

AMADOR COUNTY TRANSPORTATION COMMISSION (ACTC) MINUTES
January 4, 2024 – 9:30 a.m.
ACTC Board Room-117 Valley View Way Sutter Creek, CA 95685

The Amador County Transportation Commission (ACTC) met on the above date, and the following proceedings were had, to wit:

Present on Roll Call:

Patrick Crew- Board of Supervisors, Chairman
Steve McLean- City of Jackson, Vice Chairman
Susan Bragstad- City of Amador City
Richard Forster-Board of Supervisors
John Plasse- Citizen at Large
Dan Riordan- City of Sutter Creek

Absent:

None

Also Present:

John Gedney, Executive Director, ACTC
Felicia Bridges, Administrative Analyst/Recording Clerk, ACTC
Patricia Maggie Amarant, AT General Manager
Mark Samuelson-Deputy District 10 Director of Planning, Local Assistance, and Environmental
Paul Bauldry, Office of Rural Planning, Caltrans District 10 (Zoom Conferencing)

ELECTION OF OFFICERS:

Motion: It was moved by Commissioner Forster, seconded by Commissioner Plasse, and unanimously carried to approve the appointment of Commissioner Crew as Chairman and Commissioner McLean as Vice Chairman for calendar year 2024.

Ayes: Crew, McLean, Bragstad, Forster, Plasse, Riordan
Noes: None
Absent: None

Motion: It was moved by Commissioner Plasse, seconded by Commissioner Riordan, and unanimously carried to approve the appointment of Chairman Crew and Commissioner Bragstad as the primary and secondary signatories to sign bank checks for calendar year 2024.

Ayes: Crew, McLean, Bragstad, Forster, Plasse, Riordan
Noes: None
Absent: None

AGENDA:

Motion: It was moved by Commissioner Riordan, seconded by Vice Chairman McLean, and unanimously carried to approve the agenda as presented.

Ayes: Crew, McLean, Bragstad, Forster, Plasse, Riordan
Noes: None

Absent: None

PUBLIC MATTERS NOT ON THE AGENDA: None

CONSENT AGENDA (Items 1-3):

Motion: It was moved by Commissioner Plasse, seconded by Vice Chairman McLean, and unanimously carried to approve the Consent Agenda as presented.

Ayes: Crew, McLean, Bragstad, Forster, Plasse, Riordan

Noes: None

Absent: None

REGULAR AGENDA:

#4. FY 2024/25 Draft ACTC Overall Work Program and Budget: Ms. Bridges reviewed the staff report. She noted an approximate \$150,000 budget reduction is proposed this year. She then described proposed changes in the draft document including annual administrative updates, but also more significant changes to align with the ACTC's new goals and objectives with regard to planning activities. Ms. Bridges highlighted some Work Elements (W.E.) have been consolidated to remove duplicative tasks, specifically, previous W.E. 2.3-Local Project Delivery and W.E. 3.7-Transportation Funding Assistance were combined into FY 24/25 W.E. 2.2. Also W.E. 3.3-Travel Demand Model and W.E. 3.4-Pavement Management Monitoring have also been combined into a new W.E. 3.2-Transportation System Management. Additionally, a new W.E. 3.3- Alternative Fuels, which encompasses the Transit and Intercity Rail Capital Program (TIRCP) and Zero Emission Transit Capital Program (ZETCP) grant funding opportunity was created, W.E. 1.2-Transportation Development Act (TDA) has reintroduced the Triennial Performance Audit as required to be performed every three (3) years, W.E. 3.4-Transit Planning reintroduces the Coordinated Public Transit Human Services Transportation Plan, and updates to the 2017 Pedestrian and Bicycle Plan under W.E. 3.5 has also been added.

Ms. Bridges stated today's action includes approval to distribute the draft document to the local jurisdictions for review and comment. Vice Chairman McLean asked what the deadline is to provide comment. Ms. Bridges replied the draft document is due to Caltrans no later than March 1st for their review, so staff recommends providing the document to the local jurisdictions with a deadline for comments prior to March.

