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## *Memorandum*

TO: Planning Committee

DATE: July 5, 2013

FR: Executive Director, MTC

W. I.

RE: 2013 Transportation Improvement Program, MTC Resolution No. 4075

### **Background**

The federally required Transportation Improvement Program (TIP) is a comprehensive listing of Bay Area surface transportation capital projects that receive federal funds or are subject to a federally required action or are regionally significant. MTC, as the federally designated Metropolitan Planning Organization (MPO) for the nine-county San Francisco Bay Area Region, prepares and adopts the TIP. The 2013 TIP Update, the subject of this action, covers a six-year period from FY 2012-13 through 2017-18. It contains approximately 880 projects totaling about \$16.9 billion. The TIP also contains a financial constraint analysis and air quality conformity analysis (See agenda item 3a). The TIP identifies a future commitment of funding and signifies regional consensus that a project should move ahead to implementation. A project's inclusion in the TIP is a critical step. It does not, however, represent an allocation of funds, an obligation to fund, or a grant of funds, which occurs after the adoption of the TIP. The TIP is revised several times a year in order to add or delete projects, reflect changes in the project's delivery schedule, or modify a project's scope if needed.

### **TIP Update Requirements**

The TIP must comply with federal regulations and guidance. The most basic requirements are listed below:

- Cover at least a four-year period and must be financially constrained by year, meaning that the amount of dollars committed to the projects (also referred as "programmed") must not exceed the amount of dollars estimated to be available.
- The TIP must be updated at least once every four years.
- Include a financial plan that demonstrates that programmed projects can be implemented.
- Provide an opportunity for public comment prior to TIP approval.
- Ensure that the program of projects is consistent with air quality standards called for in the Clean Air Act by conducting an air quality conformity analysis.

### **Title VI and Environmental Justice**

To further assist in the public assessment of the 2013 TIP, and specifically to address the equity implications of the proposed TIP investments, MTC has conducted an investment analysis with a focus on minority and low-income residents. The investment analysis uses demographic criteria to calculate the shares of 2013 TIP investments that will flow to low-income and minority communities, and compares those shares with the proportional size of the group's population and trip-making, relative to that of the general population. The included Title VI analysis compares

the per-capita and per-rider public transportation investment of State and Federal funds for minority and non-minority populations. The results of the analysis suggest the 2013 TIP invests greater public funding, in the aggregate, to the benefit of low-income and minority communities than their proportionate share of the region's population or trip-making as a whole. The Title VI Analysis finds no disparate impact in the distribution of Federal and State funding for public transportation purposes between minority and non-minority populations or riders. The 2013 TIP Investment Analysis: Focus on Low-Income and Minority Communities is incorporated into the TIP. The 2013 TIP is available at: <http://www.mtc.ca.gov/funding/tip/2013/>

### **Public Participation**

The Draft 2013 TIP was initially released for public review and comment on June 22, 2012. MTC held a public hearing on July 11, 2012, and the comment period closed on August 2, 2012. Responding to comments in September 2012, MTC postponed the final adoption of the new 2013 TIP to more closely align with development and adoption of *Plan Bay Area*. A revised Draft 2013 TIP was released for public review and comment on March 29, 2013. MTC held nine public hearings throughout the Bay Area and the comment period closed on May 3, 2013. A summary of the 2013 TIP comments received and staff responses, is included as Attachment A and is also incorporated as an appendix to the 2013 TIP. Comments and staff responses received during the first comment period were presented to the Programming and Allocations Committee at their September 2012 meeting and are included in Attachment A. The comments relevant to the TIP received during the second comment period are as follows:

- Support of continued implementation of technologies that serve to increase the convenience of transit users such as Clipper, automatic vehicle location, onboard voice announcements, and real-time transit information enhancements. *MTC and the region's transit agencies are continuing to add new features and expanding services in the region to provide a better transit experience.*
- Request to add unfunded projects into the TIP. *The TIP includes projects that already have funding commitments. To address unfunded transportation needs, residents should work with their city/county officials to plan for and mobilize funding for projects of interest. Subsequently jurisdictions can apply for funds from MTC, state and federal programs.*
- Request to delete some road widening projects and the regional express lane network from the TIP based on concerns expressed that they do not lead to reductions in greenhouse gases per requirements in SB 375. *SB 375 and any estimation of GHG reductions are relevant to the Plan. The TIP implements the goals and policies of the RTP, Plan Bay Area, and therefore supports the Plan in meeting SB 375 requirements. Given that the TIP covers a 6-year period while the Plan covers a 28-year period, it is not expected that the TIP will achieve the objectives of the Plan in such a short-time frame. Further not all funds in the Plan are contained in the TIP; therefore, the TIP is only a subset of the Plan. The Plan relies on much more than just the TIP to implement SB375.*
- Questions about the equity analysis meeting FTA's new Environmental Justice (EJ) Circular and why the analysis does not look at individual projects. *The TIP was prepared in accordance with FTA's environmental justice guidance, which points out that the evaluation or project level EJ impacts should occur after projects are moved into the TIP when they are ready for implementation. When projects seek federal approvals or funding they will be subject to further evaluation under the National Environmental Policy Act (NEPA).*

**Next Steps and Recommendation**

Once approved by the Commission, the 2013 TIP and its conformity determination will be transmitted to Caltrans for its review and approval. Caltrans will then forward the documents to FHWA and FTA as required for their review and approval. Approval is expected in August, 2013.

It is important to note the repercussions if there is a delay in the 2013 TIP approval. The region is currently in an air quality conformity lapse grace period. During this period no revisions may be made to the current TIP until the new Plan, Air Quality conformity and TIP are approved. As a consequence, a delay in the adoption of these documents will result in new federal grant awards or changes to existing grants from moving ahead.

Staff recommends that Resolution No. 4075 be referred to the Commission for approval.



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Steve Heminger

**Attachments:**

- Attachment A - Responses to TIP public comment
- Attachment B - List of project changes in response to comments
- MTC Resolution No. 4075

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Responses to Public Comments  
on the 2013 Draft TIP Received  
During Two Public Comment Periods  
June 22, 2012 to August 2, 2012  
and March 29, 2013 to May 3, 2013

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**METROPOLITAN TRANSPORTATION COMMISSION**  
**2013 Transportation Improvement Program (TIP)**  
**Response to Public Comments**

*The following are the public comments received during the public hearing for the first of two drafts of the 2013 TIP as well as those received during the public comment period, commencing June 22, 2012 and ending August 2, 2012, followed by the responses to these comments. This list does not include the project sponsor change requests. The correspondence and public hearing transcript for the Draft 2013 TIP are available at <http://www.mtc.ca.gov/funding/tip/2013/>.*

