

Agenda

August 21, 2007
10:00 a.m. – 12:00 p.m.

Department of Transportation
Dept. of Veteran Affairs Bldg
1227 O Street (Room 513)
Sacramento, CA 95814

Contact: Tracy Hendrickson
(916) 657-4419

Meeting called by: Muhaned Aljabiry
Facilitator: Abhijit Bagde
Recorder/Time Keeper: Tracy Hendrickson

AGENDA TOPICS

Item	Description	Time	Presenter
1	Topics/Agenda/Introductions	10:00	Abhijit Bagde
2	Ground Rules – See ground rules in meeting minutes	10:05	Abhijit Bagde
3	Approval of the 07/10/2007 CFPG meeting minutes	10:05	Abhijit Bagde
4	Announcements and updates	10:10	All
5	<p>Follow-Up Items from last meeting:</p> <ul style="list-style-type: none"> • Agency Contact list – MPOs to send updates by July 24, 2007 • Email group: Highway Program Finance Course from FHWA & Info from Laura Quintana, Planning • FSTIP PPP - provide contact to group: <ul style="list-style-type: none"> ○ Leslie Snow, Division of Planning, (916) 651-6887 • Send consultant's schedule for FSTIP's PPP to MPOs • Cathy Gomes to email group re: lump sums; fact sheet • Caltrans to provide timeline for next transportation act - when legislative staff start soliciting comments. • Send new CFPG meeting dates to group. • Update EPSP to add fourth year. Follow-up with FTA to see if EPSP can be used. • Steve Luxenberg, FHWA, will follow up with Sue Kiser regarding the program consistency with the newly added programs to the Financial Summary Table. 	10:15	<p>CT's website updated Emailed 7/10/07</p> <p>Info provided here</p> <p>See Item #6 In progress (Cathy) In progress (Tracy)</p> <p>Emailed 7/17/07 In progress (Penny)</p> <p>Steve Luxenberg</p>
6	Public Participation Plan Update	10:20	Muhaned Aljabiry
7	FSTIP Workshop	10:30	Tracy Hendrickson
8	Back-up list for grouped projects	10:35	Cathy Gomes
9	Items that need to be included in the board resolution (2 handouts)	10:40	Penny Gray

10	SAFETEA-LU Compliant RTPs – Update	10:50	Steve Luxenberg
11	Expedites	11:00	Muhaned Aljabiry
12	Mail paper copy of amendment to: Muhaned Aljabiry, Chief Office of Federal Transportation Management Program Division of Transportation Programming 1120 N Street, M.S. 82 Sacramento, CA 95814 Attn: Name of the FTIP Coordinator for your region	11:05	Abhijit Bagde
13	Include all fund sources in FTIP	11:10	Abhijit Bagde
14	Year of expenditure dollars Dec. 11, 2007	11:20	Abhijit Bagde
15	Administrative modification to transit projects	11:25	Muhaned Aljabiry
16	New amendment designations per SAFETEA-LU: Amendment /Administrative Modification	11:30	Penny Gray
17	Programming of non-constructible projects	11:35	Muhaned
18	Open Forum	11:45	All
19	Meeting dates and locations for 2007: Date Place October 2 FHWA, Sacramento (10-12pm) November 13 SACOG, Sacramento (10-12pm) December 18 Caltrans (10-12pm)	11:50	All

**CALIFORNIA FEDERAL PROGRAMMING GROUP (CFPG)
MEETING MINUTES – August 21, 2007**

The CFPG meeting was held at the Department of Transportation (Caltrans) in Sacramento from 10:00 a.m. to 12:00 p.m.

1. Topics/Agenda/Introduction:

The meeting started with the self-introduction of attendees.

2. Ground Rules:

Abhijit Bagde, Caltrans, Federal Programming, asked the group to refer to the Ground Rules from previous meeting minutes.

