

## Metropolitan Transportation Commission Programming and Allocations Committee

July 8, 2020

Agenda Item 2g - 20-0976

### FFY 2019-20 Federal Earmark Repurposing

**Subject:** Potential projects to receive Federal Highway Administration (FHWA) repurposed earmark funds under the earmark repurposing provision of the Department of Transportation Appropriations Act, 2020.

**Background:** The Department of Transportation Appropriations Act, 2020 includes a provision enabling states to repurpose earmarks that were appropriated or authorized to be appropriated on or before September 30, 2009 and are completed and closed, or that otherwise have not substantially progressed (less than 10% of the earmark funds have been obligated).

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 25 miles of the original earmark designation in the state.

This is the fifth consecutive year states have been authorized to repurpose unused earmark balances. To date, more than \$32 million in unspent earmark balances have been repurposed and put to use on projects in the Bay Area.

#### **Earmarks Available for Repurposing**

On June 15, 2020, Caltrans released the list of earmarks that are eligible for repurposing, totaling approximately \$32 million statewide. Within the Bay Area, \$1.8 million in earmark balances are currently available for repurposing (Table 1).

**Table 1. Earmarks Available for Repurposing**

Sponsor	Earmark Description	Balance
Dixon	Dixon: Xing, Rio Vista Bypass Studies - PE Demo	\$17,489
STA	Rio Vista Bridge Realignment Study and Street Sign Safety Program	\$81,047
Solano County	Construct I-80 HOV lanes and interchange in Vallejo	\$26,573
Solano County	Undertake Cordelia Hill Sky Valley transportation enhancement project, including upgrade of pedestrian and bicycle corridors, Solano	\$427,693*
Healdsburg	Healdsburg Pedestrian and Bicycle Path, California	\$36,831
SF DPW	Implement San Francisco Street Imps. Program	\$70,627
WETA	Berkeley/Albany Ferry Service in CA - vessel and terminal construction	\$475,000
WETA	Berkeley/Albany Ferry, Alameda & San Francisco Counties - construction of a ferry terminal in the Berkeley/Albany area and construction of ferry vessels to operate in ferry service between Berkeley/Albany and San Francisco	\$642,346
<b>Total</b>		<b>\$1,777,605</b>

\*Note: Earmark balance is not yet eligible for repurposing, however it is anticipated to become eligible in time for this cycle of repurposing.

### Recommendation for Projects to Receive Repurposed Funds

Caltrans has requested regions to submit a recommended list of projects, if any, to receive repurposed funds (the projects to which the earmark funds will be directed) by August 14, 2020. Staff worked with project sponsors and County Transportation Agencies (CTAs) to verify the status of projects associated with the abovementioned earmarks. In response to the requests from CTAs and sponsors, staff recommends the Commission forward the following earmark balance(s) to Caltrans for repurposing to a new project(s) as identified below (Table 2). Projects in Table 3 are not to be repurposed; funds are to remain committed to the respective projects with the expectation that they can be delivered in the near-term.

**Table 2. MTC Earmark Repurposing Recommendation**

Sponsor	Earmark Description	Balance	MTC Recommendation
STA	Rio Vista Bridge Realignment Study and Street Sign Safety Program	\$81,047	Repurpose to: <b>STA, Jepson: Leisure Town Rd</b>
Solano County	Undertake Cordelia Hill Sky Valley transportation enhancement project, including upgrade of pedestrian and bicycle corridors, Solano	\$427,693*	Repurpose to: <b>Solano County, Redwood-Fairgrounds Dr I/C Imps.</b>
Healdsburg	Healdsburg Pedestrian and Bicycle Path, California	\$36,831	Repurpose to: <b>Healdsburg, Healdsburg Ave Complete Streets</b>
SF DPW	Implement San Francisco Street Improvements Program	\$70,627	Repurpose to: <b>SF DPW, Better Market Street</b>
WETA	Berkeley/Albany Ferry Service - vessel and terminal construction	\$475,000	Repurpose to: <b>WETA, Replace Ferry Vessels</b> Total: \$1,117,346
WETA	Berkeley/Albany Ferry, Alameda and San Francisco Counties - construction of a ferry terminal in the Berkeley/Albany area and construction of ferry vessels to operate in ferry service	\$642,346	
<b>Repurposing Recommendation Total:</b>		<b>\$1,733,543</b>	

\*Note: Earmark balance is not yet eligible for repurposing, is anticipated to become available in time for this cycle of repurposing.

**Table 3. Remaining Bay Area Earmark Balances - Do Not Repurpose** (shown for informational purposes only)

Sponsor	Earmark Description	Balance	MTC Recommendation
Dixon	Dixon: Xing, Rio Vista Bypass Studies	\$17,489	Do not repurpose; ineligible for repurposing as earmark is associated with an active project
Solano County	Construct I-80 HOV lanes and interchange in Vallejo	\$26,573	Do not repurpose; funds are programmed to Redwood-Fairgrounds Dr. Interchange Improvements and will obligate in FY20-21

### Issues:

This repurposing recommendation is based on the latest available project information from Caltrans. Should earmark balances change following

Commission action on this item, staff will work with Caltrans, CTAs, and project sponsors to ensure that Bay Area earmarks are repurposed consistent with this recommendation.

Federal regulations require repurposed funds to be fully obligated within three fiscal years of repurposing, or September 30, 2023 for this year's repurposing effort. To reduce the risk of funds being lost to the region, and consistent with MTC's Project Delivery Policy (MTC Resolution No. 3606), Bay Area sponsors are required to fully obligate any repurposed earmark balances one year in advance of federal deadlines. Additionally, once repurposed onto a new project, the earmark funds cannot be repurposed again.

**Recommendation:** Refer for approval to the Commission the recommended projects to receive repurposed earmark funds (Table 2 above) and direct staff to submit the recommendation to Caltrans.

**Attachments:** None.

  
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