MEETING NOTICE AND AGENDA

CITIES/COUNTY TRANSPORTATION ADVISORY COMMITTEE (CTAC)
The CTAC may take action on any item appearing on this agenda.

Thursday, January 3, 2013
9:30 to 11 a.m.
SANDAG, 7th Floor Conference Room
401 B Street, Suite 800
San Diego, CA 92101-4231

Chair: Zoubir Ouadah, City of Poway
Vice Chair: Mario Sanchez, City of El Cajon

Staff Contact: Alex Estrella
(619) 699-1928
Alex.Estrella@sandag.org

AGENDA HIGHLIGHTS

• UPDATE ON TRANSITION OF SAN DIEGO SERVICE AUTHORITY FOR FREEWAY EMERGENCIES TO SANDAG

• ENVIRONMENTAL IMPACT REPORT NOTICE OF PREPARATION FOR REGIONAL PLAN

• MOVING AHEAD FOR PROGRESS IN THE 21ST CENTURY ACT - OVERVIEW AND STATE IMPLEMENTATION

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To request this document or related reports in an alternative format, please call (619) 699-1900, (619) 699-1904 (TTY), or fax (619) 699-1905.
ITEM #

1. WELCOME AND INTRODUCTIONS

2. PUBLIC COMMENTS

Members of the public shall have the opportunity to address the Cities/County Transportation Advisory Committee (CTAC) on any issue within the jurisdiction of SANDAG that is not on this agenda. Anyone desiring to speak shall reserve time by completing a “Request to Speak” form and giving it to the CTAC coordinator prior to speaking. Public speakers should notify the CTAC coordinator if they have a handout for distribution to working group members. Public speakers are limited to three minutes or less per person. CTAC members also may provide information and announcements under this agenda item.

+3. MEETING SUMMARIES OF THE NOVEMBER 1 AND DECEMBER 6, 2012, CITIES/COUNTY TRANSPORTATION ADVISORY COMMITTEE (CTAC Session Only)

   +3a. Summary of the November 1, 2012, CTAC meeting.

REPORTS (4 through 10)

+4. 2013 CTAC SCHEDULE AND MEMBERSHIP ROSTER

As we begin the year 2013, attached for your reference is the CTAC meeting schedule. Also attached is the current CTAC membership and alternate roster. Please review and revise the roster as appropriate and be prepared to submit your changes in writing during the CTAC meeting. Please note that this information is required as all CTAC members and alternates will be required to submit a new Form 700 for 2013. Information on the Form 700 will be provided in February or March.

5. FREIGHT STAKEHOLDERS WORKING GROUP PARTICIPATION/ APPOINTMENT (SANDAG Staff)

During FY 2013, the SANDAG Planning Department is embarking on three critical freight planning studies: (1) the Freight Gateway Study Update, (2) Assessment of Freeway Operational Strategies Related to the Use of Managed Lanes by Trucks, and (3) Goods Movement Strategy portion of the Regional Plan. In order to support these efforts, SANDAG is forming a Freight Stakeholders Working Group to provide feedback to staff regarding different aspects of the studies.

At the December 6 meeting, CTAC was asked to appoint a representative and an alternate to serve as a member of the Freight Stakeholders Working Group. Frank Rivera (City of Chula Vista) volunteered to serve as the CTAC representative. CTAC members will be asked to confirm the appointment of Frank Rivera and request that an alternate CTAC member be appointed to the Freight Stakeholders Working Group.
6. UPDATE ON TRANSITION OF SAN DIEGO SERVICE AUTHORITY FOR FREEWAY EMERGENCIES TO SANDAG (Samuel Johnson)

In accordance with Assembly Bill 1572 (Pavley), SANDAG became the successor agency to the San Diego Service Authority for Freeway Emergencies (SAFE) effective January 1, 2013. Staff will provide an overview of the completed transitional efforts to date and other related efforts and next steps.

7. ENVIRONMENTAL IMPACT REPORT NOTICE OF PREPARATION FOR REGIONAL PLAN (Rob Rundle)

SANDAG issued a Notice of Preparation of a Programmatic Environmental Impact Report for the 2050 Regional Plan. The Regional Plan will include the merging of the Regional Transportation Plan, the Sustainable Communities Strategy, and the Regional Comprehensive Plan in order to provide an easily accessible document that includes an overall vision for the San Diego region. The Notice of Preparation can be found on SANDAG’s Web site at www.sandag.org/2050regionalplanEIR. Comments should be submitted by February 15, 2013.