Commissioner Forster asked what is the intent moving forward with the ACTC GIS Coordinator position, as that is now vacant with Ms. Engel's retirement. Mr. Gedney stated he had a conversation a few years back with Mr. Iley, County Administrative Officer, and he had stated at that time he was confident with the hiring of new County planners and they could carry on that function without the assistance of ACTC. He stated staff recommendation, to align with the new goals and objectives of ACTC, would be not to fill that position as mapping activities are not a primary function of this agency. Commissioner Forster noted staff should reach out to Mr. Iley again as there are more employees in the planning department, however, they are extremely busy with updating the General Plan. He added we would not want to backtrack on work performed. Mr. Gedney stated he will reach back out to Mr. Iley.

Commissioner Riordan stated on Appendix F: ACTC Organizational Chart, there are three (3) Full Time Employees (FTE) vacant currently and noted he was surprised by that. He asked why are they vacant, will they be filled, and if they will be filled is there funding in the proposed budget for those positions. Mr. Gedney stated one (1) of the three (3) positions is funded (Transportation Planner). It has been funded for several years but has remained unfilled. He stated Ms. Bridges' position was reclassified last year from Administrative Secretary to Administrative Analyst and the Secretary position was replaced with the Administrative Assistant which is a backfilled part time position that is not projected to be filled currently but is a need. Mr. Gedney stated he would like to have a conversation with the board as the final budget is brought back with regard to the direction of the

agency as the GIS Coordinator recently retired and the Fiscal Officer has also announced her retirement for this year. He stated this is a transition period for ACTC staff and he has included those FTE's as classified positions but only one (1), the Transportation Planner, is projected to be funded so we have the flexibility to bring on a planner next year if the need arises. Commissioner Riordan asked why the Planner position has been vacant for years. Mr. Gedney stated staff has been able to provide the functions of the agency without filling that position. Commissioner Riordan asked if that position is needed now. Mr. Gedney replied he is unsure if that position is needed, as it depends on the future work plans.

Commissioner Riordan stated with regard to Appendix B: Work Schedule- he was surprised that the start/end dates were so broad and asked why. Mr. Gedney stated there are projects with more defined dates throughout the year such as the Unmet Needs Process and Regional Transportation Improvement Program (RTIP) but this is a broad planning process schedule.

Commissioner Bragstad stated, regarding the Amador County population on page 3, she does not understand why the Department of Finance is lower than the Census data. She noted her disagreement with the inclusion of the prison population in the City of Lone's total. She added even though there is an asterisk that displays the prison population separately, this skewed data could lead to Lone getting money they do not deserve. Mr. Gedney replied this agency did decide years ago to exclude that prison population from the population-based formula of any ACTC funding but anything beyond the ACTC is out of our control. Commissioner Forster noted we should be careful talking about what the city of Lone deserves because a prison brings on many negative impacts that other cities would not want to deal with.

Susan Peters, City of Lone/Jackson planning consultant, stated she does have concern regarding the vacancy of the GIS function of ACTC especially if the county does not fill the previous full time GIS position that some of that mapping will become stale and outdated. She noted the County will need that data for the Local Hazard Mitigation Plan that is coming up, the Amador County Fire Safe Council has been utilizing that information and doing some very good work with it, and other entities that can benefit from that position. She reiterated her concern that there will be a void for that function in the County. Commissioner Plasse noted that function is not the responsibility of the ACTC. Commissioner Forster added he agrees that the GIS function is very important and we were fortunate to have ACTC fulfill that for some time. He encouraged staff to reach out to Mr. Iley to discuss that function moving forward.

Motion: It was moved by Commissioner Riordan, seconded by Vice Chairman McLean, and unanimously carried to approve the draft Overall Work Program for FY 2024/25.