<b>No.</b>	<b>Name</b>	<b>Agency/Organization</b>	<b>Dated</b>	<b>Responses</b>
1	Mary Savage	Public	Public hearing (7/11/2012) and letter and Email (8/1/2012)	Response #1
2	Shirley Humphrey	Public	Public hearing (7/11/2012) and letter and Email. (7/31/2012)	Response #1
3	Gary Rannefield,	Public	Public Hearing (7/11/2012) and letter (7/28/2012)	Response #1
4	Robert and Ginger Emerson	Old Town Neighbors, Dixon.	Public hearing (07/11/2012) and Email (7/31/2012)	Response #1
5	Manolo González-Estay	Transform.	Public hearing (7/11/2012) and letter (8/2/2012)	Responses #4, #6,#7 and #8
6	Bill Mayben	Public	Email (6/28/2012)	Response #8, first paragraph
7	Roger Bregoff	Caltrans	Email (6/29/2012)	Responses #3, first paragraph of #4,# 5
8	Richard C. Brand	Public	Email (7/28/2012)	Response #2
9	Earl Heal	Solano County Tax Payers Association	Email and letter. (7/30/2012 and 8/1/2012)	Response #1
10	Leslie Earl	Public	Email (7/30/2012)	Response #1
11	Nancy C. Schrott	Public	Email (8/1/2012)	Response #1
12	Ellen Smith	Public	Letter and Email (8/1/2012)	Response #1
13	Barbara Kelsey	Three Sierra Club Chapters - San Francisco Bay Chapter, Redwood Chapter and Loma Prieta Chapter.	Letter (8/2/2012)	Responses #4, #6, and #8
14	Bob Allen	Urban Habitat	Letter (8/2/2012)	Responses #4, #6, #7 and #8

The following are the public comments received on the second draft of the 2013 TIP received during the public comment period commencing March 29, 2013 and ending May 3, 2013. *The correspondence and public hearing transcripts for the Draft 2013 TIP are available at <http://www.mtc.ca.gov/funding/tip/>. Note that additionally 36 written*

Response to Written Public Comment on Draft 2013 TIP

comments received at nine public hearings held in each Bay Area county were marked as TIP comments by the respondents; however, they were relevant to plan level issues (see response #8) and not the TIP. These comments can be viewed at <http://www.onebayarea.org/regional-initiatives/plan-bay-area/meetings-events/What-We-Heard.html> under “Open House/Public Hearing Results by County” and will be integrated with the other public comments received on the Plan and considered as part of MTC/ABAG’s deliberations on the Final Plan Bay Area adoption. No oral testimony at these hearings addressed the Draft 2013 TIP; comments addressed RTP related issues. The responses to comments received on air quality conformity are included along with that document in Appendix A-51.

No.	Name	Agency/Organization	Dated	Response
15	Michael D’Augelli	Public	Email (3/20/13)	Response #A
16	Fredrick Schermer	Public	Email (4/2/13)	Responses #1 #8 and #B
17	Melissa Hippard, Victoria Brandon, Arthur Feinstein	Three Sierra Club Chapters - San Francisco Bay Chapter, Redwood Chapter and Loma Prieta Chapter	Letter (5/2/13)	Responses #1, #4, #5, #6, #8, #C, #D, and #E
18	Thomas A. Rubin	Public	Letter (5/3/2013)	#5, Other responses to be addressed by Plan (see response #8)
19	Jack Simonitch	Public	Written Comment at Napa County Open House an Public Hearing (4/8/2013)	Response to be addressed by Plan (see response #8)
20	Nathan Stout	Public	Written Comment at Napa County Open House an Public Hearing (4/8/2013)	Response to be addressed by Plan (see response #8)
21	M. Stamos	Public	Written Comment at Sonoma County Open House an Public Hearing (4/8/2013)	Response to be addressed by Plan (see response #8)
22	Lisa Maldonado	Public	Written Comment at Sonoma County Open House an Public Hearing (4/8/2013)	Response to be addressed by Plan (see response #8)
23	Veronica Jacobi	Public	Written Comment at Sonoma County Open House an Public Hearing (4/8/2013)	Response to be addressed by Plan (see response #8)
24	Adam Kirschenbaum	Public	Written Comment at Sonoma County Open House an Public Hearing (4/8/2013)	Response to be addressed by Plan (see response #8)
25	Michael J. Hayes	Public	Written Comment at Solano County Open House an Public Hearing	Response to be addressed by Plan (see

Response to Written Public Comment on Draft 2013 TIP

			(4/22/2013)	response #8)
26	Jame Ervin	Public	Written Comment at San Francisco County Open House an Public Hearing (4/11/2013)	Response to be addressed by Plan (see response #8)
27	Gwynn	Public	Written Comment at San Francisco County Open House an Public Hearing (4/11/2013)	Response to be addressed by Plan (see response #8)
28	James B. Walsh	Public	Written Comment at San Francisco County Open House an Public Hearing (4/11/2013)	Response to be addressed by Plan (see response #8)
29	Anonymous	Public	Written Comment at San Francisco County Open House an Public Hearing (4/11/2013)	Response to be addressed by Plan (see response #8)
30	Brenda Barron	Public	DEIR Public Hearing, Oakland (4/16/2013)	Response to be addressed by Plan (see response #8)
31	Gil and Jane Pruitt	Public	DEIR Public Hearing, San Rafael (4/16/2013)	Response to be addressed by Plan (see response #8)
32	Tom Ovens	Public	Written Comment at Solano County Open House an Public Hearing (4/22/2013)	Response to be addressed by Plan (see response #8)
33	Nathan Daniel Stout	Public	Written Comment at Solano County Open House an Public Hearing (4/22/2013)	Response to be addressed by Plan (see response #8)
34	Ralph Hoffman	Public	Written Comment at Contra Costa County Open House an Public Hearing (4/22/2013)	Response to be addressed by Plan (see response #8)
35	Anonymous	Public	Written Comment at Contra Costa County Open House an Public Hearing (4/22/2013)	Response to be addressed by Plan (see response #8)
36	Mike Garrabrants	Public	Written Comment at Contra Costa County Open House an Public Hearing (4/22/2013)	Response to be addressed by Plan (see response #8)
37	Ana Irma Angulo	Public	Written Comment at Contra Costa County Open House an Public Hearing (4/22/2013)	Response to be addressed by Plan (see response #8)
38	Emilio Melendez	Public	Written Comment at Contra Costa County Open House an Public Hearing (4/22/2013)	Response to be addressed by Plan (see response #8)
39	Anonymous	Public	Written Comment at Marin	Response to be

