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RE: DOT DMS Docket Number FTA 2006-24037

To Whom It May Concern:

The Metropolitan Transportation Commission (MTC) is the metropolitan planning organization (MPO) for the nine-county San Francisco Bay Area. MTC serves as the designated recipient for the FTA formula funds for the Bay Area and is responsible for preparing the region's Transportation Improvement Program (TIP) and adopting the Regional Transportation Plan (RTP). MTC appreciates the opportunity to comment on the Federal Transit Administration's (FTA) March 15, 2006 Federal Register Notice pertaining to the Elderly Individuals and Persons with Disabilities, Job Access and Reverse Commute, and New Freedom Programs, and for the Coordinated Public Transit-Human Services Transportation Plan.

General Comments

MTC is seeking clarification about whether JARC and New Freedom urbanized area apportionments must be spent in the urbanized areas in which they are generated. MTC is supportive of aggregating the large urbanized area (UA) JARC and New Freedom funds at the regional level rather than requiring programming be constrained to UA apportionments. MTC is the designated recipient of the Bay Area's five large UA formula funds including San Francisco-Oakland, San Jose, Concord, Santa Rosa, and Antioch. Statutorily, the designated recipient of the FTA 5307 and 5309 FG formula programs is required to fund projects for eligible grantees within those UAs. There appears to be no comparable statutory requirement in SAFETEA for JARC and New Freedom funds, other than the distinction that these funds are to be apportioned 60% to large UAs, 20% to small UAs, and 20% to Non-UAs. MTC is specifically interested in whether this region's five large urbanized area funds can be distributed based on needs consistent with our planning process or whether the funds need to be apportioned by UA generations. MTC is supportive of funding projects that will have the most significant impact to low income and disabled transportation services in those areas. Therefore, MTC seeks flexibility to aggregate funds regionally, as this affords the best opportunity to achieve this goal. Note that the FTA Section 5307 and 5309 FG funds can be transferred between urbanized areas providing that concurrence is received by all interested grantees. Should statutory language exist that would restrict aggregating the JARC and New Freedom funds at the regional level, MTC would at a minimum seek regulatory language allowing these funds to be transferred between urbanized areas under the same terms as Section 5307 and 5309.

Public Transit-Human Services Transportation Plan

Projects should be consistent with the planning process rather than derived from the planning process. Both the Federal Register and the March 15 guidance stipulate that projects must be “derived from a locally developed, coordinated public transit-human services transportation plan.” As we previously commented, we fully support a coordinated planning effort among transportation and human service partners, and we also agree that projects in this locally developed plan be integrated into and consistent with the metropolitan and state planning processes. We prefer the language that recipients certify that projects selected “be consistent with” the planning process rather than “derived from” the planning process to clarify that specific projects need not be identified in a plan but rather that identification of need areas and project themes are sufficient.

In addition, the most recent guidance recommends that the cycle and duration of the coordinated plan follow the cycles for metropolitan transportation plans (four years in air quality nonattainment and maintenance areas). Projects are likely to be selected for funding between planning cycles. Projects that meet the intent of the coordinated planning process may be turned away if they are not “derived from” the plan simply because they missed the timeframe under which the plan, or any periodic update to it, was being developed. Project would remain eligible for funding if they were instead “consistent with” the outcomes of the planning process, rather than “derived from” it.

Provide greater coordination among federal agencies to encourage and fund programs that provide transportation services for transit dependent populations. The March 15 guidance highlighted the importance of coordination and active participation of **both** transportation and social service agencies in planning and funding these unique types of transportation programs. We reiterate our comments urging the FTA-- and other federal agencies-- to actively seek opportunities to include similar coordination requirements in the authorizing legislation for all federal programs receiving federal dollars to provide transportation for their clients (e.g. Medicare, Older Americans Act, Vocational Rehabilitation Programs, etc.) At a minimum, guidance should be provided to those programs to authorize and encourage the use of their funds to serve as match to federal transportation programs subject to SAFETEA.

Competitive Selection Process

Responsibility for conducting the competitive process for project selection. We recommend that FTA allow flexibility to MPOs that are designated recipients of the funds in the oversight of the competitive selection process. For example, guidelines for administration of the competitive process could be determined by the MPO, but projects could be selected through a localized (i.e. county) competitive process. Prioritized projects coming out of this process would then be submitted to the MPO for programming.

XI. New Freedom Program

Paragraph D. What other activities may be eligible for New Freedom funds?

FTA seeks comments on other projects that should be considered for New Freedom funds. In the MTC region there are multiple organizations providing an array of services to elderly and persons with disabilities. As an example, the Center for Independent Living in Berkeley provides specific services to help individuals transition into and maintain employment. The Center will be moving to a new full service transit oriented development (TOD) upon its completion. The development will provide one-stop services to elderly and disabled individuals and is being planned for development at a major Bay Area transit hub. MTC

supports these types of TOD developments being eligible for the New Freedom funds because they provide access to employment and services for people with critical mobility challenges.

XII. Job Access and Reverse Commute Program

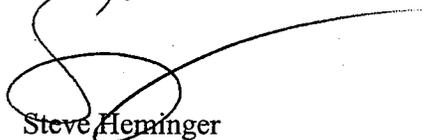
Paragraph B. What other projects may be eligible for JARC funding?

FTA seeks comments on how non-traditional transportation options, such as car loans or ownership programs, should be treated under the JARC program. We support the use of JARC funds for these types of programs. In our region, we have found that families who participate in auto loan or ownership programs significantly improve their chances at accepting and retaining employment. Single parents with multiple children particularly benefit from these types of programs, as multiple trips on transit (childcare, school) serve as a barrier to accepting and retaining employment.

MTC supports the use of user-side subsidies, such as vouchers and transit passes, for eligible individuals on all services for an existing system. Some low-income individuals and families in our region have indicated that the affordability of transportation is an issue, particularly when the use of multiple transportation systems is necessary to access jobs and schools. The cost of transportation may serve as a barrier to accepting or retaining employment. Subsidized transportation passes may reduce or eliminate this barrier. While subsidizing transit passes may not directly address the program goal of removing transportation *service* gaps, it may allow individuals and families to access additional jobs or training opportunities that they are unable to afford without the subsidies.

Thank you for the opportunity to submit comments on FTA program changes. If you have any questions about these comments, please feel free to contact Alix Bockelman, Director of MTC's Programming and Allocations Section at (510) 817-5850, or via email at abockelman@mtc.ca.gov.

Sincerely,



Steve Heminger
Executive Director

SH:KM