Ayes: Crew, McLean, Bragstad, Forster, Plasse, Riordan
Noes: None
Absent: None

#5. FY 2023/24 Regional Traffic Mitigation Fee (RTMF) Program: Mr. Gedney stated at the November ACTC meeting the board took action on non-agendized items when discussing the Regional Transportation Improvement Program (RTIP) project programming. One item was the recommendation to fund Sutter Creek's Eureka Street pavement rehabilitation project using Regional Surface Transportation Program (RSTP) funds, and the other item was recommending that the RTMF Oversight Committee (OC) representative carry forward a recommendation to fund the Buena Vista Road (SR 88-SR 124) project and Amador City's Main Street pavement rehabilitation projects out of RTMF funds. At the December ACTC meeting, staff brought those items back, at which time the board did formally approve the Eureka Street paving project using RSTP funds, but tabled the discussion regarding RTMF funding. Mr. Gedney reviewed his staff report.

Commissioner Plasse clarified the cities/county provide recommended projects to the RTMF OC however, this commission does not recommend projects to the RTMF OC as ACTC is not the lead agency status of any project to be proposed. He then stated this conversation came about by virtue of a vote that was taken at the November meeting that was not on an agenda item, and noted a comment made by a commissioner in a previous agenda item regarding funding that is deserved/not deserved being allocated to cities. Commissioner Plasse stated he does not understand how repaving of Amador City's Main Street qualifies as a RTMF funded project. He continued Amador City's traffic was mitigated by a \$22 million expenditure of a bypass, which Amador City was subsequently relinquished that section of roadway (Old SR 49) and received a payment of over \$2 million from Caltrans to accept that relinquishment under an agreement to maintain that roadway section. He stated they received the \$2 million to keep that road in a state of good repair and perform a bridge project, which was completed through the Highway Bridge Program (HBP) grant funding and not an expenditure of the funding received from Caltrans. Commissioner Plasse commented it appears and was represented to him that Amador City utilizes the payment from Caltrans as an investment out of which the city funds their public works department from the interest earned by those revenues. Commissioner Plasse asked for an explanation of what traffic congestion is being mitigated by the repaving of Main Street, and noted it does not qualify as a million dollar spend from RTMF funds. He then highlighted \$11 million total revenue received to the RTMF program since conception and Amador City has only committed \$9,000 to the program. He emphasized he does not agree and will not support this recommendation to the RTMF OC.

Commissioner Bragstad stated Amador City's traffic counts are higher than other locations such as Hale Road and she thought this project would qualify for funding over other potential projects listed. Commissioner Plasse noted Average Daily Traffic (ADT) is not the only qualifying factor to consider. Commissioner Bragstad commented she does agree with many of Commissioner Plasse's comments brought forward.

Chairman Crew stated from a broader view when reviewing the RTIP prioritization list, it may have been beneficial to have included a column that listed alternative funding sources to assist in the decision-making process.

Commissioner Riordan asked why a recommendation to the RTMF OC was made if ACTC does not provide recommendations to the RTMF OC. Commissioner Plasse stated this project prioritization process was initiated for the RTIP submittal in December which led to other conversations. Commissioner Forster asked if this item can be brought back with specific details of the Amador City relinquishment. Commissioner Plasse stated Ms. Bridges found the documentation which states \$2,050,460 for roadway/bridge maintenance, and noted that funding should still be in their account. Commissioner Bragstad replied there is \$1.5 million still there but it is labeled for the bridge replacement. Commissioner Plasse noted the agreement states it is for *"keeping the roadway segment and bridge that was relinquished to Amador City in a state of good repairs"*.

Mr. Gedney stated there is no timeline for this discussion. Typically, the RTMF OC meets annually in the spring. He recommended holding off on any action regarding this item until the 2024 RTP is completed, at which time, there will be a new project listing that will be in the RTP that will replace the old Table 5. He added the Nexus study will most likely need to be updated to ensure the projects proposed are in fact RTMF eligible. Commissioner Forster asked if the RTMF OC will see that relinquishment agreement and funding given to Amador City. Commissioner Plasse reiterated it is incumbent on Amador City's representatives to bring that project to the RTMF OC meeting and request funding there, not from this commission. Commissioner Forster stated it is important to have that funding information available to the RTMF OC when they are determining funding to potential projects.

