

April 5, 2005

<h1 style="font-size: 4em; transform: rotate(-15deg); opacity: 0.5;">Agenda</h1>	<p>April 5, 2005 10:00 AM – 1:00 PM</p> <p>Metropolitan Transportation Commission Metro Center, 101 8th Street Fishbowl Conference Room Oakland, CA 94607</p> <p>Contact: Raymond Odunlami (510) 464-7717</p>
--	---

Meeting called by: Rachel Falsetti
Facilitator: Rachel Falsetti
Recorder/Time Keeper: Tracy Martinis

Agenda topics

Item	Description	Time	Presenter
1	Topics/Agenda/Introductions	10:00	R. Falsetti
2	Ground Rules	10:10	R. Falsetti
3	Approval of the 02/22/2005 CFPG meeting minutes	10:15	R. Falsetti
4	Announcements and updates	10:20	All
5	Project Delivery Documentation (15 min)	10:25	Bruce Abanathie
6	Update on HBRR Program & Overview of Recent Survey (15 min)	10:40	Ken Lobeck
7	Programming of 5311 Projects for FY 05-06 (5 min)	10:55	Abhijit Bagde
8	Air Quality Conformity Determinations Associated w/ TIP Amendments (15 min)	11:00	Jean Mazur
9	Follow-Up Items from last meeting: (20 min) <ul style="list-style-type: none"> A. Send survey to MPOs whether to implement change in CTIPS for combining support costs with capital costs for 2004 FSTIP or wait until 2006 FTIP development. B. Leigh Levine to E-mail group regarding Highway Program Finance course in Southern California. C. Rachel Falsetti to send FHWA response letter re: upping programming for local support. D. Send Federal Regulation for Public Involvement Process. E. Paul Page to send E-mail regarding ITS Architecture Policy for Transit Projects. 	11:15 Done Done Done Done Done	CT FHWA CT CT FTA
10	Open Forum & Next meeting date and location: May 17, 2005 CT June 27, 2005 SACOG (Monday) August 9, 2005 FHWA September 20, 2005 MTC		All

NEW - MEETING DATES AND LOCATIONS:

May 17, 2005	CT	
<u>June 28, 2005</u>	<u>MTC</u>	<u>**Change Made to this Date & Location**</u>
August 9, 2005	FHWA	
<u>September 20, 2005</u>	<u>SACOG</u>	<u>**Change Made to this Location**</u>

**CALIFORNIA FEDERAL PROGRAMMING GROUP (CFPG)
MEETING MINUTES – April 5, 2005**

The CFPG meeting was held at the Metropolitan Transportation Commission (MTC) in Oakland from 10:00 to 1:00 p.m.

1. Topics/Agenda/Introduction:

The meeting started with the self-introduction of attendees.

2. Ground Rules:

Rachel Falsetti went over the ground rules for the meeting:

- Since there are phone participants, everyone who speaks should state his/her name and agency.
- Keep comments as brief as possible.
- Stick to the current agenda item. Additional items not in the agenda will be added to the end and will be discussed if time permits.
- Turn off cell phones and limit interruptions.
- This is a forum to hear everyone's concerns, comments and suggestions. Please make sure your voice is heard.
- Facilitator to ask before moving on to the next item if anyone on the phone has any additional comments on the item, then pause for a few seconds.
- Respond to follow-up items and meeting notices by the deadlines.
- Except for follow-up items, the minutes will include discussions that take place during the meeting only. If you do not want what you say during the meeting included in the minutes, state "off the record."
- When not speaking, phone participants to keep their phones on mute if possible.

3. Approval of 2/22/05 CFPG meeting minutes:

The meeting minutes for February 22, 2005, were approved with no comments.

4. Announcements and updates:

Rachel Falsetti announced her staff member, Tracy Martinis, has changed her last name to Hendrickson.

5. Project Delivery Documentation:

Bruce Abanathy, STANCOG, explained how two years ago a 23-page document was put together regarding a temporary resolution to shorten the RFA process as it slows down the project delivery process. The document was too time consuming for all involved to review and the resolution was dropped.

If any agencies are interested and want to be involved in restarting this process, E-mail Bruce directly at: BABANATHIE@Stancog.org. He will send the original 23-page document to you. Susan Harrington from Caltrans will represent Local Assistance, as this is a project delivery issue.

6. Update on HBRR Program & Overview of Recent Survey:

Ken Lobeck, RCTC, announced there were questions on the HBRR project reconciliation amendment. Some agencies have funds in year four and would like to advance them to the triennial element.

Susan Harrington, Caltrans Local Assistance, stated the quarterly list is taking longer than usual to produce. The website shows an updated list and a new list will be out shortly. Wait for the list to come out so you know where your project is. The next quarterly list should be distributed by July 2005. It was encouraged to get projects on the list that are deliverable and to process your expedited project selection procedures asap. This will allow projects to be moved without amendments.

7. Programming of 5311 Projects for FY 05-06:

Last year estimates were distributed for the 5311 program projects for Fiscal Year 2004-05 (FY 04-05). FY 05-06 5311 estimates won't be out until October 2005. Use the 04-05 estimates to program your 05-06 projects before a financial lockdown occurs. Also, MPOs to program projects for other programs for which the estimates have been given to them for FY 2005-06.

8. Air Quality Conformity Determinations Associated with TIP Amendments:

Jean Mazur, FHWA, stated when you're doing a TIP amendment, make sure to clearly state what is being done for conformity. For a non-attainment region, a conformity determination is needed – unless the project is exempt. Non-exempt projects require a new conformity determination. There is a provision in the conformity rules that lets you rely on your previous emissions analysis. Make sure your documentation states you are relying on the previous emissions analysis to program the project into the TIP. Only do conformity determinations for formal amendments – not administrative. Also, make sure to meet all public involvement requirements. If you are unclear about your TIP amendment, coordinate with your FHWA planning coordinator first before submitting.

