

C/CAG

CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY

*Atherton • Belmont • Brisbane • Burlingame • Colma • Daly City • East Palo Alto • Foster City • Half Moon Bay • Hillsborough • Menlo Park
Millbrae • Pacifica • Portola Valley • Redwood City • San Bruno • San Carlos • San Mateo • San Mateo County • South San Francisco • Woodside*

1:15 p.m., Thursday, July 19, 2012
San Mateo County Transit District Office¹
1250 San Carlos Avenue, Second Floor Auditorium
San Carlos, California

TECHNICAL ADVISORY COMMITTEE (TAC) AGENDA

- | | | | |
|----|---|---------------|--------------|
| 1. | Public comment on items not on the Agenda (presentations are customarily limited to 3 minutes). | Porter/Hurley | No materials |
| 2. | Issues from the last C/CAG Board meeting: <ul style="list-style-type: none">• Approved – Agreement with MTC for Transportation Planning, Programming, and Transportation/Land Use Coordination for FY13 to FY16 (\$2,673,000)• Approved – Agreement with County of San Mateo for RMCP Committee and Task Force staffing for FY13 (\$50,000)• Approved – Agreement with EOA for services to support Countywide WPPP for FY13 (\$1,686,360)• Approved – Agreement with BAAQMD for FY13 TFCA Program (\$1,037,781.01)• Approved – Agreements with the Alliance for TFCA and CRP for Countywide Voluntary Trip Reduction and Regional Ridesharing/Bicycling Programs (aggregate \$1,225,600)• Approved – Agreement with SamTrans for TFCA Program for shuttle services (\$554,400)• Approved – Agreements with CSG Consultants and Advanced Project Delivery for on-call project coordination services (total \$200,000)• Approved – Amend. No. 1 of the Congestion Relief Plan• Approved – C/CAG 2012-13 Program Budget and Fees• Approved – Project list under the C/CAG and SMCTA Shuttle Program for FY13 & FY14 and agreements with Menlo Park and County of San Mateo (combined \$787,871) | Hoang | No materials |
| 3. | Approval of the Minutes from May 17, 2012 | Hoang | Page 1-3 |
| 4. | Presentation on the MTC One Bay Area Grant: Complete Streets Required Elements (Information) | Co (MTC) | Page 4-15 |
| 5. | Review and Recommend Approval of the AB 1546 (\$4 Vehicle Registration Fee) Countywide Traffic Congestion Management Fund Expenditure Plan (Action) | Hoang | Page 16-20 |
| 6. | Receive Information on Regional Water Quality Control Board Staff Comments and Associated BASMAA Response Regarding Trash Submittals (Information) | Fabry | Page 21-37 |
| 7. | Review and Recommend Approval of a Draft Proposal to Distribute Accumulated \$4 Vehicle License Funds for Stormwater Pollution Prevention Programs (Action) | Fabry | Page 38-43 |
| 8. | Discussion of the MTC adopted “OneBayArea Grant (OBAG) – Cycle 2 STP/CMAQ Funding” program and review and recommend approval of the | Higaki | Page 44-82 |

¹ For public transit access use SamTrans Bus lines 390, 391, 292, KX, PX, RX, or take CalTrain to the San Carlos Station and walk two blocks up San Carlos Avenue. Driving directions: From Route 101 take the Holly Street (west) exit. Two blocks past El Camino Real go left on Walnut. The entrance to the parking lot is at the end of the block on the left, immediately before the ramp that goes under the building. Enter the parking lot by driving between the buildings and making a left into the elevated lot. Follow the signs up to the levels for public parking.

State Local Partnership Program (SLPP) fund exchange for OBAG Surface Transportation Program (STP) funds (Action)

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|-----|--|--------|--------------|
| 9. | Provide Feedback on Draft Request for Proposals for Technical Consulting Services Supporting a Countywide Funding Initiative for Stormwater Compliance Activities (Action) | Fabry | Page 83-92 |
| 10. | Regional Project and Funding Information (Information) | Higaki | Page 93-107 |
| 11. | Executive Director Report | Napier | No materials |
| 12. | Member Reports | All | |

2012 TAC Roster and Attendance					
Member	Agency	Feb	Mar	Apr	May
Jim Porter (Co-Chair)	San Mateo County Engineering	x	x	x	x
Joseph Hurley (Co-Chair)	SMCTA / PCJPB / Caltrain	x	x	x	x
Afshin Oskoui	Belmont Engineering	x	x	x	x
Randy Breault	Brisbane Engineering	x	x	x	x
Syed Murtuza	Burlingame Engineering	x		x	x
Bill Meeker	Burlingame Planning		x		
Lee Taubeneck	Caltrans			x	x
Sandy Wong	C/CAG	x	x	x	x
Robert Ovardia	Daly City Engineering	x	x	x	x
Tatum Mothershead	Daly City Planning	x	x	x	
Ray Towne	Foster City Engineering	x	x	x	x
Mo Sharma	Half Moon Bay Engineering	x	x	x	x
Chip Taylor	Menlo Park Engineering	x	x	x	x
Ron Popp	Millbrae Engineering	x		x	x
Van Ocampo	Pacifica Engineering	x	x	x	x
Peter Vorametsanti	Redwood City Engineering	x	x	x	x
Klara Fabry	San Bruno Engineering	x	x		x
Larry Patterson	San Mateo Engineering		x	x	x
Steve Monowitz	San Mateo County Planning	x			x
Dennis Chuck	South San Francisco Engineering	x	x	x	x
Gerry Beaudin	South San Francisco Planning	n/a	n/a	n/a	x
Paul Nagengast	Woodside Engineering	x	x	x	x
Kenneth Folan	MTC				

**TECHNICAL ADVISORY COMMITTEE (TAC)
FOR THE
CONGESTION MANAGEMENT PROGRAM (CMP)**

**May 17, 2012
MINUTES**

The meeting of the Technical Advisory Committee (TAC) was held in the SamTrans Offices, 1250 San Carlos Avenue, San Carlos, Auditorium. Co-chair Porter called the meeting to order at 1:15 p.m. on Thursday, May 17, 2012.

TAC members attending the meeting are listed on the Roster and Attendance on the preceding page. Others attending the meeting were: Jim Bigelow – CCAG CMEQ; Rich Napier – C/CAG; Jean Higaki – C/CAG; John Hoang – C/CAG; Tom Madalena – C/CAG; Celia Chung – SMCTA; Paul Krupka – Krupka Consulting; and others attendees

1. Public comment on items not on the agenda.

Jim Bigelow spoke about the status of the High Speed Rail project and informing the TAC that the current plan under consideration by the State is the “blended system”.

2. Issues from the last C/CAG meeting.

John Hoang highlighted that the Board approved an amendment to the Measure M Implementation Plan that enables MRP compliance activities as and eligible item for the countywide program as well as reimbursable expenses for jurisdictions. Co-Chair Hurley also mentioned that new TAC member Gerry Beaudin will be joining the meeting.

3. Approval of the Minutes from April 19, 2012.

Approved.

4. Receive the Initial Draft Assumptions and Input on the C/CAG FY 2012-13 Program Budget and Fees (*This item was presented out of order after Item 7*)

Sandy Wong indicated that there were some updates on the population figures that will be made to the final calculations of the member fees. It was suggested that the fee information transmitted to the jurisdictions be stated in a clearer manner as to the fund source information being requested. It would be helpful if the total assessment amount is shown together instead of in separate tables. The difference in population figures for the C/CAG fees and NPDES member assessments should be clarified. Clarification was made that the Trip Generation % used of the Congestion Relief Program (CRP) is from 2010. Overall, there are no changes to the fees. The action was that the budget was received by the TAC.

5. Status of the MTC “OneBayArea Grant – Cycle 2 STP/CMAQ Funding” Proposal

Jean Higaki presented the latest revised information on the OneBayArea Grant emphasizing MTC’s Complete Street Requirement resolution requirements and the Housing Element. San Mateo County still has a 70% PDA requirements. Obligation deadline date has been moved up. Discussions were as follows:

- Full allocation of funds to the County over the 4 years will be \$26M
- Cycle 1 commitments of \$6M is already made
- C/CAG will need to define proximate access to PDA. It was suggested that a subcommittee be established to define access to PDA criteria. Volunteers for the subcommittee included Robert Ovadia, Larry Patterson, and Randy Breault.

6. Review and recommend approval of the project list for funding under the C/CAG and San Mateo County Transportation Authority Shuttle Program for FY 2012/13 Y FY 2013/14

Tom Madalena presented the results of the call for projects indicating that there are still a few projects that are still under consideration but required additional information from the project sponsors before award will be made. Questions and discussions were as follows:

- The unused funds from both C/CAG and the TA will roll over to the next cycle call for projects.
- The evaluation panel reviews the applications and will work with project sponsors to in making recommendations on improvements of routes
- It was suggested that any eligible costs associated with the shuttle should be clearly defined
- In the future, project sponsors should work with SamTrans early on in the process to determine potential issues with duplication of services

Motion was to approve the project list and any route still under consideration that will be recommended by the Evaluation Panel. It was recommended that staff bring back the complete project list as an information item.

7. Kickoff Meeting: Measure A Highway Call for Projects

Celia Chung announced that the Kickoff meeting will be held at 3:00 p.m. today.

8. Regional Project and Funding Information

Jean Higaki handed out information on training opportunities for the fed aid process, call for projects for the Caltrans safety program (deadline July 20, 2012), and the Caltrans' online accounting system for local program payments.

9. Executive Director Report

Sandy Wong, Deputy Director, stated that final approval of the OneBayArea Grant will be at 7 p.m. tonight. Rich Napier, Executive Director, indicated that an updated spreadsheet for the General Fund gas tax calculations was sent to the jurisdictions. Napier indicated that the Measure M can be used to pay for the CRP fees. Populations were updated to 1/1/2011 figures and there negligible difference in the fees. Trip generation will be updated next year to correlate better with population.

Napier indicated that staff will propose that members that participate in the AVA program be distributed funds from the reserve. The Airport Land Use plan for San Francisco document has been released and a final will be submitted to the Airport Land Use Committee for approval. Next up will be the airports in Half Moon Bay and San Carlos.

Napier reiterated that regarding the OneBayArea Grant, Cycle 2 commitments for San Mateo County projects will be met. C/CAG staff will continue to work with MTC to address issues and concerns.

10. Member Reports

None.

End of Meeting at 2:40 p.m.



**METROPOLITAN
TRANSPORTATION
COMMISSION**

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Memorandum

TO: Partnership Jurisdictions Expecting to Receive
OBAG Funding

DATE: July 16, 2012

FR: Sean Co

RE: One Bay Area Grant: Complete Streets Required Elements

The One Bay Area Grant (OBAG) Complete Streets requires agencies to incorporate the elements listed in Attachment A into a council/board of supervisors-adopted resolution by January 31, 2013. Jurisdictions are encouraged to develop the best policy that fits within the context of their local area in consultation with affected departments and stakeholders and to go beyond the required elements to accommodate all users of the roadway network. Language in the elements is general to allow jurisdictions the flexibility they need to develop their own policy. For example there are no specific exceptions for complete streets in the MTC requirements so agencies can define their own. Jurisdictions may also meet this requirement by having adopted a General Plan that complies with the California Complete Streets Act of 2008.

For the next round of One Bay Area Grants (anticipated in 2015), the OBAG program will require jurisdictions to update the circulation element of their general plan consistent with the Complete Streets Act to maintain eligibility for these funds.

To assist agencies in developing their own resolution, MTC with assistance from [ChangeLab Solutions](#), has developed a sample resolution of support. Jurisdictions are encouraged to adapt the elements and language of the sample resolution to meet their own circumstances and plans. This sample resolution is included as Attachment B. As an example of sample language of an adopted complete streets policy, the City of Baldwin Park's policy is included as Attachment C.

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**Attachment A:
Elements Required of a Complete Streets Resolution to Comply with the One Bay Area Grant
(Revised July 1, 2012)**

To receive funding through the OneBayArea Grant (OBAG) program, a jurisdiction must have either updated its General Plan to comply with the Complete Streets Act of 2008 or adopted a Complete Streets Resolution that incorporates all nine of the following elements.

Complete Streets Principles

1. **Serve all Users** - All transportation improvements will be planned, designed, constructed, operated and maintained to support safe and convenient access for all users, and increase mobility for walking, bicycling and transit use, wherever possible while promoting safe and accessible operations for all users.
2. **Context Sensitivity** – The planning and implementation of transportation projects will reflect conditions within and surrounding the project area, whether the area is a residential or business district or urban, suburban or rural. Project planning, design and construction of complete streets projects should include working with residents and merchants to ensure that a strong sense of place is maintained.
3. **Complete Streets in all Departments** – All departments in the jurisdiction whose work affects the roadway must incorporate a complete streets approach into the review and implementation of their projects and activities. Potential Complete Streets opportunities could apply to projects such as, transportation projects, road rehabilitation, new development, utilities, etc.
4. **All Projects/Phases** - The policy will apply to all roadway projects including those involving new construction, reconstruction, retrofits, repaving, rehabilitation, or changes in the allocation of pavement space on an existing roadway, as well as those that involve new privately built roads and easements intended for public use.