8. MOVING AHEAD FOR PROGRESS IN THE 21ST CENTURY ACT - OVERVIEW AND STATE IMPLEMENTATION (Victoria Stackwick)

Staff will present an overview of the new federal transportation legislation “Moving Ahead for Progress in the 21st Century” Act (MAP-21), that was signed into law to fund surface transportation programs at over $105 billion for FYs 2013 and 2014. Staff will provide an overview of the MAP-21 as a whole, and attempt to highlight those areas of the MAP-21 legislation that deal specifically with areas of interest to the CTAC members. Attached for your reference is a Federal Legislation status report provided to the SANDAG Executive Committee on July 2012.

9. REGIONAL INTELLIGENT TRANSPORTATION SYSTEMS STRATEGIC PLAN (James Dreisbach-Towle)

CTAC members will be provided with a schedule for upcoming Intelligent Transportation Systems (ITS) Strategic Planning workshops in 2013. The ITS Strategic Plan will be used over the next five years to focus investment dollars to Multi-Modal Management, Freeway Management, and Arterial Management projects, as identified by San Diego Regional Traffic Engineers Council, CTAC members, and other partners.

10. CALIFORNIA DEPARTMENT OF TRANSPORTATION UPDATES

Caltrans will provide an update on various local programs, funding program deadlines, and announcements regarding upcoming conferences.

11. ADJOURNMENT AND NEXT MEETING

The next CTAC meeting is planned for Thursday, February 7, 2013.

+next to an agenda item indicates an attachment
SUMMARY OF THE NOVEMBER 1, 2012, MEETING

Agenda Item 1: Welcome and Introductions

Vice Chair Mario Sanchez (City of El Cajon) called the Cities/County Transportation Advisory Committee (CTAC) meeting to order. Self-introductions were conducted.

Agenda Item 2: Public Comments/Communications/Member Comments

Members of the public had the opportunity to address the CTAC on any issue. There were no public comments.

Agenda Item 3: Meeting Summary (Approve)

The CTAC members were asked to review and approve the CTAC meeting summary of October 4, 2012.

Action: The October meeting summary notes were approved.

Agenda Item 4: Regional Plan: DRAFT Public Involvement Plan (Information)

CTAC members were informed that the item was pulled from the November agenda and postponed for a future CTAC meeting.

Agenda Item 5: Regional Arterial Detection System Development Plan (Discussion)

Alex Estrella (SANDAG) provided a brief update and presented CTAC members with a brief overview of the completed Plan documents to date. Staff indicated the Regional Arterial Detection Development Plan included the completion of several key deliverables based on input and feedback provided by CTAC and the San Diego Regional Traffic Engineers Council over the past months. The completed Regional Arterial Detection System Development Plan and deliverables include: the Needs Assessment Memorandum (2A), Arterial Detection System Strategy Report (2B), Regional Arterial System Priority Network and Performance Measures (3A), and the Regional Arterial Performance Monitoring Framework (3B). Staff indicated that the deliverables may be downloaded from Kimley-Horn’s FTP site:

https://kimley-horn.securevdr.com/d/s192789dbd1f4cae8

Staff indicated that the completion of the Plan and subject deliverables will be considered as the first phase for setting a priority strategy for regional arterial detection deployment subject to possible funding and future budgeting programming opportunities that may become available. The
completion of the plan will also serve as a foundational document for identifying likely regional arterial detection project listings as part of the Intelligent Transportation System Strategic Plan recently initiated by SANDAG.

**Agenda Item 6: Regional Transportation Congestion Improvement Program: Request for Local Agency Transportation Impact Fee Information (Information)**

This item was introduced by Ariana zur Nieden (SANDAG). Staff indicated that over the coming months, a request for local agency Regional Transportation Congestion Improvement Program (RTCIP) related information including for example, local agency’s development impact fee schedule will be issued to local agencies. Staff indicated the information collected through the subject solicitation will be part of a SANDAG Board presentation that will include the approval of the annual RTCIP fee adjustment schedule. The Board presentation is planned for February 2013. CTAC members were encouraged to contact Ariana zur Nieden at Ariana.zurNieden@sandag.org for any questions or additional information.