Response to Written Public Comment on Draft 2013 TIP

			County Open House an Public Hearing (4/29/2013)	addressed by Plan (see response #8)
40	Anonymous	Public	Written Comment at Marin County Open House an Public Hearing (4/29/2013)	Response to be addressed by Plan (see response #8)
41	Elizabeth Prior	Public	Written Comment at Marin County Open House an Public Hearing (4/29/2013)	Response to be addressed by Plan (see response #8)
42	Carla Giustino	Public	Written Comment at Marin County Open House an Public Hearing (4/29/2013)	Response to be addressed by Plan (see response #8)
43	Kolsarina Hafoka	Public	Written Comment at San Mateo County Open House an Public Hearing (4/29/2013)	Response to be addressed by Plan (see response #8)
44	Johanna Coble	Public	Written Comment at San Mateo County Open House an Public Hearing (4/29/2013)	Response to be addressed by Plan (see response #8)
45	Sofia Lozano-Pallores	Public	Written Comment at San Mateo County Open House an Public Hearing (4/29/2013)	Response to be addressed by Plan (see response #8)
46	Anonymous		Written Comment at Alameda County Open House an Public Hearing (5/1/2013)	Response to be addressed by Plan (see response #8)
47	Kim Evans	Public	Written Comment at Alameda County Open House an Public Hearing (5/1/2013)	Response to be addressed by Plan (see response #8)
48	P. Ghosh	Public	Written Comment at Alameda County Open House an Public Hearing (5/1/2013)	Response to be addressed by Plan (see response #8)
49	Molly Lee	Public	Written Comment at Santa Clara County Open House an Public Hearing (5/1/2013)	Response to be addressed by Plan (see response #8)
50	G. Scott	Public	Written Comment at Santa Clara County Open House an Public Hearing (5/1/2013)	Response to be addressed by Plan (see response #8)

In developing the 2013 TIP, MTC welcomed comments through a number of channels:

1. For the First Draft released June 22, 2012 comments could be made:
  - By submitting written correspondence, an email or a telephone call between June 22, 2012 and August 2, 2012, or
  - In person or in writing at the public hearing held on July 11, 2012.
2. For the Second Draft released March 29, 2013 comments could be made:
  - By submitting written correspondence, an email or a telephone call between March 29, 2013 and May 3, 2013,
  - In person or in writing at any of nine public hearings held in various locations throughout the region, or
  - In person or in writing at any of the nine open houses held in various locations throughout the region.

MTC appreciates the public review and comments provided for the 2013 TIP. The comments received were generally in the following three categories:

1. Comments related to funding and implementation of specific projects.
2. Comments regarding the 2013 TIP, including:
  - 2013 TIP adoption schedule
  - Structure and layout of the TIP
  - Investment analysis
  - Public outreach and engagement
3. Comments providing perspectives and recommendations for regional transportation investment priorities; the relationship of the TIP to RTP goals; and the project selection process.

### **Category 1: Responses to Comments Related to Specific Projects**

The Regional Transportation Plan (RTP) establishes long-range investment priorities and strategies to maintain, manage and improve the surface transportation network in the San Francisco Bay Area. The Transportation Improvement Program (TIP) helps carry out these strategies in the short term by committing certain funding resources to implement specific programs and project improvements that help support implementation of the RTP. MTC initially developed the Draft 2013 TIP using the Regional Transportation Plan that was current at the time, Transportation 2035, as the basis, as mandated by Federal Regulations. In response to public comments, MTC subsequently extended the 2013 TIP development period to coincide with Plan Bay Area and further revised and recirculated the TIP for public comment in order to coordinate with Plan Bay Area policies.

MTC staff forwarded project specific comments to the sponsoring agencies for clarification of next steps and opportunities for input for service planning or project development for specific programs and projects. Interested parties are encouraged to contact project sponsors directly for clarification of specific project concerns.

### **Comment and Response #1**

Several commenters raised issues on local projects in the TIP (such as the Dixon Bicycle/Pedestrian undercrossing) addressing safety, design, and operational, and climate issues.

MTC includes local projects in the TIP after the project sponsor supports, approves, and demonstrates project funding consistent with the Regional Transportation Plan (RTP). The decision to include a project in the TIP does not represent an allocation or obligation of funds, or final project approval. Before securing funding and approval for project implementation, the project is subject to environmental review and final approvals from federal, state, regional or local agencies depending on fund sources, and project-specific required actions.

Generally, project design details and environmental impacts are not required before the project is included in the TIP. MTC's "A Guide to the San Francisco Bay Area's Transportation Program or TIP" outlines the various opportunities available to the public and interested stakeholders to get involved in the San Francisco Bay Area's surface transportation planning and project development process (see Appendix A-31). The guide is also available at the MTC/ABAG Library at 101 8th Street Oakland CA, 94607 and on MTC's web site.  
([http://www.mtc.ca.gov/funding/tip/2013/Guide\\_to\\_the\\_Draft\\_2013\\_TIP.pdf](http://www.mtc.ca.gov/funding/tip/2013/Guide_to_the_Draft_2013_TIP.pdf))

### **Comment and Response #2**

One commenter requested more funding be allocated to the Dumbarton Rail project.

The RTP only includes the Environmental and Right-of-Way phases of the Dumbarton Rail project. Therefore only those elements of the project may be included in the TIP. The RTP project listing number is 240018.

Detailed information can be accessed through a web based database of the RTP listings at (<http://www.bayarea2040.com/>)

### **Comment and Response #3**

An inquiry was received asking how projects in the TIP comply with Caltrans complete streets policies (Directive DD64-R1). This directive requires that Caltrans staff ensure compliance for all projects on the State Route System.

With respect to the Directive, Caltrans revised its Highway Design Manual to reflect DD64-R1 requirements. Consequently at this time all projects that are on the State Route System for which Caltrans is either an implementing agency or sponsor must now process a design exception for features that are inconsistent with DD64-R1. In rare and specific circumstances design exceptions are granted for excessive cost, environmental impact and safety reasons, or a combination of the same when they are considered to outweigh development using mandatory standards. The Caltrans projects in the 2013 TIP contribute to Deputy Directive 64-R1 compliance by observing the mandatory and advisory design standards established in the Department's Highway Design Manual as recently amended.

### **Comment and Response #A**

Regarding the MTC managed Clipper and 511 projects, one commenter requested that the Eastern Contra Costa Transit Authority (Tri Delta Transit) be included for Clipper implementation, and real-time transit information be implemented as soon as possible.

Clipper is in the process of rolling out to the remaining operators in the Bay Area within the next three years in the following order. Please note that time-frames are estimates:

Marin Transit - Fall 2013

Napa and Solano Counties (FAST, Soltrans, Rio Vista, NapaVINE, Vacaville City Coach) - Mid 2014

Union City Transit - Mid 2014

East Bay (TriDelta, County Connection, WestCAT, Wheels) - Mid 2015

Regarding real-time transit information on 511, transit operators are included on 511 once they have installed real-time tracking equipment on their vehicles. MTC is currently working with Tri Delta Transit to integrate their real-time information into 511. Once integrated - the schedule is still being finalized - TriDelta's real-time information will become available through all 511 dissemination channels including phone, web, mobile web, and texting.

The capability of voice announcements is a currently offered feature managed by the automatic vehicle location (AVL) system of the transit operator. It also depends on the text-to-speech or voice talent used in the AVL system. TriDelta currently offers its bus passengers this feature.