Implementation

5. **Plan Consultation** –Any proposed improvements should be evaluated for consistency with all local bicycle, pedestrian and /or trans plans and any other plans that affect the right of way should be consulted for consistency with any proposed improvements.
6. **Street Network/Connectivity** - The transportation system should provide a connected network of facilities accommodating all modes of travel. This includes looking for opportunities for repurposing rights-of-ways to enhance connectivity for cyclists, pedestrians and transit users. A well connected network should include non-motorized connectivity to schools, parks, commercial areas, civic destinations and regional non-motorized networks on both publically owned roads/land and private developments (or redevelopment areas).
7. **BPAC Consultation** - Input shall be solicited from local bicycle and pedestrian advisory committees (BPACs) or similar advisory group in an early project development phase to verify bicycling and pedestrian needs for projects. (MTC Resolution 875 requires that cities of 10,000 or more create and maintain a BPAC or rely on the county BPAC to receive TDA-3 funds.)
8. **Evaluation** – City will establish a means to collect data and indicate how the jurisdiction is evaluating their implementation of complete streets policies. For example tracking the number of miles of bike lanes and sidewalks, numbers of street crossings, signage etc.

Exceptions

9. **Process**– Plans or projects that seek exemptions from the Complete Streets approach outlined in prior sections must provide written finding of why accommodations for all modes were not included in the project. The memorandum should be signed off by the Public Works Director or equivalent high level staff person. Plans or projects that are granted exceptions must be made publically available for review.

Federal guidance on exceptions can be found from the Federal Highway Administration (FHWA) Accommodating Bicycle and Pedestrian Travel
http://www.fhwa.dot.gov/environment/bicycle_pedestrian/guidance/design_guidance/design.cfm

Attachment B:
Sample MTC Complete Streets Sample Resolution
for Bay Area Cities and Counties

ChangeLab Solutions & MTC
<http://changelabsolutions.org/>

Resolution No. _____

**A RESOLUTION OF THE [City Council/Board of Supervisors] OF THE [Jurisdiction] ADOPTING
A COMPLETE STREETS POLICY**

WHEREAS, the term “Complete Streets” describes a comprehensive, integrated transportation network with infrastructure and design that allows safe and convenient travel along and across streets for all users, including pedestrians, bicyclists, persons with disabilities, motorists, movers of commercial goods, users and operators of public transportation, seniors, children, youth, and families [*insert other significant local users if desired, e.g. drivers of agricultural vehicles, emergency vehicles, or freight*];

WHEREAS, [Jurisdiction] acknowledges the benefits and value for the public health and welfare of reducing vehicle miles traveled and increasing transportation by walking, bicycling, and public transportation;

WHEREAS, [Jurisdiction] recognizes that the planning and coordinated development of Complete Streets infrastructure provides benefits for local governments in the areas of infrastructure cost savings; public health; and environmental sustainability;

WHEREAS, the State of California has emphasized the importance of Complete Streets by enacting the California Complete Streets Act of 2008 (also known as AB 1358), which requires that when cities or counties revise general plans, they identify how they will provide for the mobility needs of all users of the roadways, as well as through Deputy Directive 64, in which the California Department of Transportation explained that it “views all transportation improvements as opportunities to improve safety, access, and mobility for all travelers in California and recognizes bicycle, pedestrian, and transit modes as integral elements of the transportation system”;

WHEREAS, the California Global Warming Solutions Act of 2006 (known as AB 32) sets a mandate for the reduction of greenhouse gas emissions in California, and the Sustainable Communities and Climate Protection Act of 2008 (known as SB 375) requires emissions reductions through coordinated regional planning that integrates transportation, housing, and land-use policy, and achieving the goals of these laws will require significant increases in travel by public transit, bicycling, and walking;

WHEREAS, numerous California counties, cities, and agencies have adopted Complete Streets policies and legislation in order to further the health, safety, welfare, economic vitality, and environmental well-being of their communities;

WHEREAS, [Jurisdiction] therefore, in light of the foregoing benefits and considerations, wishes to improve its commitment to Complete Streets and desires that its streets form a comprehensive and integrated transportation network promoting safe, equitable, and convenient travel for all users while preserving flexibility, recognizing community context, and using the latest and best design guidelines and standards;

NOW, THEREFORE, BE IT RESOLVED, by the [City Council/Board of Supervisors] of [Jurisdiction], State of California, as follows:

1. That the [Jurisdiction] adopts the Complete Streets Policy attached hereto as Exhibit A, and made part of this Resolution, and that said exhibit is hereby approved and adopted.

2. That the next substantial revision of the [Jurisdiction] General Plan circulation shall incorporate Complete Streets policies and principles consistent with the California Complete Streets Act of 2008 (AB 1358) and with the Complete Streets Policy adopted by this resolution.

PASSED AND ADOPTED by the [City Council/Board of Supervisors] of the [Jurisdiction], State of California, on _____, 201_, by the following vote:

Attachment: Exhibit A

SAMPLE

Exhibit A

This Complete Streets Policy was adopted by Resolution No. _____ by the [City Council/Board of Supervisors] of the [Jurisdiction] on _____, 201_.

COMPLETE STREETS POLICY OF [JURISDICTION]

A. Complete Streets Principles

- 1. Complete Streets Serving All Users.** [Jurisdiction] expresses its commitment to creating and maintaining Complete Streets that provide safe, comfortable, and convenient travel along and across streets (including streets, roads, highways, bridges, and other portions of the transportation system) through a comprehensive, integrated transportation network that serves all categories of users, including pedestrians, bicyclists, persons with disabilities, motorists, movers of commercial goods, users and operators of public transportation, seniors, children, youth, and families [*insert other significant local users if desired, e.g. drivers of agricultural vehicles, emergency vehicles, freight, etc.*].
- 2. Context Sensitivity.** In planning and implementing street projects, departments and agencies of [Jurisdiction] shall maintain sensitivity to local conditions in both residential and business districts as well as urban, suburban, and rural areas, and shall work with residents, merchants, and other stakeholders to ensure that a strong sense of place ensues. Improvements that will be considered include sidewalks, shared use paths, bicycle lanes, bicycle routes, paved shoulders, street trees and landscaping, planting strips, accessible curb ramps, crosswalks, refuge islands, pedestrian signals, signs, street furniture, bicycle parking facilities, public transportation stops and facilities, transit priority signalization, and other features assisting in the provision of safe travel for all users, such as traffic calming circles, transit bulb outs, and road diets [*as well as other features such as insert other accommodations if desired*] [*and those features identified in insert name of Pedestrian/Bicycle Master Plan if it exists*].
- 3. Complete Streets Routinely Addressed by All Departments.** All relevant departments and agencies of [Jurisdiction] shall work towards making Complete Streets practices a routine part of everyday operations, approach every relevant project, program, and practice as an opportunity to improve streets and the transportation network for all categories of users, and work in coordination with other departments, agencies, and jurisdictions to maximize opportunities for Complete Streets, connectivity, and cooperation. The following projects provide opportunities: pavement resurfacing, restriping, accessing above and underground utilities, signalization operations or modifications, and maintenance of landscaping/related features.
- 4. All Projects and Phases.** Complete Streets infrastructure sufficient to enable reasonably safe travel along and across the right of way for each category of users shall be incorporated into all planning, funding, design, approval, and implementation processes for any construction, reconstruction, retrofit, maintenance, operations, alteration, or repair of streets (including streets, roads, highways, bridges, and other portions of the transportation system), except that specific infrastructure for a given category of users may be excluded if an exemption is approved via the process set forth in section C. 1 of this policy.

B. Implementation

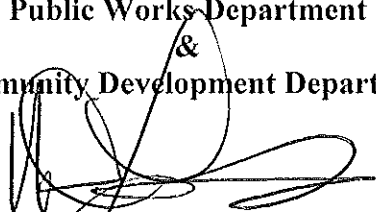
- 1. Plan Consultation and Consistency.** Maintenance, planning, and design of projects affecting the transportation system shall be consistent with local bicycle, pedestrian, transit, multimodal, and other relevant plans, except that where such consistency cannot be achieved without negative consequences, consistency shall not be required if the head of the relevant department provides written approval explaining the basis of such deviation. If [Jurisdiction] has a Bicycle and Pedestrian Advisory Committee, such deviations shall be presented to the Bicycle and Pedestrian Advisory Committee early in the planning and design stage, to ensure the Bicycle and Pedestrian Advisory Committee has an opportunity to provide comments and recommendations.

2. **Street Network/Connectivity.** As feasible, [Jurisdiction] shall incorporate Complete Streets infrastructure into existing streets to improve the safety and convenience of users and to create employment, with the particular goal of creating a connected network of facilities accommodating each category of users, and increasing connectivity across jurisdictional boundaries and for existing and anticipated future areas of travel origination or destination.
3. **Bicycle and Pedestrian Advisory Committee Consultation.** If [Jurisdiction] has a Bicycle and Pedestrian Advisory Committee, transportation projects shall be reviewed by the Bicycle and Pedestrian Advisory Committee early in the planning and design stage, to provide the Bicycle and Pedestrian Advisory Committee an opportunity to provide comments and recommendations regarding Complete Streets features to be incorporated into the project.
4. **Evaluation.** All relevant agencies or departments shall perform evaluations of how well the streets and transportation network of [Jurisdiction] are serving each category of users by collecting baseline data and collecting follow-up data on a regular basis.

C. Exemptions

1. **Leadership Approval for Exemptions.** Projects that seek Complete Streets exemptions must provide written finding of why accommodations for all modes that were not included in the project and signed off by the Public Works Director or equivalent high level staff person. Projects that are granted exceptions must be made publically available for review. Federal guidance on exceptions can be found from the Federal Highway Administration (FHWA) Accommodating Bicycle and Pedestrian Travel
http://www.fhwa.dot.gov/environment/bicycle_pedestrian/guidance/design_guidance/design.cfm

SAMPLE

<p><u>City of Baldwin Park</u> Administrative Policy # 027</p>	<p><u>Date:</u> Approved by: City Council <u>7/20/11</u></p>
<p><u>SUBJECT:</u> Complete Streets Policy</p>	<p><u>Authority:</u> Public Works Department & Community Development Department</p>  <p>Mayor, Manuel Lozano</p>

The objective of this policy is to establish guiding principles and practices so transportation improvements are planned, designed, constructed, operated and maintained to encourage walking, bicycling, and transit use while promoting safe operations for all users.

The City of Baldwin Park will create a safe and efficient transportation system that promotes the health and mobility of all Baldwin Park citizens and visitors by providing high quality pedestrian, bicycling, and transit access to all destinations throughout the city, and will design its streets for people, with beauty and amenities. The City of Baldwin Park will provide for the needs of drivers, transit users, bicyclists, and pedestrians of all ages and abilities in all planning, design, construction, reconstruction, retrofit, operations, and maintenance activities and products.

The City of Baldwin Park will enhance the safety, access, convenience, and comfort of all users of all ages and abilities. The City understands that children, seniors, and persons with disabilities will require special accommodations.

STREET NETWORK / CONNECTIVITY

(A) The City of Baldwin Park will design, operate and maintain a transportation network that provides a connected network of facilities accommodating all modes of travel.

(B) The City will actively look for opportunities to repurpose rights-of-way to enhance connectivity for pedestrians, bicyclists, and transit.

(C) The City will focus non-motorized connectivity improvements to services, schools, parks, civic uses, regional connections and commercial uses.

(D) The City will require large new developments and redevelopment projects to provide interconnected street networks with small blocks.

JURISDICTION

(A) This Complete Streets Policy is intended to cover all development and redevelopment in the public domain and all street improvement assessment districts within Baldwin Park, but will also focus on regional connectivity.

(B) Every City Department including Administration, Public Works, Community Development, Recreation and Community Services, and Police, will follow the policy.

(C) The City requires all developers and builders to obtain and comply with the City's standards.

(D) The City requires agencies that Baldwin Park has permitting authority over, including, but not limited to, water agencies, electrical utilities, gas and petroleum utilities, communications utilities, and service contractors to comply with this policy.

(E) The City will work closely with Los Angeles County, Caltrans, the Los Angeles County Metropolitan Transportation Authority, the Southern California Regional Rail Authority, and the Southern California Association of Governments to promote compliance.

(F) The City encourages agencies not under Baldwin Park's jurisdiction, including, but not limited to, the Baldwin Park Unified School District, to satisfy this policy.

PHASES

The City of Baldwin Park will apply this Complete Streets policy to all roadway projects, including those involving new construction, reconstruction, retrofits, repaving, rehabilitation, or changes in the allocation of pavement space on an existing roadway, as well as those that involve new privately built roads and easements intended for public use. Complete Streets may be achieved through single projects or incrementally through a series of smaller improvements or maintenance and operation activities over time.

EXCEPTIONS

Complete Streets principles and practices will be included in street construction, reconstruction, repaving, and rehabilitation projects, as well as other plans and manuals, except under one or more of the following conditions:

(A) A project involves only ordinary or emergency maintenance activities designed to keep assets in serviceable condition such as mowing, cleaning, sweeping, spot repair, concrete joint repair, or pothole filling, or when interim measures are implemented on temporary detour or haul routes.

(B) The City Council exempts a project due to excessive and disproportionate cost of establishing a bikeway, walkway or transit enhancement as part of a project.

(C) The Director of Public Works and the Manager of Community Development jointly determine the construction is not practically feasible or cost effective because of significant or adverse environmental impacts to waterways, flood plains, remnants of native vegetation, wetlands, or other critical areas, or due to impacts on neighboring land uses, including impact from right of way acquisitions.

(D) Unless otherwise determined by the City Council, the Director of Public Works and the Manager of Community Development jointly determine it is not practically feasible or cost effective to implement the provisions of this policy through public or private project design or manuals or other plans.

Exceptions described in (B) and (C), above, will be documented and be made available for public access at least 21 days prior to decision. Exceptions described in (A) and (D), above, will be documented.