Vice Chairman McLean clarified the City of Jackson representative would have to present the Sutter Street Extension project in order to request/receive funding through the RTMF program, and other cities would have to follow that same process. Mr. Gedney replied yes, and noted the process for the RTMF funding would likely

follow the 'Call for Projects' for Project Study Report equivalents process that was implemented for the RTIP funding.

Commissioner Forster suggested reaching out to the Interim City Manager of the City of Lone to ensure the new City Manager has all the information regarding the process.

Chairman Crew asked if a column will be added to the project prioritization criteria labeled "Alternative Funds". Commissioner Plasse commented on page 2 of the staff report it notes "*once adopted in the 2024 RTP update, those new projects would need to undergo a 'nexus' analysis to determine project eligibility*", which means the RTMF funding should be spent on roadway improvements projects that are impacted by the developments paying those fees. Mr. Gedney stated many other counties do utilize a 'zones of benefit' approach and that may be something to recommend to the RTMF OC for review.

Susan Peters, City of Jackson Planner, stated that she was present when the RTMF OC was formed and the problem is that the county is so small and there is so little development that in order to have any money to implement meaningful projects the RTMF committee decided that they had to pull money together and prioritize those projects. She stated she understands the need to choose projects based on where the impacts are occurring, but the impacts in the county are so sporadic that if the county was divided into zones there would never be enough funding to complete any projects. She noted that is why the RTMF OC implemented a regional approach from the beginning. Commissioner Plasse stated those projects still need to be prioritized, and one element in that should be which areas have been impacted the most by development. Ms. Peters agreed but added there were many additional factors that were taken into consideration such as which project was shovel ready, where was the 'most bang for the buck', the greatest benefit to the community, etc.

Commissioner Plasse stated the vote that was taken at the November meeting should be addressed as the only item agendized was the RTIP. Ms. Bridges suggested rescinding only the recommendation of the Buena Vista Road, SR 88 to 124 and the Main Street-Amador City projects from the motion made at the November meeting, as the project for funding through the RSTP was brought back at the December meeting for formal approval and the four (4) projects for RTIP funding were approved and correctly agendized.

Motion: It was moved by Commissioner Plasse, seconded by Commissioner Riordan, and carried to approve the recommendation of RTMF funding allocation be rescinded from the November 2, 2023 ACTC 2024 Regional Transportation Improvement Program-Project Programming Selection RTIP motion.

Ayes: Crew, McLean, Forster, Plasse, Riordan
Noes: Bragstad
Absent: None

Under discussion, Commissioner Forster stated his issue is that any jurisdiction could request funding and not have the information included regarding previous funding received. He asked who will provide all that background information in the future. Mr. Gedney stated we do know there was an agreement for Amador City and Sutter Creek with regard to the relinquishment of Old SR 49.

Russell Parker, Candidate for District 2 Supervisor, stated regarding the prioritization criteria, the addition of an 'existing funding sources' column is a good idea, and noted another column that would be valid is 'additional outside/matching funding sources'.

At 10:30 a.m. the Chairman recessed the meeting. At 10:35 a.m. the meeting resumed.

#6. Amador County Unified School District (ACUSD) Consolidation Plan- Environmental Impact Report: Mr. Gedney reviewed his staff report. He noted Mona Ebrahimi and Olivia Clark , ACTC Legal Counsel, are in attendance today. He stated Legal Counsel did attend the ACUSD workshop to document the process; and since then, have been preparing a draft response letter to the Environmental Impact Report (EIR) and are here to discuss the highlights of that letter. Mr. Gedney stated staff is looking for direction on next steps.

