

**Metropolitan Transportation Commission
Programming and Allocations Committee**

February 8, 2023

Agenda Item 2b - 23-0042

MTC Resolution No. 4545, Revised

Subject:

2023 Transportation Improvement Program (TIP) Amendment 2023-05.

Background:

The federally required TIP is a comprehensive listing of Bay Area surface transportation projects that receive federal funds, are subject to a federally required action or are regionally significant. As required by state statutes, MTC, as the federally designated Metropolitan Planning Organization (MPO) for the nine-county San Francisco Bay Area Region, must prepare and adopt the TIP every two years. The 2023 TIP, covering the four-year period from FY 2022-23 through 2025-26, was adopted by the Commission on September 28, 2022, and was approved by the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) on December 16, 2022. The 2023 TIP is valid for four years under federal regulations. The TIP may be revised to make necessary changes prior to the next update. The TIP is posted on MTC's website at: <https://mtc.ca.gov/funding/transportation-improvement-program-tip>.

Amendment 2023-05 makes revisions to seven projects with a net funding increase of approximately \$10 million. Among other changes this revision will:

- Update the funding plan of Union City Transit's Electric Bus Procurement Program to reflect the award of \$9.3 million in Federal Transit Administration Low or No Emissions Vehicle Program discretionary funding; and
- Update the funding plans of six projects to reflect past or planned obligations of federal funding or changes in the project schedule.

The 2023 TIP is designed such that, once implemented, it makes progress toward achieving the performance targets established per federal regulations.

The revisions made pursuant to this amendment will not change the air quality conformity finding; therefore, a conformity determination is not required.

The TIP Revision Summary for this amendment is attached (Attachment 1) and is also posted at:
<https://mtc.ca.gov/funding/transportation-improvement-program-tip>.

The TIP public participation process also serves to satisfy the public involvement requirements of the FTA annual Program of Projects for applicable funds.

This amendment will be transmitted to Caltrans after Commission approval; Caltrans will then forward the amendment to FTA and FHWA for final federal agency review and approval.

Issues:

None

Recommendations:

Refer MTC Resolution No. 4545, Revised to the Commission for approval.

Attachments:

- Attachment 1: Summary Report of Amended Projects for TIP Amendment 2023-05
- MTC Resolution No. 4545, Revised



Alix A. Bockelman

**TIP Revision Summary
2023-05**

Attachment 1

TIP ID	Sponsor	Project Name	Description of Change	Funding Change (\$)	Funding Change (%)
System: Local Road					
ALA210014	Fremont	Fremont Blvd/Walnut Ave Protected Intersection	Update the funding plan to reprogram \$1.3M in STP and \$424K in Local funds from FY23 to FY22 to reflect obligation	\$0	0.0%
ALA210015	Fremont	Fremont Blvd-Grimmer Blvd Protected Intersection	Update the funding plan to reprogram \$1.4M in STP and \$472K in Local funds from FY23 to FY22 to reflect obligation	\$0	0.0%
NAP150003	Napa Valley Transportation Authority	Napa Valley Vine Trail Calistoga-St. Helena Seg.	Update the funding plan to reprogram \$2.2M in STP and \$2M in Local funds from FY23 to FY22 to reflect obligation	\$0	0.0%
NAP170006	American Canyon	Green Island Road Class I	Update the funding plan to change the program year and source for \$1M in CON funds from FY27 RTP-LRP to FY24 Local funds	\$0	0.0%
SM-070006	East Palo Alto	US 101 University Ave Interchange Improvements	Update the funding plan to reprogram \$206K in PE HPP, \$26K in PE Local, \$771K in CON HPP and \$4.9M in CON Sales Tax from FY21 to FY23	\$0	0.0%
System: State Highway					
VAR210007	Metropolitan Transportation Commission (MTC)	Bay Bridge Forward Preliminary Engineering	Update the funding plan to reprogram \$12M in CMAQ from FY24 to FY22 to reflect obligation	\$0	0.0%
System: Transit					
ALA190029	Union City Transit	Union City Transit Electric Bus Procurement	Update the funding plan to add \$9.3M in 5339 LoNo funds and \$728K in Local funds and change the program year and source for \$1.6M from FY27 RTP-LRP to FY23 Local	\$10,070,346	100.8%
Total Funding Change:				\$10,070,346	

TIP Revision Summary

	Federal	State	Regional	Local	Total	2023 TIP Only
Current:	\$31,737,600	\$0	\$343,242	\$18,482,080	\$50,562,922	\$19,788,000
Proposed:	\$41,079,946	\$0	\$343,242	\$19,210,080	\$60,633,268	\$18,573,846
Delta:	\$9,342,346	\$0	\$0	\$728,000	\$10,070,346	-\$1,214,154

Date: September 28, 2022
W.I.: 1512
Referred by: PAC
Revised: 12/21/22-C 02/22/23-C

ABSTRACT

Resolution No. 4545, Revised

This resolution adopts the 2023 Transportation Improvement Program (TIP) for the San Francisco Bay Area. Supporting documents as listed in Attachment A.

