

Memorandum

To: CHAIR and COMMISSIONERS

Date: August 10, 2011

From: BIMLA G. RHINEHART
Executive Director

Reference No. 4.19
ADDITIONAL
Information

Ref: 2012 State Transportation Improvement Program (STIP) Guidelines Hearing

ISSUE

What amendments should the Commission make to the STIP guidelines for the 2012 STIP?

RECOMMENDATION

Commission staff recommends that the Commission consider the below changes to the draft amendments to the STIP guidelines dated July 18, 2011. The proposed changes are highlighted.

STIP Guidelines Policies and Procedures Specific to the 2012 STIP:

Page 3:

Transit and Rail Projects. The 2012 STIP Fund Estimate indicates that there is negative (-\$542 million) program capacity for the Public Transportation Account (PTA). This means that many of the **transit projects currently programmed in the STIP will either have to be delivered with other funds (if the transit project is eligible for State Highway Account or Federal funds) or be unprogrammed.** A region in its RTIP, and Caltrans in the ITIP, shall indicate, for all currently programmed and new transit and rail projects, if the projects are eligible to be funded with Federal or State Highway Account funds. **Transit and rail projects currently programmed in 2012-13 through 2014-15 that are not eligible to be funded with Federal or State Highway Account funds must be unprogrammed. A region that unprograms a transit or rail project because the project cannot be funded with Federal or State Highway Account funds may nominate another project in its place.**

Article XIX of the California Constitution restricts transit and rail projects that can be funded with nearly all SHA revenues to the “research, planning, construction, and improvement of exclusive public mass transit guideways (and their related fixed facilities), including the mitigation of their environmental effects, the payment for property taken or damaged for such purposes, the administrative costs necessarily incurred in the foregoing purposes, and the maintenance of the structures and the immediate right-of-way for the public mass transit guideways, but excluding the maintenance and operating costs for mass transit power systems and mass transit passenger facilities, vehicles, equipment, and services.”

Additionally, SHA revenues may not be expended for these purposes “unless such use is approved by a majority of the votes cast on the proposition authorizing such use of such revenues in an election held throughout the county or counties, or a specified area of a county or counties, within which the revenues are to be expended.”

This means, for example, that rail rolling stock and buses may be funded only from the Federal revenues in the STIP. For such projects, the non-Federal match (generally a minimum of 11½%) will have to be provided from a non-STIP source.

While PTA program capacity has been nearly eliminated, a region may still nominate transit and rail project in its RTIP within the aforementioned State Highway Account and Federal funding constraints.

Permanent STIP Guidelines

Page 22-23, Section 47:

Cost Estimates for Project Components. For each project proposed for programming, the RTIP or ITIP shall list costs separately for each of the 4 project components: (1) environmental studies and permits; (2) preparation of plans, specifications, and estimates, (3) right-of-way, and (4) construction. For the right-of-way and construction components on Caltrans projects, the RTIP or ITIP shall list separate costs for Caltrans support and for capital outlay. For Caltrans projects, that brings the total to 6 project cost components.

For each project component, the amount programmed shall be escalated to the year proposed for programming, based on the current cost estimate updated as of November 1 of the year the RTIP or ITIP is submitted. The standard escalation rate for the STIP shall be that specified in the fund estimate for the STIP. Caltrans or a region may elect to use alternative escalation factors for right-of-way or other costs as it deems appropriate. STIP costs and non-STIP costs will be displayed separately.

When project **design**, right-of-way or construction **is are** programmed before the sponsoring agency completes the environmental process, updated cost estimates shall be submitted in the RTIP or ITIP in the STIP cycle following completion of the environmental process.

Where a project or project component will be funded from multiple county shares or jointly from the interregional share and a county share, the amounts programmed from the different shares will be displayed separately. Amounts programmed for any component shall be rounded to the nearest \$1,000. For jointly funded projects, the county share or ITIP share contribution programmed for a component shall each be rounded to the nearest \$1,000.