Ms. Ebrahimi stated the purpose of today's meeting is to seek direction from the commission as well as authorization to send out a comment letter in response to the draft Environmental Impact Report (EIR) for the ACUSD School Consolidation project. She continued, in attending the workshop and after reviewing the document her office has determined there are some deficiencies in their analysis, which include a failure to analyze all the specific impacts. Whether it is cumulative impacts of the project, inadequate discussion, queuing that results in the stacking of cars that could result in other reasonably foreseeable indirect impacts, also there is a lack of sufficient information not only for the members of the public but also affected agencies such as ACTC to make an informed decision as to the sufficiency of the EIR. She stated one example is that the project description explains that the project is intended to result in the consolidation of certain schools. What we do not know and cannot tell from reviewing the EIR is what happens to the schools that will be closed. Will they be demolished, left intact and becoming a potential attractive nuisance? Overall, she noted the failure to analyze the impacts of those schools, and of course the traffic impacts. Legal Counsel does believe it is important to respond and request that those additional factors be analyzed and fleshed out. Ms. Ebrahimi continued that the workshop the ACUSD held was almost impossible for her office to track and if they had not directly emailed Mr. Gedney she is unsure her office would have known about it. She stated that is a problem pursuant to the Brown Act, which is supposed to enhance transparency so that the public has an opportunity to comment and know about decisions before they are made. She added she does want to make points about that in the letter, as last year ACTC sent the ACUSD a letter asking for notice of any project meetings. She stated she would like to refresh that notice and make sure they are providing to ACTC legal counsel and Mr. Gedney in advance of those kinds of meetings.

She asked the commission for any additional comments to include in the letter.

Vice Chairman McLean extended appreciation to Mr. Gedney for his participation in that meeting as he was recorded in the Ledger Dispatch and specifically called them out on their lack of transparency and lack of working with us, which is great because it tells everyone that ACTC is not asleep at the wheel.

Commissioner Forster asked regarding their discussion, if they have alternatives in the EIR and noted the Wicklow Way Extension should be in it when looking at alternatives. Mr. Gedney replied no, that is the primary issue with the shift from Level of Service (LOS) to Vehicle Miles Traveled (VMT) is they are not compelled to study specific intersections or roadways. He continued that the guidance under Senate Bill (SB) 743 allowing for the shift from LOS to VMT does not allow the analysis of safety at specific locations because it's argued that a typical residential or commercial development has many access points or opportunities for travel and cannot identify impacts at specific locations. This school district project is unique in that it is not a typical residential or commercial project that falls within that parameter. This is a shift of locations directing vehicles from one area of the county to another, in which we know specifically what will happen and what time of day that will happen, making this an atypical project. Mr. Gedney stated the fact that the ACUSD is relying on this VMT shift as a basis for the California Environmental Quality Act (CEQA) analysis is the biggest flaw in the whole process. He highlighted that Caltrans letter to ACUSD specifically requested queuing analysis needed to be performed as part of the EIR. He stated they included what was requested but only as an appendix, and not part of the mitigation analysis. Mr. Gedney noted in answer to Commissioner Forster's question regarding alternatives, they did not study alternative mitigation projects.

Ms. Ebrahimi stated the school district's position is because the Wicklow Way Extension has not been constructed and there is a funding shortfall for it, it is not a reasonably foreseeable alternative for them to analyze. She continued that is different from the VMT/LOS analysis, so while it is true when SB 743 was adopted, the legislature made a decision that, for any kind of environmental document that analyzes traffic, LOS is no longer a metric by which we measure impacts and the reason for that is because they concluded LOS is a social impact and not an impact on the environment. LOS analyzes how much time someone is sitting in their car, and now we are shifting to VMT and the objective of an adequate project description is to determine if this school consolidation will result in more VMT less VMT or about the same. If the answer is more vmt the school district would have to either make changes to the project as a whole or include mitigation measures to reduce impacts to a less and significant level to the extent that they are feasible. The school district has concluded that these impacts are significant and unavoidable and so they will be adopting a statement of overwriting considerations. In addition, Mr. Critchfield has 'jumped the gun' in explaining there in nothing in the way of approving this project. While under public hearing notice, Brown Act requirements and the CEQA process, lead agencies have to go through the public process. If they have already concluded this project is happening then that demonstrates a bit of intellectual dishonesty with respect to taking feedback and making sure it is objectively analyzed. Ms. Ebrahimi stated that those concerns will be included in the comment letter. But, the final and important point is not just a question of LOS/VMT, the CEQA guidelines require further analysis for traffic impacts, including as an example, the geometric design of a project to ensure that there is no safety impacts. Queuing is absolutely critical and is not at all synonymous with LOS - it demonstrates for example, if you are now going to create a project where cars are going to be stacked one after the next and blocking an intersection or creating a situation where there is no adequate ingress or egress, that is supposed to alert the Lead Agency to review what can be done to change that. She stated ACTC does not want to get in the way of projects happening, the only goal is to ensure transparency and a robust public process that includes us and also that traffic and safety impacts related to traffic are analyzed and mitigated. She underscored the importance of responding to this project and seeking some affirmative changes.

