

Metropolitan Transportation Commission Programming and Allocations Committee

July 13, 2011

Item Number 4a

Resolution No. 3975, Revised

Subject: 2011 Transportation Improvement Program (TIP) Amendment No. 2011-09. MTC Resolution No. 3975, Revised.

Background: The federally required TIP is a comprehensive listing of Bay Area surface transportation projects that are to receive federal funding, are subject to a federally required action, or are considered regionally significant for air quality conformity purposes. MTC, as the federally designated Metropolitan Planning Organization (MPO) for the nine-county San Francisco Bay Area is required to prepare and adopt an updated TIP every four years. The 2011 TIP was adopted by the Commission on October 27, 2010 and was approved by the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) on December 14, 2010. It is valid through December 15, 2014 or until a new statewide Transportation Improvement Program is approved, whichever is first. The TIP may be revised to make necessary changes prior to the next update. The TIP is posted on the Internet at: <http://www.mtc.ca.gov/funding/tip/>.

Recently, FHWA and FTA revised the procedures for amending and modifying the Federal Statewide Transportation Improvement Program (FSTIP) and TIP. These procedures determine the process the State and MPOs must follow in revising the FSTIP and TIP. The revised procedures also allow Caltrans to delegate approval of administrative modifications to the FSTIP to an MPO. Furthermore, MTC's public participation plan was updated following approval of the 2011 TIP update.

Amendment 2011-09 does not make any changes to project listings in the TIP. The proposed amendment would make the following changes:

- Expands the delegated signatory authority of the Executive Director and Deputy Executive Directors for approving TIP administrative modifications to include approval of administrative modifications to the Federal Statewide Transportation Improvement Program (FSTIP).
- Updates reference to the latest Public Participation Plan approved by MTC on December 15, 2011 (Appendix A-4 of the adopted 2011 TIP).
- Revises the 2011 TIP revision process and procedures (Appendix A-33 of the adopted 2011 TIP) to include provisions of the updated public participation plan and incorporate the FSTIP/TIP administrative modifications and Amendment procedures recently revised by FHWA and FTA, including the following changes:
- Revises the amount within which a project may be considered an administrative modification from the current threshold of the lesser of 25% or \$5 million, to the lesser of 40% or \$10 million;

- Allows the programming of the Preliminary Engineering (PE) phase as an administrative modification if Right of Way or Construction is already programmed in the TIP;
- Allows the reprogramming of an FTA funded project from the Prior TIP into the current TIP as an administrative modification;
- Allows the addition or deletion of a project from a grouped project listing provided the funding amounts are within the threshold of the lesser of 40% or \$10 million.
- Allows the description of a project in a grouped project listing to be changed as an administrative modification as long as such change does not conflict with the approved environmental document.

The revisions made pursuant to this amendment will not change the air quality conformity finding or conflict with the financial constraint requirements of the TIP, therefore a conformity determination is not required and the 2011 TIP remains financially constrained. The TIP amendment is attached and is also available in the MTC/ABAG Library in Oakland, CA, and is posted on the Internet at:
<http://www.mtc.ca.gov/funding/tip/revisions>.

The amendment will be transmitted to Caltrans after the Commission's approval; after its review, Caltrans will forward the amendment to FHWA/FTA as required for final federal agency review and final approval.

Issues: None

Recommendation: Refer Resolution No. 3975, Revised to the Commission for approval.

Attachments: MTC Resolution No. 3975, Attachment B, Revised
MTC Resolution No. 3975, Attachment A, Appendix A-33, Revised

Date: October 27, 2010
W.I.: 1512
Referred by: PAC
Revised: 12/15/10-C 03/23/11-C
05/25/11-C 06/22/11-C
07/27/11-C

ABSTRACT

Resolution No. 3975, Revised

This resolution adopts the 2011 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 October 13, 2010, December 8, 2010, March 9, 2011, May 11, 2011, June 8, 2011 and July 13, 2011.

This resolution was revised as outlined below. Additional information for each revision is included in attachment B: 'Revisions to the 2011 TIP'.

2011 TIP Revisions

Revision #	Revision Type	# of Projects	Net Funding Change (\$)	MTC Approval Date	Final Approval Date
11-01	Admin. Modification	198	(\$13,459,348)	01/04/2011	01/06/2011
11-02	Admin. Modification	35	\$981,383	02/17/2011	02/18/2011
11-03	Amendment	47	\$38,046,007	12/15/2010	12/30/2010
11-04	Admin. Modification	22	\$1,673,655	05/02/2011	05/02/2011
11-05	Amendment	127	\$218,866,417	03/23/2011	03/30/2011
11-06	Amendment	42	(\$88,510,134)	05/25/2011	Pending
11-07	Amendment	39	\$2,628,538	06/22/2011	Pending
11-08	Admin. Modification	-	Pending	Pending	Pending
11-09	Amendment	0	\$0	Pending	Pending
11-10	Amendment	34	\$51,992,806	Pending	Pending
Net Funding Change		544	\$212,219,324		
Absolute Funding Change			\$416,158,288		

Date: October 27, 2010
W.I.: 1512
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Attachment B
Resolution No. 3975
Page 1 of 6

Revisions to the 2011 TIP

Revisions to the 2011 Transportation Improvement Program (TIP) will be included as they are approved.

