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EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: DocuSigned by: Michael Jones 9/30/2026		GENERAL MANAGER ACTION REQ'D:		
DATE: 9/28/2026		BOARD INITIATED ITEM: No		
Originator/Prepared by: Priya Mathur Dept: Funding Strategy	General Counsel	Chief Financial Officer	District Secretary	BARC
Signature/Date: DocuSigned by: Pamela Herhold 9/29/2026	DocuSigned by: Amelia Sandoval-Smith 9/29/2026 [ ]	Signed by: Joseph Beach 9/29/2026 [ ]	DocuSigned by: Robert Franklin 9/30/2026 [ ]	DocuSigned by: Pamela Herhold 9/29/2026 [ ]

Adopt Resolution to Redirect Warm Springs Extension (WSX) Project Regional Measure 2 (RM2) Funds to Wetland Mitigation Endowment

PURPOSE:

To request Board approval of the attached Regional Measure 2 Implementing Agency Resolution of Project Compliance for the reallocation of remaining Warm Springs Extension Project RM2 funds to the Warm Springs Wetland Mitigation Endowment as required by the Metropolitan Transportation Commission (MTC).

DISCUSSION:

The Warm Springs Extension Project has $1,180,488.89 in unexpended RM2 funds across two allocations: $634,581.00 remaining in Allocation No. 16366706 (Construction) and $545,907.89 remaining in Allocation No. 16366707 (Right-of-Way). BART proposes to rescind the full remaining balance of both allocations and reallocate the funds to the Warm Springs Wetland Mitigation Endowment.

As described to the Board in March 2021, the Endowment will fund the ongoing management, monitoring, maintenance, and protection of the wetland and associated habitat mitigation areas established to offset impacts from construction of the Warm Springs Extension Project. Funding the Endowment is a requirement of the Warm Springs Extension (WSX) – California Department of Fish & Game 1602 Lake Streambed Alteration Agreement and will ensure long-term stewardship and preservation of the mitigation site in accordance with applicable regulatory and environmental requirements.

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The total cost of the Endowment is approximately $1,623,000. BART will fund the remaining $442,511.11 from BART funds currently held in the Warm Springs Extension Project escrow account as local match.

FISCAL IMPACT:

Adoption of the Resolution of Project Compliance will allow BART to request that MTC reallocate $1,180,488.89 in RM2 funds to the Endowment.

ALTERNATIVES:

Do not adopt the Resolution of Project Compliance. BART would be unable to request reallocation of the $1,180,488,89 in RM2 funds and would be required to identify other funding to fund the Endowment.

RECOMMENDATION:

Adoption of the following motion.

MOTION:

The Board of Directors adopts the attached Regional Measure 2 Implementing Agency Resolution of Project Compliance for the reallocation of remaining Warm Springs Extension Project Regional Measure 2 funds to the Warm Springs Wetland Mitigation Endowment.