

Section 5 – Consultation and Project Selection Process

Project priorities in this FSTIP are by fiscal year. All projects in the earliest fiscal year are priority one, projects in the next fiscal year are priority two, and so on.

Projects included in this FSTIP are projects proposed for funding under Title 23 of the USC and/or the Federal Transit Act and for which approval is required by the FHWA or the FTA; and non-federally funded projects with regional transportation impacts.

Title 23 CFR, Section 135 requires that projects outside of the metropolitan planning areas on the National Highway System, or pursuant to the bridge and interstate maintenance programs, be selected by the state in consultation with affected local officials.

Projects in the MPO's FTIPs, referenced within this FSTIP, were selected under procedures developed by each MPO. The rural non-MPO projects were selected under several distinct selection processes established under state law - each of which is consistent with federal project selection requirements. The selection processes include the following:

State Transportation Improvement Program (STIP)

The STIP is a five-year planning document adopted every two years by the CTC that commits transportation funds for increasing capacity and improving operations related to rail, mass transportation, local highways, and the state highway system. The STIP consists of two broad programs, the Regional Transportation Improvement Program (RTIP), funded from 75 percent of new STIP funding, and the Interregional Transportation Improvement Program (ITIP), funded from 25 percent of new STIP funding. The RTIP is further subdivided by formula into county shares. The regions nominate RTIP projects to improve transportation in their respective region, while the Department nominates ITIP projects to improve transportation between regions.

Projects selected for the STIP are made without bias between MPO and rural non-MPO areas. STIP projects that fall within an MPO boundary are subsequently included in that MPO's FTIP. Projects falling outside any MPO are specifically listed in this FSTIP as rural non-MPO projects.

In order to develop the STIP, a FE must be prepared to estimate the total federal and state funds reasonably expected to be available over the STIP period. Funding for the new STIP is available only after costs for state operations, state highway maintenance and operations, SHOPP capital, and subventions to local agencies have been funded.

SHOPP

The 2014 FE provides \$2.3 billion per year for the 2014 SHOPP four-year period, including capital outlay support. The 2014 Ten-Year State Highway Operation Protection Program Plan (2013 Plan) estimated the need for the rehabilitation and reconstruction of the aging state highway system at \$8.2 billion per year.

SHOPP projects that fall within an MPO boundary are subsequently included in that MPO FTIP. Projects falling outside any MPO are specifically listed in this FSTIP.

Congestion Mitigation and Air Quality (CMAQ) Improvement Program and Regional Surface Transportation Program (RSTP)

In California, all RSTP funds and other funds that are apportioned by population pursuant to Title 23 Section 133 of the USC are sub-allocated by population to MPOs and RTPAs. CMAQ funds are sub-allocated to MPOs and RTPAs in non-attainment and maintenance areas based on population and severity of pollution. The MPOs and RTPAs make project programming/selections for these programs in consultation with the state and local agencies.

State Managed Programs

Highway Bridge Program funds replacement, rehabilitation, and preventive maintenance of *public highway* bridges over waterways, other topographical barriers, other highways, or railroads when the State and the FHWA determine that a bridge is significantly important and is unsafe because of structural deficiencies, physical deterioration, or functional obsolescence. Reimbursable scopes of work include replacement, rehabilitation, painting, scour countermeasure, low water crossing replacement, ferry service replacement and bridge preventive maintenance. The federal reimbursement rate is 88.53% of the eligible participating project costs.

Highway Safety Improvement Program funds are eligible for work on any public road or publicly owned bicycle/pedestrian pathway or trail, or on tribal lands for general use of tribal members, that corrects or improves the safety for its users. The federal reimbursement rate is 90% of the eligible participating project costs.

High Risk Rural Roads program is to reduce the frequency and severity of collisions on rural roads by correcting or improving hazardous roadway locations or features. The federal reimbursement rate is 90% of the eligible participating project costs.