- 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 7/10/07 CFPG meeting minutes:

The meeting minutes for July 10, 2007, were approved with a request from Paul Fagan, Caltrans, regarding Item #8 – Lump Sums and Back-up Lists. The change consists of adding clarifying language that indicates that lump sum changes do not have to go through a 30-day public review process **unless the Metropolitan Planning Organization's (MPO's) Public Participation Plan (PPP) warrants it.**

4. Announcements and updates:

There were no announcements or updates.

5. Follow-up:

- Send consultant's schedule for the Federal Statewide Improvement Program's (FSTIP's) PPP to MPOs. In process
- Cathy Gomes to email group re: lump sums; fact sheet. In process
- Caltrans to provide timeline for next transportation act - when legislative staff start soliciting comments. In process
- Update EPSP to add fourth year. Follow-up with FTA to see if EPSP can be used. Penny Gray reported that EPSP cannot be used to advance FTA grants.
- Steve Luxenberg, Federal Highway Administration (FHWA), will follow up with Sue Kiser regarding the program consistency with the newly added programs to the Financial Summary Table. In process

6. Public Participation Plan (PPP) for the Federal Statewide Transportation Improvement Program (FSTIP):

Muhaned Aljabiry, Caltrans, Federal Programming, reported that initial meetings with the consultant have taken place. We are on an aggressive schedule to develop and implement the PPP for the FSTIP. Development of the FSTIP PPP will consist of three phases: 1) establish strategies (conduct interviews with stakeholders, rural counties, and other interested parties); 2) development of the PPP; and 3) implementation.

Sookyung Kim, SANDAG, requested a schedule for the various phases and inquired if the MPOs will need to turn in their Federal Transportation Improvement Programs (FTIPs) prior to August 1, 2008. Muhaned responded that at this time we are in the discussion phase – the deadline for FTIP submission to Caltrans will depend on various requirements of the FSTIP PPP which are still in development.

7. 2009 FSTIP Overview/Working Group:

The FSTIP workshop will consist of two separate sessions: An Overview session and a Working Group session. The objective of the Overview session is to provide general information on programming projects in the FSTIP to staff, especially those who are new to programming, and are involved in the development of the FTIPs. The primary objective of the Working Group is to discuss how MPOs, Caltrans, and FHWA can work together to identify issues, challenges, risks, and recommendations related to the development and approval of a Safe, Accountable, Flexible and Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) compliant FSTIP by October 1, 2008.

This will not be a Caltrans/FHWA workshop, but one where increased MPO participation and information-sharing is encouraged. Target participants are two from each MPO, Caltrans District FTIP Coordinators, Caltrans, and FHWA/the Federal Transportation Administration (FTA). The workshop will be held October 15-16 at SACOG in Sacramento.

8. Back-up Lists for Grouped Projects:

Reminder – A copy of the grouped project listing must be included when submitting amendments. The list does not have to be a part of the amendment if the PPP does not warrant, but must still be submitted to Caltrans and FHWA/FTA.

Yin-Ping Li, Caltrans Local Assistance, requested MPOs update the financial tables with amendments. Yin-Ping also requested that the Hazard Elimination Safety Program (HES) and the Highway Safety Improvement Program (HSIP) projects be kept as separate grouped project listings.

There was additional discussion regarding the need for amendments and/or public hearings for the State Highway Operation and Protection Program (SHOPP) or safety grouped projects. Wade Hobbs, FHWA, responded that federal regulations allow modifications to these types of projects without a public hearing if the PPP allows/addresses them. Grouped project listings also provide an opportunity to expedite delivery of projects. Mike Brady, Caltrans, reminded everyone that while SHOPP and safety projects may be exempt from regional analyses, they may not be exempt from hot spot analysis. Those projects included in Table 3 (CFR Title 40, Section 93.127) will require a hot spot analysis (for those areas with air conformity issues).

9. Items that Need to be Included in a Board Resolution:

Abhijit Bagde, Caltrans, Federal Programming, distributed a handout that contained specific language and requirements for Board Resolutions. Raymond Odunlami, MTC, noted that MTC had a slightly different approach. Their Board Resolutions do not contain the required language; rather the language is contained in other documents that are submitted as part of the amendment. Abhijit requested that MTC include the specific language in their amendment transmittal letters, and also for MPOs to use appropriate language from the conformity handout prepared by FHWA for using appropriate language for the air quality conformity determination.