As to the questions regarding Real-time transit and electronic signs, currently there are 24 regional transit hubs in the Bay Area that have or will have regional real-time transit information. These 24 hubs were identified in the Transit Connectivity Report (2006), although specifically, TriDelta does not provide service to any of them and so is not included in any of the hub real-time signs. However, BART is currently trying to install real-time signs at all their Contra Costa stations that are not hubs.

### **Comment and Response #B**

Commenter states that there needs to be improved pedestrian / bicycle access between Alameda and Oakland Chinatown and Jack London Square and points out there is no corresponding project in the TIP. Commenter also alleges there are Title VI and ADA non-compliance issues due to not providing these transportation improvements to the disabled, Chinese-Americans, and Chinese immigrants.

A request to fund, design, and construct a specific transportation project originates from the project sponsor or owner/operator of the facility, which in this case would be the City of Alameda, the City of Oakland, or Caltrans (for the Webster Tube). Ways

for the community to get involved with transportation officials in their respective jurisdictions are outlined under Response #8. Also, please note that ADA requirements apply to projects and not to the TIP, which is a compendium of projects. However, we have noted in the TIP specifically those transit projects that are ADA compliant in Appendix A – 44. A project's inclusion in the TIP does not guarantee funding to a project until ADA and other federal requirements are fully met (also see response #1). Similarly Title VI compliance as applied to the TIP itself involves adequate outreach to minority populations and the consideration of the program of investments in the TIP, demonstrated by MTC's investment analysis. Both are documented in the TIP.

## **Category 2: Responses to Comments Regarding the 2013 TIP Update**

Staff received several comments, questions and suggestions on the TIP development schedule; the structure and layout of the TIP; the investment analysis; and public outreach and engagement. The responses have been subdivided to address each of the topic areas.

### **Comment and Response #4 (TIP Development Schedule)**

Several comments were related to the 2013 TIP Development Schedule, questioning the need for a TIP update– in advance of adoption of Plan Bay Area. The comments also questioned the original earlier schedule given recent federal authorization and regulation changes.

While federal regulations enacted under SAFETEA require that the TIP be updated at least once every four years, the state requires the TIP to be updated every two years, with all MPOs within California required to submit their TIPs on the same schedule.

Having acknowledged the benefits of aligning the development schedules of the 2013 TIP and RTP updates, staff extended the TIP development schedule to align the TIP adoption with the new RTP in July 2013. Staff notified Caltrans of the revised schedule, while providing the most current 2011 TIP as part of a two-year statewide TIP submittal.

TIP updates must adhere to federal regulations and supporting documents in effect at the time. With respect to the timing of the implementation of the recently enacted surface transportation authorization, MAP 21, US DOT has 18 months to develop guidance (by April 1, 2014) and promulgate regulations for performance measures related to the TIP as well as other areas that impact metropolitan transportation planning and programming policies.

MTC staff extended the 2013 TIP development period to coincide with that of Plan Bay Area. This delay in the TIP adoption afforded staff more time to review recent updates to federal guidance related to metropolitan planning and environmental justice and Title VI.

### **Comment and Response #5 (Structure and Layout of the TIP)**

A number of questions/ comments/ suggestions/ concerns the format of the TIP with respect to Bicycle/Pedestrian projects in the TIP, the relationship between the RTP and the TIP, the timeframe for the TIP, fiscal constraint requirements, and the use of the TIP to estimate total capital or operating expenditures region wide for a class of projects over various time periods.

#### **Bicycle and Pedestrian Investments -**

The TIP is a listing of Bay Area surface transportation capital projects that receive federal funds, are subject to a federally required action or are regionally significant. Bicycle/pedestrian projects that are 100% locally funded usually are not included in the TIP since they are exempt from air quality conformity and generally do not require a federal action. Also, many bicycle/pedestrian projects are included as a sub-component of larger projects such as local streets and roads rehabilitation projects. Given all of the above, the total regional investment for bicycle/pedestrian improvements is not separately identified in the TIP.

#### **Illustration of the relationship between the RTP and the TIP -**

The Regional Transportation Plan (RTP) establishes investment priorities and strategies to maintain, manage and improve the surface transportation network in the San Francisco Bay Area. The Transportation Improvement Program (TIP) helps carry out these strategies by committing certain funding sources to specific programs and project improvements that support implementation of the RTP. Under the original schedule, MTC developed the Draft 2013 TIP using the Regional Transportation Plan that was current at the time, Transportation 2035, as the basis, as mandated by Federal Regulations. In response to public comments, MTC subsequently extended the 2013 TIP development period to coincide with Plan Bay Area and further revised and recirculated the TIP for public comment in order to coordinate with Plan Bay Area policies.

Appendix A-46 provides project listings of the TIP projects, with their relationship to the RTP investment categories. Furthermore, each TIP project includes an RTP identifier (RTP-ID) showing the relationship of the TIP project to a RTP project. Details along with specific transportation goals are identified in the RTP. This information can be accessed through a web based database at (<http://www.bayarea2040.com/>).

The TIP listings are supported by the Fund Management System, FMS, an online searchable TIP project database. FMS is accessible to the public and has various search capabilities. One search criterion that can be used is the RTP-ID. In the case of major projects, there are likely to be several TIP listings and a search on the RTP-ID will yield all the relevant and related TIP projects.

#### **Time Horizon of the TIP**

The TIP horizon has been extended from 4 years to 6 years in the second version of the Draft 2013 TIP. These additional two years provide additional funding priorities

for projects, particularly for some of the larger more complex projects that have later phases outside of the previous TIP's four-year period.

### **Fiscal Constraint Requirements for the TIP**

The TIP, as well as the Plan is fiscally constrained in accordance with federal regulations and guidance. This central requirement is reviewed by FHWA and FTA prior to their approval of the TIP. The use of anticipated revenues is important in order to facilitate planning in the long-range plan and programming in the TIP for their respective time horizons. This provides a more realistic transportation investment picture, which is not reflected alone by the committed funds which are made over a much shorter time period. MTC reviews the reasonableness of these funds based on FHWA/FTA guidance. To be included in the 6-year time period of the TIP, funds must be approved through a governing board action by the jurisdiction with discretionary authority over those funds and must be available during the timeframe contemplated for delivery of the project or project phase. Anticipated revenues in the RTP are not included in the TIP until a specific fund source is identified and authorized, and a governing board action has occurred committing those funds to a program or project.

### **Limitations of the TIP for Estimating Total Transportation Expenditures**

The TIP contains projects that involve a federal interest such as federal funding, federal actions, or regionally significant locally funded projects that have federal air quality conformity implications-- a subset of transportation projects in the region. For example, a significant portion of a transit operator's capital funding is not included in the TIP. Examples of these fund sources include farebox revenue, local sales tax, state bond measures, state gas tax and bridge tolls. Furthermore, the TIP shows budgeted or 'programmed' funds. Actual expenditures may vary by the time the project is complete. The TIP is a dynamic document with project revisions occurring monthly, and projects moving in and out of the TIP at different times based on when fund sources are made available for programming, such as when Congress makes federal apportionments available.