Revision 11-01 is an administrative modification that revises 198 projects with a net decrease in funding of \$13.5 million. Among other changes, this revision:

- Splits five STP /CMAQ funded grouped listings: County Safe Routes to School (SRTS) Program (REG090071), Transportation Enhancements – Regional Transportation for Livable Communities (TLC) (REG090073), Pavement Resurfacing/Rehab - Local Roads System (REG110002), Regional Bike/Ped Projects (REG110003), and Transportation Enhancements – County TLC (REG110005) into 117 individual projects to allow for better tracking of the projects and reconciles project costs to actual funding in the case of existing projects; the grouped listing for County SRTS Program (REG090071) continues to be active in the TIP; all other grouped listings listed above are being archived;
- Reconciles ARRA funding on 25 projects to match final obligation amounts; and
- Updates 29 projects to reflect Caltrans' use of toll credits for all RIP-TE funds in FY2011.

The changes made with this revision will not affect the air quality conformity or conflict with the financial constraint requirements. The revision was approved by the deputy executive director on January 4, 2011 and final Caltrans approval was received on January 6, 2011.

Revision 11-02 is an administrative modification that revises 35 projects with a net increase in funding of \$981,383. Among other changes, this revision:

- Updates the funding plan of the Non-motorized Transp. Projects – Marin County project (MRN090049) to add approx. \$1 million in NMTTP funds in FY2011;
- Updates the Caltrans managed Grouped Listing for Collision Reduction (MTC050011) to update the back-up list and add \$610,999; and
- Updates the STP /CMAQ funded grouped listing for the County Safe Routes to School (SRTS) Program (REG090071) to update the back-up list and reduce the cost by \$622,000.

Changes made with this revision will not affect the air quality conformity or conflict with the financial constraint requirements. The revision was approved by the deputy executive director on February 17, 2011 and final Caltrans approval was received on February 18, 2011.

Revision 11-03 is an amendment referred by the Programming and Allocations Committee on December 8, 2010 and approved by the MTC Commission on December 15, 2010. Amendment

11-03 makes revisions to 47 projects with a net increase in funding of \$38 million. Among other changes, the revision:

- Amends in 17 new exempt Climate Initiative Program projects into the TIP – 13 of which fall under the Innovative Grants Category and 4 under the Safe Route to Schools Creative Grants Category. It also removes 5 Climate Initiative Program projects from the TIP based on finalization of the program;
- Amends in five new exempt projects funded with FTA State of Good Repair Funds of approximately \$16.9 million. Additionally, it updates the funding plan of two projects to add State of Good Repair Funds of \$36.9 million: SFMTA: Islais Creek Motor Coach Facility (SF990004) and NCTPA: Replace Rolling Stock (NAP090005);
- Amends the funding plan of AC Transit's Zero Emission Bus Advanced Demonstration project (ALA070046) to add in \$6 million in TIGGER II funding and \$2 million in matching funds;
- Amends in two new exempt projects funded with TIGER II funds of approximately \$3.3 million: Iron Horse Trail, Tri-Valley Transit Connector (ALA110011) and Grand Boulevard Initiative: Removing Barriers to Livable Communities (SM-110006);
- Updates the funding plan of the US 101 Doyle Drive Replacement project (SF-991030) to reflect changes made as part of Revision 2009-59 and to reconcile federal funding to match final obligations.

Changes made with this revision do not affect the air quality conformity or conflict with the financial constraint requirements. Caltrans approval was received on December 29, 2010 and final federal approval was received on December 30, 2010.

Revision 11-04 is an administrative modification that revises 22 projects with a net increase in funding of \$1.67 million. Among other changes, this revision:

- Updates the funding plan of Almaden Expressway Improvements project (SCL070005) to add \$2.6 million in FY2010-11 CON Earmark-T3-HPP funds with 20% toll credit match and reduce FY2007-08 CON Other Local funds by \$1.2 million;
- Transfers \$250,000 in Non-motorized Transportation Pilot Program (NMTTP) funds from Marin County's NMTTP (MRN050033) to the City of Novato's NMTTP (MRN070011) and;
- Updates the funding plan of 14 projects to reprogram funds between phases, fund sources and years, with minor changes to project cost in ten cases. The significant cost change was the reduction of the total cost of the Regional Bicycle Sharing Pilot project (REG110010) by \$431,350.

Changes made with this revision will not affect the air quality conformity or conflict with the financial constraint requirements. The revision was approved by the deputy executive director on May 2, 2011 and final Caltrans approval was received on May 2, 2011.

