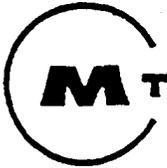


**APPENDIX B MTC RESOLUTION**

**METROPOLITAN TRANSPORTATION COMMISSION  
RESOLUTION**



**METROPOLITAN  
TRANSPORTATION  
COMMISSION**

Agenda Item 4  
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*Memorandum*

TO: Work Program Committee

DT: June 14, 1996

FR: Deputy Executive Director

WI: 40210

RE: Funding Commitment to Marin 101 HOV Gap Closure Project

A. Background.

During the most recent cycle of Surface Transportation Program (STP) funding for FY 1997/98 and FY 1998/99, the Marin 101 HOV lane gap closure project emerged as a major regional issue. In Marin County, two major ticket items were proposed to be funded with STP discretionary (STP-D) funds. One was the U.S. 101 HOV gap closure project through San Rafael, a project ranked number one by the Marin Congestion Management Agency (CMA) for STP-D funding during the county level priority setting process. Caltrans District 4 serves as the project sponsor for the HOV project. The other project was the Golden Gate bus layover yard in San Francisco, a regional project, which under MTC rules was submitted directly to MTC as well as the CMA for consideration. Given that there is only \$50 million available in STP-D discretionary funds to program for the entire region during this time period, overall funding constraints were particularly tight this cycle. Under MTC's adopted procedures and criteria for programming STP-D funds, the GGBHTD bus yard project scored higher than the County's 101 gap closure project and, as a regional project, its costs were distributed 63% to Marin county, 28% to San Francisco county, and 8% to Sonoma county. At issue is the fact that given Marin's 85% to 115% spread of potentially available STP-D funds (\$1.2 million to \$2.34 million), both the bus yard project and the County's request for \$2.7 million for the 101 HOV project could not be accommodated, without impacting funds available for Marin's STP guarantee projects.

MTC held two joint meetings with the staffs of Marin County, Caltrans; District 4 and -GGBHTD to explore ways of resolving this issue. The County said its first priority was finding a way to fully fund the 101 HOV gap closure project, and it would consider alternative funding options outside of STP-D. Also, GGBHTD made it clear that it would need supplement sources of revenue over and above the recommended \$3.0 million for the bus layover facility. MTC suggested that the ultimate goal would be to fully finance both projects, which would necessarily require investment strategies beyond the STP funds estimated in 1997/98 and 1998/99.

B. Land Acquisition Considerations

Central to any resolution is the fact that both the Marin 101 HOV project and the GGBHTD bus layover facility have major unresolved land acquisition problems. Regarding the HOV lane project, Caltrans has projected a current project shortfall of roughly \$2.8 million in constant 1995 dollars. The District arrived at this figure after exploiting every opportunity to

downscope and adjust the project to fit within the original budget. The most challenging design and right-of-way (ROW) issues are in the northern sector of the project, the resolution of which will dictate one of two options:

- o Alternative A: This option would involve taking a portion of pavement of a current northbound auxiliary lane from Mission north to Lincoln Avenue to make room on the opposite side for the southbound HOV lane. This option would not require any additional ROW takes in this northern section, and could be fully accommodated in the projected \$38.87 million budget. It would, however, constrain northbound capacity to some yet undetermined degree, and is the least operationally desirable of the two alternatives.
- o Alternative B: This option would involve utilizing a portion of Northwestern Pacific Railroad ROW owned by GGBHTD immediately adjacent to the southbound side of 101, enabling a physical widening of 101 to the west. Utilizing up to 13 feet of this 30 foot wide ROW would mean that eventual rail operations in this stretch would be limited to a one-track configuration, a constraint Caltrans maintains is viable and reasonable given an existing single-track tunnel upstream of the project.

Construction costs for Alternative B are also estimated at \$38.87 million. However, the cost of using this NWP ROW, in terms of an outright purchase or for replacement ROW to relocate the full existing 30 foot width, has not been accounted for by Caltrans in the project budget (though physical relocation of a single track within the residual ROW after the highway construction is accommodated has been accounted for.) Equivalent full width relocation to the west would involve an estimated \$10 million in residential property takes. This is a major unresolved cost.