10. SAFETEA-LU Compliant Regional Transportation Plans (RTPs) - Update:

This item was deferred until the next CFPG Meeting.

11. Expedites

The number of requests for expedited processing of amendments is increasing. Muhaned requested MPOs plan their amendments and please try to limit expedites.

12. Mail Copy of Amendment To:

This item provides a standardized format for addressing/submitting FSTIP amendment requests. Amendments should be submitted to:

Muhaned Aljabiry, Chief
Office of Federal Transportation Management Program
Division of Transportation Programming
1120 N Street, M.S. 82
Sacramento, CA 95814.

Attention: Name of the FTIP Coordinator for your region

Abhijit also told the group that Caltrans will be discussing streamlining the amendment transmittal process with FHWA (if the amendments can be transmitted electronically and how many hard copies are required).

13. Include All Fund Sources in FTIP

This item is FYI – please remember to include all funding sources for projects in the FSTIP and not just federal funds.

14. Year of Expenditure Dollars Beginning December 11, 2007

Abhijit Bagde reminded the group of SAFETEA-LU requirements that both the FTIP and RTP show the year of expenditure dollars for projects based on reasonable financial principles by December 11, 2007. Caltrans Federal Programs have confirmed that programmed costs for projects from both the STIP and SHOPP programs already include adjustments based on the appropriate inflation factors.

15. Administrative Modification to Transit Projects

The driving factor to determine if an Administrative Amendment may be processed for transit projects is cost and not the number of vehicles. If the cost increase is 20 percent or less, an administrative may be processed. If the type of bus/vehicle changes, it is considered a scope change and a formal amendment will be required. A change in the type of vehicle from compressed natural gas (CNG) to clean diesel will be evaluated on a case-by-case basis. Also remember that a change in vehicle type may impact conformity determinations.

16. New Amendment Designations per SAFETEA-LU: Amendment/Administrative Modification

After discussion with FHWA, we will continue using Administrative Amendment until further notice. This is necessary in order to retain the ability to process administrative amendments based on criteria agreed to by FHWA.

17. Programming of Non-Constructible Projects

Muhaned stated that Caltrans has requested MPOs program non-constructible projects in the construction phase. There was discussion concerning Local Assistance requirements for Right of Way (R/W) certs and Environmental clearance for non-constructible projects programmed in the construction phase. There will be continued discussion with Local Assistance, Programming, and FHWA to develop a resolution to this issue.

18. Open Forum:

- The next CFPG meeting will be held on October 2, 2007 at FHWA in Sacramento.

November 13, 2007 SACOG in Sacramento
December 18, 2007 Caltrans in Sacramento
- Olin Woods stated SACOG is willing to take the lead in pursuing a five-year FTIP.
- Tom Dempsey, State Parks, requested additional information/training regarding the processing of amendments, timelines for amendments, etc. Caltrans will set up a separate meeting with him to identify his various issues and concerns.

19. Follow-up Items for Next Meeting:

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|--|------------------------------|
| • Financial Tables | By next CFPG meeting |
| • | |
| • SAFETEA-LU Compliant RTPs | By next CFPG meeting |
| • Discuss w/ FHWA/FTA about new nomenclature (administrative modification) for administrative amendment per SAFETEA-LU. | By next CFPG meeting |
| • Follow up on Year of Expenditure dollars for state projects | Item Completed |
| • Form sub-committee (between state and MPOs) for FSTIP's PPP sometime in October 2007 - send date to group when made. | Discuss at next CFPG meeting |
| • What type of amendment or conformity action is required when changing the type of vehicle that is programmed for purchasing. | By next CFPG meeting |

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Transportation Conformity Information for TIP Amendments