BACKGROUND

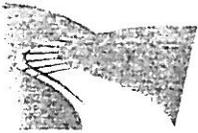
Statute (Senate Bill 45, 1997) calls for the Commission to adopt STIP guidelines to serve as “the complete and full statement of the policy, standards, and criteria that the commission intends to use in selecting projects to be included in the state transportation improvement program.”

The statutes further authorize the Commission to amend the adopted guidelines after conducting at least one public hearing. The Commission most recently amended STIP guidelines on October 14, 2009 (Resolution G-09-11) and adopted an addendum to the STIP Guidelines for Local Alternative Transportation Improvement Programs on April 7, 2010 (Resolution G-10-06). The statutes call for the Commission to make a reasonable effort to adopt guideline amendments prior to the adoption of the fund

estimate. In no event may the Commission change its guidelines during the period between 30 days after the fund estimate adoption and the STIP adoption.

Draft guidelines were first distributed on July 18, 2011. A workshop on the draft guidelines was held on July 27, 2011.

YELLOW
MEETING
HANDOUT



rails-to-trails
conservancy

Western Regional Office
235 Montgomery Street, Suite 769
San Francisco, CA 94104

tel 415.814.1100
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www.railstotrails.org

TAB 14

August 5, 2011

Mr. Dario Frommer, Chair
California Transportation Commission
1120 N Street, Room 2221
Sacramento, CA 95814

Re: Aug. 11 Meeting, Agenda Item 14 - STIP Guidelines re TE Program

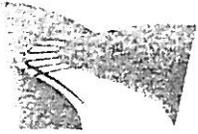
Dear Chairman Frommer and Commissioners:

Rails-to-Trails Conservancy (RTC), a national non-profit organization dedicated to advancing bicycle, pedestrian and trail networks to create healthier places for healthier people, has been a long-time supporter of the Transportation Enhancements (TE) program. We served on the California TEA Advisory Committee. Our national office operates the National Transportation Enhancements Clearinghouse (NTEC) on behalf of the Federal Highway Administration. We believe the TE program has made a significant contribution to bicycle and pedestrian safety and mobility in California, and has the potential to help us reach many of our transportation and environmental goals, including those established in AB 32 and SB 375.

We are writing to comment on some of the proposed STIP Guidelines as they impact TE, but first we wanted to take the opportunity to thank the Commission and Caltrans for the decision to not rescind any Transportation Enhancements (TE) funding in the July 2011 federal rescission. California had rescinded a highly disproportionate share of TE in the previous federal rescission in 2010 (43% of that rescission was from TE – one entire year of California's TE program -- even though TE is only 2.2% of California's federal transportation apportionment). We appreciate that TE funds were preserved so they can be put to work advancing California's non-motorized transportation goals.

One of the factors in the rescission of 2010 was that California has been steadily piling up large unprogrammed TE balances, due in large part to the fact that the STIP Guidelines permit counties to opt not to program any TE projects, and doesn't reward those counties programming more than their share. This undermines the effectiveness of the TE program.

Our comments below are intended to strengthen California's TE program so it can be put to strategic use to achieve a number of California's high priority public policies, including Complete Streets, the Strategic Highway Safety Plan non-motorized components, and SB 375:



rails-to-trails
conservancy

Western Regional Office
235 Montgomery Street, Suite 769
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1. We support the proposal to advance allocation for TE projects in the last quarter of each year if programming is not keeping pace ("TE Allocations", pg. 4 of July 18, DRAFT). However, we would suggest that the Commission's priority for advancing TE projects be slightly broader to include all non-motorized transportation projects, not just construction projects.
2. We propose that the language in section 22, paragraph 3 of the July 18 Draft be made mandatory, as follows: "...if TE-eligible programming statewide falls short of using the projected TE apportionment, the Commission shall leave a portion of county shares unprogrammed and available only for amendments of TE-eligible projects." This will prevent the accumulation of increasingly large unspent balances in the TE program. Perhaps rural counties with very small TE reserves can be encouraged to pool (or loan) funds with another region to accomplish a larger TE project.
3. Revise section 35 to permit the Department to propose TE-eligible grants to local agencies for projects of statewide significance. The Department could work with its Active Transportation and Livable Communities Advisory Group to compile and maintain a list of high priority projects of statewide significance that would contribute to implementing Departmental policies relating to non-motorized transportation, such as the Complete Streets Implementation Action Plan, Strategic Highway Safety Plan, and the Smart Mobility Framework.