Regarding the GGBHTD bus layover facility, GGBHTD has leased the current site at 160 Harrison Street in San Francisco since 1974. In 1993, the land was "surplused" by Caltrans, and offered for sale. In October, 1994, the District bid \$7.0-8.0 million against a Department appraisal for \$11.77 million, due to hazardous wastes on the site. Negotiations between Caltrans and the District were initiated, but in January 1995, from negotiations and took the property off the market. It then entered into a Memorandum of Understanding (MOU) with the U.S. Post Office to explore private development options for their adjacent surplus government properties. This MOU, which was to have expired by the end of this calendar year, has been extended to February, 1997, at which time a private developer proposal is expected. While the MOU includes some provision for assistance to GGBHTD to relocate a bus parking facility, the nature and extent of such assistance is not clearly specified.

MTC staff strongly believes that Caltrans has an obligation to work with the District to identify an alternative site in Downtown San Francisco, if the 160 Harrison site is ultimately unavailable. We believe that given Caltrans and Golden Gate have a mutual interest in negotiating a "land swap" that will serve to benefit both the bus layover and HOV projects, and consequently a large part of the North Bay traveling public.

C. Recommendation

MTC staff recommends two courses of action at this point. The is to aggressively pursue a potential "land swap" arrangement between Caltrans and GGBHTD. We have spoken with Director James van Loben Sels of Caltrans Headquarters who has agreed to assign staff to this task. The objective would be to obtain a mutual agreement wherein actual land at 160 Harrison or an alternative site would be procured for a downtown San Francisco bus layover facility, in exchange for the NWP right of way needed for the 10 1 HOV lane expansion through San Rafael.

Several difficult questions would need to be answered in route to this solution, including how the land values of the two properties would be appraised; and if there is a significant cost differential between the two properties, how that would be handled. However, all regional partners in this situation - GGBHTD, County of Marin, and Caltrans District 4 - have been forthcoming about their concerns and interests, and are eager to reach an amenable, practical solution. The City of San Francisco also has a stake in this situation, and should participate in future deliberations. MTC will facilitate the discussions. In the event an amenable solution is reached, the \$3 million in regional STP funds currently slated for the GGBHTD bus yard would be returned proportionately to Marin, San Francisco and Sonoma counties to apply to those discretionary projects that had been downscoped to accommodate the bus layover project.

The second part of this effort is to make a funding commitment to the Marin 10 1 HOV lane facility to cover anticipated cost increases. The most reasonable funding source that could be tapped for Marin County are future Flexible Congestion Relief funds to be programmed within Marin's own county minimum in the 1998 STIP. MTC Resolution No. 2909, attached, outlines the conditions under which this funding commitment would be made. Most important is the provision that if the proposed "land swap" negotiations are unsuccessful, ROW costs would also have to be funded from available STIP funds, which may effectively preclude any other state funded programming in Marin until FY 2006.

We request the Committee's approval and referral to the Commission of Resolution No. 2909.

  
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**William F. Hein**



JUN 11 1996

**METROPOLITAN  
TRANSPORTATION  
COMMISSION**

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**WORK PROGRAM COMMITTEE (WPC)**  
9:30 a.m., Friday, June 14, 1996  
Auditorium  
101 8th Street  
Oakland, CA 94607

*Dianne McKenna, Chair*  
Association of Bay Area Governments

*James Spering, Vice Chair*  
Solano County and Cities

*Kristi Astell*  
U.S. Department of Housing  
and Urban Development

*Jane Baker*  
Cities of San Mateo County

*James T. Beall Jr.*  
Santa Clara County

*Sharon Brown*  
Cities of Contra Costa County

*Joe Browne*  
State Business, Transportation  
and Housing Agency

*Edward R. Campbell*  
Alameda County

*Dorene M. Giocopini*  
U.S. Department of Transportation

*Mary Griffin*  
San Mateo County

*Elihu Harris*  
Cities of Alameda County

*Tom Hsieh*  
City and County of San Francisco

*Jean McCown*  
Cities of Santa Clara County

*Fred Negri*  
Napa County and Cities

*Jon Rabin*  
San Francisco Mayor's Appointee

*Angelo J. Siracusa*  
San Francisco Bay Conservation  
and Development Commission

*Tom Tortolozzo*  
Contra Costa County

*Doug Wilson*  
Marin County and Cities

*Sharon Wright*  
Sonoma County and Cities

*Lawrence D. Dabrus*  
Executive Director

*William F. Hein*  
Deputy Executive Director

**Chair:** Jane Baker  
**Vice Chair:** Tom Hsieh  
**Members:** Sharon Brown  
Joe Browne+  
Edward R. Campbell  
Jean McCown  
Fred Negri  
Angelo Siracusa  
Doug Wilson  
**Ex-Officio:** Dianne McKenna\*\*\*  
James Spering\*\*\*  
**Staff Liaisons:** Chris Brittle