### **Comment and Response #6 (TIP Investment Analysis)**

Several comments critiqued the methodologies used for the 2013 TIP Investment Analysis: Focus on Low Income and Minority Communities.

- MTC employed different methodologies to help illustrate how the investments affect low-income and minority populations.
  - Population Use-Based Analysis: This analysis compares estimated percent of investment for low-income and minority populations to the percent of use of the transportation system (both roadways and transit) by low-income and minority populations. In order to assign investments to these communities, their travel characteristics were used based on the following factors: percent total trips; percent VMT for road trips; and percent transit trips. This approach serves as a general yardstick to measure transportation investments. The survey data is from 2000 and

2006, and many of the projects will not be open to the public until after the TIP Period in 2016.

- Mapped Project Analysis: To supplement the population/use-based analysis described above, MTC mapped the TIP projects that are mappable and overlaid them against communities of concern as well as census tracts with concentrations of minority populations that are above the regional average. This analysis is in response to stakeholder feedback that the overall spatial distribution of projects is also important to analyze to assess equitable access to TIP investments. Title VI Analysis: MTC is using the above methodologies within the broader Transportation Investment Analysis framework along with a disparate impact analysis of the Transportation Investment Analysis results to meet federal Title VI requirements. This includes applying the Population Use-based analysis described above to State and Federal funds only. The disparate impact analysis then compared TIP investments per capita for minority populations identified under (2) above as a percentage of per-capita investments identified for non-minority populations.

Even with the limitations, we believe the investment analysis is appropriate for a macro level analysis that takes into account roughly 900 projects. For major projects with the potential for environmental / economic impacts, project sponsors are required to prepare a more detailed analysis through the project's environmental impact analysis (CEQA/NEPA); this is the appropriate time to address equity impacts of individual projects, whose design details and community impacts may not be known when they are included in the RTP or the TIP.

- The two reasons that the TIP investments do not match the RTP investments are as follows:
  - Subset of Projects Requiring Federal Action: The TIP investments represent a smaller set of projects requiring federal actions (i.e. funding, permits, and air quality conformity) as compared to the more comprehensive investment strategy in Plan Bay Area. The TIP, therefore, does not capture significant components of the regional transportation system such as transit operations, streets and roads maintenance, and other locally funded or state-funded transportation investments that do not require a federal action. In contrast, the long-range RTP is required to encompass the performance and investment levels of the entire surface transportation system in the region.
  - Six-year Timeframe: The TIP covers a six-year period compared to the RTP 28-year planning horizon. While a total of \$52 billion is programmed in the TIP, only the \$17 billion within the six year TIP period is accounted for in the TIP investment analysis. All other funds are considered to be for informational purposes only. Hence a \$250 million project with no funds

programmed in the six years is not included in the TIP investment analysis but is considered in the RTP analysis.

### **Comment and Response #7 (Public Outreach)**

A few comments focused on the need for improvements to MTC's public participation and outreach for the TIP in order to conform to the most recent federal guidance on public engagement.

MTC has undertaken numerous outreach efforts to make the TIP accessible to the public:

- Several reports such as the single-line project listing reports (Appendix A-46) and the TIP-at-a-Glance abstracts are included to aid the public in a better understanding of the TIP.
- The TIP Overview is available in Spanish and Chinese on the web at <http://www.mtc.ca.gov/funding/tip/2013/>.
- The Draft TIP is accessible to the public at various libraries including the MTC/ABAG Library at 101 8th Street Oakland CA, 94607 and on MTC's website. During the public review and comment period, a direct link to the TIP was posted on the MTC home page.
- MTC's "A Guide to the San Francisco Bay Area's TIP", outlines the various opportunities available for the public and interested stakeholders to become involved in the San Francisco Bay Area's surface transportation project development process. The guide has a table on the evolution of a project from a project idea to implementation and lists the various stages where a member of the public can make a difference (Pages 12-13). The guide is available at the MTC/ABAG Library at 101 8th Street Oakland CA, 94607 and on MTC's web site.
- Staff has held several workshops for partner agencies and stakeholders and an overview of the TIP is included in workshops held throughout the region on the RTP update.
- The development of transportation policies and project selection criteria for MTC's funding programs are developed through an extensive and transparent outreach process. The project selection criteria and associated policies for each program that MTC oversees are to be found in the appendices to the TIP (A-11 through A-34). These efforts are complementary to the TIP update process. The TIP compiles the programs, projects and improvements that have resulted from these outreach and project selection efforts as well as local project selection efforts in support of the RTP.
- MTC held various public hearings and open houses on the Plan and the TIP in each of the nine counties of the Bay Area, providing the public the opportunities to review and comment on the TIP.
- In the development of the 2013 TIP, MTC followed its Public Participation Plan which was developed in consultation with the public, MTC Advisory Council, public agencies, federal, state and other local agencies.

**Comment and Response #D (Environmental Justice)**

*One commenter asked if the TIP is in compliance with the new Environmental Justice Circular issued by FTA (C4703.1)*

The Plan and TIP were prepared in accordance with the guidance in Environmental Justice (EJ) Circular 4703.1 issued by the Federal Transit Administration (FTA). The Circular identifies three EJ principles<sup>1</sup> and advises grantees to consider the goals expressed in the principles throughout their transportation planning and project development and through all public outreach and participation efforts. The Circular describes the elements of an EJ analysis and meaningful public engagement and advises that the evaluation of system-level EJ impacts should be performed in the long-range plan and before projects are moved into the TIP for implementation when they are reasonably assured of funding and ready for implementation. At that point, projects involving federal actions / funding require further EJ evaluation under NEPA.

MTC has conducted an investment analysis consistent with the guidance in the Circular for the TIP as well as an equity analysis for the Plan. In addition, MTC promotes EJ through a range of programs and activities that support EJ principles, including:

- Identifying mobility needs of low-income and minority communities through MTCs Community Based Transportation Planning Program; and
- The MTC Public Participation Plan (see [http://www.mtc.ca.gov/get\\_involved/participation\\_plan.htm](http://www.mtc.ca.gov/get_involved/participation_plan.htm)), lays out specific strategies for engaging low-income, minority populations and other community stakeholders throughout the metropolitan planning process in general, and providing for input on the development of the Equity Analysis methodology and the definitions of environmental justice populations and performance measures in particular.

The commenter will have the opportunity to address any specific project concerns relating to EJ in the NEPA process for each project.