DESIGN

Additionally, Baldwin Park's City Council declares it is the City of Baldwin Park's policy to:

(A) Adopt new Complete Streets Design Guidelines to guide the planning, funding, design, construction, operation, and maintenance of new and modified streets in Baldwin Park while remaining flexible to the unique circumstances of different streets where sound engineering and planning judgment will produce context sensitive designs.

(B) Incorporate the Complete Streets Design Guidelines' principles into all City plans, manuals, rules, regulations and programs as appropriate.

(C) Provide well-designed pedestrian accommodations on all streets and crossings. Pedestrian accommodations can take numerous forms, including but not limited to traffic signals, roundabouts, bulb-outs, curb extensions, sidewalks, buffer zones, shared-use pathways, and perpendicular curb ramps, among others.

(D) Provide well-designed bicycle accommodations along all streets. Bicycle accommodations can take numerous forms, including but not limited to the use of bicycle boulevards, striping, slow streets, low auto volume streets, traffic calming, signs, and pavement markings, among others.

(E) Where physical conditions warrant, landscaping shall be planted whenever a street is newly constructed, reconstructed, or relocated.

CONTEXT SENSITIVITY

(A) The City of Baldwin Park will plan its streets in harmony with the adjacent land uses and neighborhoods.

(B) The City will solicit input from local stakeholders during the planning process.

(C) The City will integrate natural features, such as waterways, and other topography into design of our streets.

(D) The City will design streets with a strong sense of place. We will use architecture, landscaping, streetscaping, public art, signage, etc. to reflect the community and neighborhood.

(E) The City will coordinate street improvements with merchants along retail and commercial corridors to develop vibrant and livable districts.

(F) The City will practice sustainable storm water management strategies.

PERFORMANCE MEASURES

The City will evaluate this Complete Streets Policy using the following performance measures:

1. Total miles of on-street bikeways defined by streets with clearly marked or signed bicycle accommodation
2. Total miles of streets with pedestrian accommodation (goal – all)
3. Number of missing or non-compliant curb ramps along City streets (goal – 0)
4. Number of new street trees planted along City streets
5. Percentage of new street projects that are multi-modal
6. Number and severity of pedestrian-vehicle and bicycle-vehicle crashes
7. Number of pedestrian-vehicle and bicycle-vehicle fatalities (goal – 0)
8. Track Fitnessgram data of Baldwin Park Unified School District students
9. Sales tax revenue

The City will identify funds and create a methodology to collect data related to those performance measures.

IMPLEMENTATION

(A) *Advisory Group.* The City will establish an inter-departmental advisory committee to oversee the implementation of this policy. The committee will include members of Public Works, Community Development, Recreation and Community Services, and the Police Departments from the City of Baldwin Park. The committee may include representatives from the Los Angeles County Metropolitan Transportation Authority, representatives from the bicycling, disabled, youth and elderly community, and other advocacy organizations, as relevant. This committee will meet quarterly and provide a written report to City Council evaluating the City's progress and advise on implementation.

(B) *Inventory.* The City will maintain a comprehensive inventory of the pedestrian and bicycling facility infrastructure integrated with the City's database and will prioritize projects to eliminate gaps in the sidewalk and bikeways networks.

(C) *Capital Improvement Project Prioritization.* The City will reevaluate Capital Improvement Projects prioritization to encourage implementation of bicycle, pedestrian, and transit improvements.

(D) *Revisions to Existing Plans and Policies.* The City of Baldwin Park will incorporate Complete Streets principles into: the City's Circulation Element, Transportation Strategic Plan, Transit Plan, Traffic Safety Master Plan, Specific Plans, Urban Design Element; and other plans, manuals, rules, regulations and programs.

(E) *Other Plans.* The City will prepare, implement, and maintain a Bicycle Transportation Plan, a Pedestrian Transportation Plan, a Safe Routes to School Plan, an Americans with Disabilities Act Transition Plan, and a Street Tree and Landscape Master Plan.

(F) *Storm Water Management.* The City will prepare and implement a plan to transition to sustainable storm water management techniques along our streets.

(G) *Staff Training.* The City will train pertinent City staff on the content of the Complete Streets principles and best practices for implementing the policy.

(H) *Coordination.* The City will utilize inter-departmental project coordination to promote the most responsible and efficient use of fiscal resources for activities that occur within the public right of way.

(I) *Street Manual.* The City will create and adopt a Complete Streets Design Manual to support implementation of this policy.

(J) *Funding.* The City will actively seek sources of appropriate funding to implement Complete Streets.

C/CAG AGENDA REPORT

Date: July 19, 2012
To: Congestion Management Program Technical Advisory Committee (TAC)
From: John Hoang
Subject: Review and Recommend Approval of the AB 1546 (\$4 Vehicle Registration Fee) Countywide Traffic Congestion Management Fund Expenditure Plan

(For further information contact John Hoang at 363-4105)

RECOMMENDATION

That the TAC review and recommend approval of the AB 1546 (\$4 Vehicle Registration Fee) Countywide Traffic Congestion Management Fund Expenditure Plan.

FISCAL IMPACT

Approximately \$2,500,000 (includes fees collected through December 2012)

SOURCE OF FUNDS

AB 1546 - \$4 Vehicle Registration Fee

BACKGROUND/DISCUSSION

Assembly Bill 1546 (AB 1546) imposes an annual motor vehicle registration fee (VRF) of four dollars (\$4) in San Mateo County to fund traffic congestion management and stormwater pollution prevention programs. After deduction 5% for administration, the net total of the funds collected are distributed evenly to the following programs:

- 25% - Local Cities/County Stormwater Pollution Prevention
- 25% - Local Cities/County Traffic Congestion Management
- 25% - Countywide Stormwater Pollution Prevention
- 25% - Countywide Traffic Congestion Management

Collection of the AB 1546 funds began July 1, 2005, and will continue through December 2012. This Fund Expenditure Plan addresses the Countywide Traffic Congestion Management Program funds whereas the Countywide Stormwater Pollution Prevention Program will be described separately.

Countywide Traffic Congestion Management Program

Collection of the \$4 VRF has netted a total of \$4,268,904 (25% of net revenue) through June 2012, for the Countywide Transportation Program. Funds are reserved for traffic congestion management projects with countywide benefits. To date, two countywide programs/projects have been developed: 1) the Hydrogen Shuttle Demonstration Project, and 2) the Intelligent Transportation System (ITS) Call for Projects to fund Signal Controller/Video Detection System Upgrade. A third project category in which funds was reserved for was countywide traffic incident management, which later evolved into the San Mateo County Smart Corridor project.

The Hydrogen Shuttle Demonstration project was implemented in 2007 and continued through the end of 2010. The shuttle project, which utilized the Ford Hydrogen Internal Combustion Engine (ICE) vehicle, cost approximately \$500,000. The Countywide ITS program, implemented in August 2007, distributed \$1.2M to 11 jurisdictions funding 66 signal controllers and 16 video detection system upgrade projects. The remaining funds, with a current balance of about \$2.5M, have been accumulating and are reserved for construction of the Smart Corridors project, which is anticipated to begin in fall 2012.

With regards to the Smart corridor, over the past few years, C/CAG have been successful in obtaining additional funds from other sources for the Smart Corridors project, therefore, only about \$600,000 (or \$550,000 in FY13) from the AB 1546 Countywide program would be needed for the project. This results in a program fund balance of approximately \$2.0M. Collection of the AB1546 funds will continue for another nine months, through December 2012, and considering fees collected through the end of the program, it is estimated that an additional \$477,000 (\$53,000 per month) will be added to the current balance resulting in the availability of about \$2.5M to fund countywide traffic congestion management related projects.

Proposed Fund Expenditure Plan

The proposed AB 1546 Countywide Traffic Congestion Management Fund Distribution Plan consists of providing unspent VRF funds to the following three categories:

1. Allocation to Jurisdictions

This allocation will be supplemental to the regular allocations that occur every six months. Projects eligible to receive reimbursement of funds would be the same as the regular AB1546 qualified projects. No changes would be made to the list of eligible projects.

Jurisdictions currently receive 25% of the net revenue collected through an allocation that is issued every six months. The average allocation amount is \$600,000 (\$1,200,000 annually). For each allocation, jurisdictions are distributed funds to for use to reimburse expenses incurred for projects relating to traffic congestion management and stormwater pollution prevention activities. Jurisdictions are required to use fifty percent (50%) of the funds for traffic congestion management and 50% on stormwater pollution management projects, therefore, a total of \$600,000 is allocated each year for traffic congestion management projects.

It is recommended that \$900,000 from the Countywide Traffic Congestion Management Program be allocated to local jurisdictions. Allocation to jurisdictions can be issued immediately after Plan adoption, in the first quarter of fiscal year 2012-13. The proposed allocation amount, based on the Measure M formula, is as follows:

Jurisdiction	% Share	Allocation
San Mateo County	12.15%	\$ 109,388
San Mateo	11.02%	\$ 99,138
Daly City	9.62%	\$ 86,535
Redwood City	8.82%	\$ 79,394
South San Francisco	7.17%	\$ 64,524
Pacifica	4.84%	\$ 43,520
San Bruno	4.76%	\$ 42,848
Menlo Park	4.50%	\$ 40,467
San Carlos	4.03%	\$ 36,294
Burlingame	3.95%	\$ 35,538
Belmont	3.29%	\$ 29,573
Foster City	3.12%	\$ 28,061
East Palo Alto	3.06%	\$ 27,557
Hillsborough	2.81%	\$ 25,289
Millbrae	2.74%	\$ 24,616
Atherton	2.36%	\$ 21,210
Woodside	2.36%	\$ 21,210
Half Moon Bay	2.36%	\$ 21,210
Portola Valley	2.36%	\$ 21,210
Brisbane	2.36%	\$ 21,210
Colma	2.36%	\$ 21,210
Total	100%	\$ 900,000

Note: Measure M formula based a formula consisting of 50% population and 50% road miles for each jurisdiction modified for a minimum 2.36%.

2. Plug-In Electric Vehicle Charging Stations

This new program supports and encourages plug-in electrical vehicle (PEV) usage within San Mateo County by deploying plug-in electrical vehicle charging stations in all 20 cities within San Mateo County and the unincorporated County. The plan is to install charging stations at local government owned facilities such as city halls and maintenance with the purpose of encouraging jurisdictions to incorporate PEV and charging into local vehicle fleets. C/CAG will work with the jurisdictions to develop implementation strategies to

determine locations for installing new charging infrastructure, taking into consideration the existing network of stations, types of electrical vehicle charging equipment and number of new stations needed to enhance availability and accessibility for EV. C/CAG will support cities and the County, as needed, to develop PEV readiness implementation strategies for communities including establishing permitting, fees, processing ordinances that will help facilitate the installation of PEV charging stations within jurisdictional boundaries.

There are 31 public locations throughout San Mateo County that currently provides a total of 75 PEV charging stations. The stations, 25 of which are accessible by the public, are located in Atherton (1), Belmont (2), Burlingame (3), Daly City (1), Menlo Park (4), Millbrae (1), Portola Valley (1), Redwood City (7), San Bruno (2), San Mateo (6), and South San Francisco (3). The number and types of charges available at these stations are as follows: 21 – Level 1 Charger, 53 - Level 2 Chargers, 1 - DC Fast Charger, 1 – SPI Charger.¹

The cost of the PEV charging station and installation ranges from \$10,000 to \$70,000 each location depending on the type of charging station. Maintenance cost is anticipated to be minimal.

It is recommended that \$900,000 from the Countywide Traffic Congestion Management be spent on installing PEV stations within San Mateo County and expanding the network to support PEV usage. The initial consideration is to install stations at a city/County facility, transit stations, or a public parking lot. Taking into consideration regional electric vehicle strategies planning efforts already underway by MTC, ABAG, and BAAQMD, an evaluation and assessment of locations for charging stations will be performed to establish the optimal charging station network within the respective jurisdictions.

3. Local Match for Regionally Significant Projects

Local match would be provided to jurisdiction on a per request basis to help fund small capital projects located in key corridors and areas of the county that are identified as regionally significant projects such as near-term projects identified from the 2020 Gateway Corridor and similar studies. Funds are limited therefore will only help fund a small number of projects. Jurisdictions receiving funds will enter into a funding agreement with C/CAG.

It is recommended that approximately \$700,000, or the balance of the AB 1546, be reserved to help fund small capital construction projects that reduce traffic congestion and improve safety.

Suggestions for other funding categories will be taken into considerations based on inputs and recommendations from the committee. The new categories of projects would be implemented in

1. Level 1 Charger: utilize 110 volts AC and requires 10-20 hours to fully charge; Level 2 Charger: utilize 220/440 volts AC and requires about 5 hours to fully charge; DC Fast Charger – convert 480 volts AC to DC and requires 20 to 30 minutes to fully charge; SPI (Small Paddle Inductive) utilize inductive charging system.

conjunction with either some or all of the program categories identified above. The alternate program can also be implemented separately.

Implementation Options

Options for implementing the categories of projects and proposed budgets are as follows:

Option 1:

- Allocation to Jurisdiction - \$900,000
- Plug-in Electric Vehicle Charging Stations - \$900,000
- Local match for Regionally Significant Projects - \$700,000

Option 2:

- Adjust the amount budgeted for each of the above category and/or select only two out of the three categories to fund.