Thank you for your consideration of our comments, and we would be happy to answer any questions or provide further information relating to our proposals.

Sincerely,

Laura R. Cohen, Esq.
Director, Western Region



Local Government Commission

1303 J Street • Suite 250 • Sacramento, CA 95814 • (916) 448-1198

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Executive Director
Judith A. Corbett

August 5, 2011

Mr. Dario Frommer, Chair
California Transportation Commission
1120 N Street, Room 2221
Sacramento, CA 95814

Re: Aug. 11 Meeting, Agenda Item 14 — STIP Guidelines re TE Program

Dear Chairman Frommer and Commissioners:

The Local Government Commission (LGC), a statewide non-profit membership organization dedicated to creating more livable, healthy and socially equitable communities, has been a long-time supporter of the Transportation Enhancements (TE) program. We believe the TE program has helped many local jurisdictions in California to improve conditions for walking, bicycling, transit, safety and placemaking and that it has the potential to help us reach many of our transportation and environmental goals, including those established in AB 32 and SB 375.

This letter is to express our full support for the comments sent to you on August 4, 2011 by Laura Cohen, Director, Western Region of the Rails-to-Trails Conservancy. We hope the Commission will continue to take steps to strengthen California's TE program so it can help communities throughout the state become more livable.

Thank you for your kind attention.

Sincerely,

Judith A. Corbett
Executive Director



AUG - 8 2011

August 8, 2011

Mr. Dario Frommer, Chair
California Transportation Commission
C/O Angela Hicklin, angela_hicklin@dot.ca.gov
1120 N Street, Room 2221
Sacramento, CA 95814

Re: Aug. 11 Meeting, Agenda Item 14 - STIP Guidelines re TE Program

Dear Chairman Frommer and Commissioners:

I'm writing on behalf of the California Safe Routes Network to urge the CTC to adopt improved procedures for managing the Transportation Enhancements program.

The California Network is working to make it safer and easier for children to walk and bicycle to schools and in daily life. We endorse the recommendations provided by the Rails-to-Trails Conservancy in the letter written by Laura Cohen. Specifically:

1. We support the proposal to advance allocation for TE projects in the last quarter of each year if programming is not keeping pace ("TE Allocations", pg. 4 of July 18, DRAFT). However, we would suggest that the Commission's priority for advancing TE projects be slightly broader to include all non-motorized transportation projects, not just construction projects.
2. We propose that the language in section 22, paragraph 3 of the July 18 Draft be made mandatory, as follows: "...if TE-eligible programming statewide falls short of using the projected TE apportionment, the Commission shall leave a portion of county shares unprogrammed and available only for amendments of TE-eligible projects." This will prevent the accumulation of increasingly large unspent balances in the TE program. Perhaps rural counties with very small TE reserves can be encouraged to pool (or loan) funds with another region to accomplish a larger TE project.

3. Revise section 35 to permit the Department to propose TE-eligible grants to local agencies for projects of statewide significance. The Department could work with its Active Transportation and Livable Communities Advisory Group to compile and maintain a list of high priority projects of statewide significance that would contribute to implementing Departmental policies relating to non-motorized transportation, such as the Complete Streets Implementation Action Plan, Strategic Highway Safety Plan, and the Smart Mobility Framework.

Transportation Enhancements is an important source of funds for improving the environment to promote safe bicycling and walking. With 20 percent of traffic fatalities in California being pedestrians and bicyclists, it is critical that the state do everything possible to improve the delivery of these projects.

Thank you for your careful consideration of these comments.