Revision 11-05 is an amendment referred by the Programming and Allocations Committee on March 9, 2011 and approved by the MTC Commission on March 23, 2011. Amendment 11-05

makes revisions to 127 projects with a net increase in funding of \$218.9 million. Among other changes, the revision:

- Amends in five new exempt projects into the TIP for approximately \$3.9 million– that were originally listed under the County Safe Routes to School (SRTS) Grouped Listing REG090071. The grouped listing is being deleted as part of this amendment;
- Amend in a new exempt project funded with TIGER II funds of approximately \$2 million: Oakland Army Base Infrastructure Master Plan (ALA110046);
- Update the name, scope and the cost of Iron Horse Trail, Tri-Valley Transit Connector to East Bay Green Transportation Initiative (ALA110011) and add in \$7.9 million in TIGER II funds and \$7 million in Other Local funds;
- Updates the back-up lists and increases the costs for the following Caltrans managed Grouped Listings:
 - SHOPP - Roadway Preservation (MTC050009) by \$82.8 million
 - SHOPP - Collision Reduction (MTC050011) by \$73.9 million
 - SHOPP - Emergency Response (REG070001) by \$15.8 million
 - SHOPP - Mandates (VAR991003) by \$22.9 million
 - SHOPP - Bridge Rehab and Reconstruction (VAR991005) by \$29.4 million
 - Highway Bridge Program for Local Bridges (VAR991007) by \$159.8 million
- Deletes four duplicate projects from the TIP: Port of Oakland 7th Street Grade Separation (ALA070023 - \$180.2 million); City of Napa - Freeway Drive/Golden Gate CIR Project. (NAP090015 - \$793,000); Freeway Drive/Golden Gate Drive Pavement Rehab (NAP11005 - \$793,000) and Sunnyvale Ave/Old San Francisco Rd Intersection (SCL110011 - \$835, 000).

Changes made with this revision do not affect the air quality conformity or conflict with the financial constraint requirements. Caltrans approval was received on March 25, 2011 and final federal approval was received on March 30, 2011.

Revision 11-06 is an amendment referred by the Programming and Allocations Committee on May 11, 2011 and approved by the MTC Commission on May 25, 2011, with final approval by FHWA/FTA expected in June 2011. Amendment 11-06 makes revisions to 42 projects with a net decrease in funding of \$88.5 million. Among other changes, the revision:

- Amends in five new exempt projects:
 - Two projects Kirker Pass Road Overlay [CC-110044] and Napa County Road Rehabilitation -Various Streets funded with \$2.7 million in STP funds [NAP110019]);
 - SR92/El Camino Real (SR82) Ramp Modifications Project (SM-110047) funded with \$2.8 million in federal earmark funding and Lake Merritt Improvement Project [ALA110072] funded with \$827,900 in federal earmark funding; and
 - San Jose Walk N Roll – Safe Access [SCL110057] project funded with \$568,000 in CMAQ funding.
- Updates the back-up lists and revises the costs for the following Caltrans managed Grouped Listings:

- Highway Bridge Program for Local Bridges (VAR991007) is reduced by \$241.5 million. The revision also splits out 18 projects totaling \$93.9 million from the Highway Bridge Program Grouped Listing and archives them as the funds have been obligated and the projects delivered;
- Safety Improvements – Highway Safety Improvement Program (REG070009) is increased by \$22.3 million;
- SHOPP – Emergency Response (REG070001) is increased by \$12.4 million; and
- Railroad/Highway Crossings (VAR991009) is increased by \$2.3 million;
- Updates the funding plan for the I-80 Integrated Corridor Mobility Project (ALA070041) to add \$8.1 million in Other Local funds and reprogram \$76.7 million in Proposition 1B funds from prior years to FY2011 (\$31.4 million) and FY2012 (\$45.3 million).

Changes made with this revision do not affect the air quality conformity or conflict with the financial constraint requirements.

Revision 11-07 is an amendment referred by the Programming and Allocations Committee on June 8, 2011 and approval by the MTC Commission on June 22, 2011, with final approval by FHWA/FTA expected in late July 2011. Amendment 11-07 makes revisions to 39 projects with a net increase in funding of \$2.6 million. Among other changes, the revision:

- Transfers \$7.3 million in FY2010-11 FTA 5307 funds and \$1.8 million in local matching funds from the BART Car Exchange (Preventive Maintenance) (REG050020) to BART's Railcar Replacement Program (REG090037);
- Updates the funding plans of three projects:
 - Transfers \$17.5 million in FY 2008-09 CMAQ funding from the AC Transit's Enhanced Bus – Telegraph/ International/ East 14th project (ALA050017) to the SF Muni Third Street LRT Phase 2 – New Central Subway project (SF-010037);
 - Reduces the FY 2010-11 Proposition 1B – PTMISEA funds on the SF Muni Third St. LRT Phase 2 – New Central Subway project (SF-010037) by \$17.5 million; and
 - Adds \$14.5 million in FTA 5307 funds and \$3.6 million in local matching funds to AC Transit's Preventive Maintenance Program (ALA991070);
- Updates the funding plan for WETA's Central Bay Operations and Maintenance Facility (ALA110001) to reflect the transfer of \$2.5 million in FTA 5309 funds from the Ferry Service – Berkeley/Albany project (MTC050027) and increase the total cost of the facility project by \$6.6 million;
- Reduces the FY2010-11 FTA 5307 funds on SFMTA: Motor coach replacement- 45 NABI buses (SF-090043) by \$16 million and transfers the remaining \$4 million in FTA 5307 funds to SF Muni Rail Replacement Program. Part B (SF-95037B); and
- Increases the amount of FTA 5309 Fixed Guideway funds on two projects by \$3.3 million each (VTA: Rail Substation Rehab/Replacement [SCL050049] and TP OCS Rehab & Replacement [SCL090044]).