Ms. Ebrahimi stated the lead agency has a requirement to analyze a reasonable range of alternatives, which is dependent on the project objectives and what alternatives can meaningfully reduce impacts. If a proposed alternative is not going to reduce impacts to a less than a significant level then it can be dismissed.

Commissioner Plasse asked Ms. Ebrahimi when you say reasonable range of alternatives, is that a reasonable range to the project or a reasonable range of alternatives to the mitigation measures. Ms. Ebrahimi clarified it is alternatives to the proposed project, meaning an alternative to the consolidation. Alternatives include no project alternative or modifications such as a half consolidation in which they consolidate half the schools only to see if the impacts can be reduced and they have another alternative in which the 7th-9th grades at the Amador High School and 10th-12th grades at Argonaut High school which is about a quarter of the project. Again, when analyzing project alternatives, a lead agency is entitled to pick the alternative that not only has the lowest amount of significant and unavoidable impacts but also has to meet the most important project objectives as well. We believe there are additional components that again should have been analyzed, that could have enlightened their decision-making process with respect to alternatives as well.

Commissioner Riordan stated a factor he has not seen in the EIR is they looked at some intersections and did some preliminary queuing analysis, but none was performed at the Upper Elementary school in Sutter Creek where there will be an additional 180 students in attendance. The queuing problems that will occur at the intersection of Old SR 49 onto Spanish Street and as you travel downtown where Spanish terminates into Old SR 49 will both be impacted significantly. As well as the additional trips heading north and south on the SR 49 bypass leading to more queuing problems. He added emergency vehicle access will be limited. He then referenced a case years ago at the elementary school where a stop sign was in place and then removed due to the backup of traffic with the existing enrollment. And now they will add approximately 200 more cars to that route and as a mitigation measure will have a monitor at that location. He also stated when they talk about abandoning the

Sutter Creek primary school, there has been discussion of demolition but there may be asbestos there and he is not sure if a study has been conducted on that. ACUSD has communicated that the negotiation for teacher pay raises this year could likely be impacted because of the additional funds already being spent on the consolidation. Commissioner Riordan extended appreciation for all the work performed to date and would like those comments included in the response letter.

Commissioner Bragstad state she worries about liability issues. She does not want to be held liable for this project with angry parents when their child gets hit, and she does not know how we do that. Mr. Gedney stated that is outside the response letter but a critical point. He continued the school district is pointing the finger at everyone else, but they are creating a liability problem for Caltrans with regard to the SR 88/49/Argonaut Lane intersection. Mr. Gedney clarified the liability does not fall on ACTC and he tried to clarify that at the school board workshop but was not allowed to. He stated if the ACUSD moves forward without looking at some way to mitigate the impact on opening day, any improvements will be put in only after the accident rate exceeds the state average and becomes eligible for the Caltrans SHOPP. He asked who wants to go out and get hit to support the development of those projects. Mr. Gedney stated in speaking to Caltrans staff regarding improvements at the SR 49/88/Argonaut Lane, he asked how long would it take even under an emergency project to get some improvements in place. The response he got was maybe in 2027.