**Comment and Response # E (Transit Performance During TIP Period)**

A question was asked regarding the revenue vehicle hours for AC Transit, Golden Gate Transit, the San Francisco Municipal Railway and SamTrans for each year of

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<sup>1</sup> 1. To avoid, minimize, or mitigate disproportionately high and adverse human health and environmental effects, including social and economic effects, on minority populations and low-income populations;  
2. To ensure the full and fair participation by all potentially affected communities in the transportation decision-making process;  
3. To prevent the denial of, reduction in, or significant delay in the receipt of benefits by minority and low-income populations.

the TIP, plus the two years previous to the start of the TIP period and about the sustainable level of transit service for the region’s transit passengers.

The projected annual revenue vehicle hours assumed for each of the 2013 TIP years are shown in the table below. These figures are net of any expanded service hours that may result from planned transit expansion or enhancement projects contained in the TIP. The projected hours were provided by the transit operators for MTC's long range plan -- Plan Bay Area.

<b>Operator</b>	<b>Annual Revenue Vehicle Hours (FY 13 - FY 18)</b>
AC Transit	1,623,678
Golden Gate	385,370
SFMTA	3,438,699
SamTrans	880,300

The 2013 TIP also includes a Financial Capacity Assessment that contains an analysis of the costs and revenues associated with these service levels and assessments as to the operators' ability to sustain them. The assessment can be downloaded from [http://www.mtc.ca.gov/funding/tip/2013/3\\_Volume-I\\_Section-2\\_Project\\_Listings\\_Draft\\_2013\\_TIP.pdf](http://www.mtc.ca.gov/funding/tip/2013/3_Volume-I_Section-2_Project_Listings_Draft_2013_TIP.pdf) For actual revenue vehicle hour data through FY 2010-11 (as reported by operators), please refer to the *Statistical Summary of Bay Area Transit Operators, 2012*. This publication is available on our website: [http://www.mtc.ca.gov/library/statsum/StatSumm\\_2011.pdf](http://www.mtc.ca.gov/library/statsum/StatSumm_2011.pdf). A new summary, containing 2012 actual reported data is scheduled to be released in June.

**Category 3: Responses to Comments Regarding the Plan, the Relationship of the TIP to the RTP and Project Selection Process**

***Comment and Response #8:***

Commenters provided individual perspectives and recommendations for regional transportation investment priorities, the relationship of the TIP to Plan Bay Area and the project selection process.

The development of a TIP or revisions to the TIP occur after planning, regional transportation policy development and project selection have been completed. The TIP is a six-year listing of projects which are ready to move to project development and implementation. Therefore, it is important to consider the development of the long-range transportation plan, the region’s primary transportation policy document; the development of funding program policies that guide local decisions about which projects are selected for inclusion in the TIP; and the compilation of projects in the TIP document itself. MTC works with transportation stakeholders and transportation agencies throughout this entire process.

Many of the comments submitted about regional policies such as climate change, congestion, sustainable community strategies and other transportation goals, are addressed in MTC's Regional Transportation Plan, Plan Bay Area. In contrast, concerns regarding specific project design and environmental impacts are generally not addressed until after a project is in the TIP. Refer to "A Guide to the San Francisco Bay Area's Transportation Improvement Program" (Appendix A-31) that pinpoints the most effective opportunities to get involved in planning and project development.

Comments addressed to the TIP in many cases referred instead to the Plan, the DEIR or the Conformity Analysis. Also as noted in the log of commenters, many participants attending open houses and public hearings submitted written comments using comment cards where they checked whether comments pertained to the Plan, TIP, air quality conformity analysis, or the draft environmental impact analysis. Where the TIP box had been checked, staff notes that all of the comments addressed policies and issues associated with the Plan and not the TIP. These will be addressed as part of the Plan process.

As noted previously, to respond to concerns about the TIP adoption preceding the adoption of Plan Bay Area, staff deferred 2013 TIP adoption from September 2012 to align with the development and adoption of Plan Bay Area.

***Comment and Response #C***

Clarification was requested on how the TIP achieves greenhouse gas (GHG) reductions under State (SB 375). Also the commenter requested that several highway capacity increasing projects and the Regional Express Lane Network be removed from the TIP on the grounds that they believe GHG reductions and other planning goals are not being met by their implementation.

SB 375 and any estimation of GHG reductions are relevant to the Plan. The TIP implements the goals and policies of the RTP, Plan Bay Area, and therefore supports the Plan in meeting SB 375 requirements. Given that the TIP covers a 6-year period while the Plan covers a 28-year period, it is not expected that the TIP will achieve the objectives of the Plan in such a short-time frame. Further not all funds in the Plan are contained in the TIP; therefore, the TIP is only a subset of the Plan.

J:\PROJECT\Funding\TIP\TIP Development\2013 TIP\Appendices\Final\_13 TIP\Word and Excel files 07-13\A-51a\_Response to public comments\_Ver3.doc