Changes made with this revision do not affect the air quality conformity or conflict with the financial constraint requirements.

Revision 11-08 is a pending administrative modification

Revision 11-09 is an amendment scheduled for referral by the Programming and Allocations Committee on July 13, 2011 and scheduled for approval by the MTC Commission on July 27, 2011, with final approval by FHWA/FTA expected in August 2011. Amendment 11-09 does not make any changes to project listings in the TIP. Rather it makes the following changes:

- Expands the delegated signatory authority of the Executive Director and Deputy Directors for approving TIP administrative modifications to include approval of administrative modifications to the Federal Statewide Transportation Improvement Program (FSTIP).
- Updates reference to the latest Public Participation Plan approved by MTC on December 15, 2011(Appendix A-4 of the adopted 2011 TIP).
- Revises the 2011 TIP revision process and procedures (Appendix A-33 of the adopted 2011 TIP) to include provisions of the updated public participation plan and incorporate the FSTIP/TIP administrative modifications and Amendment procedures recently revised by FHWA and FTA, including the following changes:
 - Revises the amount a project may be changed as an administrative modification from the current threshold of the lesser of 25% or \$5 million, to the lesser of 40% or \$10 million;
 - Allows the programming of the Preliminary Engineering (PE) phase as an administrative modification if Right of Way or Construction is already programmed in the TIP;
 - Allows the reprogramming of an FTA funded project from the Prior TIP into the current TIP as an administrative modification;
 - Allows the addition or deletion of a project from a grouped project listing provided the funding amounts are within the threshold of the lesser of 40% or \$10 million.
 - Allows the description of a project in a grouped project listing to be changed as an administrative modification as long as such change does not conflict with the approved environmental document.

The changes made with this revision will not affect the air quality conformity or conflict with the financial constraint requirements.

Revision 11-10 is an amendment scheduled for referral by the Programming and Allocations Committee on July 13, 2011 and scheduled for approval by the MTC Commission on July 27, 2011, with final approval by FHWA/FTA expected in August 2011. Amendment 11-10 makes revisions to 34 projects with a net increase in funding of \$52 million. Among other changes, the revision:

- Updates the funding plan and schedule for the San Jose International Airport People Mover (SCL090019) to remove \$50.4 million in RTIP funding and \$402 million in Santa Clara County Sales Tax Measure funds and moves the project to later years;
- Updates the funding plan for the BART to Silicon Valley - Warm Springs to Berryessa extension (SCL110005) to replace \$50.4 million in Santa Clara Sales Tax Measure funds with \$50.4 million in RTIP funding redirected from the San Jose People Mover (SCL090019) by the California Transportation Commission (CTC);
- Updates the funding plans of SFMTA's Third St. LRT Phase 2 – New Central Subway and AC Transit's Enhanced Bus – Telegraph/International/East 14th Street to

- program \$35 million in FY11 5309 New Starts and Small Starts funding in place of existing long range plan funds with no change to the total project cost;
- Updates the funding plans of the SF Ferry Terminal/Berthing Facilities project (MTC050029) to add \$16 million in Proposition 1B funds;
 - Adds approximately \$16 million in local funds to the US 101/Broadway Interchange Reconstruction project (SM-050028);
 - Amends 11 new exempt projects into the TIP using \$3.9 million in STP funding, \$2.6 million in IIP funding, \$2.5 million in CMAQ funding, \$117,000 in HPP earmark funding, \$1.2 million in local funding, and \$52,000 in FEMA funding;
 - Adds four projects in Contra Costa County using MTC's Safe Routes to School CMAQ funds;
 - Updates two Caltrans managed Group Listings: SRTS Safety Improvements and SHOPP Pavement Resurfacing;
 - Deletes the Travis AFB: North Gate Improvements project (SOL070048) because the funds were redirected to other projects.

Changes made with this revision do not affect the air quality conformity or conflict with the financial constraint requirements.

METROPOLITAN TRANSPORTATION COMMISSION
PUBLIC PARTICIPATION PLAN
for the SAN FRANCISCO BAY AREA

Approved: December 15, 2010



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**Metropolitan Transportation Commission
2011 Transportation Improvement Program (TIP)
Revision Process and Procedures
As Amended with TIP Revision 11-09**

The following is an excerpt from the Public Participation Plan (MTC Resolution No. 3821—see Appendix A-4). The Public Participation Plan was updated on December 15, 2011 following approval of the 2011 TIP to address changes in the MTC advisory committee structure, Title VI requirements, and technical changes in other areas. Furthermore, on June 3, 2011, FHWA and FTA issued changes to the FSTIP/TIP Administrative Modifications and Amendment Procedures. The TIP Revision Process and Procedures have been updated to incorporate provisions in the updated Public Participation Plan and the updated FSTIP/TIP Administrative Modifications and Amendment Procedures. These procedures are attached and posted on the internet at: <http://www.mtc.ca.gov/funding/tip/>

Updating and Revising the TIP

Federal regulations require that the TIP be updated at least once every four years. From time to time, circumstances dictate that revisions be made to the TIP between updates. MTC will consider such revisions when the circumstances prompting the change are compelling, and the change will not adversely affect transportation-air quality conformity or negatively impact the financial constraint findings of the TIP. These regulations can be viewed on MTC's website at <http://www.mtc.ca.gov/funding/tip/tiprevisionprocedures.pdf>.