ATTACHMENTS

None

C/CAG AGENDA REPORT

Date: July 19, 2012
To: Congestion Management Program Technical Advisory Committee (TAC)
From: Matthew Fabry
Subject: Receive Information on Regional Water Quality Control Board Staff Comments and Associated BASMAA Response Regarding Trash Submittals

(For further information contact Matthew Fabry at 650-599-1419)

RECOMMENDATION

Receive information regarding Regional Water Quality Control Board (Regional Board) staff comments and associated Bay Area Stormwater Management Agencies Association (BASMAA) response on the February 1, 2012 trash submittals required under the Municipal Regional Permit (MRP).

FISCAL IMPACT

Regional Board staff comments put into limbo existing baseline trash loads, reduction credits, and quantification formulas submitted as part of the BASMAA regional trash documents and local Short-Term Trash Load Reduction Plans. Municipal budget and resource needs for meeting the MRP's mandated 40% load reduction are therefore uncertain.

SOURCE OF FUNDS

Municipal funding sources for trash load reduction requirements vary.

BACKGROUND/DISSION

On February 1, 2012, BASMAA submitted two regional trash documents (*Preliminary Baseline Trash Generation Rates for San Francisco Bay Area MS4s, Technical Memorandum and Trash Load Reduction Tracking Method, Technical Report, Version 1.0*) and copermittees under the MRP submitted their Short-Term Trash Load Reduction Plans. Subsequently, on June 7, 2012, Regional Board staff provided to BASMAA and copermittees written comments on these submittals, with the majority of comments focused on the BASMAA submittals with general comments on the Short-Term Plans (see Attachment A). The comment letter required a response by July 6, 2012 that detailed a time schedule for addressing Regional Board staff comments. BASMAA submitted a response letter as required on July 6 that incorporated feedback from Bay Area copermittees, including C/CAG's Trash Committee (see Attachment B).

The time schedule included in BASMAA's response calls for 1) a meeting between the Regional Board executive officer and municipal representatives to address key policy issues moving forward, 2) submittal of revised baseline trash generation rates in the September 15, 2012 annual report, 3) submittal of revised baseline trash loads for all copermitees in September 2013, 4) submittal of a revised trash load reduction tracking methodology in February 2013, and 5) submittal of municipal Long-term Trash Load Reduction plans by February 1, 2014 (as required in the MRP).

Regional Board staff comments generally focused on the need for additional quantification and empirical evidence to support load reductions claimed either as credits or through quantification formulas, although they also questioned the validity of the baseline generation rates and opposed grandfathering credit for existing trash reduction efforts. Key policy issues BASMAA wants to resolve with the Regional Board Executive Officer include the grandfathering issue and the need to allow jurisdictions to move forward with implementing actions and documenting compliance with the 40% load reduction requirements under the Version 1.0 Trash Reduction Tracking Method and municipal Short-Term Reduction plans submitted in February. Future efforts to meet the 70% and 100% load reduction requirements would be implemented in accordance with the Version 2.0 Trash Reduction Tracking Method and revised baseline loads. This may mean that jurisdictions that met a 40% load reduction under Version 1.0 might end up achieving less than 40% under Version 2.0 and would need to document greater load reductions to reach 70 and 100%.

ATTACHMENTS

- Attachment A – June 7, 2012 Regional Water Quality Control Board Staff Comments on Trash Submittals
- Attachment B – July 6, 2012 BASMAA Response to June 7 Letter

San Francisco Bay Regional Water Quality Control Board

June 7, 2012

To: Municipal Regional Stormwater NPDES Permit (Order R2-2009-0074) Permittees

Sent via email to:

Jim Scanlin, Alameda Countywide Clean Water Program:

jims@acpwa.mail.co.alameda.ca.us

Geoff Brosseau, Bay Area Stormwater Management Agencies Association:

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Tom Dalziel, Contra Costa Clean Water Program: tdalz@pw.cccounty.us

Kevin Cullen, Fairfield-Suisun Sewer District: kcullen@fssd.com

Matt Fabry, San Mateo Countywide Pollution Prevention Program:

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Sam Kumar, City of Vallejo: skumar@ci.vallejo.ca.us

Lance Barnett, Vallejo Sanitation & Flood Control District: lbarnett@vsfcd.com

From: Bruce H. Wolfe
Executive Officer

Subject: Water Board Staff Review of Trash Plans and Reports

We have reviewed the Baseline Trash Load Generation Rates Report (Baseline Load Report) and the Trash Load Reduction Tracking Method Plan (Tracking Method) submitted by the Bay Area Stormwater Management Agencies Association (BASMAA) on February 1, 2012, and the associated individual Short-Term Trash Generation Reduction Plans submitted by the Permittees (Permittee Plans). We find that the Baseline Report, the Tracking Method, and the Permittee Plans all have significant deficiencies, and, as such, they do not comply with the requirements of the Municipal Regional Stormwater NPDES Permit (Permit). Most importantly, implementation of the Permittee Plans will not attain the 40 percent trash load reduction level by July 2014.

We acknowledge the baseline trash load estimates are preliminary and that revised estimates will be submitted along with the Permittees' Annual Reports on September 15, 2012, based on additional data and analysis. However, we are concerned that trash loads from high trash load drainage areas are and will continue to be underestimated with the

proposed load generation model. We are further concerned that shortcomings in the modeling approach and load estimates result in substantial inadequacies in the Permittee Plans.

The primary compliance deficiency in the Tracking Method and the Permittee Plans is the reliance on actions that are not new or enhanced. In addition, there is an over reliance on formulas and fixed-credit amounts for trash reduction actions when actual trash volume collected can be directly measured. In some cases, formulas may be justified to reduce assessment efforts, but these formulas must be calibrated and regularly verified with local measurements. In addition, most of the proposed quantification formulas and credits are too general, lack adequate justification, or lack followup verification, and many of the formulas and credits are applied on too large a scale to account for actions and to provide measurable success, particularly in high trash load drainage areas. There is also inadequate discussion of accounting, monitoring, and reporting in the Tracking Method and the Permittee Plans.

We discuss our specific issues and concerns with the Baseline Load Report and the Tracking Method and general issues and concerns with the Permittee Reports in the following sections of this comment letter. We also provide some directions and options to address deficiencies in the reports and plans and commit to work with BASMAA and the Permittees in addressing the deficiencies. In response to this letter, by July 6, 2012, please submit a time schedule for actions that you will take to resolve the deficiencies. This should include immediate improvements that will be provided with Annual Reports by September 15, 2012, and, subsequently, appropriate revisions to the reports and plans by February 1, 2013. More time may be provided with justification, but all issues must be resolved no later than February 1, 2014, when submittals of Long-Term Trash Load Reduction Plans are due. We prefer to avoid enforcement actions but will consider such options if necessary.

Baseline Trash Load Generation Rates Report

We recognize that it is not feasible to directly measure trash loads from all discharge locations, so estimates of trash loads must be based on model predictions using data from locations representative of various types of drainage areas of storm drain systems. However, the very limited dataset and simple model used result in significant uncertainty in what are likely underestimated loads. The model is based on simplifying assumptions that have not been validated, and much more data are needed to generate independent data sets to calibrate and verify model predictions.

A model that better accounts for drainage area characteristics and more local calibration data may be required if either the data used to attempt to calibrate the model are too variable, or if there are additional parameters that are not adequately described by the simple modeling approach. Alternatively, the simple model may be adequate for low trash load drainage areas, but it would then need to be augmented with empirical models that account for high trash load drainage areas. The later would be consistent with the inevitable need to identify high load drainages where significant load reduction actions are needed and resulting reductions can be tracked.

The following is a list of our issues and concerns with the model and preliminary load estimates and needed improvements:

- Predicted trash loads were based on the Permittees' jurisdictional areas that excluded various land areas that are claimed to be outside a Permittee's legal jurisdiction, such as State and federal facilities and roads, other transportation facilities, public and private colleges and universities, and infrastructure facilities. However, the Permit does not allow these unilaterally-determined exclusions, and, in reality, the claimed exclusions are not all outside of the Permittees' legal jurisdictions (e.g., private colleges). The Permittees are responsible for discharges from their storm drain systems regardless of the sources of trash. We acknowledge there are constraints and limitations on the Permittees' ability to control trash loadings from some of these areas that may be significant sources of trash in the Permittees storm drain systems, but these areas cannot be excluded from the baseline trash load estimates. Rather, they should be accounted for in trash load reduction plans that may include requesting actions by the Water Board or other authorities.
- A questionable over-simplification in the modeling approach is the arbitrary use of a 200-foot "effective loading area" band on either side of a street as the assumed contributing area for each catchment. Trash contributing areas that are beyond 200 feet of either side of a street's center line are ignored, such as shopping mall parking. This results in underestimates of trash loads by not including significant trash contributing land uses that are beyond the 200-foot zone. Realistic estimates of trash loads will require more specific delineations of loading areas.
- The limited data used to estimate baseline trash loads included the amount of trash captured in inlet trash capture devices assuming the device captured 100 percent of the trash from its effective loading area. However, this is only the case if maintenance had occurred frequently enough to avoid full or overflowing trash capture devices, as this condition leads to significant loss of trash through the overflow path. Trash can also bypass the device if large surface area trash, like plastic bags, paper or leaves, clog the entire screen and lead to overflow even though the trash retention reservoir of the device is not full. The adequacy of maintenance and clogging/overflow must be accounted for in trash capture device data used.
- The baseline trash load estimates are based on data from relatively few inlets and storm events. Meanwhile, there is a very large dataset from the Los Angeles area of 12,500 data points from 550 inlet inserts over 20 storms and three dry weather clean outs that should be used in some manner.
- Some varied land-use categories were collapsed into a single category to generate trash load estimates due to limited local data from the limited number of installed full trash capture devices. However, there is significant variability in these lumped land-use datasets, which results in significant uncertainties in the model-predicted loads. Some of the categorical trash generation rates vary by four orders of magnitude, yet average values that are not representative of these highly variable datasets were used in the modeled estimates. Alternatives, such as the upper confidence level of the mean or median of the data, would result in significantly higher baseline load estimates. Obviously, these would

be overestimates of loads from some drainage areas, but we are more interested in the high load generation areas.

- The extreme variability in trash load generation data needs to be accounted for with a combination of more data and further delineation of drainage areas and factors that affect variability. Community-specific calibration and verification of model predictions may be necessary, particularly in high trash load drainage areas.
- A significant shortcoming in predicted baseline trash loads is how they are modified to account for existing Permittee-specific storm drain inlet maintenance, pump station maintenance, and street sweeping. We understand the intent is to account for these existing actions in the estimate of the baseline trash loads; however, the approach used most likely significantly overcompensates for these existing actions. All three of these “adjustments” need further vetting and verification with actual Permittee data. The storm drain inlet cleaning adjustment is not large, but should still be calibrated and verified by local data. The pump station trash capture volume should be directly measured, rather than based on a fixed 25 percent of the catchment baseline generation rate. The street sweeping adjustments are particularly problematic, since street sweeping variability likely affects the aforementioned variability in trash load generation data and the likely underestimate of baseline trash loads.

The street sweeping adjustments are also overestimated based on published street sweeper effectiveness data. Roger James, a commenter on the Baseline Load Report, contacted the author of the published paper that contains the street sweeping effectiveness curve used to account for the adjustments and found out the curve is an upper bound prediction of “best case” street sweeping. In addition, the origin of the increased sweeping efficiency curve for sweeping to the curb is apparently a local Palo Alto study, which could also be verified with more local calibration data. The Permittees have years of street sweeping data that should be used to justify and verify street sweeper adjustments.

Trash Load Reduction Tracking Method Plan (Tracking Method)

The Tracking Method is supposed to provide a means to account for trash load reduction actions and a means to demonstrate progress towards attainment of trash load reduction levels. The Tracking Method as proposed provides these means in a manner that has significant shortcomings. We support the proposed hierarchy of accounting for actions from trash generation reduction, to on-land interception, to trash interception in the stormwater conveyance system, to trash interception in waterways. However, the current application of this framework is much too general and lacks adequate quantification.

There is inadequate discussion of accounting, monitoring, and reporting. We support a standard tracking method, but the method must specify appropriate qualifying, siting, and level of implementation criteria and conditions for each trash reduction measure. The method must also specify what must be tracked and documented to account for adequate implementation of the measure to qualify for a projected (credit) or measured trash load reduction benefit. There also must be quantification of the trash loads avoided or reduced by

all measures. We acknowledge it is not possible to a priori quantify the trash load reduction benefit of some actions, so a level of estimated benefit (credit) has to be assumed. However, most of the proposed credits are far too high and out of proportion for actions that are unlikely to impact the trash loading in a significant manner. There must be justification for the proposed credits and representative and strategic monitoring to subsequently quantify the trash load reduction benefit per unit of defined action that accounts for the spatial and temporal scope and degree of implementation of the unit of action. There also needs to be drainage-area scales of accounting, tracking, and monitoring of implementation measures with an emphasis on high trash load areas.

We acknowledge load reduction quantification is constrained by the current lack of available data, but there is no commitment or plan to generate quantification data for many of the actions. We also agree that there is a need for a combination of quantification formulas and credits in addition to direct quantification of specific action load reductions. However, most of the proposed quantification formulas and credits are too general, lack adequate justification, or lack followup verification. We recognize the desire to make the Tracking Method simple and to minimize the tracking burden on the Permittees, but many of the formulas and credits are applied on too large a scale, e.g., area-wide rather than area-specific, to account for actions and to provide measurable success. Even load reduction actions that have area-wide applicability, such as single-use bag ordinances, need to be tracked or verified on an area-specific basis, particularly in high trash load drainage areas.