Safe Routes to School Program goal is to: 1) enable and encourage students in kindergarten through eighth grade (K-8), including students with disabilities, to safely walk and bicycle to school, 2) make walking and bicycling to school a more appealing

mode choice, and 3) facilitate the planning, design, and implementation of projects that will improve safety, environment, and overall quality of life. The federal reimbursement rate is 100% of the eligible participating project costs.

Highway Maintenance Program is a five-year maintenance plan that includes activities that if not performed would result in additional SHOPP costs. It provides funding for preventative maintenance work associated with pavement, bridges, and drainage systems. The maintenance of pavements is managed as two distinctive programs, rehabilitation and maintenance. Pavement rehabilitation improves the facility and is designed to provide an additional ten years of service life. Maintenance activities keep the facility safe and serviceable until rehabilitation is needed.

State/Regional-Local Administered Federal Transit Programs

The FTA, on behalf of the U.S. Secretary of Transportation, allocates annually apportioned funds channeled through several sections of Chapter 53 of the United States Code. FTA also makes the selection of individual projects for some programs, or delegates this responsibility to the governor of each state. The Governor can then delegate to the State Department of Transportation which is the case for California. The Director of Caltrans has further delegated this responsibility to the Division of Rail and Mass Transportation (DRMT). Some responsibilities have been further delegated to local agencies.

49 USC Section 5310

Under MAP-21, large urban Section 5310 (Elderly and Persons with Disabilities program) projects, are selected and prioritized by the planning agencies representing the large urban areas. The small urban and rural projects for Section 5310 are awarded through a statewide competitive application process. The overall federal Section 5310 Program apportionment is split in the following way:

- 60% goes directly to designated recipients in large urban areas greater than 200,000 in population;
- 20% goes to states for small urban areas between 50,000 and 200,000 in population;
- 20% goes to states for rural areas under 50,000 in population.

This formula is adjusted for each state based on census data. The result is the apportionment for each state could be different than the nationwide 60%, 20%, 20% split stated above.

Map-21 expanded the Section 5310 Program to include new project eligibilities. The Section 5310 Program now has two funding tracts. The Traditional funding tract continues to fund capital projects. The expanded funding tract funds includes the funding of operations and mobility management projects. At least 55% of the Section 5310 Program

funds must go to the Traditional projects. No more than 45% of the Section 5310 Program can go to expanded projects.

Note: DRMT can utilize 5% of the Section 5310 Program funds, for which it is the recipient, for administrative costs. All administrative funds are deducted from the expanded funding tract.

A statewide review committee scores small urban and rural applications annually to create a statewide-prioritized list for the competitive program. Small urban and rural projects selected are approved for funding by the California Transportation Commission. Project selection procedures and criteria are described in the Department's State Management Plan at: <http://www.dot.ca.gov/hq/MassTrans/5310.html>.

49 USC Section 5307

Funds available to regions through the Section 5307 Urbanized Area Formula Grants are apportioned by the MPO to the urbanized operators within the region. The selection of individual projects is made by MPO's upon recommendation by their regional transit operators. An operator's short-range transit plan also provides justification for project selection. Operators can use these funds for operating assistance, planning, and capital projects. Under MAP 21, funds used for operating assistance follow these criteria:

- Urban systems that operate 75 or fewer buses in peak service hours, regardless of their population, may flex up to 75 percent of their formula funds to operating.
- Urban systems that operate a minimum of 76 buses and a maximum of 100 buses in peak service hours may flex an amount not to exceed 50 percent of their formula funds to operating.

The DRMT plays a very limited role in the administration of this Program since all funds are passed directly from FTA to the MPO's. DRMT does provide project concurrence to FTA, which is necessary prior to project acceptance in FTA's project control system (TEAM).

49 USC Section 5309

Under MAP 21, the Section 5309 program is now a new starts only rail program. Proposed projects of less than \$75 million in federal assistance, and with less than \$250 million in net capital costs are classified as a small start project. The FTA makes the selection of individual projects from proposals submitted to them directly by urbanized transit operators. The DRMT plays a very limited role (if any) in the administration of this Program since all funds are passed directly from FTA to the grantees.