**Agenda Item 7: North Coast Corridor Transportation Demand Management (TDM) Plan (Information)**

This item was presented by Antoinette Meier (SANDAG) and included a review and background on SANDAG’s effort for developing of a corridor wide Transportation Demand Management (TDM) Plan. Specifically staff indicated the Plan is being completed as a key program strategy for mitigating and avoiding construction related traffic impacts at a corridor wide level that may result during the planned Interstate 5 North Coast Corridor (NCC) highway and rail construction improvements. The NCC TDM Plan is being developed with oversight and input from regional and local agency representatives that include staff from Caltrans, North County Transit District, San Diego Metropolitan Transit System, and staff from local coastal cities.

Staff indicated that the underlying focus of the study is to provide geographically and corridor specific TDM solutions along the 27 mile NCC. The NCC TDM Plan will also place emphasis on the collection of market and research data in an effort to attaining a better understanding of travel behavior changes over time and document the possible benefits of TDM strategies. The NCC TDM Plan includes the following key elements:

- The NCC TDM Plan implementation timeline reflects the first phase of NCC construction (2012-2020)
- The NCC TDM Plan Market Research component will include an Existing Conditions Analysis, and Partner and Project Coordination (September – December 2012)
- The NCC TDM Plan will also include a Strategy Development and Performance Measures and Monitoring effort (December 2012 – July 2013)

Staff indicated that a number of commuter targeted efforts for attaining commuter input have been initiated including for example, focus group interviews conducted to key employers and organizations and agencies. Findings from such research efforts are planned to be summarized by December and will presented and planned for a future CTAC meeting as part of a NCC TDM Plan progress update report. CTAC members were encouraged to contact Antoinette Meier at Antoinette.Meier@sandag.org for any questions or additional information.
Agenda Item 8: California Department of Transportation Updates (Information)

Caltrans announcements were passed out. Announcements included:

1. Cycle 5 Highway Safety Improvement Program (HSIP) and Cycle 3 High Risk Rural Road Program (HR3) Projects.
   - 17 HSIP projects and one HR3 project was selected in District 11 out of a total of 276 grant applications submitted statewide.
   - A complete listing of successful projects is available via the following link:
     o [http://www.dot.ca.gov/hq/LocalPrograms/HSIP/prev_cycle_results.htm](http://www.dot.ca.gov/hq/LocalPrograms/HSIP/prev_cycle_results.htm)
   - Caltrans now expects the agencies to expedite the delivery of these safety projects, wherever practical. Caltrans requires agencies to meet delivery deadlines for three key milestones. The three milestones and delivery deadlines are as follows:
     o Request for Authorization to Proceed with Preliminary Engineering within 6 months after the project is amended into the Federal/State Transportation Improvement Program (FSTIP).
     o Request for Authorization to Proceed with Construction within 30 months (2 ½ years) after the project is amended into the FSTIP.
     o Complete construction and close out project within 54 months (4 ½ years) after the project is amended into the FSTIP.
   - For more detailed information CTAC members were encouraged to contact Wei Xia, Local Programs Engineer at (619) 278-3734.

2. Call for Projects - Environmental Enhancement and Mitigation (EEM) Program.
   - The 2012-13 Grant Cycle opened on October 1, 2012. The guidelines and application for the Environmental Enhancement and Mitigation Program was made available on October 1, 2012.
   - Application deadline is Friday, January 4, 2013.
   - Additional information and guidance may be obtained at the link provided below:
     o [http://resources.ca.gov/eem/](http://resources.ca.gov/eem/)

3. Call for Projects - State-Local Partnership Program (SLPP)
   - In Sept. 2012, the California Transportation Commission (CTC) approved plan to extend deadline for SLPP project application deadline to 11/30/12.
   - Information on SLPP guidelines and CTC Memo issued during Sept. 2012 meeting can be obtained at:

4. New Race-Conscious Disadvantaged Business Enterprise (DBE) Program
   - The New Race-Conscious DBE Program now includes all DBE certified groups. DBE groups consist of African Americans, Asian Pacific American, Native American, Women, Hispanic American, Subcontinent Asian American and any other groups whose members are certified as socially and economically disadvantaged.
   - Projects Authorized by the Federal Highway Administration as of September 30, 2012. All projects must be prepared using the post-July 2012 race conscious measures and corresponding exhibits from the LAPM, as contained in this Office Bulletin.
   - Additional information may be obtained at the link provided below:
     o [http://www.dot.ca.gov/hq/LocalPrograms/DBE_CRLC.html#DBE](http://www.dot.ca.gov/hq/LocalPrograms/DBE_CRLC.html#DBE)
5. State Funded Safe Routes to School (SR2S)
   • Request for Allocations must be submitted by 12/28/12 by local agencies with SR2S Cycle 10, Fiscal Year’s 2011/2012 and 2012/2013 funds.

Agenda Item 9: Adjournment and Next Meeting

The next CTAC meeting will be held on December 6, 2012, from 9:30 to 11 a.m.
SUMMARY OF THE DECEMBER 6, 2012, MEETING

Agenda Item 1: Welcome and Introductions
Chair Zoubir Ouadah (City of Poway) called the Cities/County Transportation Advisory Committee (CTAC) meeting to order. Self-introductions were conducted.

Agenda Item 2: Public Comments/Communications/Member Comments
Members of the public had the opportunity to address the CTAC on any issue. There were no public comments.

Agenda Item 3: Meeting Summary (Approve)
Review and approval of November 1, 2012, meeting summary notes were postponed due to not having a quorum.

Agenda Item 4: Freight Stakeholders Working Group Participation (Appoint)
Christina Casgar (SANDAG) provided an overview of SANDAG’s efforts for establishing a Freight Stakeholders Working Group. Staff indicated that the purpose of the Working Group is to provide input to the development of several key freight planning activities. Staff indicated that SANDAG is requesting the participation of interested parties consisting of a broad range of transportation-related expertise. Staff also highlighted and referenced the Freight Stakeholders Working Group Charter provided in the CTAC meeting packet. Staff indicated that Working Group members will meet as needed and report to the Transportation Committee on development of the Freight Gateway Study Update, Assessment of Freeway Operational Strategies Related to the Use of Managed Lanes by Trucks, and Goods Movement Strategy portion of the Regional Plan.

Frank Rivera (City of Chula Vista) expressed an interest in serving as the primary CTAC appointed member in the Freight Stakeholders Working Group. Due to not having a quorum, members agreed to move the appointment of Frank Rivera and identification of another member to serve as an alternate to the January 2013 CTAC meeting.

Agenda Item 5: Regional Arterial Management System Update (Information)
SANDAG provided a brief update on current efforts associated with the Regional Arterial Management System (RAMS) project. Specifically, CTAC members were informed of upcoming user
group-related efforts and included upcoming QuickNet training scheduled for December 11 and 12. Staff indicated that the training is being coordinated by McCain at their Vista facility and suggested that CTAC members or agency representatives interested in attending contact/confirm their planned attendance if they have not done so. CTAC members also were informed that staff was in the process of developing a user group discussion forum and work efforts have focused on developing a QuickNet curriculum with input from San Diego Regional Traffic Engineers Council members. The curriculum will serve as the framework for future user group discussion forums.

CTAC members also were provided with a brief progress update on the RAMS Regional Maintenance and Support Agreement activities. Specifically, staff presented an overview of key system support maintenance-related efforts through the presentation of a Customer Service Activity log report developed by McCain for SANDAG staff. The report provided an overview of requested assistance to McCain for the RAMS by agency, date, type, and brief description of status. Overall, staff indicated that this report will serve as the starting point for developing more detailed qualitative and quantitative performance system reports as part of the RAMS maintenance and support agreement documentation and future presentations to CTAC.