The Tracking Method contains the appropriate guiding principle that control measures that were implemented prior to the Permit's effective date are considered baseline. The only exceptions provided are for difficult to implement, expensive, and relatively recent actions, specifically implementation of full-trash capture devices that were installed pre-Permit and enforcement of single-use bag and foodware bans that were adopted pre-Permit. These actions can count towards trash load reduction goals. However, many of the other accounted actions are not new or enhanced, such that the Tracking Method is too vague, inconsistent, or too liberal in defining baseline or new actions.

Many categories of actions include proposed credit for actions that were in place before the Permit's effective date, and include statements asserting, so as to avoid penalizing early implementers, control measures implemented prior to the Permit's adoption will be credited equally to new or enhanced control measures to demonstrate progress towards trash load reduction goals. As such, the Tracking Method as proposed would allow some Permittees to reach the 40 percent trash reduction from baseline level on paper with few or no new actions. This is clearly not intended or allowed by the Permit. The Permit's intent is for non-early implementers to catch up, rather than to provide a grace period to early implementers.

Another shortcoming of the Tracking Method is how it accounts for existing enhanced street sweeping. We understand the intent is to adjust the estimates of baseline trash loads to account for existing enhanced street sweeping. However, the proposed adjustments for existing enhanced street sweeping have the same shortcomings as the proposed adjustments for existing baseline street sweeping that we discuss in the Baseline Load

Report comments, and the proposed adjustments overcompensate for existing enhanced street sweeping. The existing enhanced street sweeping adjustments need improved justification and verification with local data.

In the following section, we provide comments on specific control measures and the associated fact sheets.

CR-1 Single-use Carryout Plastic Bag Ordinances

The proposed load reduction credits are within a reasonable range given the amount of plastic bags found in trash loads and the difficulty of adoption and implementation of a strong set of restrictions on the use of single use bags, particularly plastic bags. However, verification and reporting of implementation and enforcement is missing. The effectiveness of ordinances depends on followup inspection and enforcement. Therefore, acceptance of any proposed credit is contingent on the specifics of actual verification and reporting by a Permittee.

CR-2 Polystyrene Foam Food Service Ware Ordinances

The proposed load reduction credits are in a reasonable range given the amount of plastic foodware found in trash loads and the difficulty of adoption and implementation of a strong set of restrictions on the use of polystyrene foam food ware. However, verification and reporting of implementation and enforcement is missing. The effectiveness of ordinances depends on followup inspection and enforcement. Therefore, acceptance of any proposed credit is contingent on the specifics of actual verification and reporting by a Permittee.

CR-3 Public Education and Outreach Programs

We support and encourage public education and outreach efforts to reduce trash, but we do not accept the proposed public education and outreach program credits. The proposed credits that would allow the Permittees to claim trash reduction credits totaling eight percent are grossly inflated and most likely would be misapplied and claimed without merit, as illustrated in most of the Permittee Plans. Any proposed credit must have a basis for the projected benefit, and the associated program must be specific to trash reduction and must be documented, along with the specifics of the accounting and reporting needed to claim and verify a proposed credit. Verification must include some form of survey or other means to demonstrate the benefit of the education or outreach effort.

We specifically disagree with the notion called out in this section that the Permittees can claim credit for past education and outreach measures that are still ongoing. We are not aware of any such ongoing measures specific to trash that merit any consideration of credit towards reduction of baseline trash loads. One education and outreach measure that we can credit at this time is the “Be the Street” campaign, but the associated credit should reflect the behavioral change goal of the project and how it will be measured.

CR-4 Activities to Reduce Trash from Uncovered Loads

Uncovered loads on trucks transporting trash and debris is undoubtedly a problem of some magnitude, particularly on faster arterial roads and highways where the vehicle speed makes

dispersal of the trash out of the vehicle more likely. However, there is no basis for assuming up to five percent of trash area-wide comes from uncovered loads, and there is no justification for the proposed four percent area-wide credit for implementation of an enhanced enforcement program. Any load reduction or reduction credit must be justified and verified and only applied on an area-specific basis. Also, any allowed credit requires documentation of a Permittee's new or enhanced program, along with specifics on the accounting and reporting needed to claim and verify a proposed credit.

A related action that has not been accounted for but merits consideration is abatement and cleanup of fugitive trash from trash collection activities, a common source of trash and litter to the street scape. With the premium on speed of operation, there is nearly always litter on the street after the collection of trash and recyclables, regardless of the fact that both trash containers and trash collection trucks are covered. The process of emptying the containers into the truck, particularly on windy days, generates loose trash on the street that the collection crews, with few exceptions, ignore. An effective program to abate this source, in a verifiable and reportable manner, would be suitable for credit.

CR-5 Anti-Littering and Illegal Dumping Enforcement Activities

Only load reduction from new or enhanced measures can be claimed, and load reductions should be quantified rather than based on credits. Most Permittees have had some effort of this type in effect, and in many cases have had significant anti-littering and illegal dumping abatement and enforcement activities in place for decades. We acknowledge illegal dumping can be a significant source of trash in specific areas. However, rather than tiered area-wide credits as proposed without justification, any load reduction or reduction credit must be justified and verified and only applied on an area-specific basis. The Permittees presumably already maintain records of illegal dumping abatement and cleanup efforts; these records should provide a basis for direct accounting and reporting of area-specific loads reduced from new or enhanced actions.

CR-6 Improved Trash Bin/Container Management Activities

Only load reduction from new or enhanced measures can be claimed and can only be claimed on an area-specific rather than area-wide basis. The fact sheet acknowledges that the effectiveness of containers and bins in reducing trash is likely dependent on site-specific factors. Area-specific load reduction credits must be justified and verified, and implementation requires documentation of a Permittee's new or enhanced program, along with the specifics of the accounting and reporting needed to claim and verify a proposed credit. We support and encourage implementation of a strategic plan for public area trash containers, but any reduction credit must be area-specific and based on the design of the strategic plan, rather than an arbitrary three percent area-wide reduction credit.

Business Improvement Districts with trash reduction control measures show promise, and have the potential to eliminate or substantially reduce trash loading by more than 50 percent from these areas. We support the incentive provided by the proposed 50 percent load reduction credit, and we will continue to work with the Permittees to find cost-effective means of accounting for actual trash load reductions that do not create a disincentive to implement this measure.

In addition, this Improved Trash Bin/Container Management Activities category should be expanded to incorporate trash and debris abatement that occurs at industrial and commercial sites as a result of a Permittee's business inspection program or via verification of those sites implementation of the State's General Stormwater Permit for Industrial Activities. Trash transfer stations, plastic pre-production pellet using facilities, recyclers dealing in beverage containers, auto shredders and other metal and material recyclers may all be candidates for targeted inspection and enforcement of adequate control of all trash and debris as a discharge. Also, control of trash from private property, particularly shopping malls, retail districts and commercial properties should be leveraged through city staff inspection. The Permittees have existing ordinances that require these properties to be maintained litter and trash free.

CR-7 Single-use Food and Beverage Ware Ordinances

As noted in the fact sheet, single-use food and beverage ware have been found to contribute substantially to the litter stream, and we support incentive-based load reduction credits. However, the large credits proposed, which could total up to 24 percent, need to be justified.

QF-1 On-land Trash Cleanups (Volunteer and/or Municipal)

We support the proposed loads reduced formula and associated assumptions and the assertion that only new or enhanced efforts apply to baseline load reductions. We also acknowledge the need for and intent by BASMAA to develop a standardized means of accounting for trash removed by volunteers via on-land cleanups.

QF-2 Enhanced Street Sweeping

Enhanced street sweeping must be new street sweeping begun after the Permit's effective date. We do not have enough information to understand the full basis of the sweeper curves and proposed formulas; regardless, these would need considerable local calibration by the Permittees to be acceptable. The Permittees have years of street sweeping data. In addition, any trash load reduction claims from enhanced street sweeping using a modeled approach must include documentation of enhancements and operations and verification of load reductions. Preferably, trash load reduction claims should be based on actual additional trash volume collected by enhanced street sweeping. This will also have the effect of encouraging the most effective operation of the street sweeping equipment.

QF-3 Partial-Capture Treatment Devices

Tracking and accounting of loads reduced from curb inlet screens and stormwater pump station trash screens must be device-specific and directly measured. We do not accept the alternative approach proposed, without further justification and verification, that would allow the Permittees to use an average inlet drainage area in the determination of conveyance load. We also question the validity of the assumed average 84 percent effectiveness rating of curb inlet screens. In our experience, these devices often stick open or are propped open by trash items.

We also question the validity of the proposed default effectiveness rating of 25 percent for pump station trash racks. We agree that trash removed by trash booms and curtains must

be directly quantified. However, only trash loads that are prevented from entering receiving waters can be counted as applied as load reductions. Trash that is retained in and removed from receiving waters cannot be directly credited as a load reduction. However, we recognize the use of trash booms and curtains within receiving waters serves to prevent further conveyance of trash in a receiving water and to other receiving waters and provides a means of cleanup of trash that has been discharged. We will work with the Permittees to determine how to appropriately account for trash booms and curtains.

QF-5 Full-Capture Treatment Devices

There must be some direct measurement of trash reductions associated with full-trash capture devices. We do not accept the proposed loads-reduced formula, which relies on estimated loading rates and allows the use of Permittee or regional average drainage areas, to estimate trash load reductions without improved justification, documentation of device operation and maintenance, and ongoing verification of trash load reductions in at least strategic locations. The flaws in this modeled approach, particularly use of non-representative conveyance loading rates and regional-average device drainage area or the proposed Permittee-average device drainage area, in conjunction with over compensating for implementation of trash generation activities (e.g., outreach and education and street sweeping) are illustrated in many of the Permittee Plans, which project fictitiously low trash load reductions from the required mandatory minimum full-trash capture devices they plan to implement.

The Fact Sheet incorrectly refers to a list of full-capture devices recognized by the Water Board. Water Board staff, not the Water Board itself, has acknowledged the list with the conditional statement that the devices have potential benefits if properly designed, operated, and maintained to provide full trash capture, but that potential must be demonstrated. If devices are allowed to fill up or clog with trash, they will cease to function as capture devices. Tracking of full-capture treatment devices must include documentation of inspections, maintenance actions, and trash removed.

QF-6 Creek/Channel/Shoreline Cleanups (Volunteer and/or Municipal)

The 40 percent trash load reduction requirement applies to trash loading to receiving waters. Consequently, trash removed from receiving waters, either collected in booms or as creek hot spot or shoreline cleanups, do not count as trash load reduction actions. These are cleanup actions rather than abatement actions and serve as mitigation for the adverse consequences of trash discharges. Once trash is in creeks and channels and on shorelines, it has already impacted the beneficial uses of waters of the State.

While it is very useful to remove this trash and reduce its impacts, this trash removal cannot be credited the same as on-land or storm drain system trash abatement measures. We will work with the Permittees to determine appropriate credit for these actions. These cleanups can serve as a short-term offset of discharged trash. They also provide a means of determining the types and potential sources of trash and to track reduction of trash from on-land and storm drain abatement measures. Also, we expect the amount of trash collected in these cleanups should decrease over time.

Short Term Trash Loading Reduction Plans

We have general comments and issues and concerns with most or all of the Permittee Plans, but are not commenting on specific Plans at this time. The primary deficiency in the Plans is their over-reliance on actions that are not new or enhanced. All of the Plans have shortcomings associated with our comments and discussion of issues and concerns with the Baseline Report and Tracking Method that they are based on. An illustration of these shortcomings is the very small calculated load reductions (less than two percent for some Permittees) for implementation of mandatory minimum full trash capture devices.

The Plans do not adequately describe, as required by the Permit, control measures and best management practices, including any trash reduction ordinances, that are currently being implemented and their current level of implementation and additional control measures and best management practices that will be implemented, and/or an increased level of implementation to meet the 40 percent trash load reduction level. Description of current actions needs to be sufficient to account for their ongoing implementation, and new or enhanced actions are in addition to these baseline actions. Description of new or enhanced actions needs to be sufficient to verify and track them and to account for their effectiveness and load reduction. The Plans overly rely on generalized trash load reduction credits and formulas and do not adequately account for community and drainage-area characteristics. A preferred approach would be drainage-area specific trash load reduction plans with emphasis on high trash load generation areas.

An adequate description of new or enhanced actions must include a schedule of implementation, but the implementation schedules provided in the Plans are too general to be of any value. Some just use terms like "Ongoing" or "Pre-MRP", which reflect the over-reliance on actions that are not new or enhanced. Others just provide an implementation start date, which for some Permittees is just stated as "Post-MRP".

A consequence of the deficient description of actions in the Plans is that each Permittee's annual report must provide a detailed description of actions to demonstrate compliance with Permit requirements. The Permit reporting requirement that allows for providing just a summary of actions was based on an expectation that the Permittees would provide adequate details in the Plans.



B A S M A A

Alameda Countywide
Clean Water Program

Contra Costa
Clean Water Program

Fairfield-Suisun
Urban Runoff
Management Program

Marin County
Stormwater Pollution
Prevention Program

Napa County
Stormwater Pollution
Prevention Program

San Mateo Countywide
Water Pollution
Prevention Program

Santa Clara Valley
Urban Runoff Pollution
Prevention Program

Sonoma County
Water Agency

Vallejo Sanitation
and Flood
Control District

July 6, 2012

Bruce Wolfe, Executive Officer
San Francisco Bay Regional Water Board

**Subject: Response to June 7, 2012 Regional Water Board letter regarding
Trash Reports and Plans**

Dear Mr. Wolfe:

This letter is submitted by the Bay Area Stormwater Management Agencies Association (BASMAA) on behalf of all Municipal Stormwater NPDES Permit (Order R2-2009-0074) permittees in response to Water Board staff comments on Trash Plans and Reports, dated June 7, 2012. This response includes a time schedule (Attachment A) for actions that will be taken by permittees to respond to issues presented in the June 7th letter.