Subsequent revisions are listed below and described further in Attachment B to this resolution.

Further discussion of the 2023 TIP adoption and subsequent revisions is contained in the Programming & Allocations Committee summary sheets dated September 14, 2022, December, 14, 2022, and February 8, 2023.

2023 TIP Revisions

Revision #	Revision Type	# of Projects	Net Funding Change (\$)	MTC Approval Date	Final Approval Date
2023-01	Admin. Mod.	64	\$436,237,661	01/12/2023	01/12/2023
2023-02	Amendment	35	\$86,051,248	12/21/2022	Pending
2023-03	Admin. Mod	Pending	Pending	Pending	Pending
2023-04	Admin. Mod	Pending	Pending	Pending	Pending
2023-05	Amendment	7	\$10,070,346	02/22/2023	Pending
Net Funding Change		106	\$532,359,255		
Absolute Funding Change			\$532,359,255		

Date: September 28, 2022
W.I.: 1512
Referred by: PAC

Re: Adoption of the 2023 Transportation Improvement Program (TIP)

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 4545

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

WHEREAS, MTC is the federally designated Metropolitan Planning Organization (MPO), pursuant to Section 134(d) of Title 23 of the United States Code (USC) for the nine-county San Francisco Bay Area region (the region); and

WHEREAS, Title 23 Code of Federal Regulations Part 450 (23 CFR §450) requires the region to carry out a continuing, cooperative and comprehensive transportation planning process as a condition to the receipt of federal assistance to develop and update at least every four years, a Transportation Improvement Program (TIP) consisting of a comprehensive listing of transportation projects that receive federal funds or that are subject to a federally required action, or that are regionally significant; and

WHEREAS, Section 65074 of the California Government Code requires all state MPOs to update their TIPs concurrently every even year; and

WHEREAS, the TIP must be consistent with the Regional Transportation Plan (RTP) adopted pursuant to Government Code Section 66508, the State Implementation Plan (SIP) as required by the federal Clean Air Act (42 U.S.C. Section 7401 et seq.); and the San Francisco Bay Area Transportation Air Quality Conformity Protocol (MTC Resolution 3757, Revised), which establish the Air Quality Conformity Procedures for MTC's TIP and RTP; and

WHEREAS, federal regulations (23 CFR §450.326(k)) require that the TIP be financially constrained, by year, to reasonable estimates of available federal and state transportation funds; and

WHEREAS, federal regulations (23 CFR §450.326) require that the TIP be designed such that once implemented, it makes progress toward achieving the performance targets established under §450.306(d) and that the TIP shall include, to the maximum extent practicable, a description of the anticipated effect of the TIP toward achieving the performance targets identified in the metropolitan transportation plan, linking investment priorities to those performance targets; and

WHEREAS, federal regulations (23 CFR §450.316) require that the MPO develop and use a documented public participation plan that defines a process for providing citizens, affected public agencies and interested parties with reasonable opportunities to be involved in the metropolitan transportation planning process; and

WHEREAS, federal regulations (23 CFR §450.332(a)) allow MTC to move projects between years in the first four years of the TIP without a TIP amendment, if Expedited Project Selection Procedures (EPSP) are adopted to ensure such shifts are consistent with the required year by year financial constraints; and

WHEREAS, MTC, the State, and public transportation operators within the region have developed and implemented EPSP for the federal TIP as required by Federal Regulations (23 CFR 450.332(a)) and Section 134 of Title 23 United States Code (USC §134), as outlined in Attachment A to this Resolution, and MTC Resolution 3606, Revised; and

WHEREAS, MTC has found in MTC Resolution No. 4544 that the 2023 TIP, as set forth in this resolution, conforms to the applicable provisions of the SIP for the San Francisco Bay Area; and

WHEREAS, the San Francisco Bay Area air basin was designated by U.S. Environmental Protection Agency as nonattainment for the fine particulate matter (PM_{2.5}) standard in December 2009, and MTC must demonstrate conformance to this standard through an interim emissions test until a PM_{2.5} SIP is approved by the federal Environmental Protection Agency (U.S. EPA); now, therefore be it

RESOLVED, that MTC adopts the 2023 TIP, attached hereto as Attachment A and incorporated herein as though set forth at length; and be it further