## AGENDA

|  | <u>PRESENTED<br/>BY</u>           | <u>STAFF<br/>RECOMMENDATION**</u> |
|--|-----------------------------------|-----------------------------------|
| 1. Minutes of May 10, 1996 Meeting*  |                                   | WPC Approval                      |
| 2. FY 1997-04 Transit Capital Priorities: Programming of FTA Urbanized Area Formula, Fixed Guideway, and Bus funds for FY 1997 through FY 2004*<br><u>Resolution No. 2821, Revised</u>   | Chan                              | Commission Approval               |
| 3. Surface Transportation Program (STP)*<br><u>Resolution No. 2904</u>   | Murray                            | Commission Approval               |
| 4. Funding Commitment to Marin 101 HOV Gap Closure Project*<br><u>Resolution No. 2909</u>  | McMillan, T.                      | Commission Approval               |
| 5. Draft FY 1997 Transportation Improvement Program (TIP) Project Listing: Release for Public Review*  | McMillan, T.                      | WPC Approval                      |
| 6. Request for Setting Public Hearing Dates for the FY 1997 Transportation Improvement Program (TIP) Project Listing, FY 1997 TIP and 1996 Regional Transportation Plan (RTP) Air Quality Conformity, and 1996 RTP and Supplemental EIR* | McMillan, T.                      | WPC Approval                      |
| 7. High Speed Rail Commission Activities*  | Kimsey                            | WPC Approval                      |
| 8. Draft 1996 Regional Transportation Plan (RTP)*  | Brubaker                          | WPC Approval                      |
| 9. Status Report on Track 2 Development:<br>a) Track 2*<br>b) MTC Advisory Council   | Tannehill<br>Arabella<br>Martinez | WPC Approval<br>Information       |
| 10. TravInfo Status Report*  | Crotty                            | Information                       |
| 11. Environmental Review List*   | Goldblatt                         | Information                       |

Date: June 26, 1996  
W.I.: 40.2.10  
Referred by: WPC

RE: Funding Commitments for the Marin Co. 101 Southbound HOV lane project

**METROPOLITAN TRANSPORTATION COMMISSION  
RESOLUTION NO. 2909**

WHEREAS, the Metropolitan Transportation Commission (MTC) is the regional transportation planning agency for the San Francisco Bay Area pursuant to Government Code § 66500 et seq.; and

WHEREAS, MTC the County of Marin has requested MTC's assistance with the programming of funds for the U.S. 101 high occupancy vehicle (HOV) gap closure project; and

WHEREAS, County of Marin and Caltrans District 4 currently estimate that total right of way and construction costs could range from \$38.5 million to \$48.5 million in constant 1995 dollars, depending on the outcome of final environmental and engineering studies slated for completion by June, 1997 and September 1999 respectively; and

WHEREAS, MTC has previously approved \$37.7 million in escalated dollars, which equals \$36.0 million in constant 1995 dollars, in the 1996/97 Regional Transportation Improvement Program (RTIP), and this amount was subsequently included by the California Transportation Commission (CTC) in the 1996 State Transportation Improvement Program (STIP) adopted May 1, 1996 (CTC Resolution #G-96-10); and

WHEREAS, future STIP funds expected to be programmed in the 1998 STIF for Fiscal Years 2003/04 and 2004/05 are the next major source of funding available to the project, and the county minimum amount for Marin for that period is projected to be at least \$8.0 million based on estimates in the 1996 STIP; and

WHEREAS, the CTC included as part of its resolution adopting the 1996 STIP a provision for accelerating allocation of funds prior to a project's program year, if that project is ready to proceed and State Highway Account cash levels can accommodate the acceleration; and

WHEREAS, MTC has advised the County of Marin, Caltrans and the Golden Gate Bridge Highway and Transportation District that those three parties must actively pursue coordinated land acquisition agreements in Marin and San Francisco counties to help reduce the right of way costs for the 10 1 HOV project and the right of way costs for the bus layover facilities in San Francisco County; now therefore, be it

RESOLVED, that at the request of the Marin Congestion Management, MTC will give first priority for the programming of available 1998 STIP funds within County of Marin's county minimum to meet the additional construction and right of way requirements of the 10 1 HOV gap closure project, subject to MTC and CTC programming requirements, and be it further

RESOLVED, that MTC will recommend to the CTC accelerated allocation of future programmed STIP funds if the project is ready to go to construction prior to the future STIP programming year, and be it further

METROPOLITAN TRANSPORTATION COMMISSION

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Dianne McKenna, Chair

The above resolution was entered into  
by the Metropolitan Transportation  
Commission at a regular meeting  
of the Commission held in Oakland,  
California, on June 26, 1996.