In addition to a TIP update, revisions to the TIP may occur as TIP Amendments, TIP Administrative Modifications, or TIP Technical Corrections. The criteria for Administrative Modifications and Amendments are defined in federal regulations, specifically Title 23, CFR part 450.104.

The Federal Highway Administration, Federal Transit Administration, and Caltrans agreed on Amendment and Administrative Modification Guidelines on November 17, 2008 and revised these guidelines on June 3, 2011. The guidelines are posted online at: www.dot.ca.gov/hq/transprog/federal/fedfiles/res_publications/amend_mod_procedures_approval.pdf. Further explanation about TIP updates and how the types of revisions are processed are shown in the narrative below and table that follows.

- **TIP Update**

This is a complete update of the existing TIP, to reflect new or revised transportation investment strategies and priorities. An update of the TIP is required at least once every four years. Because all projects included in the TIP are consistent with the RTP, MTC's extensive public outreach for development of the RTP is reflected in the TIP as well. The TIP implements, in the short-term, the financially constrained element of the RTP and is responsive to comments received during the development of the RTP. TIP updates will be subject to the conformity and interagency consultation procedures described in MTC Resolution No. 3757.

- **TIP Amendment**

This is a revision that involves a major change to the TIP, such as the addition or deletion of a project; a major change in project cost or project/project phase initiation date; or a major change in design concept or design scope (e.g., changing project



termini or the number of through traffic lanes). An amendment is a revision that requires public review and comment, re-demonstration of fiscal constraint, or an air quality conformity determination. Amendments requiring a transportation-air quality conformity analysis will be subject to the conformity and interagency consultation procedures described in MTC Resolution No. 3757.

▪ **TIP Administrative Modification**

An administrative modification includes minor changes to a project’s costs or to the cost of a project phase; minor changes to funding sources of previously included projects; and minor changes to the initiation date of a project or project phase. An administrative modification does not require public review and comment, re-demonstration of fiscal constraint, or conformity determination.

▪ **TIP Technical Correction**

Technical corrections may be made by MTC staff as necessary. Technical corrections are not subject to an administrative modification or an amendment, and may include revisions such as: changes to information and projects that are included only for illustrative purposes; changes to information outside of the TIP period; changes to information not required to be included in the TIP per federal regulations; or changes to correct simple errors or omissions including data entry errors. These technical corrections cannot significantly impact the cost, scope, or schedule within the TIP period, nor will they be subject to a public review and comment process, re-demonstration of fiscal constraint, or a conformity determination.

**Public Participation for
Updating and Revising the Transportation Improvement Program (TIP)**

TIP Update
<p>❶ Notify public of opportunities to participate via U.S. mail; use appropriate lists within MTC’s database, including list of Regional Transportation Plan participants Also notify the public using such methods as local media outlets; electronic-mailings to stakeholder and advocacy groups; the TIP-INFO Notification (e-mail); or via an electronic subscription system that is open for anyone to sign up to be kept informed about the TIP.</p>
<p>❷ Notify Bay Area Partnership technical committees or working groups Conduct Intergovernmental consultation, as appropriate.</p>
<p>❸ Release Draft TIP for 30-day public review and comment period</p> <ul style="list-style-type: none"> ▪ Draft TIP available for viewing in MTC Library; and mailed to major libraries throughout the Bay Area ▪ Posted on MTC website for public review and comment <p>Extend public review period by 5-days if final TIP differs significantly from draft TIP and the changes are considered material differences.</p>
<p>❹ Respond to significant comments; MTC’s response compiled into an appendix in the final TIP.</p>
<p>❺ Review by an MTC standing committee, typically the Programming & Allocations Committee (a public meeting); referral to Commission.</p>



<p>⑥ Adoption by Commission at a public meeting. Approval by Caltrans. Approval by Federal Highway and Federal Transit Administrations (FHWA/FTA).</p>
<p>⑦ Notify the public about the Commission’s action with electronic mailings, including via an electronic subscription system that is open for anyone to sign up to be kept informed about the TIP.</p>

