



METROPOLITAN
TRANSPORTATION
COMMISSION

Bay Area Metro Center
375 Beale Street
San Francisco, CA 94105
TEL 415.778.6700
WEB www.mtc.ca.gov

Memorandum

TO: Commission

DATE: July 26, 2017

FR: Executive Director

RE: Federal Earmark Repurposing

Background

At the July Programming and Allocations Committee meeting, Commissioners received an information item describing a provision included in the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2017 that enables States to repurpose unspent earmark balances.

As described in the Committee summary sheet (Attachment 1), to be eligible for repurposing to another project, an earmark must be at least ten years old and either less than 10% obligated or completed and closed out. Repurposed funds can be directed to any new or existing project that is eligible to receive Surface Transportation Block Grant Program (STBGP) funds, and within 100 miles of the originally designated earmark.

Updated Information and Recommendation

On July 18, 2017 Caltrans posted the official list of earmarks eligible for repurposing, including the fund balance available on each earmark. Within the Bay Area, there is approximately \$2.8 million in unspent earmark apportionment and obligation authority that are readily available for repurposing, as noted in the table below.

Earmarks Available for Repurposing

Sponsor	Earmark Description	Balance Available	Notes
ACTC	Install emergency vehicle preemption equipment along major arterials in the I- 880 corridor, Alameda County	\$20,975	Project completed and closed.
ACTC/San Leandro	Replace 880 overpass at Davis St. in San Leandro	\$539,940	Earmark has not yet obligated, and is eligible for repurposing. MTC staff is working with project sponsors to discuss status of the project.

Earmarks Available for Repurposing (Continued)

Sponsor	Earmark Description	Balance Available	Notes
Hayward	Upgrade Industrial Parkway Southwest between Whipple Rd. and improved segment of the parkway, Hayward	\$389	Project completed and closed.
Menlo Park	Modifies 9 traffic signals between Willow Road and Middlefield Road and Hamilton Avenue, Menlo Park	\$14,126	Project completed and closed.
SFDPW	Implement SFgo Van Ness Corridor Improvements	\$561	Project completed and closed.
San Jose	Coyote Creek Trail Project- Story Road to Montague Expressway	\$1,799,800	Earmark has not yet obligated, and is eligible for repurposing. MTC staff is working with project sponsor to discuss status of the project.
Santa Clara County	Oregon-Page Mill expressway Improvements between U.S. 101 and SR 82, Palo Alto	\$33,754	Project completed and closed.
Solano County	Construct I-80 HOV lanes and interchange in Vallejo	\$424,212	Project completed and closed.
Total Available for Repurposing:		\$2,833,756	

Caltrans has requested that Regional Transportation Planning Agencies (RTPAs) throughout the State coordinate with project sponsors to develop and submit a regional repurposing recommendation by August 18, 2017.

Given the extremely short timeline, as well as a consideration that the two incomplete Bay Area projects appear to be active and moving forward, staff recommends that the Commission authorize the Executive Director to coordinate with project sponsors and the relevant Congestion Management Agencies to develop a repurposing recommendation for the region, and submit the recommendation to Caltrans no later than August 18, 2017. It is ultimately the State's decision on how to repurpose the earmarks.



Steve Heminger

Attachments: Attachment 1. Federal Earmark Repurposing, PAC Agenda Item 2h

Metropolitan Transportation Commission Programming and Allocations Committee

July 12, 2017

Agenda Item 2h

Federal Earmark Repurposing

Subject: Potential projects to receive Federal Highway Administration (FHWA) repurposed earmark funds under the earmark repurposing provision of the Consolidated Appropriations Act, 2017.

Background: Section 422 of the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2017 (P.L. No. 115-31) includes a provision that enables States to repurpose earmarks that were appropriated or authorized to be appropriated on or before September 30, 2006 and are completed and closed.

Repurposed funds can be directed to any new or existing project that is eligible to receive Surface Transportation Block Grant Program (STBGP) funds. The project must also be located within 100 miles of the original earmark designation in the State.

Bay Area Repurposed Earmarks (the “*from*” list)

At this time, MTC has not received a list of potential eligible earmarks for repurposing. We expect to receive guidance and a potential project list from Caltrans within the next couple weeks. Upon receipt of this list, Staff will work with project sponsors and Caltrans to identify specific earmarked funds to be repurposed. It is expected that the list will be much shorter than the 2016 list as most large projects/balances were considered then; however that cannot be confirmed until we receive the list.

Bay Area Projects to Receive Repurposed Funds (the “*to*” list)

For the next step in the process, Caltrans requests regions to submit a recommended list of projects to receive repurposed funds (or the projects *to* which the earmark funds will be directed). Staff will work with project sponsors to develop this list.

Depending on when MTC receives the “from” list from Caltrans, both of these lists may be presented to the Commission at the July 26, 2017 meeting for review and approval. After approval, staff will forward the lists to Caltrans to be included in the State’s submission to FHWA. The final complete list of projects is due to FHWA Headquarters by September 12, 2017.

Issues: (1) **Regional Role:** Although staff will work closely with Caltrans throughout the process, federal law gives the repurposing authority solely to the States.

(2) **Implementation Issues:** Project sponsors must submit required forms to Caltrans by a yet-to-be-announced date, in order to proceed with the next steps of the repurposing process. Repurposed funds must be fully obligated by September 30, 2020. Additionally, once repurposed onto a new project, the earmark funds cannot be repurposed again.

Recommendation: None. Information only.

Attachments: None