49 USC Section 5311

The Section 5311 program provides funds for public transportation projects in non-urbanized areas. The Department is the delegated recipient of these funds. The DMT administers and manages the Section 5311 program jointly with the assistance and support of the Caltrans District transit representatives in 11 of the 12 district offices. MAP 21 capped administrative costs used to deliver the program at 10% of the total 5311 apportionment to each state. Each year appropriated funds apportioned to California are distributed in the following manner:

- 70% Regional Apportionment
- 15% Intercity Bus (5311(f))
- 15% (now 10%) Administrative costs

The selection of projects for regional apportionment is made jointly by local transportation planning agencies (MPOs, RTPAs, Council of Governments, and Transportation Commissions) and DMT in cooperation with local transit operators. The selection of projects for the FTA Section 5311(f) intercity bus program is made jointly through a review committee and DRMT. All of the Program's criteria and project selection guidance are described in the State Management Plan at:

<http://www.dot.ca.gov/hq/MassTrans/5311.html>.

49 USC Section 5316

MAP 21 repealed the former Section 5316 Job Access and Reverse Commute (JARC) program and then merged it with the urban 5307 and rural 5311 formula programs. Section 5316 is no longer a free standing program. All prior JARC program criteria that were used to justify planning, capital, and operating costs for JARC eligible transportation projects are now eligible activities under the Section 5307 and/or 5311 programs.

49 USC Section 5317

MAP 21 has repealed the former Section 5317 New Freedom program and combined/merged it with the Section 5310 program. Section 5317 is no longer a free standing program. All prior New Freedom program criteria that were used to justify transportation projects benefitting disabled individuals are now eligible activities under the Section 5310 program.

49 USC Section 5337

Under MAP 21, the Section 5337 State of Good Repair grant program is the former Section 5309 Fixed Guideway Rail Modernization program. Section 5337 authorizes 97.15 percent of its \$2.1 billion dollars in FY 2013 and FY 2014 - split equally, using a formula that is based on an areas share and a vehicle revenue miles/directional route miles share. The remaining 2.85 percent will go to a high-intensity motorbus (HOV or BRT fixed guide way service) State of Good Repair program. The DRMT plays a very limited role (if any) in the administration of this Program since all funds are passed directly from FTA to the local agencies.

49 USC Section 5339

Section 5339 is a grant program authorized by 49 United States Code (U.S.C) Section 5339 as specified under the Federal Reauthorization Moving Ahead for Progress in the 21st Century or "MAP 21". The Program provides capital funding to replace, rehabilitate and purchase buses, vans, and related equipment, and to construct bus-related facilities. FTA apportions a discretionary component and a small urban (population 50,000 to 199,999) formula component to governors of each State annually.

The California State Department of Transportation, Division of Rail and Mass Transportation (DRMT) has been delegated the designated recipient responsibilities by the Governor and is the direct recipient for these funds. In consultation with FTA Region IX, Caltrans DRMT developed the regional apportionment for each region in the small urban areas using the same population formula as FTA Section 5307 (based on the 2010 census data). DRMT administers these funding components to eligible sub-recipients which include: public agencies and private nonprofit organizations engaged in public transportation.

The selection of projects for regional apportionment is made jointly by local transportation planning agencies (MPOs, RTPAs, Council of Governments, and Transportation Commissions) and DRMT in cooperation with local transit operators.

Eligible capital projects include projects to replace, rehabilitate, and purchase buses and related equipment, and projects to construct bus-related facilities. This includes the acquisition of buses for fleet and service expansion, bus maintenance and administrative facilities, transfer facilities, bus malls, transportation centers, intermodal terminals, park-and-ride stations, acquisition of replacement vehicles, bus rebuilds, passenger amenities such as passenger shelters and bus stop signs, accessory and miscellaneous equipment such as mobile radio units, supervisory vehicles, fare boxes, computers, and shop and garage equipment.