Type of Amendment	New TIP Conformity Determination?	New Regional Emissions Analysis?	Conformity Information
<p>1. Minor Changes</p> <ul style="list-style-type: none"> • e.g. changes consistent with Caltrans' administrative amendment procedures 	No	No	<p>Transmittal Information:</p> <ul style="list-style-type: none"> o A statement describing the change being made. o A statement that the change is consistent with the administrative amendment procedures. o If the project is a non-exempt, regionally significant project, a statement that the change does not reflect a change in the design concept and scope of the project or the conformity analysis years as assumed for the regional emissions analysis of the currently conforming RTP and TIP. o If applicable, a statement that the change for this project do not interfere the timely implementation of any approved TCMs. <p>Conformity Procedures/Documentation:</p> <ul style="list-style-type: none"> o No additional documentation required.
<p>2. Formal Amendment - Funding Changes > allowed as a Minor Change -</p> <ul style="list-style-type: none"> • e.g. funding changes greater than allowed per Caltrans' administrative procedures 	No	No	<p>Transmittal Information:</p> <ul style="list-style-type: none"> o A statement describing the change being made. o If the project is a non-exempt, regionally significant project, a statement that the change does not reflect a change in the design concept and scope of the project or the conformity analysis years as assumed for the regional emissions analysis of the currently conforming RTP and TIP. o If applicable, a statement that the cost changes for this project do not interfere the timely implementation of any approved TCMs. o A statement that the TIP as amended meets all applicable transportation planning requirements per 23 CFR Part 450 (e.g. financial constraint, public involvement and consistency with the RTP). <p>Conformity Procedures/Documentation:</p> <ul style="list-style-type: none"> o No additional documentation required.

DRAFT
Transportation Conformity Information for TIP Amendments

Type of Amendment	New TIP Conformity Determination?	New Regional Emissions Analysis?	Conformity Information
<p>3. Formal Amendment - Exempt Projects (2) -</p> <ul style="list-style-type: none"> • e.g. add/delete exempt project or project phases to/from the TIP • e.g. add environmental studies for a non-exempt project to the TIP (environmental document cannot be approved) 	No	No	<p>Transmittal Information:</p> <ul style="list-style-type: none"> o A statement describing the change being made. o A statement that the project was determined to be exempt from the requirement that a conformity determination and/or regional emissions analysis be performed per 40 CFR 93.126, 93.127 or 93.128. o A statement that because the projects are exempt, no further conformity determination is required. o If applicable, a statement that the changes do not interfere the timely implementation of any approved TCMs. o A statement that the amendment was circulated for the appropriate public and interagency comment period per the MPOs public involvement procedures and the conformity SIP, respectively. o A statement that the TIP as amended meets all applicable transportation planning requirements per 23 CFR Part 450 (e.g. financial constraint, public involvement and consistency with the RTP). <p>Conformity Procedures/Documentation:</p> <ul style="list-style-type: none"> o No additional documentation required. o The amendment should be circulated through interagency consultation consistent with the procedures contained in the nonattainment area conformity SIP.

DRAFT
Transportation Conformity Information for TIP Amendments

Type of Amendment	New TIP Conformity Determination?	New Regional Emissions Analysis?	Conformity Information
<p>4. Formal Amendment - Conformity Determinations and Relies on a Previous Regional Emissions Analysis -</p> <ul style="list-style-type: none"> • e.g. adding a regionally significant project to the TIP when it has already been appropriately accounted for in the regional emissions analysis • e.g. adding a non-regionally significant project to the TIP 	Yes	No	<p>Transmittal Information:</p> <ul style="list-style-type: none"> o A statement describing the change being made (e.g. the project is a non-regionally significant, non-exempt project <u>or</u> the project is a regionally significant project). o TIP as amended meets the following transportation conformity provisions 40 CFR 93.122(g). o A statement that the conformity determination was based on the previous regional emissions analysis. Include the name of the RTP and the date of the MPO and USDOT conformity determinations. o A statement that the TIP as amended meets all applicable transportation planning requirements per 23 CFR Part 450 (e.g. financial constraint, public involvement and consistency with the RTP). o If applicable, a statement that the changes do not interfere the timely implementation of any approved TCMs. o A statement that the TIP as amended was found to conform to the applicable SIP. <p>Conformity Procedures/Documentation:</p> <ul style="list-style-type: none"> o Document interagency consultation per conformity SIP. o Document public involvement per public involvement procedures. o Document conditions of 40 CFR 93.122(g) including reference to documentation of currently conforming RTP and TIP and the dates of the MPO and USDOT conformity determination. o Document financial constraint. o Document timely implementation of approved TCMs. o Include MPO conformity determination (resolution). o Include summary of emissions budget test or interim emissions test from currently conforming RTP and TIP.