At the outset, however, BASMAA member agencies and the permittees must take issue with the comments provided by the Water Board staff pertaining to their compliance with Provision C.10 of the Municipal Regional Stormwater Permit (MRP). While further dialogue and additional effort may be warranted to improve the Short-Term Trash Loading Reduction Plans and related regional documents, these submissions were timely, designed to attain a 40% trash load reduction by July 1, 2014, and addressed the parameters set forth in the MRP such that there has been no failure to comply with the MRP.

In addition, it is important to recognize that the permittees expended (individually and through BASMAA) considerable resources to-date to address C.10 requirements in order to answer the Water Board's direction that trash reduction from municipal stormwater systems is a Bay Area priority. BASMAA and the permittees made considerable progress in the development of baseline trash loads and control measure tracking methods and implementation of enhanced control measures to reduce trash in local water bodies. Specifically, in the two years since MRP adoption, permittees have:

- Created the BASMAA Trash Committee to coordinate trash requirements at the regional level and engage Water Board staff and other stakeholders in how to best achieve significant trash load reductions.
- Identified hundreds of trash hot spots and conducted annual cleanups at these sites in water bodies to reduce existing trash impacts.
- Installed hundreds of full capture trash control devices resulting in the treatment of thousands of acres of urban land area.
- Conducted reviews of the worldwide literature to guide development of science-based baseline trash loads and load reduction tracking methods.
- Conducted over 20 meetings during which preliminary concepts and methods for developing trash baseline loads and tracking methods were openly discussed with Water Board staff and stakeholders and constructive feedback was solicited.

Bay Area

Stormwater Management

Agencies Association

P.O. Box 2385

Menlo Park, CA 94026

510.622.2326

info@basmaa.org

Response to June 7, 2012 Regional Water Board letter regarding Trash Reports and Plans

- Developed and provided draft versions of sampling and analysis plans and tracking methods to Water Board staff and stakeholders for review and comment.
- Implemented a baseline trash generation rate study where thousands of gallons of material collected via full capture devices were characterized.
- Developed preliminary baseline trash generation rates and trash load reduction tracking methods that incorporated feedback provided by active stakeholders.
- Created a template and guidance for permittees to use when developing short-term trash load reduction plans, which was provided to Water Board staff and other stakeholders for review and comment, and was intended to standardize plans and ease review by Water Board staff.
- Planned, created, and submitted individual short-term plans for review by Water Board staff.
- Applied for grants to assist permittees in implementing enhanced trash controls and developing methods to verify trash load reduction and control measure effectiveness.

Throughout the past two years, BASMAA has facilitated a collaborative and open process to provide for Water Board staff and stakeholder involvement. This process was specifically developed to foster collaboration among agencies, organizations, and individuals that have interest in reducing trash in cost-effective ways, under what is arguably a very aggressive compliance timeframe mandated in the MRP.

BASMAA and the permittees remain committed to reducing impacts from trash discharged from municipal stormwater systems and complying with MRP requirements. To this end, BASMAA requests, on behalf of all permittees, a meeting between program and permittee representatives and the Water Board Executive Officer to discuss policy-related issues identified in Water Board staff's comments and to chart a course for a more collaborative and constructive process for continuous improvement and implementation of the MRP's trash-related requirements. A time schedule for responding to issues presented by Water Board staff in its June 7, 2012 comment letter is attached. We will contact you to set up a meeting.

Please let us know if you have questions.

Sincerely,

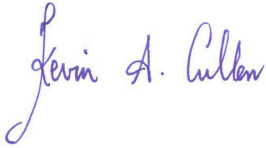


James Scanlin, Alameda Countywide Clean Water Program



Tom Dalziel, Contra Costa Clean Water Program

Response to June 7, 2012 Regional Water Board letter regarding Trash Reports and Plans



Kevin Cullen, Fairfield-Suisun Urban Runoff Management Program



Matt Fabry, San Mateo Countywide Water Pollution Prevention Program



Adam Olivieri, Santa Clara Valley Urban Runoff Pollution Prevention Program



Lance Barnett, Vallejo Sanitation and Flood Control District

Attachment A: Approach and time schedule for responding to Water Board staff's June 7, 2012 comments on trash-related submittals

cc: Tom Mumley, Regional Water Board
Dale Bowyer, Regional Water Board
BASMAA Board of Directors
Chris Sommers, BASMAA Trash Committee

Response to June 7, 2012 Regional Water Board letter regarding Trash Reports and Plans

Attachment A – Approach and time schedule for responding to Water Board staff comments on trash-related submittals dated June 7, 2012.

Plan/Report	Action	Time Schedule
All Plans/Reports	Program and Permittee representatives meet with Water Board Executive Officer to discuss Water Board staff comments.	July/August 2012
Baseline Trash Generation Rates	Permittees (via BASMAA) refine preliminary Trash Generation Rates based on additional data collection and analyses, and in consideration of June 7, 2012 Water Board staff comments.	May – September 2012
	Permittees (via BASMAA) submit Final Trash Generation Rates report to Water Board.	September 15, 2012 (Annual Report)
	Permittees (via BASMAA) present Final Trash Generation Rates to stakeholders (including Water Board staff).	September 2012
Baseline Trash Loads	Permittees submit final baseline trash loads based on final trash generations rates, and in consideration of June 7, 2012 Water Board staff comments.	September 15, 2013
Trash Load Reduction Tracking Method	Permittees (via BASMAA) refine Trash Tracking Method in consideration of June 7, 2012 Water Board staff comments and outcomes of the meeting with Water Board EO.	August 2012 – February 2013
	Permittees (via BASMAA) submit refined Trash Tracking Method technical report to Water Board ¹	February 1, 2013
	Permittees (via BASMAA) present the refined Trash tracking Method to stakeholders (including Water Board staff).	February 2013
Trash Load Reduction Plan	Permittees (via BASMAA) meet with Water Board staff to review Long-Term Trash Load Reduction Plan Templates and Guidance, including the planned level of detailed descriptions of actions.	February – March 2013
	Permittees (via BASMAA) revise template/guidance (as necessary) in consideration of comments received and submits to permittees for use when developing Long-Term Load Reduction Plans.	March – April 2013
	Based on revisions to Tracking Method and template/guidance, each permittee develops and gains internal approval for their Long-Term Trash Load Reduction Plan to address the 70% and 100% trash load reduction goals.	February 2013 – February 2014

Response to June 7, 2012 Regional Water Board letter regarding Trash Reports and Plans

	Permittees submit Long-Term Trash Load Reduction Plan to Water Board based on version 2.0 of Trash Load Reduction Tracking Method.	February 1, 2014
Annual Reporting	FY 2011-12: <ul style="list-style-type: none"> Permittees provide detailed descriptions of actions taken to-date to reduce trash by 40%. Descriptions will include preliminary estimated load reductions achieved to-date based on information currently available and version 1.0 of tracking method. On behalf of permittees, BASMAA submits Final Trash Generation Rate report. 	September 15, 2012
	FY 2012-13: <ul style="list-style-type: none"> Permittees submit final trash baseline load. Permittees provide detailed descriptions of actions taken to-date to reduce trash by 40%, including load reductions achieved to-date based on version 1.0 of the Trash Tracking Method submitted to the Water Board on February 1, 2012 and their final baseline load. 	September 15, 2013
	FY 2013-14: <ul style="list-style-type: none"> Permittees demonstrate 40% reduction in trash from their MS4 consistent with the version 1.0 of the Trash Tracking Method submitted to the Water Board on February 1, 2012. 	September 15, 2014

C/CAG AGENDA REPORT

Date: July 19, 2012
To: Congestion Management Program Technical Advisory Committee (TAC)
From: Matthew Fabry
Subject: Review and Recommend Approval of a Draft Proposal to Distribute Accumulated \$4 Vehicle License Funds for Stormwater Pollution Prevention Programs

(For further information contact Matthew Fabry at 650-599-1419)

RECOMMENDATION

Review and recommend approval to the C/CAG Board of a draft proposal for distributing accumulated countywide \$4 Vehicle License Funds (VLF) to C/CAG's member agencies for stormwater pollution prevention programs.

FISCAL IMPACT

As detailed below.

SOURCE OF FUNDS

The source of funds is accumulated \$4 Vehicle License Funds designated for countywide stormwater pollution prevention programs.

BACKGROUND/DISSION

C/CAG's original \$4 vehicle license fee (VLF) went into effect during fiscal year 2005/06 and continues through the end of calendar year 2012. During this period, C/CAG has used the funds primarily for the Countywide Program's Green Streets and Parking Lots Program, funding the award-winning *San Mateo County Sustainable Green Streets and Parking Lots Design Guidebook* and five demonstration projects throughout the county (four of which have been built and one that is in the final design stage), but also to support technical consulting services related to trash reduction efforts under the Municipal Regional Permit (MRP). The C/CAG Board authorized unrestricted use of Measure M (\$10 VLF) for MRP compliance activities at its May 2012 meeting – this created an additional ongoing source of revenue for Countywide Program activities and relieves the need to maximize use of the \$4 VLF for Countywide Program permit compliance activities. Therefore, staff proposed several options for use of the approximately \$2.6 million in remaining unallocated \$4 VLF funds to both the NPDES TAC in May and the public works directors at a subsequent meeting in June.

The proposal to both groups included distribution of funds roughly split between trash capture devices and green street activities, as follows: 1) Support jurisdictions in meeting the MRP-mandated trash load reduction requirements through funding planning, design, permitting, and/or installation/construction of trash capture devices; and 2) Expand the existing Green Streets and Parking Lots Program, including providing funding to construct street and parking lot demonstration projects, developing a screening tool to identify retrofit opportunity sites, and developing a countywide alternative compliance/in-lieu fee program.

While the NPDES TAC was generally supportive of the proposal, the public works directors made it clear that 1) they would prefer a direct distribution of funds for discretionary use subject to C/CAG restrictions (e.g., must be used for MRP compliance activities with a nexus to vehicles or transportation infrastructure) rather than through a competitive call for projects, and 2) there is little interest in proactively funding green street projects in anticipation of future compliance credit under the five-year cycle of the MRP. The public works directors were supportive, however, of funding a green streets retrofit screening tool and countywide alternative compliance/in-lieu fee program. In light of the consensus opinion from the public works directors, staff has prepared the attached revised proposal for review and feedback by the CMP TAC representatives.

Under the revised proposal, staff is recommending \$1.3 million be distributed on a reimbursable basis to the member agencies using the Measure M allocation percentages for the purpose of meeting trash load reduction requirements in the MRP. The remainder of the accumulated funds would be utilized by C/CAG to fund a GIS screening tool for green street sites and an alternative compliance plan/in-lieu fee program. In addition, \$1 million would be retained for future projects of countywide significance, including support on existing green street pilot projects to meet MRP compliance requirements, local match on future green street grant applications, or to help fund large trash capture devices upon completion of a study by EOA on opportunity sites for trash capture.

In order to help jurisdictions meet their mandatory trash load reduction requirements in the MRP, staff is proposing to only allow the \$1.3 million distribution to be used by jurisdictions to reduce trash loads via activities that have a clear nexus to vehicles or transportation infrastructure. The following load reduction methods from the BASMAA Trash Load Reduction Tracking Method (Version 1.0) have a clear connection to vehicles and/or transportation infrastructure and would be eligible for funding under the existing \$4 VLF reimbursement categories of Street Sweeping, Storm Drain Inlet Cleaning, Street Side Runoff Treatment, and/or Managing Runoff from Street/Parking Lot Impervious Surfaces:

- CR-4 – Activities to Reduce Trash From Uncovered Loads

- CR-5 – Anti-littering and Illegal Dumping Enforcement Activities, as long as it is focused on littering or illegal dumping from vehicles or onto transportation infrastructure
- CR-6 – Improved Trash Bin/Container Management, as long as there is a clear nexus between the improved management and reduction of trash coming off of transportation infrastructure
- QF-1 – On-land Trash Cleanups (Volunteer and/or Municipal), as long as the cleanups are removing trash associated with vehicles or from transportation infrastructure
- QF-2 – Enhanced Future Street Sweeping
- QF-3a – Partial-capture Treatment Device: Curb Inlet Screens
- QF-3b – Partial-capture Treatment Device: Stormwater Pump Station Trash Rack Enhancements, as long as the drainage to the pump station includes runoff from transportation infrastructure or the trash racks remove trash associated with illegal dumping from vehicles or transportation infrastructure (such as from a bridge over a creek)
- QF-3c: Partial-capture Treatment Device: Litter Booms/Curtains, as long as the booms or curtains are capturing trash that is coming off of transportation infrastructure
- QF-4 – Enhanced Storm Drain Inlet Maintenance
- QF-5 – Full Capture Treatment Devices, as long as they are treating runoff from transportation infrastructure
- QF-6: Creek/Channel/Shoreline Cleanups (Volunteer and/or Municipal), as long as trash the cleanups are removing trash that has come off of transportation infrastructure (such as through catch basins and storm drains)

The remaining trash reduction methodologies (CR-1: Single-use Carryout Bag Ordinance, CR-2: Polystyrene Food Service Ware Ordinance, CR-3: Public Education and Outreach Programs, CR-7: Single Use Food and Beverage Service Ware Ordinance) have less obvious linkages to vehicles and/or transportation infrastructure and are not eligible for funding with the \$4 VLF (they are, however, eligible for funding under Measure M). Information on what reduction methodologies were selected by C/CAG’s member agencies to meet the MRP’s short-term load reduction requirements is included in Attachment B.

