

Date: May 28, 2008
W.I.: 1512
Referred by: PAC
Revised: 12/17/08-C 02/25/09-C
04/22/09-C 05/27/09-C
06/24/09-C 07/22/09-C

ABSTRACT

Resolution No. 3875, Revised

This resolution adopts the 2009 Transportation Improvement Program (TIP) for the San Francisco Bay Area.

Further discussions of the programming and subsequent revisions are contained in the Programming and Allocations Committee summary sheets dated May 14, 2008, December 10, 2008, February 11, 2009, April 8, 2009; the Planning Committee summary sheet dated April 10, 2009; and the Programming and Allocations summary sheets dated May 13, 2009 and June 10, 2009.

This resolution was revised as outlined below. Additional information for each revision is included in attachment B: 'Revisions to the 2009 TIP'.

2009 TIP Revisions

Revision #	Revision Type	# of Projects	Net Funding Change (\$)	MTC Approval Date	Final Approval Date
09-01	Admin. Modification	29	\$2,880,741	12/15/2008	12/16/2008
09-02	Amendment	72	\$28,081,615	12/17/2008	01/23/2009
09-03	Admin. Modification	15	\$361,802	01/29/2009	02/10/2009
09-04	Amendment	64	\$303,471,101	02/25/2009	03/17/2009
09-05	Amendment	0	\$1,188,148,640	02/25/2009	03/17/2009
09-06	AQ Amendment	151	\$12,507,578,454	04/22/2009	05/29/2009
09-07	Amendment	26	\$485,263,640	02/25/2009	03/17/2009
09-08	Admin. Modification	6	\$3,150,000	03/17/2009	03/18/2009
09-09	Admin. Modification	17	\$13,711,731	04/09/2009	04/13/2009

2009 TIP Revisions (continued)

Revision #	Revision Type	# of Projects	Net Funding Change (\$)	MTC Approval Date	Final Approval Date
09-10	Admin. Modification	17	\$7,871,342	04/10/2009	04/13/2009
09-11	Admin. Modification	2	\$4,100,000	04/16/2009	04/16/2009
09-12	Admin. Modification	21	\$1,919,712	04/22/2009	04/24/2009
09-13	Amendment	6	\$17,137,154	04/22/2009	06/10/2009
09-14	Amendment	27	\$6,591,745	04/22/2009	06/10/2009
09-15	Admin. Modification	41	\$20,376,754	06/03/2009	06/04/2009
09-16	Admin. Modification	8	\$6,794,240	05/22/2009	05/27/2009
09-17	Amendment	28	\$7,716,699	05/27/2009	06/23/2009
09-18	Amendment	34	\$76,464,607	05/27/2009	07/08/2009
09-19	Admin. Modification	24	\$12,048,719	06/29/2009	06/30/2009
09-20	Amendment	18	\$5,041,183	06/24/2009	Pending
09-21	Admin. Modification	13	\$2,146,482	07/13/2009	07/13/2009
09-22	Amendment	19	\$449,128,391	07/22/2009	Pending
09-23	Amendment	85	\$437,928,801	07/22/2009	Pending
Total		723	\$15,587,913,553		

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Re: Adoption of the 2009 Transportation Improvement Program (TIP)

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 3875

WHEREAS, the Metropolitan Transportation Commission (MTC) is the regional transportation planning agency for the San Francisco Bay Area pursuant to California Government Code Section 66500 et seq.; and

WHEREAS, MTC is the designated Metropolitan Planning Organization (MPO) for the nine-county San Francisco Bay Area region (the region); and

WHEREAS, Title 23 Code of Federal Regulations Part 450 (23 CFR §450) require the region to carry out a continuing, cooperative and comprehensive transportation planning process as a condition to the receipt of federal assistance to develop and update at least every four years, a Transportation Improvement Program (TIP) consisting of a comprehensive listing of transportation projects that receive federal funds or that are subject to a federally required action, or that are regionally significant; and

WHEREAS, the TIP must be consistent with the Regional Transportation Plan (RTP) adopted pursuant to Government Code Section 66508, the State Implementation Plan (SIP) as required by the federal Clean Air Act (42 U.S.C. Section 7401 et seq.); and MTC Resolutions Nos. 2730 and 3075, which establish the current Air Quality Conformity Procedures for MTC's TIP and RTP; and

WHEREAS, federal regulations (23 CFR §450.216(m)) require that the TIP be financially constrained, by year, to reasonable estimates of available federal and state transportation funds; and