<p>TIP Amendment</p>
<p>① Notify public via TIP-INFO Notification (e-mail) or other electronic notification methods.</p>
<p>② Notify Bay Area Partnership technical committees or working groups Available for viewing in MTC Library Posted on MTC website for public review</p>
<p>③</p> <ul style="list-style-type: none"> • Amendments deleting or adding a project or changing an existing project that is subject to a new air quality conformity analysis: <ul style="list-style-type: none"> ○ 30-day public review and comment period, with review by an MTC standing committee at a public meeting; and ○ Approval by the full Commission at a public meeting. • Amendments deleting or adding a project that is <i>not</i> subject to an air quality conformity analysis (such as a roadway rehabilitation): <ul style="list-style-type: none"> ○ Review and approval by an MTC standing committee or the full Commission at a public meeting. • An amendment changing an existing project that is not subject to an air quality conformity analysis, or changing an existing grouped project listing (such as the highway bridge program), or bringing a previously listed project or phase back into the TIP for financial purposes; or changing TIP funding revenues: <ul style="list-style-type: none"> ○ Approval by the MTC Executive Director or designee, following 5-day notice on MTC’s website, or ○ Review and approval by an MTC standing committee or the full Commission at a public meeting.
<p>④ Approval by Caltrans Approval by FHWA/FTA</p> <p>Notify public via TIP-INFO Notification or via an electronic subscription system open to anyone who requests to be kept informed about the TIP.</p>

<p>TIP Administrative Modification</p>
<p>① No public review.</p>
<p>② Approval by MTC Executive Director or designee by delegated authority (authority is delegated by the Federal Highway Administration or Federal Transit Administration), or Caltrans</p>



<p>③ After approval, notify Bay Area Partnership technical committees or working groups.</p>
<p>④ After approval:</p> <ul style="list-style-type: none"> • post in MTC Library • post on MTC website • notify public via TIP-INFO Notification or via an electronic subscription system open to anyone who requests to be kept informed about the TIP.

<p>TIP Technical Correction</p>
<p>① No public review.</p>
<p>② Technical corrections by staff.</p>
<p>③ No approval required.</p>

Federal Transit Administration Program of Projects Public Participation Requirements

Federal transit law and joint Federal Highway Administration (FHWA)/Federal Transit Administration (FTA) planning regulations governing the metropolitan planning process require a locality to include the public and solicit comment when the locality develops its metropolitan long-range transportation plan and its metropolitan TIP. FTA has determined that when a recipient follows the procedures of the public involvement process outlined in the FHWA/FTA planning regulations, the recipient satisfies the public participation requirements associated with development of the Program of Projects (POP) that recipients of Section 5307 funds must meet. This Public Participation Plan follows the procedures for public involvement associated with TIP development and therefore satisfies public participation requirements for the POP. All public notices of public involvement activities and times established for public review and comment on the TIP will state that they satisfy the POP requirements of the Section 5307 Program.

TIP Revision Request Submittal

To request a TIP revision, a project sponsor must log onto MTC’s Fund Management System (FMS), MTC’s web based programming application tool. The project sponsor identifies the project that needs to be amended, makes the necessary changes and submits the proposal to MTC for review. Likewise, to propose a new project, the project sponsor creates a new project and submits the project proposal to MTC using FMS.

MTC staff reviews the submitted application or amendment proposal for compliance with federal regulations, statute, and regional polices, including funding completeness, impacts to air quality, financial constraint and for compliance with other federal, state and regional requirements before forwarding the submitted application or amendment for approval.

If the proposal is found not to conform to the guidelines (revision process guidelines; fund specific guidelines; Air Quality and conformity regulations), it is sent back to the project sponsor. Generally, changes that require a new Air Quality conformity analysis, as determined through the Interagency Consultation process, are held until the next TIP update. (See Public Participation Plan in Appendix A-4.)

Revision Approval Authority

Staff have the authority to make technical corrections, and the Executive Director and/or a Deputy Director has signature authority to approve administrative modifications for the TIP and Federal Statewide Transportation Improvement Program (FSTIP) under delegated authority by



the California Department of Transportation (Caltrans) and to forward TIP amendments once approved by the Commission to the appropriate state and federal agencies for review and approval.

Fund Management

Federal funds are to be programmed in the TIP, up to the apportionment level available for that fiscal year for that fund source, within the fiscal year in which the funds are to be obligated by the Federal Highway Administration (FHWA) or transferred to the Federal Transit Administration (FTA), or awarded in a FTA grant. This ensures proper management of federal Obligation Authority (OA) against program apportionment levels within the region and ensures that OA is available for projects that are programmed in a particular fiscal year.

It is the responsibility of the project sponsor to ensure the funds can be used within the deadlines established by regional, state and federal requirements and that the provisions of MTC's regional project funding-delivery policy can be met (MTC Resolution No. 3606). It is also the responsibility of the project sponsor to continuously monitor the progress of the programmed funds against regional, state and federal deadlines, and to report any potential difficulties in meeting these deadlines to MTC, Caltrans and the appropriate county CMA within a timely manner.

Contact

For questions on the TIP revision process contact: Srikalyani Srinivasan at (510) 817-5793 or at ssrinivasan@mtc.ca.gov. A copy of this document is available on the Internet at: <http://www.mtc.ca.gov/funding/tip/>



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

**Federal Highway Administration
California Division**

June 3, 2011

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In Reply Refer To:
HDA-CA

Doc ID: 62,530

Mr. Malcolm Dougherty, Acting Caltrans Director
California Department of Transportation
1120 N Street
Sacramento, CA 95814

Attention: Federal Resources Office, M.S. 82
For Rachel Falsetti, Division of Transportation Programming

SUBJECT: Revised Federal – Federal Statewide Transportation Improvement Program (FSTIP) and Federal Transportation Improvement Program (FTIP) Amendment and Administrative Modification Procedures

In our letter dated November 17, 2008, the Federal Transit Administration (FTA) and the Federal Highway Administration (FHWA) provided the California Department of Transportation (Caltrans) procedures on the FSTIP/FTIP Administration Modification and Amendment process.

