apply adaptive management strategies, and strive to improve preservation: OCTA and its partners will strive to uphold the mitigation commitments established through the Conservation Plan and Section 404 LOP Procedures, apply adaptive management strategies for continuous improvement, and continue to look for opportunities to expand preservation and conservation measures.

Monitor mitigation commitments and report progress annually to partners and the public: OCTA will continue monitoring and reporting efforts for the Annual Report, detailing OCTA's obligations and commitments for wildlife resources including the status of covered activities and the Preserves, and implementation of the restoration projects, Plan administration, and public outreach activities.

Perform long-term monitoring and management to conserve the Preserves in perpetuity: Based on requirements in the Conservation Plan, OCTA has completed baseline monitoring and established a schedule for monitoring its Preserves through 2040. OCTA is in the process of setting up an endowment that will fund the monitoring and management of its Preserves beyond the existing M2 funds that are currently allocated to preserve management.

Compensatory mitigation sites for WOTUS will be monitored and maintained to achieve the USACE-approved performance standards and success criteria. All sites will be managed in perpetuity per the approved LTRMPs, which include providing adequate site protection and endowments.

Advancing and Implementing the Eco-Logical Approach

Through the Implementing Eco-Logical Program, the FHWA continues to advance the state of the practice and share noteworthy Eco-Logical practices, such as the efforts highlighted in this case study.

Eco-Logical is a landscape-scale approach for planning and developing infrastructure projects. Transportation agencies collaborate with partners and stakeholders during the planning process to understand transportation needs, identify and prioritize ecosystem and cultural resources, and discuss strategies to avoid or mitigate impacts in advance of project design.

To learn more about how to implement the Eco-Logical approach visit [FHWA's Environmental Review Toolkit](#).

Using the Eco-Logical approach can:

- **Strengthen partnerships** by bringing together transportation, resource, and regulatory agencies, along with other partners;
- **Improve environmental outcomes** by incorporating and using natural resource and transportation data for infrastructure, conservation, and mitigation planning and decision-making and avoid critical environmental resources while meeting infrastructure objectives; and
- **Accelerate project delivery** by establishing joint priorities among agencies, developing agreed-upon mitigation strategies, and delivering timely permit decisions.

For More Information

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Resources

- [Implementing Eco-Logical](#)
- [USACE/OCTA Section 214 agreement](#)
- [USACE Special Public Notice](#)
- [USACE Final Public Notice](#)
- [OCTA Conservation Plan](#)



Acknowledgements

The FHWA would like to thank the USACE, OCTA, USFWS, CDFW, and Caltrans for their assistance and review in developing this case study, and the U.S. DOT Volpe Center for drafting this case study.

In-text hyperlinks:

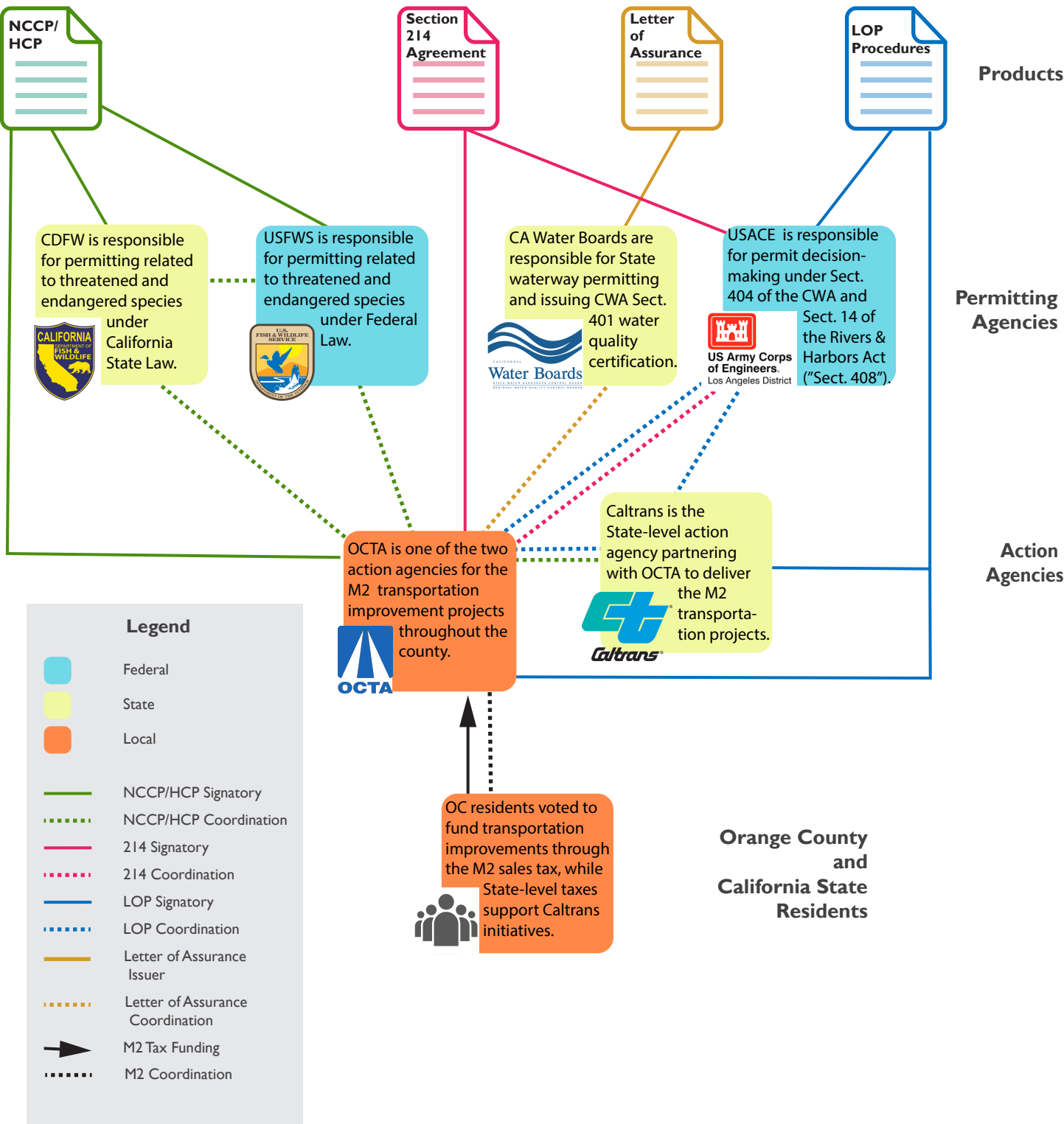
- Environmental Oversight Committee (EOC) (page 3): <https://www.octa.net/About-OC-Go/OC-Go-Environmental-Programs/Environmental-Oversight-Committee/>
- Environmental Mitigation Program (EMP) (page 4): <http://www.octa.net/About-OC-Go/OC-Go-Environmental-Programs/Environmental-Mitigation-Program/>
- 2008 Compensatory Mitigation Rule (page 4): https://www.usace.army.mil/Missions/Civil-Works/Regulatory-Program-and-Permits/mitig_info/
- Environmental impact report (EIR)/environmental impact statement (EIS) (page 5): https://www.fws.gov/carlsbad/hcps/documents/OCTA_M2_NC_CP_HCP_EIREIS_Final.pdf
- EIR/EIS was published in the Federal Register (page 5): <https://www.federalregister.gov/documents/2017/03/31/2017-06214/orange-county-transportation-authority-octa-m2-natural-community-conservation-planhabitat>
- Natural Communities Conservation Plan (NCCP)/Habitat Conservation Plan (HCP) (page 6): <https://www.octa.net/pdf/NCCP%20HCP%20FINAL.pdf>
- Resource Management Plans (RMPs) (page 6): <https://www.octa.net/About-OC-Go/OC-Go-Environmental-Programs/Preserve-Management/>
- Conservation Plan (page 8): <https://www.octa.net/pdf/NCCP%20HCP%20FINAL.pdf>
- PRM (page 9): <https://www.epa.gov/cwa-404/mechanisms-providing-compensatory-mitigation-under-cwa-section-404>

- OCTA EMP website (page 11): <https://www.octa.net/About-OC-Go/OC-Go-Environmental-Programs/Preserve-Management/>
- FHWA's Environmental Review Toolkit (page 16): https://www.environment.fhwa.dot.gov/env_initiatives/eco-logical.aspx

For More Information section hyperlinks:

- Implementing Eco-Logical: https://www.environment.fhwa.dot.gov/env_initiatives/eco-logical.aspx
- USACE/OCTA Section 214 agreement: https://www.spl.usace.army.mil/Portals/17/docs/regulatory/WRDA/OCTA_MOA-Expires10312022.pdf?ver=2017-02-02-141507-830
- USACE Special Public Notice: https://www.spl.usace.army.mil/Portals/17/docs/publicnotices/SPL201300830_OCTA_PN_20150401_final%20.pdf?ver=2015-04-01-145442-187
- USACE Final Public Notice: https://www.spl.usace.army.mil/Portals/17/Users/029/21/1821/SPL2012-00830-VCL_OCTA_LOP_SPN.pdf?ver=2017-12-28-124818-487
- OCTA Conservation Plan: <http://www.octa.net/About-OC-Go/OC-Go-Environmental-Programs/Preserve-Management/>

Appendix A: Accessible Version of Figure 9 Infographic





Measure M2 Environmental Mitigation Program Update



- Measure M2 (OC Go) approved - November 2006
- Innovative Freeway Environmental Mitigation Program (EMP)
 - Offsets biological impacts of 13 OC Go freeway projects
 - Purchase of conservation lands (Preserves)
 - Provides funding for habitat restoration
- Approximately 5% of the OC Go Freeway Program revenue



EMP Components
















- Conservation Plan
- Environmental documents
- Clean Water Act permits
- Streamlined permitting through partnerships with
 - California Department of Transportation (Caltrans)
 - State and federal wildlife agencies
 - State and federal regulatory agencies
- Support from environmental community



Conservation Planning Process and Covered Species



- Well-defined, achievable project
- Necessary baseline information
- Appropriate regulatory process
- A conservation strategy that works
- Good partners

BIRDS				
COMMON NAME	Cactus wren	Coastal California gnatcatcher	Least Bell's vireo	Southwestern willow flycatcher
REPTILES				
COMMON NAME	Coast horned lizard	Orangethroat whiptail	Western pond turtle	
PLANTS				
COMMON NAME	Intermediate mariposa lily	Many-stemmed dudleya	Southern tarplant	
MAMMALS				
COMMON NAME	Bobcat	Mountain lion		
FISH				
COMMON NAME	Arroyo chub			