WHEREAS, federal regulations (23 CFR §450.316) require that the MPO develops and uses a documented public participation plan that defines a process for providing citizens, affected public agencies and interested parties with reasonable opportunities to be involved in the metropolitan transportation planning process; and

WHEREAS, federal regulations (23 CFR §450.330(a)) allow MTC to move projects between years in the first four years of the TIP without a TIP amendment, if Expedited Project Selection Procedures (EPSP) are adopted to ensure such shifts are consistent with the required year by year financial constraints; and

WHEREAS, MTC, the State, and public transportation operators within the region have developed and implemented Expedited Project Selection Procedures (EPSP) for the federal TIP as required by Federal Regulations (23 CFR 450.330(a)) and Title 23 United States Code (USC §134), as outlined in Attachment A of MTC Resolution No. 3875, and MTC Resolution 3606 Revised; and

WHEREAS, MTC has found that the 2009 TIP, as set forth in this resolution, conforms to the applicable provisions of the State Implementation Plan for the San Francisco Bay Area, including the motor vehicle emissions budget contained in the 2001 Ozone Attainment Plan (MTC Resolution No. 3629); now, therefore be it

RESOLVED, that MTC adopts the 2009 TIP, attached hereto as Attachment ‘ A ’ and incorporated herein as though set forth at length; and be it further

RESOLVED, that MTC has developed the 2009 TIP in cooperation with county Congestion Management Agencies, the Bay Area Air Quality Management District, transit operators, the California Department of Transportation (Caltrans), counties and other partner agencies, and in consultation with the Federal Highway Administration (FHWA), Federal Transit Administration (FTA) and federal Environmental Protection Agency (EPA); and, be it further

RESOLVED, that the 2009 TIP was developed in accordance with the region’s Public Participation Plan and consultation process (MTC Resolution No. 3821) as required by Federal Regulations (23 CFR §450.316); and, be it further

RESOLVED, that the projects and programs included in the 2009 TIP, attached hereto as Attachment A to this resolution, and incorporated herein as though set forth at length, are consistent with the RTP; and, be it further

RESOLVED, that the 2009 TIP is financially constrained, by year, to reasonable estimates of available federal, state and local transportation funds; and, be it further

RESOLVED, that MTC approves the Expedited Project Selection Procedures (EPSP) developed by MTC, the State, and public transportation operators within the region for the federal TIP as required by Federal Regulations (23 CFR 450.330(a)) and Title 23 United States Code (USC §134), as outlined in Attachment A of MTC Resolution No. 3875, and MTC Resolution 3606 Revised; and, be it further

RESOLVED, that amendments to the 2009 TIP as set forth in Attachment B to this resolution and incorporated herein as though set forth at length, shall be made in accordance with rules and procedures established in MTC Resolution No. 3875, and that staff have the authority to make technical corrections, and the Executive Director has the signature authority to approve administrative modifications and to forward all required TIP amendments once approved by MTC to the appropriate state and federal agencies for review and approval; and, be it further

RESOLVED, that except as to those projects that are identified as administratively approved in Attachment A, the adoption of the TIP shall not constitute MTC's review or approval of those projects included in the TIP pursuant to Government Code Sections 66518 and 66520, or to federal regulations (49 CFR Part 17) regarding Intergovernmental Review of Federal Programs; and, be it further

RESOLVED, that MTC's review of projects contained in the TIP shall be accomplished in accordance with procedures and guidelines set forth in MTC Resolutions Nos. 2730 and 3075 Revised, and as otherwise adopted by MTC; and, be it further

RESOLVED, that MTC will support, where appropriate, efforts by project sponsors to obtain letters of no prejudice or full funding agreements from FTA for projects contained in the transit element of the TIP; and, be it further

RESOLVED, that the public hearing and public participation process conducted for the 2009 TIP satisfies the public involvement requirements of the Federal Transit Administration (FTA) annual Program of Projects; and, be it further

RESOLVED, that the Executive Director shall forward a copy of this resolution to the Federal Highway Administration (FHWA), the Federal Transit Administration (FTA), the federal Environmental Protection Agency (EPA), the California Department of Transportation (Caltrans), the Association of Bay Area Governments (ABAG), and to such other agencies and local officials as may be appropriate.

METROPOLITAN TRANSPORTATION COMMISSION

Bill Dodd, Chair

This resolution was entered into by the Metropolitan Transportation Commission at a regular meeting of the Commission held in Oakland, California on May 28, 2008.