Working in coordination with Caltrans, FTA and FHWA have revised the FSTIP/FTIP Administration Modification and Amendment Procedures. The enclosed revised procedures provide much more flexibility, and in the spirit of FHWA's Every Day Counts Initiative, should shorten project delivery time by allowing for fewer formal amendments which generally take longer to process.

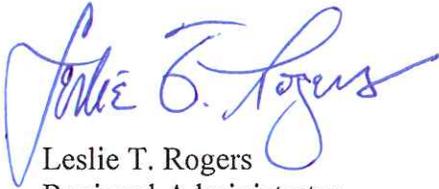
The revised procedures detail what specific types of programming changes to the FSTIP/FTIPs may be made as administrative modifications, for which approval has been delegated to the State, and what changes must be submitted to FHWA and/or FTA for approval as formal amendments. These procedures are intended to offer more flexibility to Caltrans and the Metropolitan Planning Organizations (MPOs) as well as clarify the parameters of an administrative modification.

Throughout the FSTIP/FTIP Administration Modification and Amendment Procedures update process, the FHWA and FTA have been very pleased with our partnership with Caltrans. This effort highlights Caltrans' continued dedication to the stewardship of the Federal-aid Program. More specifically, the FHWA and FTA extend great appreciation to Caltrans Office of Federal Transportation Management Program Chief, Mr. Muhaned Aljabiry and his staff.



MTC Resolution 3975 Attachment A Appendix A-33 - Attachment

If you have any questions regarding the attached procedures, please contact Ray Sukys, FTA, at 415-744-2802 (Raymond.Sukys@dot.gov) or Sue Kiser, FHWA, at 916-498-5009 (Sue.Kiser@dot.gov).



Leslie T. Rogers
Regional Administrator
Federal Transit Administration

Sincerely,



For
Robert F. Tally Jr.
Acting Division Administrator
Federal Highway Administration

Enclosure

cc: (e-mail)

Muhaned Aljabiry, Caltrans Programming

Abhijit Bagde, Caltrans Programming

Ray Sukys, FTA

Ted Matley, FTA

Scott Carson, FHWA

Cecilia Crenshaw, FHWA

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Aimee Kratovil, FHWA

Michael Morris, FHWA

Stew Sonnenberg, FHWA

Joseph Vaughn, FHWA

JRH/km

FSTIP/FTIP Administrative Modifications and Amendments Procedures

The following procedures are applicable for processing amendments and administrative modifications to the Federal – Statewide Transportation Improvement Program (FSTIP) and the Federal Transportation Improvement Programs (FTIPs).

Projects programmed in the FSTIP may be delivered in any of the recognized program years of the FSTIP provided Expedited Project Selection Procedures (EPSPs) have been adopted by the MPOs in accordance with 23 CFR 450, and the required interagency consultation or coordination is accomplished and documented. Changing the obligation year of a project using EPSP does not require an administrative modification or an amendment if the change does not require an air quality conformity determination.

1. Administrative Modifications:

An administrative modification is a minor change to the FSTIP/FTIP that does not require a conformity determination, a demonstration of fiscal constraint, public review and comment, or federal approval. The following changes to the FSTIP/FTIP can be processed through administrative modifications:

- i. Revise description of a project or a grouped project listing without changing the project scope or without conflicting with the approved environmental document;
- ii. Revise the funding amount listed for a project or a project phase. Additional funding is limited to the lesser of 40 percent of the total project cost or \$10 million. Programming capacity must be available in the FSTIP/FTIP prior to programming the modification and stated in the supporting documentation, See Table below for examples;

(Note: Updated FTIP financial plans may be requested by Caltrans to validate fiscal constraint, if a MPO has processed only Administrative Modifications for a period of six months or more.)

Initial Project Cost	New Project Cost	Total Sum Increase	% Change in Cost	% Change < or = 40%	Total Sum Increased is < or = \$10M	Type of Amendment (Formal or Administrative)
\$1,000,000	\$1,400,000	\$400,000	40%	Yes	Yes	Administrative
\$10,000,000	\$15,000,000	\$5,000,000	50%	No	Yes	Formal
\$500,000,000	\$510,000,000	\$10,000,000	2%	Yes	Yes	Administrative
\$100,000	\$140,000	\$40,000	40%	Yes	Yes	Administrative
\$400,000	\$1,000,000	\$600,000	150%	No	Yes	Formal
\$2,500,000	\$3,000,000	\$500,000	20%	Yes	Yes	Administrative

- iii. Program Preliminary Engineering (PE) phase, provided the Right of Way and/or Construction phase(s) are already programmed in the current

FSTIP/FTIP and additional funding amounts stay within the limits specified in Section ii.