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Transportation Conformity Information for TIP Amendments

Type of Amendment	New TIP Conformity Determination?	New Regional Emissions Analysis?	Conformity Information
<p>5. Formal Amendment, Conformity Determination and New Regional Emissions Analysis -</p> <ul style="list-style-type: none"> • e.g. add non-exempt, regionally significant project that has not been accounted for in the regional emissions analysis • e.g. change in non-exempt, regionally significant project that is not consistent with the design concept and scope or the conformity analysis years 	Yes	Yes	<p>Transmittal Information:</p> <ul style="list-style-type: none"> o A statement describing the change being made (e.g. a new regional emissions analysis because a non-exempt project was: 1) added; 2) deleted; 3) there was a significant in the design concept and scope of a regionally significant non-exempt project; or 4) conformity analysis year changed for a regionally significant, nonexempt project). o A statement that the TIP as amended meets all applicable transportation planning requirements per 23 CFR Part 450 (e.g. financial constraint, public involvement and consistency with the RTP). o A statement that a new regional emissions analysis was performed. o If applicable, a statement that the changes do not interfere the timely implementation of any approved TCMs. o A statement that the TIP as amended conforms to the applicable SIP. <p>Conformity Procedures/Documentation:</p> <ul style="list-style-type: none"> o <i>Most MPOs have standard documentation and procedures they use for a conformity determination that includes a new regional emissions analysis. To date, the documentation and procedures have been adequate. FHWA/FTA will work with MPOs on an individual basis to address any concerns relating to this type of amendment.</i>

Following items must be included in MPO Board Resolutions:

- Amendment is consistent with metropolitan transportation planning regulations from 23 Code of Federal Regulations Part 450.
- Proposed amendment is consistent with the Regional Transportation Plan _____ (e.g 2030).
- As amended, FTIP is financially constrained the enclosed financial summary affirms that funding is available.
- Air quality conformity: See attached guidance from FHWA for information.
- The amendment does not interfere with the timely implementation of the Transportation Control Measures contained in the State Implementation Plan (SIP).
- Completion of public participation process.
- For projects included in the amendment, either include all the projects from the amendment in the text of the resolution or make reference to an attachment for project list in the resolution.

- Definitions of Administrative Modification and Amendment are contained in Title 23, CFR part 450.104
 - **Administrative modification** – a minor revision to a long-range statewide or metropolitan transportation plan, Transportation Improvement Program (TIP), or Statewide Transportation Improvement Program (STIP) that includes minor changes to project/project phase costs, minor changes to funding sources of previously-included projects, and minor changes to project/project phase initiation dates. An administrative modification is a revision that does not require public review and comment, redemonstration of fiscal constraint, or a conformity determination (in nonattainment and maintenance areas).
 - **Amendment** – a revision to a long-range statewide or metropolitan transportation plan, TIP, or STIP that involves a major change to a project included in a metropolitan transportation plan, TIP, or STIP, including the addition or deletion of a project or a major change in project costs, project/project phase initiation dates, or a major change in design concept or design scope (e.g., changing project termini or the number of through traffic lanes). Changes to projects that are included only for illustrative purposes do not require an amendment. An amendment is a revision that requires public review and comment, redemonstration of fiscal constraint, or a conformity determination (for metropolitan transportation plans and TIPs involving “non-exempt” projects in nonattainment and maintenance areas). In the context of a long-range statewide transportation plan, an amendment is a revision approved by the State in accordance with its public involvement process.