**Agenda Item 6: California Department of Transportation Updates (Information)**

A packet from Caltrans was distributed. Some key points include:

- Final Vouchers and Federal Reimbursement Rate Clarification Guidance from FHWA.
- Call for Projects - Environmental Enhancement and Mitigation (EEM) Program.
  - The 2012/2013 Grant Cycle opened on October 1, 2012. The guidelines and application for the Environmental Enhancement and Mitigation Program was made available on October 1, 2012.
  - Application deadline is Friday, January 4, 2013.
  - Additional information and guidance may be obtained at http://resources.ca.gov/eem/.
- State-Funded Safe Routes to School (SR2S)

CTAC members were encouraged to contact Wei Xia, Local Programs Engineer at Wei_Xia@dot.ca.gov for any questions on the D-11 DLAE Update Sheet.

**Agenda Item 7: Adjournment and Next Meeting**

Prior to adjourning the CTAC meeting, members were informed of Robb Zaino’s (City of Escondido) pending retirement after 30 plus years of public services. CTAC members thanked Robb for all of his hard work and wished him good luck in his retirement.

The next CTAC meeting will be held on Thursday, January 3, 2013, from 9:30 to 11 a.m.
Cities/County Transportation Advisory Committee (CTAC)

2013 Meeting Schedule

January 3, 2013          July 4, 2013
February 7, 2013         August 1, 2013
March 7, 2013            September 5, 2013
April 4, 2013            October 5, 2013
May 2, 2013              November 7, 2013
June 6, 2013             December 5, 2013
### 2013 CTAC Membership List

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* Chair, Term Jan. 2012 – Dec. 2013
** Vice-Chair, Term Jan. 2012 – Dec. 2013
FEDERAL LEGISLATIVE STATUS REPORT

Introduction

Periodic status reports on legislative activities are provided to the Executive Committee during the year. This status report provides an update on the recent federal surface transportation authorization.

Discussion

Federal Surface Transportation Authorization Update

On June 29, 2012, both the U.S. House of Representatives and Senate voted to pass the Conference Report to the Moving Ahead for Progress in the 21st Century (MAP-21/H.R.4348) legislation, the federal surface transportation authorization bill. The measure would extend the authority to collect taxes and appropriate funds from the Highway Trust Fund (HTF) for federal highway and surface transportation programs through September 30, 2014.

The President is expected to sign MAP-21. However, due to some of the reporting requirements, it would have been very difficult to transmit the legislation in full for the President’s signature prior to the expiration of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) on June 30, 2012. Therefore, a one-week extension of SAFETEA-LU also was passed by both chambers and signed into law by the President.

Federal Highway Administration Programs

In general, for the federal aid-highway program, the Conference Report provides a slight increase in funding compared to FY 2012 levels and consolidates a number of programs. The Conference Report recommends an obligation limitation on the federal-aid highways program of $39.7 billion in FY 2013 and $40.27 billion in FY 2014. This is a slight increase over the FY 2012 funding level of $39.14 billion. The allocation represents the enacted FY 2012 number plus a 1.4 percent inflation increase in each year. Each state also is guaranteed a minimum of 95 percent rate of return on its HTF Account tax payments from the most recent fiscal year in which data are available (SAFETEA-LU previously included a 92.5 percent minimum guarantee).

The bill provides $10.2 billion in FY 2013 and $10.3 billion in FY 2014 for the Surface Transportation Program (STP) and maintains language that allows transit projects to be funded with STP dollars. The existing STP was modified to allow off-system bridges to be funded, and the new STP makes eligible projects from other programs that were separate under prior law, including Congestion Pricing, Recreational Trails, Ferry Boats and Terminals, Coordinated Border Infrastructure, and Truck Parking Facilities. The San Diego region’s share is estimated at $36 million in FY 2013 and FY 2014, which is about 8 percent less than FY 2012 apportionment; however, the
regional share may be higher depending on how the state allocates its STP share, which can be used in any area of the state.

The Conference Report also consolidates the existing Interstate Maintenance and National Highway System formula programs, along with the on-system portion of the existing Highway Bridge Program, into one formula program called the National Highway Performance Program.