(Note: Activities done prior to Federal Authorization are not eligible for Federal participation.)

- iv. A cost decrease has no cap as long as reduction in cost does not result in deletion of a project or a phase, and the affected project phase is still fully funded.
- v. Change source of funds.
- vi. Change a project lead agency.
- vii. Program Federal funds for Advance Construction conversion, programming capacity must be available in the FSTIP/FTIP prior to programming the conversion.
- viii. Change the program year of funds within the current FSTIP/FTIP provided MPO has adopted EPSP in accordance with 23 CFR 450.
- ix. Split or combine an individually listed project or projects, provided that the schedule and scope remain unchanged.
- x. Change grouped project listings description as long as it is consistent with the Programming Grouped Project Listings in Air Quality Non-Attainment or Maintenance Areas guidance.
- xi. Add or delete a project or projects from a grouped project listing, provided the funding amount stays within the limits specified in Section ii.
- xii. Program emergency repair projects on the state highways as a result of a natural disaster or catastrophic failure from an external cause, and that are not covered by the Emergency Relief Program, provided that these projects are exempt from Air Quality Conformity Requirements.
- xiii. Re-program a project for which FHWA funds were transferred to FTA in the prior FSTIP/FTIP and FTA has not approved the grant yet. The project can be programmed in the current FSTIP/FTIP via an administrative modification provided there is no change in the original scope or cost. Program the project using fund type "FTA 5307 (FHWA Transfer Funds)" in the FSTIP/FTIP.
- xiv. Program an FTA funded project from the prior FSTIP/FTIP into the current FSTIP/FTIP provided there is no change in the original scope or cost. Use the project description field (or "CTIPS MPO Comments" section) to list the year, amount, and type of the prior year funds.
- xv. Make minor changes to an FTA funded grouped project listing. Minor changes include changing the number of transit vehicles purchased by 20% or less and changing the fuel type of transit vehicles. The MPO must take the change through its interagency consultation procedures to confirm that the change in scope is minor.

2. Amendments:

Amendments are all other modifications to the FSTIP/FTIP that are not included under administrative modifications and shall be approved in accord with the provisions of 23

CFR 450.326 for each metropolitan area in the State, and in accord with the provisions of 23 CFR 450.216 for the non-metropolitan area.

3. Procedures:

a. Administrative Modifications:

MPOs with approval delegation from Caltrans

Caltrans may delegate to an MPO's Board the authority to approve administrative modifications. In such a case, no Caltrans approval of administrative modifications is required. If the MPO Board has delegated the authority to the Executive Director to approve administrative modifications, the MPO must provide copies of the delegation to Caltrans, FHWA, and FTA. The MPO must send copies of the approved administrative modification to Caltrans, FHWA, and FTA. Once approved by the MPO, the administrative modification will be deemed part of the FSTIP. The MPO will demonstrate in a subsequent amendment that the net financial change from each administrative modification has been accounted for. Caltrans will conduct periodic reviews of MPO's administrative modification process to confirm adherence to these procedures. Noncompliance with these procedures will result in revocation of that MPO's delegation.

MPOs without approval delegation from Caltrans

Each MPO's administrative modification will be forwarded to Caltrans Division of Transportation Programming for approval. If the MPO Board has delegated the authority to the Executive Director to sign off on administrative modifications, the MPO must provide copies of the delegation to Caltrans, FHWA, and FTA. The MPO must send copies of the administrative modification to Caltrans, FHWA, and FTA. In addition, the MPO must demonstrate in a subsequent amendment that the net financial change from each administrative modification has been accounted for. Once approved by Caltrans, the administrative modification will be deemed part of the FSTIP since no Federal action is required. Caltrans will notify FHWA and FTA of the approved administrative modification.

(Note: If it is found that an approved administrative modification does not meet the criteria of an administrative modification, FHWA and FTA reserves the right to reject that administrative modification and require a formal amendment.)

b. Amendments:

Amendments to the FSTIP must be developed in accordance with the provisions of 23 CFR 450, and approved by FHWA and/or FTA in accordance with 23 CFR 450 and the July 15, 2004 MOU between FHWA – California Division and FTA Region 9. Each amendment must be forwarded to Caltrans Division of Transportation Programming for approval on behalf of the Governor. To expedite processing, the MPO will also forward a copy of the submitted amendment to FHWA and FTA at the same time the amendment is sent to Caltrans. Once

approved by Caltrans, the amendment will be forwarded to FHWA and/or FTA for federal approval. Once approved by FHWA and/or FTA, the amendment will be deemed part of the FSTIP. The FHWA and/or FTA approval letter and respective Conformity Determination will be addressed to Caltrans, with copies sent to the MPO.

4. Consultation:

If a question arises regarding the interpretation of what constitutes an administrative modification or an amendment, Caltrans, the MPO, FHWA and/or FTA will consult with each other to resolve the question. If after consultation the parties disagree, the final decision rests with FTA, for transit projects, and FHWA, for highway projects.

Any exception to these procedures is allowed only through consultation among MPOs, Caltrans, and FHWA/FTA. FTA, for transit projects, and FHWA, for highway projects, will have the final decision whether or not such an exception is granted.