RESOLVED, that MTC has developed the 2023 TIP in cooperation with the Bay Area County Transportation Agencies, transit operators, the Bay Area Air Quality Management District (BAAQMD), the California Department of Transportation (Caltrans), and other partner agencies and interested stakeholders, and in consultation with the Federal Highway Administration (FHWA), Federal Transit Administration (FTA), and U.S. EPA; and, be it further

RESOLVED, that the 2023 TIP was developed in accordance with the region's Public Participation Plan and consultation process (MTC Resolution No. 4174, Revised) as required by Federal Regulations (23 CFR §450.316); and, be it further

RESOLVED, that the projects and programs included in the 2023 TIP, attached hereto as Attachment A to this resolution, and incorporated herein as though set forth at length, are consistent with the RTP; and, be it further

RESOLVED, that the 2023 TIP is financially constrained, by year, to reasonable estimates of available federal, state, and local transportation funds; and, be it further

RESOLVED, that the 2023 TIP makes progress toward achieving the performance targets established under §450.306(d); and, be it further

RESOLVED, that MTC approves the EPSP developed by MTC, the State, and public transportation operators within the region for the federal TIP as required by federal regulations (23 CFR 450.332(a)) and Section 134 of Title 23 United States Code (USC §134), as outlined in Attachment A to this Resolution, and MTC Resolution 3606, Revised; and, be it further

RESOLVED, that MTC will support, where appropriate, efforts by project sponsors to obtain letters of no prejudice or full funding agreements from FTA for projects contained in the transit element of the TIP; and, be it further

RESOLVED, that the public participation process conducted for the 2023 TIP satisfies the public involvement requirements of the FTA annual Program of Projects; and, be it further

RESOLVED, that the adoption of the TIP shall not constitute MTC's review or approval of those projects included in the TIP pursuant to Government Code Sections 66518 and 66520, or provisions in federal regulations (49 CFR Part 17) regarding Intergovernmental Review of Federal Programs; and, be it further

RESOLVED, that MTC's review of projects contained in the TIP was accomplished in accordance with procedures and guidelines set forth in the San Francisco Bay Area Transportation Air Quality Conformity Protocol (MTC Resolution 3757, Revised); and, be it further

RESOLVED, that MTC finds that the 2023 TIP conforms to the applicable provisions of the State Implementation Plan (SIP) and the applicable transportation conformity budgets in the SIP approved for the national 8-hour ozone standard and to the emissions test for the national fine particulate matter standard (MTC Resolution No. 4544); and, be it further

RESOLVED, that the projects and programs included in the 2023 TIP do not interfere with the timely implementation of the traffic control measures (TCMs) contained in the SIP; and, be it further

RESOLVED, that MTC finds all regionally significant capacity-increasing projects included in the 2023 TIP are consistent with Plan Bay Area 2050 (the Regional Transportation Plan including the Sustainable Communities Strategy for the San Francisco Bay Area) and, be it further

RESOLVED, that revisions to the 2023 TIP as set forth in Attachment B to this resolution and incorporated herein as though set forth at length, shall be made in accordance with rules and procedures established in the public participation plan and in MTC Resolution No. 4545, and that MTC's review of projects revised in the TIP shall be accomplished in accordance with procedures and guidelines set forth in the San Francisco Bay Area Transportation Air Quality Conformity Protocol (MTC Resolution 3757, Revised) and as otherwise adopted by MTC; and, be it further

RESOLVED, that staff have the authority to make technical corrections, and the Executive Director and Deputy Executive Directors have signature authority to approve administrative modifications for the TIP and Federal Statewide Transportation Improvement Program (FSTIP) under delegated authority by Caltrans, and to forward all required TIP amendments once approved by MTC to the appropriate state and federal agencies for review and approval; and, be it further

RESOLVED, that a copy of this resolution shall be made available upon request to FHWA, the FTA, U.S. EPA, Caltrans, the Association of Bay Area Governments (ABAG), and to such other agencies and local officials as may be appropriate.

METROPOLITAN TRANSPORTATION COMMISSION

A handwritten signature in black ink, consisting of a large, stylized 'A' followed by a long horizontal line extending to the right.

Alfredo Pedroza, Chair

The above resolution was entered into by the Metropolitan Transportation Commission at a regular meeting of the Commission held in San Francisco, California, on September 28, 2022.

