

Metropolitan Transportation Commission Programming and Allocations Committee

July 12, 2006

Item Number 4b

Resolution No. 3755

Subject: Request for adoption of the 2007 Transportation Improvement Program, MTC Resolution No. 3755.

Background: The federally required Transportation Improvement Program (TIP) is a comprehensive listing of all Bay Area transportation projects that receive federal funds or that are subject to a federally required action.

The 2007 TIP is the first TIP produced as part of the new federal authorization, Safe, Accountable, Flexible, Efficient, and Transportation Equity Act (SAFETEA). As such, MTC is taking steps to meet the new requirements of SAFETEA, while waiting for the release of final guidance from the federal agencies on these specific planning requirements.

MTC has developed the Draft 2007 TIP and it was released for public review and comment on May 26, 2006. A public hearing on the draft TIP was held on June 14, 2006. The public comment period for the draft TIP closed on June 30, 2006 and a report summarizing the comments received is incorporated in the 2007 TIP as Appendix A-15. The few comments we received were largely technical in nature.

Under Federal law and regulation, transportation programs such as the 2007 TIP must be analyzed to determine if they comply or “conform” with Federal air quality plans, and other Federal air quality regulations.

MTC has conducted a transportation air quality conformity analysis on the 2007 TIP in accordance with EPA’s transportation conformity regulations and MTC’s Bay Area Air Quality Conformity Procedures. The Conformity determination by the Commission is being considered in item 4a.

The TIP will be transmitted to Caltrans after the Commission’s approval; after its review, Caltrans will forward it to FHWA and FTA as required for final federal agency review and approval. Approval is expected by October 2, 2006.

Issues: None

Recommendation: MTC Staff recommends that the Committee refer Resolution No. 3755, MTC 2007 Transportation Improvement Program to the Commission for approval.

Attachments: TIP Factsheet
MTC Resolution No. 3755

Date: July 26, 2006
W.I.: 1512
Referred by: PAC

ABSTRACT

Resolution No. 3755

This resolution adopts the 2007 Transportation Improvement Program (TIP).

Further discussion of the programming is contained in the "Executive Director" memorandum dated July 12, 2006.

Date: July 26, 2006
W.I.: 1512
Referred by: PAC

Re: Adoption of the 2007 Transportation Improvement Program (TIP)

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 3755

WHEREAS, the Metropolitan Transportation Commission (MTC) is the regional transportation planning agency for the San Francisco Bay Area pursuant to 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, federal regulations (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 450.324(e)) require that the TIP be financially constrained, by year, to reasonable estimates of available federal and state transportation funds; and 23 CFR 450.330(a) allows MTC to move projects between years in the first four years of the TIP without a TIP amendment, if procedures are adopted to ensure such shifts are consistent with the required year by year financial constraints; and MTC Resolution No. 3755 establishes such procedures: and

WHEREAS, MTC has found that the 2007 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 has developed the 2007 TIP in cooperation with county Congestion Management Agencies, the Bay Area Air Quality Management District, transit operators, counties, the California Department of Transportation (Caltrans), 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 projects and programs included in the 2007 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 2007 TIP is financially constrained, by year, to reasonable estimates of available federal and state transportation funds; and, be it further

RESOLVED, that MTC, the State and transit operators within the region have developed and implemented an expedited project selection process for the federal TIP as required by Federal Regulations 23 Code of Federal Regulations (CFR) Part 450 and Title 23 United States Code (USC), and as outlined in Attachment A of MTC Resolution No. 3755, and MTC Resolution 3606 revised; and, be it further

RESOLVED, that amendments to the 2007 TIP as set forth in Attachment B to this resolution and incorporated herein as through set forth at length, shall be made in accordance with rules and procedures established in MTC Resolution No. 3755, and that the Executive Director has the signature authority to approve administrative actions and certain minor TIP amendments, 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 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 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

Jon Rubin, Chair

This resolution was entered into by the Metropolitan Transportation Commission at a regular meeting of the Commission held in Oakland, California on July 26, 2006.

Date: July 26, 2006
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Attachment A
Resolution No. 3755
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2007 Transportation Improvement Program

The 2007 Transportation Improvement Program for the San Francisco Bay Area, adopted July 26, 2006, is comprised of the following, incorporated herein as though set forth at length:

- A Guide to the 2007 Transportation Improvement Program (TIP) for the San Francisco Bay Area
- Expedited Project Selection Process
- TIP Amendment Procedures
- Financial Capacity Assessments
- County Summaries
- Project Listings
- Appendices

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Attachment B
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Amendments to the 2007 TIP

Amendments to the 2007 Transportation Improvement Program (TIP) will be included as they are approved.