Congestion Mitigation and Air Quality

The Congestion Mitigation and Air Quality (CMAQ) Program is allocated $2.26 billion in FY 2013 and $2.28 billion in FY 2014. The San Diego region’s share for this program is estimated at $33 million per year, which is 10 percent less than FY 2012 (similar to STP, the region’s share of CMAQ could be higher depending on how the state allocates its CMAQ funding share). The CMAQ Program remains largely unchanged, providing funding eligibility for a range of activities, including transportation systems management and transportation demand management. Eligible activities include intelligent transportation systems; projects that improve incident and emergency response or improve mobility through real-time traffic, transit, and multimodal traveler information; and projects that shift traffic demand to nonpeak hours or other transportation modes, increase vehicle occupancy rates, or otherwise reduce demand for roads through telecommuting, ridesharing, carsharing, pricing, or other means.

The Conference Report removes the ban on using CMAQ funds on projects which would add new capacity for single-occupancy vehicles. The original Senate provision mandating a percentage of CMAQ funding be used for diesel exhaust retrofits to address fine particulate matter was not included in the Conference Report. Elimination of this provision is consistent with the adopted SANDAG Conference Committee Priorities for the Next Federal Surface Transportation Authorization (Attachment 1).

Tolling and Public-Private Partnerships

The bill expands the ability of states to place tolls on any federal-aid facility (including interstate highways) for new capacity. In these cases, the number of new tolled lanes cannot exceed the number of free lanes. The legislation removes the provision from the original Senate bill that would have reduced highway formula funds for states that sell or lease toll facilities to private companies.

Projects of National and Regional Significance

The Projects of National and Regional Significance Program provides funding for high-cost projects of national or regional importance. The Conference Report authorizes $500 million from the General Fund in FY 2013 for high-cost surface transportation projects that provide significant national and regional economic benefits and increase global competitiveness. The program is subject to an annual appropriation for funding. The Secretary of Transportation would distribute funds on a competitive basis.

Freight

While the original Senate version of MAP-21 included a number of new federal freight policies and programs, the Conference Report does not create a new stand-alone freight program with formula funding. Rather, it includes modified Senate provisions requiring the establishment of a national
freight policy, designating a primary freight network of up to 30,000 current or future miles, and requiring the development of a national freight strategic plan by the Secretary of Transportation.

In lieu of a federal funding program for freight, the Conference Report incorporates House priorities for state freight advisory committees and state freight plans. Instead of creating a separate freight program with distinct funding, the legislation increases the federal share for qualified freight mobility projects that are identified on state freight plans. The federal share would go from 80 percent to 90 percent for non-Interstate projects and from 90 percent to 95 percent for projects on the Interstate system, in order to give states incentives to prioritize freight mobility projects from their shares of federal formula funds.

Active Transportation Funding

The bill consolidates the Transportation Enhancements, Safe Routes to Schools, and Recreational Trails programs into a new Transportation Alternatives (TA) Program; however, overall funding for these activities is reduced by roughly $300 million annually. Overall funding for the new TA Program would be $800 million for FY 2013 and FY 2014. Under the new TA Program, 50 percent of funding will be allocated to metropolitan planning organizations (MPOs) and 50 percent will be allocated to states. The legislation also provides the option for states to choose to utilize TA funding activities for other transportation activities (including road and bridge projects). This particular provision has raised concerns among active transportation advocates. The San Diego share of the 50 percent is about $3 million each year, which is about 43 percent less than the FY 2012 apportionment; however, similar to the STP and CMAQ formula programs, depending on how the state allocates its 50 percent share of TA funds, the regional share of funding may be higher.

Transportation Infrastructure Finance and Innovation Act

The bill modifies the Transportation Infrastructure Finance and Innovation Act (TIFIA) Program by increasing funding to $1.75 billion, $750 million in FY 2013 and $1 billion in FY 2014. This represents an almost fourfold increase over current levels. The measure also increases the maximum share of project expenses from 33 percent to 49 percent, allows TIFIA to be used to support a related program of projects, and sets aside funding for projects in rural areas.

