



Transportation Committee

Item #09-12-13
Information

November 25, 2009

Amendment #23 to the 2009/12 Metropolitan Transportation Improvement Program, Amendment #2 to the Metropolitan Transportation Plan, and Conformity Analysis

Issue: How will SACOG emerge from the current air quality conformity “lock-down,” which has constrained SACOG’s ability to amend the Metropolitan Transportation Improvement Program (MTIP) and the Metropolitan Transportation Plan (MTP)?

Recommendation: None. This item is for information only.

Discussion: For about two years, SACOG has been “locked down” from making changes to the MTIP or MTP to reflect desired changes in scope or schedule to regionally significant air quality non-exempt projects, such as interchanges. This joint amendment is important because it demonstrates that SACOG’s network of short-term and long-term planned transportation projects conform to its plan to attain clean air by 2018. As a result of this joint amendment, projects can now change their scopes and schedules to match their most recent plans.

To emerge from the lockdown, SACOG will release Amendment #23 to the 2009/12 MTIP and Amendment #2 to the MTP 2035 for 30-day public review in December for action at the January 21, 2010, Board meeting. The joint amendment will include an air quality conformity determination and analysis that uses a new State Improvement Plan (SIP) budget.

Another important feature of this amendment is that it updates the financial plan to incorporate revisions to state financial capacity, as requested by Federal Highway Administration (FHWA) on October 21, 2009, in the attached letter. Specifically, Amendment #23 will revise the financial plan to program \$16 million in state funding that serves as a guarantee for the state’s programming capacity.

In addition to this joint amendment, SACOG staff plans to amend projects in the Highway Bridge Program (HBP) through a separate concurrent Amendment #22 to the 2009/12 MTIP. Caltrans requested that SACOG program HBP projects in a separate amendment which would likely be approved faster than the joint amendments to the MTIP and MTP.

Staff estimates that final federal approval of Amendment #23 to the MTIP and Amendment #2 to the MTP could come by March 20, 2009.

Approved by:

Mike McKeever
Executive Director

MM:JLC:gg

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

**Federal Highway Administration
California Division**

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October 21, 2009

Document S52939

Mr. Randell Iwasaki, Director
California Department of Transportation
1120 N Street
Sacramento, CA 95814

Attention: Program Office, M.S. 82
For Rachel Falsetti, Chief, Division of Transportation Programming

Dear Mr. Iwasaki:

Thank you for your letter of September 23, 2009 and accompanying documentation of the impact of the State's budgetary situation on the Fund Estimate and the Federal requirement for fiscal constraint of the Federal - Statewide Transportation Improvement Program (FSTIP).

Federal regulations allow financial plan revenues to be based upon Federal apportionment levels rather than obligation authority (OA). In the development of the Fund Estimate, the State used OA as its Federal funding limit rather than apportionments. We have reviewed the submitted analysis and determined that the California Department of Transportation (Caltrans) has demonstrated, for purposes of demonstrating fiscal constraint, that the difference between Federal apportionments and the OA reflected in the Fund Estimate is sufficient to offset current State budgetary reductions in available construction funds. Caltrans will now need to allocate the difference between OA and apportionments to each MPO and the MPO will need to incorporate the allocation into its updated financial plan to demonstrate fiscal constraint. Should additional changes be made to the State's fund estimate, Caltrans may need to submit additional documentation regarding the demonstration of fiscal constraint.

Additionally, for those Metropolitan Planning Organizations (MPOs) that program local revenue - sales taxes, developer fees, etc. - the MPO will need to update those revenue estimates to reflect current economic conditions.

In order to allow sufficient time for the State and MPOs to update their financial plans to reflect all of these changes (State and local), any FSTIP amendments released for public comment after December 31, 2009 should reflect any changes to either State or local revenues in order for FHWA/FTA to approve such amendments. If you have any questions, please contact Steve Luxenberg at (916) 498-5066.

Sincerely,

For
Walter C. Waidelich, Jr.
Division Administrator