Date: September 28, 2022
W.I.: 1512
Referred by: PAC

Attachment A
Resolution No. 4545
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2023 Transportation Improvement Program

The 2023 Transportation Improvement Program (TIP) for the San Francisco Bay Area, adopted September 28, 2022, is comprised of the following, incorporated herein as though set forth at length:

- A Guide to the 2023 TIP for the San Francisco Bay Area
- TIP Overview
- Expedited Project Selection Process
- TIP Revision Procedures
- Financial Capacity Assessments
- County Summaries
- Project Listings
- Appendices
- 2023 TIP Investment Analysis
- 2023 TIP Federal Performance Report

Revisions to the 2023 Transportation Improvement Program

Revisions to the 2023 Transportation Improvement Program (TIP) will be included as they are approved.

Revision 2023-01 is an administrative modification that revises 64 projects with a net funding increase of approximately \$436 million. The revision was approved into the Federal-Statewide TIP by the Deputy Executive Director on January 12, 2023. Among other changes, this revision:

- Updates the funding plan of the Transit Preventive Maintenance group listing to program \$7 million in Surface Transportation Block Grant (STP) funding and updates thirty-three projects to include changes in Surface Transportation Block Grant Program/Congestion Mitigation and Air Quality Improvement Program (CMAQ) funding that reflect planned obligations, actual obligations, and programming decisions;
- Updates the funding plans of nine individually listed projects to reflect the latest programming decisions in the Transit Capital Priorities (TCP) Program;
- Updates the funding plan of the Napa Valley Transportation Authority's Rolling Stock Replacement project to reflect the award of \$6.3 million in Federal Transit Administration (FTA) discretionary funding;
- Updates the funding plans and back-up listings of six State Highway Operation and Protection Program (SHOPP) funded group listings to reflect the latest information from Caltrans;
- Updates the funding plan and back-up listing of the Local Highway Bridge Program (HBP) to reflect the latest programming changes;
- Carries over six individual listed FTA funded projects and one FTA funded group listing from the 2021 TIP with no change in the scope, schedule, or funding;
- Updates the funding plans of two projects to reflect programming changes in the Active Transportation Program (ATP) and State Transportation Improvement Program (STIP); and
- Updates the funding plan of the SR 37 Interim Project – Sears Point to Mare Island project to reflect the programming of the National Highway Performance Program (NHPP) and STP funds.

The administrative modification is financially constrained by year and MTC relies on the State's programming capacity in the amount of \$346 million in SHOPP funds, \$112.5 million in HBP funds, \$1.6 million in Proposition 1B funds, \$7 million in ATP funds, \$3 million in RIP-COVID21 funds, \$9 million in Road Repair and Accountability Act (SB1) funds, \$27,100 in repurposed earmark funds, \$460,000 in Community Project Funding/Congressionally Directed Spending (CPFCDS), \$17 million in NHPP funds, \$8.5 million in FTA-COVID relief funds and \$22 million in FTA discretionary funding. MTC's 2023 TIP, as revised with Revision No. 2023-01, remains in conformity with the applicable State Implementation Plan (SIP) for air quality and

Attachment B
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the revision does not interfere with the timely implementation of the Transportation Control Measures contained in the SIP.

Revision 2023-02 is an amendment that revises 35 projects with a net funding increase of approximately \$86 million. The revision was referred by the Programming and Allocations Committee on December 14, 2022, and approved by the MTC Commission on December 21, 2022. Caltrans approval was received on January 9, 2023, and final federal approval is also expected in January. Among other changes, this revision:

- Amends three new Surface Transportation Block Grant Program/Congestion Mitigation and Air Quality Improvement Program (STP/CMAQ) funded projects into the TIP, carry's forward one existing STP funded project from the 2021 TIP, and updates the funding plans of 21 STP/CMAQ funded projects to reflect recent obligations and programming decisions;
- Amends one new project into the TIP and updates the funding plan of one existing project to reflect changes in the Transit Capital Priorities Program; and
- Adds three new projects to reflect awards of Community Project Funding grants, repurposed earmark funds, and other federal programs.

Changes made with this revision do not affect the air quality conformity finding or conflict with the financial constraint requirements.

Revision 2023-03 is a pending administrative modification.

Revision 2023-04 is a pending administrative modification.

Revision 2023-05 is an amendment that revises seven projects with a net funding increase of approximately \$10 million. The revision was referred by the Programming and Allocations Committee on February 8, 2023, and approved by the MTC Commission on February 22, 2023. Caltrans approval is expected in March, and final federal approval is expected in April. Among other changes, this revision:

- Updates the funding plan of Union City Transit's Electric Bus Procurement Program to reflect the award of \$9.3 million in Federal Transit Administration Low or No Emissions Vehicle Program discretionary funding; and
- Updates the funding plans of six projects to reflect past or planned obligations of federal funding or changes in the project schedule.

Changes made with this revision do not affect the air quality conformity finding or conflict with the financial constraint requirements.