**Metropolitan Transportation Commission  
 2013 Federal Transportation Improvement Program (TIP)**

**Attachment B: Comments/Requested Changes to Draft Project Listings**

Project	TIP ID	Sponsor	Project Title	Draft TIP Amount	Draft TIP Year	Revised Amount	Revised Year	Change	Explanation
<b>Alameda County</b>									
	ALA010056	ACE	ACE Track improvements	n/a	n/a	n/a	n/a	n/a	Change the project sponsor and Implementing Agency from San Joaquin Rail Commission to ACE
	ALA050014	ACTC	SR 84 Expressway Widening	\$37,030,000	2017	\$37,030,000	2017	Update the funding plan to reflect that toll credits are being used in lieu of match for RIP funds	Project sponsor and implementing agency updated to be consistent with other ACE projects
	ALA050017	AC Transit	Enhanced Bus - Telegraph/Int/East 14th	n/a	n/a	n/a	n/a	Clarify the number of buses referenced in the Expanded Project Description	Clarify the funding plan
	ALA050042	ACE	ACE: ADA Operating Set-aside	n/a	n/a	n/a	n/a	Change the project sponsor and Implementing Agency from San Joaquin Rail Commission to ACE	Clarify the project scope
	ALA050043	ACE	ACE Signal System Rehabilitation	n/a	n/a	n/a	n/a	Change the project sponsor and Implementing Agency from San Joaquin Rail Commission to ACE	Project sponsor and implementing agency updated to be consistent with other ACE projects
	ALA050067	ACE	GPS Train Tracking & Reporting System	n/a	n/a	n/a	n/a	Change the project sponsor and Implementing Agency from San Joaquin Rail Commission to ACE	Project sponsor and implementing agency updated to be consistent with other ACE projects
	ALA070020	ACTC	I-580 (TriValley) Corridor - EB HOV/HOT Lanes	n/a	n/a	n/a	n/a	Clarify the Expanded Project Description to reflect that the project references multiple RTP IDs	Clarify the RTP reference for this project
	ALA090060	ACE	Rebuild Diesel Locomotives	n/a	n/a	n/a	n/a	Change the project sponsor and Implementing Agency from San Joaquin Rail Commission to ACE	Project sponsor and implementing agency updated to be consistent with other ACE projects
	ALA110099	ACE	ACE: Preventative Maintenance	n/a	n/a	n/a	n/a	Change the project sponsor and Implementing Agency from San Joaquin Rail Commission to ACE	Project sponsor and implementing agency updated to be consistent with other ACE projects
<b>Contra Costa County</b>									
	CC-010002	Caltrans	SR 24 - Caldecott Tunnel 4th Bore	\$400,000	2013	\$400,000	2013	Update the funding plan to reflect that toll credits are being used in lieu of match for RIP funds	Clarify the funding plan
	CC-050028	CCTA	I-680 SB HOV Lane Gap Closure	\$5,557,000	2016	\$5,557,000	2016	Update the funding plan to reflect that toll credits are being used in lieu of match for RIP funds	Clarify the funding plan
	CC-070035	San Pablo	Reconstruct I-80/San Pablo Dam Rd Interchange	\$7,000,000	2015	\$7,000,000	2015	Update the funding plan to reflect that toll credits are being used in lieu of match for RIP funds	Clarify the funding plan
	CC-090032	Caltrans	Richmond Rail Connector	\$2,260,000	2013	\$2,260,000	2013	Update the funding plan to reprogram \$2.26M in CMAQ funds from ROW to CON	Changes reflect current phase costs
<b>Marin County</b>									
	MRN110033	Marin County	Miller Creek Road Bike Lanes and Ped Improvements	\$45,000	2013	\$45,000	2013	Update the funding plan to reflect that toll credits are being used in lieu of match for RIP-TE funds	Clarify the funding plan
	MRN110033	Marin County	Miller Creek Road Bike Lanes and Ped Improvements	\$362,000	2016	\$362,000	2016	Update the funding plan to reflect that toll credits are being used in lieu of match for RIP-TE funds	Clarify the funding plan
	MRN110034	TAM	Highway 101 Landscaping for Gap Closure Project	\$2,900,000	2015	\$2,900,000	2015	Update the funding plan to reflect that toll credits are being used in lieu of match for RIP funds	Clarify the funding plan
	MRN110034	TAM	Highway 101 Landscaping for Gap Closure Project	\$430,000	2015	\$430,000	2015	Update the funding plan to reflect that toll credits are being used in lieu of match for RIP funds	Clarify the funding plan
	MRN110034	TAM	Highway 101 Landscaping for Gap Closure Project	\$570,000	2015	\$570,000	2015	Update the funding plan to reflect that toll credits are being used in lieu of match for RIP funds	Clarify the funding plan

**Metropolitan Transportation Commission  
 2013 Federal Transportation Improvement Program (TIP)**

**Attachment B: Comments/Requested Changes to Draft Project Listings**

Project		Change				Explanation	
TIP ID	Sponsor	Project Title	Draft TIP Year	Revised Amount	Revised Year	Change	Explanation
<b>Napa County</b>							
NAP010008	Caltrans	SR 12 (Jamieson Canyon Road) Widening	2014	\$140,000	2014	2014 Update the funding plan to reflect that toll credits are being used in lieu of match for RIP funds	Clarify the funding plan
NAP010008	Caltrans	SR 12 (Jamieson Canyon Road) Widening	2014	\$710,000	2014	2014 Update the funding plan to reflect that toll credits are being used in lieu of match for RIP funds	Clarify the funding plan
NAP110022	American Canyon	American Canyon - Napa Square Pavement Rehab	2016	\$268,000	2016	2016 Update the funding plan to reflect that toll credits are being used in lieu of match for RIP funds	Clarify the funding plan
NAP110023	Napa County	Silverado Trail Phase G and H Rehab	2016	\$1,595,000	2016	2016 Update the funding plan to reflect that toll credits are being used in lieu of match for RIP funds	Clarify the funding plan
<b>Regional/Multiple Counties</b>							
REG090003	MTC	Freeway Performance Initiative	2014	\$350,000	2014	2014 Change the fund source for \$350K from CMAQ to STP programming	Fund source changed to reflect current programming
REG110044	ACE	ACE Positive Train Control	n/a	n/a	n/a	n/a Change the project sponsor and Implementing Agency from San Joaquin Rail Commission to ACE	Project sponsor and implementing agency updated to be consistent with other ACE projects
<b>Santa Clara County</b>							
SCL110117	San Jose	Park Avenue Multi-Modal Improvements	2015	\$1,456,000	2015	2015 Update the funding plan to reflect that toll credits are being used in lieu of match for RIP-TE funds	Clarify the funding plan
SCL110118	San Jose	St. John Street Multi-Modal Improvements - Phase 1	2015	\$1,500,000	2015	2015 Update the funding plan to reflect that toll credits are being used in lieu of match for RIP-TE funds	Clarify the funding plan
<b>San Francisco County</b>							
SF-110039	SFMTA	SF Ped Safety and Encouragement Campaign	2013	\$851,000	2013	2013 Update the funding plan to reflect that toll credits are being used in lieu of match for RIP-TE funds	Clarify the funding plan
SF-110047	SFMTA	Local PDA Planning - San Francisco	n/a	n/a	n/a	n/a Update the project sponsor from San Francisco City/County to SFMTA	Project sponsor updated to reflect new project lead agency
<b>San Mateo County</b>							
SM-010054	Caltrain	San Mateo Bridges Replacement	n/a	n/a	n/a	n/a Clarify the scope of the project and add a note that the project is phased	Clarify the project scope
SM-050052	Pacifica	SR1 San Pedro Creek Bridge Replacement	n/a	n/a	n/a	n/a Update the project description to clarify that the CMAQ funds are for the bike/ped portion of the bridge only	Clarify the eligible use of CMAQ funds
SM-090014	SMCTA	Improve US 101 operations near Rte 92	2016	\$2,411,000	2016	2016 Update the funding plan to reflect that toll credits are being used in lieu of match for RIP funds	Clarify the funding plan
<b>Solano County</b>							
SOL110005	STA	Jepson: Leisure Town Road from Vanden to Elmira	2015	\$13,553,000	2015	2015 Update the funding plan to reflect that toll credits are being used in lieu of match for RIP funds	Clarify the funding plan
SOL110043	Vacaville	Vacaville Street Preservation	n/a	n/a	n/a	n/a Update the project title to remove the reference to "2014"	Title updated so that program is not limited to a single year

Date: July 18, 2013  
W.I.: 1512  
Referred by: Planning

ABSTRACT

Resolution No. 4075

This resolution adopts the 2013 Transportation Improvement Program (TIP) for the San Francisco Bay Area.

Further discussion of the 2013 TIP Update is contained in the Executive Director's memorandum to the Planning Committee dated July 5, 2013.