Commissioner Forster stated the safety of the children should be the highest priority of the school district. He added the lack of transparency astounds him, and that they are not acknowledging the comments of Caltrans. They are doing this EIR and not taking the comments seriously from the experts in the field.

Commissioner Plasse stated in recognizing the comments made by Ms. Ebrahimi that she wishes to include in the comment letter, those are the classic CEQA technicality points that are put into a letter. Ms. Ebrahimi stated that the purpose is because we do want the school district to read the letter, to consider it, and to make appropriate changes. That is the whole purpose to a draft EIR - to take those comments letters, respond to those comments, and have the letters and responses published in the final EIR. She emphasized that is the goal. Commissioner Plasse noted he was differentiating between the comments surrounding process issues versus substantive comments regarding safety. Ms. Ebrahimi replied they are both important because without the school district following appropriate processes and transparent laws, we would not know what they are doing and the whole point of CEQA is missed. She highlighted looking at what CEQA considers the whole of an action, you cannot look at certain aspects of a project and say others will review it later, you have to look at it under one umbrella. If they pick and choose now what they review now and defer other issues into the future that will also defeat the purpose as well.

Vice Chairman McLean suggested that we copy the entire ACUSD board in the comment letter and not just the superintendent as he is not sure they would all see it. Ms. Ebrahimi stated they will and it does appear some members do seem to want staff to meet with ACTC and it is important for them to be aware that some things they may be directing to staff are not occurring.

Susan Peters, representative on behalf of the City of Lone and Jackson, extended appreciation to ACTC for having this meeting and noted it is important for all affected entities to hold meetings like this because it establishes that we have concerns, we are voicing these concerns, getting them into the administrative record so that is it transparent and public that we have gone through the process correctly. She stated regarding the alternatives analysis, it should have included looking at a new site which is a very common alternative to use and they did not. There are other sites that could possibly be better with regard to safety, traffic, services. She thinks that is a viable alternative that should have been analyzed in the EIR. Commissioner Plasse asked if she is referring to the Argonaut High school location. Ms. Peters replied yes. She noted that concept could be very expensive but it is hard to know that as they made the decision prior to knowing what mitigation would cost. Ms. Peters stated regarding safety, she cannot find anything that specifically discusses safety, she noted it does talk about hazards,

regarding safety, she cannot find anything that specifically discusses safety, she noted it does talk about hazards, but not safety as it relates to traffic. She stated queuing leads to accidents and when you have insufficient improvements at intersections and then compound it those cumulative impacts absolutely have to be reviewed and safety is not addressed in the EIR. Also the use of section 16064 of the guidelines, 16064 b2 states "thresholds of significance as defined in section 150647a may assist lead agencies in determining whether a project may cause a significant impact, when using a threshold the lead agency should briefly explain how compliance with the threshold meeting of the project's impacts are less than significant". She stated they may have done that but the catch is "compliance with thresholds does not relieve the lead agency of the obligation to consider substantial evidence that a project environmental effect may still be significant". She thinks that is what is missing, they are hanging all their analysis on VMT and not looking at the safety issue and they think they can stop at VMT and they need to go past that. Ms. Peters stated she has been coordinating with Mr. Gedney and the City Manger of Sutter Creek and she encourages the entities that are reviewing the EIR and being impacted by the proposal continue to coordinate.

Commissioner Forster stated it is important that the public meetings held are structured so that people do not just get up and say they are against it. They have to have a reason.

Craig Baracco, Foothill Conservancy, stated he wanted to put in a word of support for ACTC's efforts, as it was through your efforts specifically that the school district undertook the full EIR process and without that we would not even have this document to examine and find fault with. He stated in his previous job as a reporter where he went to every ACUSD meeting, he thinks there is a cultural problem of the school board that dates back many years and has led to minimizing public comment which is why they seem very strict with public input. He stated Mr. Gedney among others has run into this problem when dealing with the ACUSD. He stated he endorses ACTC's further efforts to get a full accounting for the traffic impacts for safety and in traditional traffic analysis individual driver behavior is unpredictable so you end up with a model that randomizes trips in and trips out. That level of analysis is not applicable to this project as this project is a shift of traffic from one location to another with very specific locations at very specific arrival/departure times.