Project Delivery

The Conference Report makes a number of reforms to the project approval process for federal-aid highway programs in an effort to accelerate the implementation and completion of federal highway projects. The bill creates enforceable deadlines for project approval under the National Environmental Policy Act (NEPA) review process and exempts small-scale projects from NEPA reviews. Specifically, the Conference Report includes the following provisions:

- **Setting Approval Deadlines**: The Secretary of Transportation would be required to set deadlines to make sure all approvals occur within four years, or federal agencies would lose funding through an automatic rescission.
- **Setting NEPA Funding Threshold**: The bill would require a rulemaking to classify projects with less than $5 million of federal funding as a categorical exclusion from NEPA reviews.
- **Expediting Projects in the Right-of-Way**: The bill would require a rulemaking for classifying projects within an existing “operational right-of-way” as a categorical exclusion.
• **Expediting Projects Destroyed by Disaster:** The bill would require a rulemaking to classify projects being rebuilt after a disaster as a categorical exclusion.

• **State Law Standing in for Federal Law:** The bill would require a study on which state laws provide the same level of protection as federal law.

**Federal Transit Administration Programs**

The Conference Report provides for a slight increase for Federal Transit Administration (FTA) programs, providing a total of $10.58 billion in authorized funding in FY 2013 and $10.7 billion in FY 2014. Funding authorized from the Mass Transit Account of the HTF amounts to $8.48 billion in FY 2013 and $8.6 billion in FY 2014, with $2.1 billion authorized from the General Fund in each fiscal year. The bill also separately extends the authorizations for FY 2012 based on current law.

**State of Good Repair Grant Program**

The bill creates a new State of Good Repair Grant Program that would replace the current Fixed Guideway Modernization Program. The new program would distribute $2.1 billion each in FY 2013 and FY 2014 to fixed guideway systems that use and occupy a separate right-of-way for exclusive public transportation use, rail systems, fixed catenary systems, passenger ferries, and bus rapid transit (BRT) systems. Funding could be used for a variety of activities, and recipients would be required to develop asset management systems that include capital asset inventories and condition assessments, decision support tools, and investment priorities. The bill apportions half of the total based on factors used in the rail tier of the urban formula program in effect for FY 2011, under which 60 percent is distributed on revenue vehicle miles and 40 percent on fixed guideway route miles. It apportions the other half of the funds under a formula that distributes 60 percent of funds based on revenue vehicle miles and 40 percent on fixed guideway directional route miles. In all cases, only those segments in revenue service for at least seven years would be eligible for funding.

The measure also authorizes $60.9 million in FY 2013 and $61.7 million in FY 2014 for a High Intensity Motorbus State of Good Repair Program. Funds are distributed 60 percent on the basis of revenue vehicle miles and 40 percent on the basis of directional route miles. This program would provide funding for public transportation that is provided on a facility with access for other high-occupancy vehicles, and would be limited to segments where high-intensity motorbus services have been in revenue service for at least seven years.

**Fixed Guideway Capital Investment Grants and Program Streamlining**

The Conference Report authorizes $1.91 billion each in FY 2013 and FY 2014 for FTA Section 5309 Fixed Guideway Capital Investment Grants. This funding level is slightly less than the $1.96 billion authorized in FY 2012.

The Conference Report’s Fixed Guideway Capital Investment Grants provisions also reform and streamline the project approval process, eliminating duplicative steps in project development and providing for quicker review by the FTA. Both the House and Senate New Starts provisions included expanded use of warrants to expedite the project rating, evaluation, and approval processes. The Conference Report adopts the Senate’s language expanding the use of warrants for projects with a New Starts share not exceeding $100 million, or 50 percent of total project costs.

The bill modifies eligibility standards to include new fixed guideway capital projects, Small Starts (which is defined as transit capital investment projects with a total capital cost of less than
$75 million), and core capacity improvements, as well as programs of interrelated projects. The Conference Report requires that core capacity projects achieve at least a 10 percent increase in capacity along a corridor. The Conference Report makes corridor-based BRT projects that do not operate in right-of-ways dedicated exclusively to public transportation eligible for Small Starts funding, and limit eligibility for BRT New Starts funding to systems where a majority of the project operates in a dedicated right-of-way during peak periods.

Sections 5307, 5311, and 5336 Transit Formula Grants

Transit formula grants for urbanized areas (FTA Sections 5307 and 5336) continue to be the largest program for federal investment in public transportation. The Conference Report allocates $4.40 billion in FY 2013 and $4.46 billion in FY 2014 for urbanized area programs. This compares to an estimated $4.55 billion in FY 2012. The Job Access and Reverse Commute (JARC) Program activities will now be funded under the Section 5307 Formula Program.