# MEMORANDUM

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FAX 510/464-7848

TO: The Bay Area Partnership

Date: 7/12 /94

FR: David Tannehill/Rod McMillan

RE: Major Investment Studies (MIS): Screening Criteria for Pipeline Projects

Recently issued regulations by FHWA/FTA require that a "Major Investment Study (NIIS be conducted where the need for a major transportation -investment has been identified and federal **funds are potentially involved**. This requirement also applies to all major projects under development, unless they have completed the environmental process (i.e., received a Record of Decision). MWATTA regulations on NUS (as part of the Statewide and Metropolitan planning rule) call for a broadly collaborative process involving the MPO, State DOT, FHWA/FTA federal pen-nit agencies, project sponsors and others to determine the nature and scope of an MIS. However, detailed guidance have not been issued that clarifies how projects underdevelopment (pipeline projects) should address these requirements.

Despite lack of guidance, many sponsors of projects under development have been contacted by FHWA/FTA regarding the need to initiate an MIS. This has naturally created a great deal of concern and confusion. To address this issue, we are proposing to utilize the RTP subcommittee of the Partnership, in collaboration with FHWA and FTA, to make an initial determination of projects which may require additional consideration of MIS elements. To do this, we have developed the attached initial screening criteria, which have been discussed and forwarded by the RTP subcommittee. The process we propose would be to examine all major projects under development or study against the attached criteria. If a project does not meet any of the screening criteria, it may require more analysis consistent with the MIS regulations. Additional collaborative consultations between the project sponsors and appropriate parties would help determine the extent and nature of any additional analysis.

We believe a screening process *as* outlined above is the most rational and effective approach to deal with pipeline projects. The Bay Area may have over a. hundred pipeline projects, and the approach outlined above will help address these projects in a systematic manner and with minimal delay. We also believe utilization of the RT? subcommittee of the Partnership clearly meets the spirit of the collaborative approach required in the MIS regulations.

## Next Steps

With the concurrence of the Partnership, we will begin an initial screening of pipeline projects using the attached criteria. Our objective is to reach consensus, by the September Partnership meeting, on a list of projects that could proceed without further analysis. Remaining pipeline projects would need to be discussed further as part of a collaborative process to determine if additional analyses arc necessary. At a future point, the RTP subcommittee will also need to develop MIS criteria and guidance for regional corridor and sub-area studies. However, our current focus is on pipeline projects.

Proposed

MIS Project Screening Criteria

The criteria below serve as a screen and identification of RTP Track 1 projects that will and will not qualify for a major investment study. Projects that meet any one of these criteria would = be subject of a major investment study. Projects that do not meet any of these \*criteria (if the answer is "no" to all of the criteria) will be identified. as potentially needing a major investment study.

- o environmental assessment (NEPA/CEQA) for the project has been completed as shown by a Record of Decision, a finding of No Significant Impact or a Categorical Exemption.
- o a reasonable number of multi-modal, alternatives to the project have been reviewed and analyzed in past studies, which find that the particular project/project type is preferred.
- o federal funding will not be used for project construction/implementation.
- o project does not have significant affect on capacity, traffic flow, level of service, or mode share at the transportation corridor or subarea level. Below are general examples of projects that would and would not be considered as major capacity increasing projects.

Significant Capacity Increase

Freeway to Freeway Interchanges  
Mixed-flow/HOV Highway Widenings  
Transit Guideway Expansions  
Major Modifications to Fixed Guideways  
Major Arterial Widenings

No Significant Capacity Increase

Signalization Upgrades  
Operational Improvements  
Local. Highway Interchanges  
Rail/Bus Service Increases  
Bus Transit Facilities

Note: Projects that are identified as not needing a MIS under this criteria 1) may be included in and evaluated as part of a corridor-level study, and 2) are still subject to all environmental assessment requirements (NEPA, CEQA) and the review and analysis of project alternatives required for those assessments.