Chairman Crew asked Ms. Ebrahimi if she has enough information to finalize the letter. Ms. Ebrahimi stated the Chair can designate two (2) commissioners to assist in finalizing the comment letter as an Ad-hoc committee. She noted she does have plenty of direction from the board. Chairman Crew appointed Commissioner Riordan and Commissioner McLean to be on that Ad-hoc committee to assist Legal Counsel with the comment letter.

#7. Claims: Chairman Crew noted there is a revised claims list for review.

Motion: It was moved by Commissioner Forster, seconded by Commissioner Bragstad, and unanimously carried to approve the revised claims list.

Ayes: Crew, McLean, Bragstad, Forster, Plasse, Riordan
 Noes: None
 Absent: None

#8. ACTC Commissioner Reports: Commissioner Forster stated the intersection of SR 124/Preston Avenue/Shakeley Lane needs to be addressed as it is a horrible intersection to negotiate. He explained drivers traveling down Preston Ave. to the south think they need to stop causing issues, and as the city has mandated the Chevron station to install a sign which now blocks that intersection for drivers traveling from Shakeley Lane onto either Preston Ave. or SR 124. He emphasized that intersection is a huge safety concern with so many near misses. Mr. Samuelson stated he will take that back to the traffic operations team for review. Commissioner Forster noted this item has been brought to Caltrans attention before and he believes Caltrans is unsure what to do at this location since there are limited options due to right of way.

Vice Chairman McLean stated he is excited to announce the City of Jackson will have a new City Manager at the end of January, who comes from Dallas and has a tremendous background. The City of Jackson received a letter from a Council member of Dallas commending Jackson on acquiring him as their City Manager.

#9. ACTC Reports: None

#10. Caltrans Report with Mark Samuelson-Deputy Director of Planning, Local Assistance, and Environmental:

- Mr. Samuelson stated regarding the ACUSD EIR effort, Caltrans does take this very seriously and this is something he will take back to his team to see what recourse Caltrans can take in regards to the letter, the lack of response to the letter, and litigation efforts. He noted he appreciates the attention this board is bringing to this item and Caltrans will be in conversations with ACTC as to what Caltrans can do in response.
- As Dennis Agar retired at the end of December, the Interim Acting Director for District 10 is Eric Lather and it is anticipated he will be Interim Director for the remainder of the month. A long-term Director should be announced at the end of month and they should begin sometime in February.
- Caltrans has released the 2024 State Highway Operation and Protection Program (SHOPP) plan and it is available for review and comment.
- SR 89 at Monitor Pass and SR 4 at Ebbetts Pass have been closed for the winter.
- There will be one lane traffic controls on SR 49 at the Mokelumne River bridge this week from 7:00 a.m.- 5:00 p.m. Wednesday through Friday, and on SR 88 there will be one lane traffic controls at Ross Bridge Rd. to Molfino Rd. from 8:30 a.m. to 4:30 p.m. Tuesday through Saturday.
- Mr. Samuelson acknowledged the discussion regarding the draft FY 2024/25 ACTC OWP and reiterated the due date to Caltrans for review is March 1st.
- The Environmental Protection Agency has just released a funding opportunity for environmental and climate justice community change program which is focused on addressing climate change challenges and reducing pollutions in the area. \$2 billion is available and applications are due November 21, 2024. He noted he will provide a link to other funding opportunities.

#14. Future Agenda Items:

- 2024 Regional Transportation Plan
- Regional Traffic Mitigation Fee program

#17. Adjournment: At 11:28 a.m. the Chairman adjourned the regular meeting until 9:00 a.m. Thursday, February 1, 2024, at 117 Valley View Way Sutter Creek, CA 95685.



Patrick Crew, Chairman
Amador County Transportation Commission

ATTEST:



Recording Clerk

(Note: Copies of referenced documents are available at the ACTC office.)