Handout: "Tip Amendment Handout" E-mailed to all attendees 4/04/05

9. Added Item – Letter from Caltrans to MPOs

Rachel Falsetti announced a letter was distributed from Caltrans to the MPOs regarding the impact on the 2004 FTIP and 2004 FSTIP due to the proposed suspension of Proposition 42 for FY 05-06 in the proposed State budget.

Handout – “Financial Constraint April 2005” E-mailed to attendees 4/04/05.

10. Open Forum & Next Meeting Date and Location:

The next CFPG meeting will be held May 17, 2005, at Caltrans in Sacramento. The June meeting date was changed from June 27, 2005, at SACOG to June 28, 2005, at MTC in Oakland.

Follow-up Items:

1. Agencies wanting to help with the resolution to shorten the RFA process are to E-mail Bruce Abanathy at:
BABANATHIE@Stancog.org
2. Jean Mazur, FHWA, will draft language for TIP Amendments.

DEPARTMENT OF TRANSPORTATION
DIVISION OF TRANSPORTATION PROGRAMMING
1120 N STREET
P. O. BOX 942874, MS 82
SACRAMENTO, CA 94274-0001
PHONE (916) 654-5266
FAX (916) 654-5013
TTY (916) 654-2738



*Flex your power!
Be energy efficient!*

April 1, 2005

Metropolitan Planning Organizations

Dear Executive Directors:

The purpose of this letter is to alert you of a potential impact for your 2004 Federal Transportation Improvement Program (FTIP) and California's 2004/05-2006/07 Federal Statewide Transportation Improvement Program (FSTIP) due to the proposed suspension of Proposition 42 for the State Fiscal Year (FY) 2005/06. The current FTIP and FSTIP programming levels are partially based on estimation of resources from the 2004 Fund Estimate (FE). The FE assumes that Proposition 42 resources will be available for transportation for the FY 2005/06 and beyond.

If Proposition 42 is again suspended, the FTIP/FSTIP will be considered by Federal regulations to not be financially constrained. As was the case in FY 2003/04, the Federal Highway Administration (FHWA) along with the Federal Transit Administration (FTA) have indicated there would be a financial constraint lockdown on the FSTIP and FTIPs. This will mean that no FTIP amendments would be processed until the Metropolitan Planning Organization is able to demonstrate financial constraint of its FTIP. In anticipation of the possible lockdown, I encourage you to move forward with any amendments for your 2004 FTIP that are needed at this time. In addition, I encourage you to move forward with the formal submittal of your Expedited Project Selection Procedures, so that moving projects between fiscal years can be accomplished without an amendment.

The California Department of Transportation is actively seeking relief from the FHWA/FTA until the California Transportation Commission (CTC) adopts the 2006 FE. The CTC is scheduled to approve the 2006 FE in August 2005. At the time of FE approval, the impact of the potential loss of State funding can be assessed. It is possible that the loss of State resources in FY 2005/06 will be offset by an increase in Federal funding levels or other resources categories. We will continue to provide information on the progress of discussions with the FHWA/FTA to avert a financial constraint lockdown.

If you have any questions please call Rachel Falsetti of my staff at 916-654-2983.

Sincerely,

A handwritten signature in black ink, appearing to read "Ross A. Chittenden". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

ROSS A. CHITTENDEN
Chief
Division of Transportation Programming

c: TAbbott
CMcKim
NOrtega
RFalsetti
GFong - FHWA
SKiser - FHWA
LRogers - FTA
RSukys - FTA
DDD's PM and Planning

DRAFT

ISSUE:

Clarification of conformity requirements for TIP amendments.

REGULATORY CITATIONS:

23 CFR 450.326 Transportation improvement program: Modification. The TIP may be modified at any time consistent with the procedures established in this part for its development and approval. In nonattainment or maintenance areas for transportation related pollutants if the TIP is amended by adding or deleting projects which contribute to and/or reduce transportation related emissions or replaced with a new TIP, new conformity determinations by the MPO and the FHWA and the FTA will be necessary. Public involvement procedures consistent with Sec. 450.316(b)(1) shall be utilized in amending the TIP, except that these procedures are not required for TIP amendments that only involve projects of the type covered in Sec. 450.324(i).

40 CFR Sec. 93.104 Frequency of conformity determinations. (c) Frequency of conformity determinations for transportation improvement programs. (1) A new TIP must be demonstrated to conform before the TIP is approved by the MPO or accepted by DOT. (2) A TIP amendment requires a new conformity determination for the entire TIP before the amendment is approved by the MPO or accepted by DOT, unless the amendment merely adds or deletes exempt projects listed in Sec. 93.126 or Sec. 93.127.

RESOLUTION:

In nonattainment and maintenance areas subject to the transportation conformity requirements, TIP amendments require a conformity determination unless the amendment only adds or deletes exempt projects.

40 CFR 93.122(g) allows for a conformity determination on a TIP without a new regional emissions analysis if the requirements of that section can be met. Under certain circumstances, this provision could be used to make amendments involving non-regionally significant projects or to add or delete regionally-significant projects from the TIP. However, a formal conformity determination is still required by the MPO. In addition to the affirmative conformity determination by the MPO, the documentation should include the applicability of the 93.122(g) provisions and timely implementation of TCMs. Public involvement and financial constraint should be addressed in accordance with the 23 CFR Part 450.

Eliminate language such as “does not affect the conformity determination” and replace with a conformity determination was or was not required. Additionally, rather than “capacity-increasing” use exempt or non-exempt to help clarify whether a conformity determination is required.