ATTACHMENTS

- Attachment A – Draft Proposal for Distribution of Accumulated \$4 Vehicle License Funds
- Attachment B – List of Trash Reduction Methods Identified in Short-Term Trash Load Reduction Plans
- Attachment C – Proposed Allocation Amounts for Local Distribution

Attachment A – Draft Proposal for Distribution of Accumulated \$4 Vehicle License Funds

Component	Purpose	Description	Proposed Amount
Local Distribution	Trash Load Reduction or Green Streets	Reimbursable-based funding for trash reduction activities that are designed to meet MRP load reduction requirements and consistent with regional trash load reduction methodologies and jurisdiction’s trash load reduction plans. Funds may also be used for green street projects that capture and treat roadway or parking lot runoff. Distribution will be based on Measure M allocation formula.	\$1,300,000
Countywide Program	Trash or Green Streets	Retain funding as local match for green street grand funding or local assistance for large trash capture device installation upon completion of opportunity study by EOA.	\$1,000,000
	Green Streets – Screening/Modeling Tool	Develop GIS-based screening tool to help municipalities identify feasible opportunity sites for green street and parking lot retrofits and model expected water quality and quantity benefits	\$250,000
	Green Streets – Countywide Alternative Compliance/In-Lieu Fee Program	Develop a countywide alternative compliance/in-lieu fee program to allow banking of developer funds for green street and parking lot retrofits in lieu of performing on-site stormwater management consistent with MRP Provisions C.3.e.	\$50,000
	TOTAL		\$2,600,000

Attachment B – List of Trash Reduction Methods Identified in Short-Term Trash Load Reduction Plans (Eligible categories highlighted)

Permittee	Source Control							Interception/Treatment				Cleanups	
	Single Use Bag Ordinance	Polystyrene Ordinance/Policy	Public Education & Outreach	Uncovered Load Management	Enhanced Illegal Dumping Enforcement	Private/Public Container Mgmt	Disposable Foodware Ordinance	Enhanced Street Sweeping	Litter Booms	Enhanced Storm Drain Maintenance	Full Capture Devices	Enhanced On-land Cleanups	Creek/Shoreline Cleanups
County of San Mateo	*	*	*	*	*	*		*		*	*	*	*
Town of Atherton	?		*	*	*	*						*	*
City of Belmont	*		*	*	*					*			*
City of Brisbane	*		*	*	*	*			*	*	*	*	*
City of Burlingame	?	*	*	*	*	*				*			*
Town of Colma	?	*	*	*	*					*	*	*	*
City of Daly City	*	*	*	*						*			*
City of East Palo Alto	*	*	*	*	*	*		*		*	*	*	
City of Foster City	?	*	*	*	*				*	*			
City of Half Moon Bay	?	*	*	*	*	*				*	*	*	*
Town of Hillsborough	*	*	*	*					*		*	*	*
City of Menlo Park	*	*	*			*				*			
City of Millbrae	*	*	*	*	*	*				*			
City of Pacifica	*	*	*	*	*					*	*	*	*
Town of Portola Valley	*	*	*		*				*		*	*	
City of Redwood City	*	*	*	*	*	*				*			*
City of San Bruno	?	*	*	*	*	*		*		*	*	*	*
City of San Carlos	?		*		*					*	*	*	*
City of San Mateo	?	*	*	*	*	*			*	*	*	*	*
City of South San Francisco	?	*	*	*	*			*		*	*	*	*
Town of Woodside	?		*	*	*	*				*			*

Attachment C - Proposed Allocation Amounts for Local Distribution

Municipality	Measure M Percentage Allocation	Distribution Using Measure M Percentages
Atherton	2.36%	\$30,680
Belmont	3.29%	\$42,770
Brisbane	2.36%	\$30,680
Burlingame	3.95%	\$51,350
Colma	2.36%	\$30,680
Daly City	9.62%	\$125,060
East Palo Alto	3.06%	\$39,780
Foster City	3.12%	\$40,560
Half Moon Bay	2.36%	\$30,680
Hillsborough	2.81%	\$36,530
Menlo Park	4.50%	\$58,500
Millbrae	2.74%	\$35,620
Pacifica	4.84%	\$62,920
Portola Valley	2.36%	\$30,680
Redwood City	8.82%	\$114,660
San Bruno	4.76%	\$61,880
San Carlos	4.03%	\$52,390
San Mateo	11.02%	\$143,260
South San Francisco	7.17%	\$93,210
Woodside	2.36%	\$30,680
San Mateo County Unincorporated	12.15%	\$157,950
	100%	1,300,520

C/CAG AGENDA REPORT

Date: July 19, 2012

To: C/CAG CMP Technical Advisory Committee (TAC)

From: Jean Higaki, Transportation System Coordinator

Subject: Discussion of the MTC adopted "OneBayArea Grant (OBAG) - Cycle 2 STP/CMAQ Funding" program and review and recommend approval of the State Local Partnership Program (SLPP) fund exchange for OBAG Surface Transportation Program (STP) funds.

(For further information or questions contact Jean Higaki at 650-599-1462)

RECOMMENDATION

Discussion of the MTC adopted "OneBayArea Grant (OBAG) - Cycle 2 STP/CMAQ Funding" program and that the CMP TAC review and recommend approval of the State Local Partnership Program (SLPP) fund exchange for OBAG Surface Transportation Program (STP) funds.

FISCAL IMPACT

None.

SOURCE OF FUNDS

STP/CMAQ and potential SLPP funding

BACKGROUND/DISCUSSION

On May 17, 2012 the joint Metropolitan Transportation Commission (MTC) and Association of Bay Area Governments (ABAG) adopted Resolution No. 4035 outlining the "OneBayArea Grant. OBAG is composed of three fund sources, Surface Transportation Program (STP), Congestion Mitigation and Air Quality (CMAQ), and State Transportation Improvement Program-Transportation Enhancement (STIP-TE) funds (see attached table of fund breakdown).

Under the adopted proposal:

- For our county, 70% of all funds must be spent in PDA
- Projects can count towards a PDA if it connects or provides proximate access to a PDA.
- To address PDAs, pedestrian and bike project eligibility will be expanded to not be limited to the regional bike network.
- Minimum grant size for this county is \$250,000.

- Each jurisdiction will have to identify a single point of contact for the implementation of all FHWA projects from inception to project close-out.
- Obligation deadlines will be moved from April 30 to March 31 of the program year. This will result in the submission deadline moving up from February 1 to January 1 of the program year.

State Local Partnership Program (SLPP) fund exchange for OBAG STP funds for Local Streets and Roads

On February 2010, the C/CAG Board adopted a funding commitment for Local Streets and Roads that included both Cycle 1 and Cycle 2 Surface Transportation Program (STP) funds. Approximately \$6 million was committed under the MTC Cycle 2 framework, which is referred to as “Scenario B”. The MTC framework for Cycle 2 has been changed to a new program called OBAG.

The San Mateo County Transportation Authority (SMCTA) is the recipient of \$8,700,000 in SLPP funds and has the desire to exchange those funds with C/CAG’s OBAG share of federal Surface Transportation Program (STP) funds. The \$8,700,000 would be distributed to local jurisdictions for Local Streets and Road Preservation under the framework adopted under “Scenario B” and as noted in the attached SLPP chart. Cities would opt to receive their share of funds in either STP or SLPP by submission of a board or council resolution. Resolutions are due to C/CAG by September 2012.

If all agencies opt for the fund exchange, all of the available OBAG STP funds would be changed to SLPP funds. Agencies that opt to exchange STP funds for SLPP funds would be subject to a March 2013 delivery deadline but would follow state fund delivery processes instead of the federal-aid process. Agencies that opt to keep their share in STP funds would be subject to the federal aid delivery process and deadlines.

Congestion Mitigation and Air Quality (CMAQ)

There will be approximately \$12.8 mil available in CMAQ funds for the remaining OBAG eligible project types that are also eligible under CMAQ. These project types consist of Bicycle /Pedestrian Improvements and Transportation for Livable Communities. It is expected that all of the available funds must be located in, directly connects, or provides proximate access to a Priority Development Area (PDA).

C/CAG staff will convene a technical working group to develop a call for projects this summer and expects to issue a call for projects this fall/winter.

Eligibility Requirements

In order to be eligible for any funding related to the OneBayArea grant, a jurisdiction must comply with the following requirements:

Complete Street Requirements

- Cities must adopt a complete street policy resolution no later than January 31, 2013. MTC staff will provide minimum requirements for this resolution. A jurisdiction can also meet this requirement through a general plan that complies with the California Complete Streets Act of 2008. In next funding cycles the general plan adoption will be an eligibility requirement.

MTC has informed staff that they will issue the "minimum requirements" that will be acceptable in a complete streets resolution. The MTC contact for Complete Streets and Bicycle /Pedestrian is Sean Co at sco@mtc.ca.gov; phone #510-817-5748.

- Jurisdictions must complete the Complete Streets checklist to allow public review and input prior to county project selection.

Housing Element Requirement

- A jurisdiction is required to have its general plan housing element adopted and certified by the California Department of Housing and Community Development (HCD) for 2007-14 RHNA prior to January 31, 2013. If a jurisdiction submits its housing element to the state on a timely basis for review, but the State's comment letter identifies deficiencies that the local jurisdictions must address in order to receive HCD certification, then the jurisdiction may submit a request to the Joint MTC Planning / ABAG Administrative Committee for a time extension to address the deficiencies and resubmit its revised draft housing element to HCD for re-consideration and certification.

OBAG funds are federal funds therefore; all federal aid, state, and regional programming and delivery requirements apply.

Public Outreach

Per OBAG guidelines (Resolution No. 4035, Appendix A-5) MTC requires that C/CAG perform public outreach and local engagement to solicit candidate project for inclusion in the OBAG program. This outreach must be consisted with MTC's Public Participation Plan.

C/CAG will be expected to inform stakeholders and the public about the opportunities for public comment on project ideas and to "assist" community –based organizations, communities of concern, and any other underserved community interested in having project submitted for funding.

As C/CAG is not a potential project sponsor, C/CAG will probably refer public questions and project suggestions, to local jurisdictions in adherence to MTC outreach policy.

The tentative schedule that MTC has posted for this second proposal is as follows:

- June 2012 – March 2013 – Project advertisement, selection, and programming into the Federal Transportation Improvement Plan (FTIP).
- April 2013 - MTC adopts the final Plan Bay Area Sustainable Communities Strategy (SCS)

ATTACHMENTS

1. Final Cycle 2 OneBayArea Grant Program (Resolution 4035) dated May 17, 2012
2. SLPP funding chart
3. OBAG fund sources

Date: May 17, 2012
W.I.: 1512
Referred by: Planning

ABSTRACT

Resolution No. 4035

This resolution adopts the Project Selection Policies and Programming for federal Surface Transportation Authorization Act following the Safe, Accountable, Flexible and Efficient Transportation Equity Act (SAFETEA), and any extensions of SAFETEA in the interim. The Project Selection Policies contain the project categories that are to be funded with various fund sources including federal surface transportation act funding available to MTC for its programming discretion to be included in the federal Transportation Improvement Program (TIP).

The resolution includes the following attachments:

- Attachment A – Project Selection Policies
- Attachment B-1 – Regional Program Project List
- Attachment B-2 – OneBayArea Grant (OBAG) Project List

Further discussion of the Project Selection Criteria and Programming Policies is contained in the memorandum to the Joint Planning Committee dated May 11, 2012.

Date: May 17, 2012
W.I.: 1512
Referred By: Planning

RE: Federal Cycle 2 Program covering FY 2012-13, FY 2013-14, FY 2014-15 and FY 2015-16:
Project Selection Policies and Programming

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 4035

WHEREAS, the Metropolitan Transportation Commission (MTC) is the Regional Transportation Planning Agency (RTPA) for the San Francisco Bay Area pursuant to Government Code Section 66500 et seq.; and

WHEREAS, MTC is the designated Metropolitan Planning Organization (MPO) for the nine-county San Francisco Bay Area region and is required to prepare and endorse a Transportation Improvement Program (TIP) which includes federal funds; and

WHEREAS, MTC is the designated recipient for federal funding administered by the Federal Highway Administration (FHWA) assigned to the MPO/RTPA of the San Francisco Bay Area for the programming of projects (regional federal funds); and

WHEREAS, the federal funds assigned to the MPOs/RTPAs for their discretion are subject to availability and must be used within prescribed funding deadlines regardless of project readiness; and

WHEREAS, MTC, in cooperation with the Association of Bay Area Governments, (ABAG), the Bay Area Air Quality Management District (BAAQMD), the Bay Conservation and Development Commission (BCDC), California Department of Transportation (Caltrans), Congestion Management Agencies (CMAs), transit operators, counties, cities, and interested stakeholders, has developed criteria, policies and procedures to be used in the selection of projects to be funded with various funding including regional federal funds as set forth in Attachments A, B-1 and B-2 of this Resolution, incorporated herein as though set forth at length; and

WHEREAS, using the policies set forth in Attachment A of this Resolution, MTC, in cooperation with the Bay Area Partnership and interested stakeholders, has or will develop a program of projects to be funded with these funds for inclusion in the federal Transportation Improvement Program (TIP), as set forth in Attachments B-1 and B-2 of this Resolution, incorporated herein as though set forth at length; and

WHEREAS the federal TIP and subsequent TIP amendments and updates are subject to public review and comment; now therefore be it

RESOLVED that MTC approves the “Project Selection Policies and Programming” for projects to be funded with Cycle 2 Program funds as set forth in Attachments A, B-1 and B-2 of this Resolution; and be it further

RESOLVED that the federal funding shall be pooled and redistributed on a regional basis for implementation of Project Selection Criteria, Policies, Procedures and Programming, consistent with the Regional Transportation Plan (RTP); and be it further

RESOLVED that the projects will be included in the federal TIP subject to final federal approval; and be it further

RESOLVED that the Executive Director or his designee can make technical adjustments and other non-substantial revisions, including updates to fund distributions to reflect final 2014-2022 FHWA figures; and be it further

RESOLVED that the Executive Director or designee is authorized to revise Attachments B-1 and B-2 as necessary to reflect the programming of projects as the projects are selected and included in the federal TIP; and be it further

RESOLVED that the Executive Director shall make available a copy of this resolution, and such other information as may be required, to the Governor, Caltrans, and to other such agencies as may be appropriate.