Date: July 18, 2013  
W.I.: 1512  
Referred by: Planning

Re: Adoption of the 2013 Transportation Improvement Program (TIP)

METROPOLITAN TRANSPORTATION COMMISSION  
RESOLUTION NO. 4075

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 federally designated Metropolitan Planning Organization (MPO), pursuant to Section 134(d) of Title 23 of the United States Code (USC) for the nine-county San Francisco Bay Area region (the region); and

WHEREAS, Title 23 Code of Federal Regulations Part 450 (23 CFR §450) requires 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 the San Francisco Bay Area Transportation Air Quality Conformity Protocol (MTC Resolution 3757), which establish the 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 develop and use 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 EPSP for the federal TIP as required by Federal Regulations (23 CFR 450.330(a)) and Section 134 of Title 23 United States Code (USC §134), as outlined in Attachment A of MTC Resolution No. 4075, and MTC Resolution 3606 Revised; and

WHEREAS, MTC has found that the 2013 TIP, as set forth in this resolution, conforms to the applicable provisions of the SIP for the San Francisco Bay Area (MTC Resolution No. 4076); and

WHEREAS, the San Francisco Bay Area air basin was designated by U.S. Environmental Protection Agency as nonattainment for the fine particulate matter (PM2.5) standard in December 2009, and MTC must demonstrate conformance to this standard through an interim emissions test until a PM2.5 SIP is approved by the federal Environmental Protection Agency (U.S. EPA); now, therefore be it

RESOLVED, that MTC adopts the 2013 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 2013 TIP in cooperation with the county Congestion Management Agencies, transit operators, the Bay Area Air Quality Management District (BAAQMD), the California Department of Transportation (Caltrans), and other partner agencies, and in consultation with the Federal Highway Administration (FHWA), Federal Transit Administration (FTA) and U.S. EPA; and, be it further

RESOLVED, that the 2013 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 2013 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 2013 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 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 Section 134 of Title 23 United States Code (USC §134), as outlined in Attachment A of MTC Resolution No. 4075, and MTC Resolution 3606 Revised; 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 2013 TIP satisfies the public involvement requirements of the Federal Transit Administration (FTA) annual Program of Projects; 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 provisions in federal regulations (49 CFR Part 450) regarding Intergovernmental Review of Federal Programs; and, be it further

RESOLVED, that MTC's review of projects contained in the TIP was accomplished in accordance with procedures and guidelines set forth in the San Francisco Bay Area Transportation Air Quality Conformity Protocol (MTC Resolution 3757); and, be it further

RESOLVED, that MTC finds that the 2013 TIP conforms to the applicable provisions of the State Implementation Plan (SIP) and the applicable transportation conformity budgets in the SIP approved for the national 8-hour ozone standard and national carbon monoxide standard, and to the emissions test for the national fine particulate matter standard (MTC Resolution 4076); and, be it further

RESOLVED, that the projects and programs included in the 2013 TIP do not interfere with the timely implementation of the traffic control measures (TCMs) contained in the SIP; and, be it further

RESOLVED, that MTC finds all regionally significant capacity-increasing projects included in the 2013 TIP are consistent with Plan Bay Area (the 2040 Regional Transportation Plan including the Sustainable Communities Strategy for the San Francisco Bay Area); and, be it further

RESOLVED, that revisions to the 2013 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 the public participation plan and in MTC Resolution No. 4075, and that MTC's review of projects revised in the TIP shall be accomplished in accordance with procedures and guidelines set forth in the San Francisco Bay Area Transportation Air Quality Conformity Protocol (MTC Resolution 3757) and as otherwise adopted by MTC; and, be it further

RESOLVED, that staff have the authority to make technical corrections, and the Executive Director and Deputy Executive Directors have 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 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 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

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Amy Rein Worth, Chair

This resolution was entered into by the Metropolitan Transportation Commission at a special meeting of the Commission held in Oakland, California on July 18, 2013.

Date: July 18, 2013  
W.I.: 1512  
Referred by: Planning

Attachment A  
Resolution No. 4075  
Page 1 of 1

## **2013 Transportation Improvement Program**

The 2013 Transportation Improvement Program for the San Francisco Bay Area, adopted July 18, 2013, is comprised of the following, incorporated herein as though set forth at length:

- A Guide to the 2013 Transportation Improvement Program (TIP) for the San Francisco Bay Area
- TIP Overview
- Expedited Project Selection Process
- TIP Revision Procedures
- Financial Capacity Assessments
- County Summaries
- Project Listings
- Appendices
- The 2013 TIP Investment Analysis: Focus on Low-Income and Minority Communities

Date: July 18, 2013  
W.I.: 1512  
Referred by: Planning

Attachment B  
Resolution No. 4075  
Page 1 of 1

### **Revisions to the 2013 TIP**

Revisions to the 2013 Transportation Improvement Program (TIP) will be included as they are approved.

**Metropolitan Transportation Commission  
Programming and Allocations Committee**

July 10, 2013

Item Number 2g

**2013 TIP and Air Quality Conformity Determination**

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**Subject:** 2013 Transportation Improvement Program, MTC Resolution No. 4075, and accompanying Transportation Air Quality Conformity Determination for the Transportation 2040 Plan and 2013 TIP, Resolution No. 4076.

**Background:** The federally required Transportation Improvement Program (TIP) is a comprehensive listing of Bay Area surface transportation capital projects that receive federal funds or are subject to a federally required action or are regionally significant. MTC, as the federally designated Metropolitan Planning Organization (MPO) for the nine-county San Francisco Bay Area Region, must prepare and adopt the TIP at least once every four years. The 2013 TIP covers a 6-year period and is financially constrained by year, meaning that the amount of dollars committed to the projects (also referred as “programmed”) do not exceed the amount of dollars estimated to be available. The 2013 TIP covers a six-year period from FY 2012-13 through 2017-18 and contains approximately 880 projects totaling about \$16.9 billion.

The 2013 TIP and accompanying Transportation-Air Quality Conformity Analysis were initially released for public review and comment on June 22, 2012. MTC postponed final adoption of the new TIP to more closely align with development and adoption of *Plan Bay Area*, later in 2013. A revised Draft 2013 TIP and Transportation-Air Quality Conformity Analysis were released for public review and comment beginning March 29, 2013 and ending May 3, 2013. The Draft 2013 TIP and accompanying Transportation-Air Quality Conformity Analysis are available at: <http://www.mtc.ca.gov/funding/tip/2013/>

The 2013 TIP and Transportation Air Quality Conformity Determination will be considered by the Planning Committee in coordination with adoption of Plan Bay Area.

**Issues:** The region is currently in an air quality conformity lapse grace period. No revisions may be made to the TIP until the new Plan, Air Quality Conformity Analysis and TIP are approved. A delay in the adoption of these documents will impact project delivery.

**Recommendation:** This item is for information only. The 2013 Transportation Improvement Program, MTC Resolution No. 4075, and accompanying Transportation Air Quality Conformity Determination, Resolution No. 4076, will be considered by the Planning Committee at their July 12 meeting, for referral to the Commission for approval.

**Attachments:** None