Sincerely,



Deb Hubsmith
Chair, California Safe Routes Network
Director, Safe Routes to School National Partnership
P.O. Box 663
Fairfax, CA 94978
deb@saferoutespartnership.org
www.saferoutespartnership.org

cc: Laura Cohen, RTC

California WALKS . . . advocating walkable communities for everyone



1904 Franklin St., Ste. 709
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Phone 510-292-4435
Fax 510-292-4436
www.californiawalks.org

8 August 2011

Mr. Dario Frommer, Chair
California Transportation Commission
1120 "N" Street, Room 2221
Sacramento, CA 95814

AUG - 8 2011

Re: Item 14 of 10 August meeting

Chair Frommer and Commissioners,

California Walks, a statewide advocacy and training non-profit corporation, offers comment on the proposed STIP Guidelines for the Transportation Enhancements program.

~~Maintaining priorities and funding within the Transportation Enhancements program for~~ pedestrian activities is both helpful and necessary. Too often, pedestrian facilities are overlooked, and underfunded -- despite the fact that pedestrians suffer a disproportionate number and percentage of severe injuries and fatalities in reported traffic collisions.

So, California Walks applauds your decision earlier this summer NOT to reduce any TE funding, as would have been allowed by the federal decision.

Our comments below are intended to strengthen California's TE program so it can be put to strategic use to achieve a number of California's high priority public policies, including Complete Streets, the Strategic Highway Safety Plan non-motorized components, and SB 375:

1. We support the proposal to advance allocation for TE projects in the last quarter of each year if programming is not keeping pace ("TE Allocations", pg. 4 of July 18, DRAFT). However, we would suggest that the Commission's priority for advancing TE projects be slightly broader to include all non-motorized transportation projects, not just construction projects.

Restricting TE funds only to construction projects ignores the need to also comply with other directives, such as for local governments to develop Pedestrian Safety Action Plans, and for general plan revisions that must also consider pedestrian factors. Even the Safe Routes to School programs allow non-infrastructure programs to be funded. So, to allow TE programs also to fund non-infrastructure programs is not precedential but simply maintaining consistency with what other programs allow.

2. We propose that the language in section 22, paragraph 3 of the July 18 Draft be made mandatory, as follows: "...if TE-eligible programming statewide falls short of using the projected TE apportionment, the Commission shall leave a portion of county shares unprogrammed and available only for amendments of TE-eligible projects." This will prevent the accumulation of increasingly large unspent balances in the TE program. Perhaps rural counties with very small TE reserves can be encouraged to pool (or loan) funds with another region to accomplish a larger TE project.
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-

Thank you for your consideration of our comments, and we would be happy to answer any questions or provide further information relating to our proposals.

Sincerely,

Bob Planthold

Bob Planthold, Chair
California Walks Board of Directors

Wendy Alfsen

Wendy Alfsen, Executive Director
California Walks



AUG - 9 2011

August 8, 2011

Mr. Dario Frommer, Chair
California Transportation Commission
1120 N Street, Room 2221
Sacramento, CA 95814

Re: Aug. 10 Meeting, Agenda Item 14 - STIP Guidelines re TE Program

Dear Chairman Frommer and Commissioners:

On behalf of the California Bicycle Coalition, I'm writing to urge the CTC to adopt improved procedures for managing the Transportation Enhancements program.

The California Bicycle Coalition works to create safe, healthy and livable communities in California by promoting bicycling for transportation and recreation. The improved streets and related programs funded by Transportation Enhancements have been critical to the growth in cycling in California in the past decade. Increased cycling has led to a stronger economy and a better state.

We are writing to comment on some of the proposed STIP Guidelines as they impact TE, but first we wanted to take the opportunity to thank the Commission and Caltrans for the decision to not rescind any Transportation Enhancements (TE) funding in the July 2011 federal rescission. California had rescinded a highly disproportionate share of TE in the previous federal rescission in 2010 (43% of that rescission was from TE – one entire year of California's TE program -- even though TE is only 2.2% of California's federal transportation apportionment). We appreciate that TE funds were preserved so they can be put to work advancing California's non-motorized transportation goals.

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Thank you for your consideration of our comments, and we would be happy to answer any questions or provide further information relating to our proposals.

Sincerely,



Dave Snyder
Executive Director