OCTA Preserves and Restoration Projects

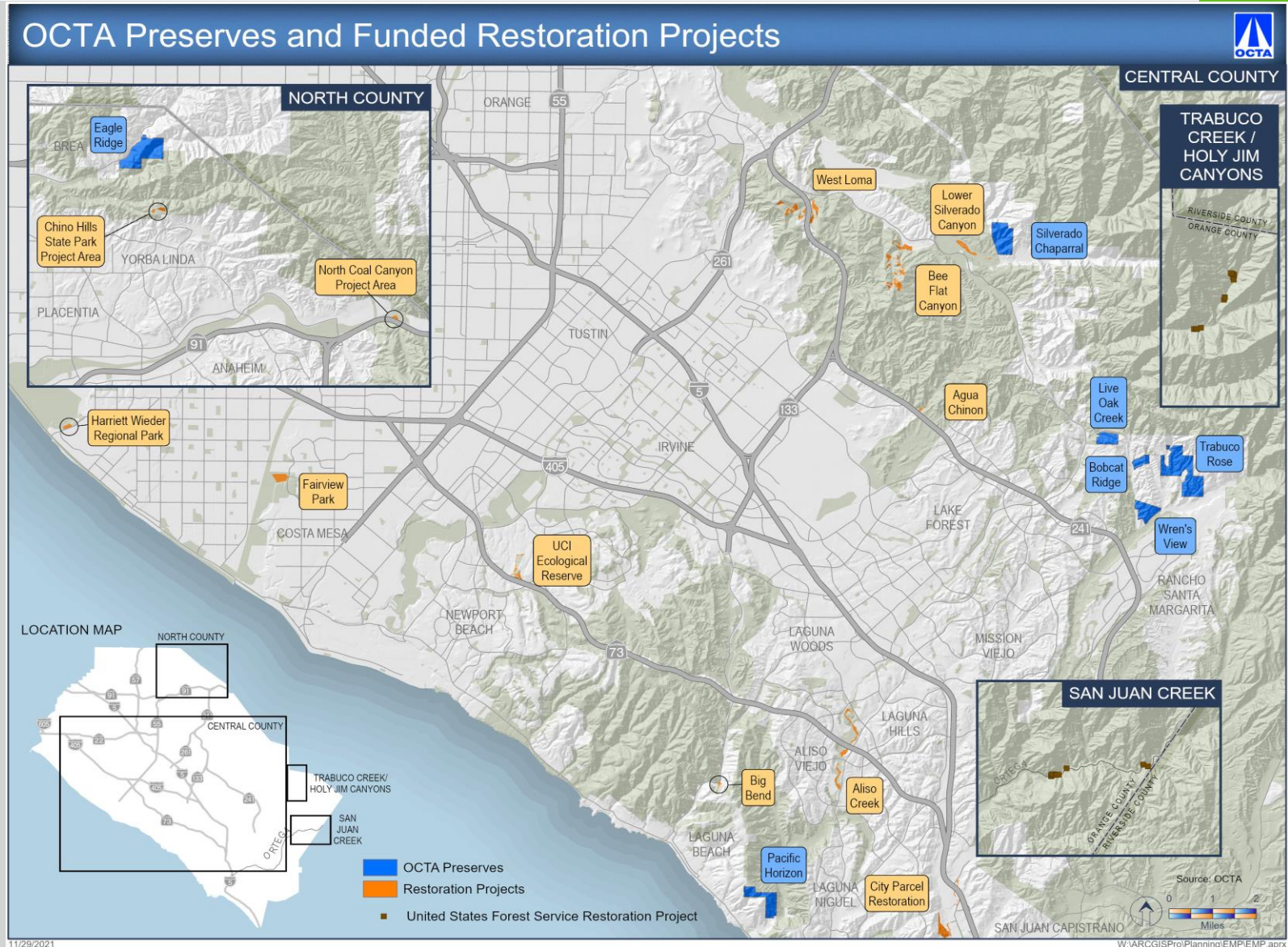


- Seven Preserves acquired and permanently protected
 - 1,300 acres
- 11 restoration projects
 - 350 acres
 - Native habitat
- One dam removal project





Acquisition and Restoration





Covers:

- Activities in 2020

Includes

- Freeway Project Status/Impact
- Covered Activities on Preserves
- Progress of Restoration Projects
- Plan Administration
- Endowment Establishment
- Public Outreach

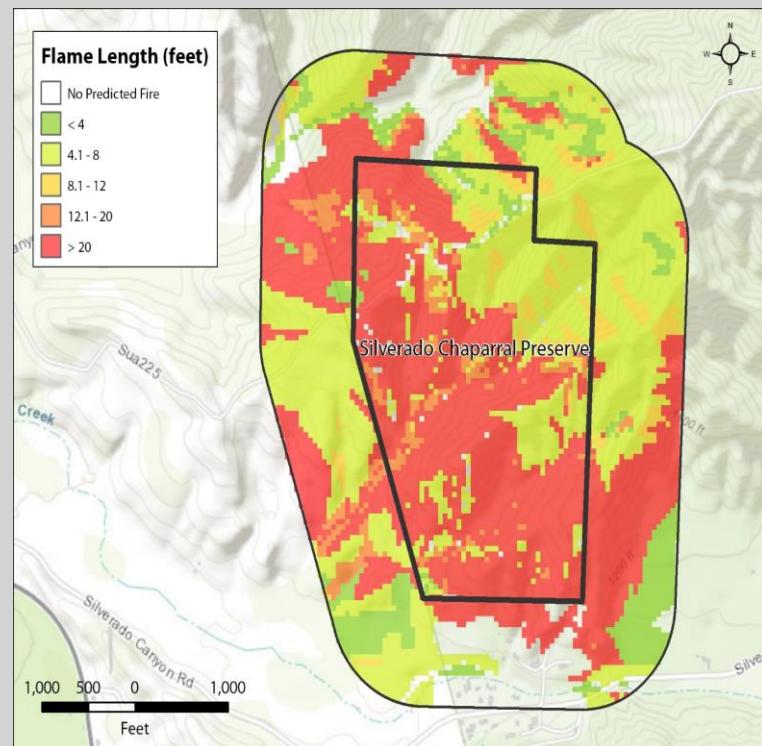
Approved by Wildlife Agencies





Components

- Preserve specific
- Modeling of fire behavior
- Sensitive resources mapped (avoid if possible)
- Guidelines for decision-making at all stages
- Approvals by OCFA and the Wildlife Agencies
- Publicly available





State and Federally Recognized Program



- Caltrans Advance Mitigation Program
- Federal Highway Administration Case Study
 - Published in June 2021





Current EMP Status and Next Steps



- Draft 2021 Conservation Plan Annual Report
- Complete remaining Fire Management Plans
- Coordinate and assist with the freeway project permitting/coordination
- Monitor and provide updates on the endowment establishment
- Oversee the management of the seven OCTA Preserves
- Begin the process for transferring the Preserves to a land management entity
- Continue docent-led public hikes and equestrian ride program