The Conference Report maintains the existing structure to provide funding to states for public transportation in rural areas. The Section 5311 formula is expanded to include the rural component of the JARC Program. The program is funded at $599.5 million in FY 2013 and $607.8 million in FY 2014.

Formula Grants for Seniors and Individuals with Disabilities

The measure consolidates the existing Elderly and Disabled (Section 5310) and New Freedom (Section 5317) Program into a single program that increases the level of resources available beyond the level of funding under existing FTA programs. The consolidated program will continue to ensure support for non-profit providers of transportation, and will continue to make funds for public transportation services that exceed the requirements of the Americans with Disabilities Act, as previously provided under the New Freedom Program. The program is funded at $254.8 million in FY 2013 and $258.3 million in FY 2014.

Metropolitan and Statewide Planning Provisions

The Conference Report contains key provisions intended to enhance transportation planning at the local, regional, and state levels. It requires MPOs to establish performance targets that address issues such as safety and state of good repair, and to include a system performance report. Additionally, the final language mandates that the structure of all MPOs that are designated as Transportation Management Areas must include officials of public agencies (including transit agencies) that administer or operate major modes of transportation in the metropolitan area. As written, SANDAG is currently in compliance with this new mandate.

Lastly, the Conference Report establishes a pilot program to fund planning efforts for Transit-Oriented Development projects. The competitive grant pilot program is funded at $10 million each in FY 2013 and FY 2014. Funding will assist with costs of comprehensive planning for new fixed guideway capital projects or core capacity improvement projects funded with federal dollars.

Efforts to include a provision to allow a governor to unilaterally insert highway projects into the Regional Transportation Improvement Plan were not included. This is consistent with the SANDAG Conference Committee Priorities for the Next Federal Surface Transportation Authorization. The MPO threshold size also remains the same at 50,000.
Tribal Transportation Funding

The Conference Report provides $1 billion for federal land highways; of this amount, $450 million is formula funds allocated for Indian Tribes, $300 million for federal lands transportation, and $250 million for access to federal lands. The population-based formula used to distribute federal highway funds to tribes has been changed. The change will adversely affect tribes in California by favoring the larger tribes located outside the state.

The Tribal High Priority Projects will be funded at $30 million each year, pending annual appropriations. Of this, $25 million will be available to Indian Tribes as formula grants to continue expanded public transportation services, and the remaining $5 million will be distributed competitively by the Secretary of Transportation.

Other Areas of Interest

Transit Benefits – The Conference Report does not include language to extend the parking benefit for the transit commuter tax benefit for the 2012 calendar year, as provided in the Senate Finance Committee title. Despite the efforts of Senator Charles Schumer (D-NY) and a number of other advocates in the House and Senate, the provision extending parity for transit benefits at the level of parking benefits was not retained. Both the House and Senate are expected to consider additional legislation later in the year to address expiring tax benefits. Staff will work with stakeholders to include the transit commuter tax benefit into this legislative package.

Rail Title – Although rail titles were contained in both the House and Senate authorization proposals, an agreement could not be negotiated, and the rail title was deleted from the final Conference Report. Funding for Amtrak and other rail issues are expected to be included in the final FY 2013 Transportation, Housing, and Urban Development Appropriations bill.

Next Steps

Many of the provisions set forth in MAP-21 are consistent with the SANDAG Conference Committee Priorities for the Next Federal Surface Transportation Authorization. Overall, the bill provides stable funding through the end of federal fiscal year 2014. The new environmental streamlining provisions added will expedite project delivery, and the increased TIFIA funding will provide additional financing options for SANDAG projects. Once the measure is signed into law, staff will work to distribute new program information as the U.S. Department of Transportation promulgates new rules, regulations, and apportionments. Additional state enabling legislation for MAP-21 also is expected. Staff will continue to review the 599-page Conference Report and will update the Executive Committee as appropriate.

KIM KAWADA
TransNet and Legislative Affairs Program Director

Key Staff Contact: Victoria Stackwick, (619) 699-6926, Victoria.Stackwick@sandag.org

Attachments: 1. SANDAG Conference Committee Priorities for the Next Federal Surface Transportation Authorization