METROPOLITAN TRANSPORTATION COMMISSION

Adrienne J. Tissier, Chair

The above resolution was entered into by the Metropolitan Transportation Commission at the regular meeting of the Commission held in Oakland, California, on May 17, 2012

Date: May 17, 2012
W.I.: 1512
Referred by: Planning

Attachment A
Resolution No. 4035

Cycle 2 Program Project Selection Criteria and Programming Policy

**For
FY 2012-13, FY 2013-14,
FY 2014-15 and FY 2015-16**

Cycle 2 Program Policy and Programming

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BACKGROUND

Anticipating the end of the federal Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA) on September 30, 2009, MTC approved Cycle 1 commitments (Resolution 3925) along with an overall framework to guide upcoming programming decisions for Cycle 2 to address the new six-year surface transportation authorization act funding. However, the successor to SAFETEA has not yet been enacted, and SAFETEA has been extended through continuing resolutions. Without the new federal surface transportation act, MTC may program funds forward based on reasonable estimates of revenues. It is estimated that roughly \$795 million is available for programming over the upcoming four-year Cycle 2 period.

Cycle 2 covers the four years from FY 2012-13 to FY 2015-2016 pending the enactment of the new authorization and/or continuation of SAFETEA.

This attachment outlines how the region will use Cycle 2 funds for transportation needs in the MTC region. Funding decisions continue to implement the strategies and objectives of the Regional Transportation Plan (RTP), Transportation 2035, which is the Bay Area's comprehensive roadmap to guide transportation investments in surface transportation including mass transit, highway, local road, bicycle and pedestrian projects over the long term. The program investments recommended for funding in Cycle 2 are an outgrowth of the transportation needs identified by the RTP and also take into consideration the preferred transportation investment strategy of the Sustainable Communities Strategy (SCS).

Appendix A-1 provides an overview of the Cycle 2 Program commitments which contain a regional program component managed by MTC and a county program component to be managed by the counties.

CYCLE 2 REVENUE ESTIMATES AND FEDERAL PROGRAM ARCHITECTURE

MTC receives federal funding for local programming from the State for local programming in the MTC region. Among the various transportation programs established by SAFETEA, this includes regional Surface Transportation Program (STP) Congestion Mitigation and Air Quality Improvement (CMAQ) Program and to a lesser extent, Regional Transportation Improvement Program (RTIP) and Transportation Enhancement (TE) funds. The STP/CMAQ/RTIP/TE programming capacity in Cycle 2 amounts to \$795 million. The Commission programs the STP/CMAQ funds while the California Transportation Commission programs the RTIP and TE Funds. Furthermore, the Bay Area Air Quality Management District (BAAQMD) is contributing Transportation Fund for Clean Air (TFCA) funding to Cycle 2. Below are issues to be addressed as the region implements Cycle 2 programming, particularly in light that approval of Cycle 2 will precede approval of the new federal transportation act.

Revenues: A revenue growth rate of 3% over prior federal apportionments is assumed for the first year – FY 2012-13. Due to continued uncertainties with federal funding, the estimated revenues for the later years of the program, FY 2013-14 through FY 2015-16, have not been escalated, but held steady at the estimated FY 2012-13 apportionment amount. If there are significant reductions in federal apportionments over the Cycle 2 time period, as in the past, MTC will reconcile the revenue levels following enactment of the New Act by making adjustments later if needed, by postponement of projects or adjustments to subsequent programming cycles.

Fund Sources: Development of the new federal surface transportation authorization will need to be closely monitored. New federal programs, their eligibility rules, and how funding is distributed to the states and regions could potentially impact the implementation of the Cycle 2 Regional and One Bay Area Grant (OBAG) Programs. It is anticipated that any changes to the federal programs would likely overlap to a large extent with projects that are currently eligible for funding under Title 23 of the United States Code, though the actual fund sources will likely no longer be referred to as STP/CMAQ/TE in the manner we have grown accustomed. Therefore, reference to specific fund sources in the Cycle 2 programming is a proxy for replacement fund sources for which MTC has programming authority.

NEW FUNDING APPROACH FOR CYCLE 2—THE ONEBAYAREA GRANT

For Cycle 2, the OneBayArea Grant (OBAG) is a new funding approach that better integrates the region's federal transportation program with California's climate law (Senate Bill 375, Steinberg, 2008) and the Sustainable Communities Strategy. Funding distribution to the counties will encourage land-use and housing policies that support the production of housing with supportive transportation investments. This is accomplished through the following policies:

- Using transportation dollars to reward jurisdictions that accept housing allocations through the Regional Housing Need Allocation (RHNA) process and produce housing.
- Supporting the Sustainable Communities Strategy for the Bay Area by promoting transportation investments in Priority Development Areas (PDAs) and by initiating a pilot program in the North Bay counties that will support open space preservation in Priority Conservation Areas (PCA).
- Providing a higher proportion of funding to local agencies and additional investment flexibility by eliminating required program targets. A significant amount of funding that was used for regional programs in Cycle 1 is shifted to local programs (the OneBayArea Grant). The OBAG program allows investments in transportation categories such as Transportation for Livable Communities, bicycle and pedestrian improvements, local streets and roads preservation, and planning and outreach activities, while also providing targeted funding opportunities for Safe Routes to School (SR2S) and Priority Conservation Areas.

Project List

Attachment B of Resolution 4035 contains the list of projects to be programmed under the Cycle 2 Program. Attachments B-1 and B-2 are listings of projects receiving Cycle 2 funding, and reflects the programs and projects included in the regional and OBAG programs respectively. The listing is subject to project selection actions (conducted by MTC for most of the regional programs and by the CMAs for funds distributed to them). MTC staff will update Attachments B-1 and B-2 as projects are selected by the Commission and CMAs and are included in the federal TIP.

OneBayArea Grant Fund Distribution Formula

The formula used to distribute OneBayArea Grant funding to the counties takes into consideration the following factors: population, past housing production, future housing commitments as determined by the Association of Bay Area Governments (ABAG) Regional Housing Needs

Assessment (RHNA) and added weighting to acknowledge very low and low income housing. The formula breakdown is as follows with distributions derived from each jurisdiction’s proportionate share of the regional total for each factor:

OBAG Fund Distribution Factors

Factor Weighting	Percentage
Population	50%
RHNA* (total housing units)	12.5%
RHNA (low/very low income housing units)	12.5%
Housing Production** (total housing units)	12.5%
Housing Production (low/very low income housing units)	12.5%

* RHNA 2014-2022

**Housing Production Report 1999-2006

The objective of this formula is to provide housing incentives to complement the region’s Sustainable Community Strategy (SCS) which together with a Priority Development Area (PDA) focused investment strategy will lead to transportation investments that support focused development. The proposed One Bay Area Grant formula also uses actual housing production data from 1999-2006, which has been capped such that each jurisdiction receives credit for housing up to its RHNA allocation. Subsequent funding cycles will be based on housing production from ABAG’s next housing report to be published in 2013. The formula also recognizes jurisdictions’ RHNA and past housing production (uncapped) contributions to very low and low income housing units. The resulting OBAG fund distribution for each county is presented in Appendix A-4. Funding guarantees are also incorporated in the fund distribution to ensure that all counties receive as much funding under the new funding model as compared to what they would have received under the Cycle 1 framework.

The Commission, working with ABAG, will revisit the funding distribution formula for the next cycle (post FY2015-16) to further evaluate how to best incentivize housing production across all income levels and other Plan Bay Area performance objectives.

CYCLE 2 GENERAL PROGRAMMING POLICIES

The following programming policies apply to all projects funded in Cycle 2:

1. **Public Involvement.** MTC is committed to a public involvement process that is proactive and provides comprehensive information, timely public notice, full public access to key decisions, and opportunities for continuing involvement. MTC provides many methods to fulfill this commitment, as outlined in the *MTC Public Participation Plan*, Resolution No. 3821. The Commission’s adoption of the Cycle 2 program, including policy and procedures meet the provisions of the *MTC Public Participation Plan*. MTC’s advisory committees and the Bay

Area Partnership have been consulted in the development of funding commitments and policies for this program; and opportunities to comment have been provided to other stakeholders and members of the public.

Furthermore, investments made in the Cycle 2 program must be consistent with federal Title VI requirements. Title VI prohibits discrimination on the basis of race, color, income, and national origin in programs and activities receiving federal financial assistance. Public outreach to and involvement of individuals in low income and minority communities covered under Title VI of the Civil Rights Act and the Executive Order pertaining to Environmental Justice is critical to both local and regional decisions. Additionally, when CMAs select projects for funding at the county level, they must consider equitable solicitation and selection of project candidates in accordance with federal Title VI requirements (as set forth in Appendix A-5).

2. **Commission Approval of Programs and Projects and the Transportation Improvement Program (TIP).** Projects approved as part of the Cycle 2 Program must be amended into the federal TIP. The federally required TIP is a comprehensive listing of all San Francisco Bay Area surface transportation projects that receive federal funds, and/or are subject to a federally required action, such as federal environmental clearance, and/or are regionally significant for air quality conformity or modeling purposes. It is the project sponsor's responsibility to ensure their project is properly programmed in the TIP in a timely manner. Where CMAs are responsible for project selection the Commission will revise the TIP to include the resulting projects and Attachment B to this Resolution may be amended by MTC staff to reflect these revisions. Where responsibility for project selection in the framework of a Cycle 2 funding program is assigned to MTC, TIP amendments and a revision to Attachment B will be reviewed and approved by the Commission.
3. **Minimum Grant Size.** The objective of a grant minimum requirement is to maximize the efficient use of federal funds and minimize the number of federal-aid projects which place administrative burdens on project sponsors, CMAs, MTC, Caltrans, and Federal Highway Administration (FHWA) staff. Funding grants per project must therefore be a minimum of \$500,000 for counties with a population over 1 million (Alameda, Contra Costa, and Santa Clara counties) and \$250,000 for counties with a population under one million (Marin, Napa, San Francisco, San Mateo, Solano, and Sonoma counties).

To provide flexibility, alternatively an averaging approach may be used. A CMA may program grant amounts no less than \$100,000 for any project, provided that the overall average of all grant amounts within their OBAG program meets the county minimum grant amount threshold.

Given the typical smaller scale of projects for the Safe Routes to School (SRTS) program, a lower threshold applies to the regional Safe Routes to School Program projects which have a minimum grant size of \$100,000.
4. **Air Quality Conformity.** In the Bay Area, it is the responsibility of MTC to make an air quality conformity determination for the TIP in accordance with federal Clean Air Act requirements and Environmental Protection Agency (EPA) conformity regulations. MTC evaluates the impact of the TIP on regional air quality during the biennial update of the TIP. Since the 2011 air quality conformity finding has been completed for the 2011 TIP, no non-exempt projects that were not incorporated in the finding will be considered for funding in the Cycle 2 Program until

the development of the 2013 TIP during spring 2013. Additionally, the U.S. Environmental Protection Agency has designated the Bay Area as a non-attainment area for PM 2.5. Therefore, based on consultation with the MTC Air Quality Conformity Task Force, projects deemed “Projects of Air Quality Concern” must complete a hot-spot analysis required by the Transportation Conformity Rule. Generally Projects of Air Quality Concern (POAQC) are those projects that result in significant increases in the number of or emissions from diesel vehicles.

5. **Environmental Clearance.** Project sponsors are responsible for compliance with the requirements of the California Environmental Quality Act (Public Resources Code Section 21000 et seq.), the State Environmental Impact Report Guidelines (14 California Code of Regulations Section 15000 et seq.), and the National Environmental Protection Act (42 USC Section 4-1 et seq.) standards and procedures for all projects with federal funds.
6. **Application, Resolution of Local Support.** Project sponsors must submit a completed project application for each project proposed for funding through MTC’s Funding Management System (FMS). The project application consists of two parts: 1) an application submittal and/or TIP revision request to MTC staff, and 2) Resolution of Local Support approved by the project sponsor’s governing board or council. A template for the resolution of local support can be downloaded from the MTC website using the following link:
http://www.mtc.ca.gov/funding/STPCMAQ/STP_CMAQ_LocalSupportReso.doc
7. **Project Screening and Compliance with Regional and Federal Requirements.** MTC staff will perform a review of projects proposed for the Cycle 2 Program to ensure 1) eligibility; 2) consistency with the RTP; and 3) project readiness. In addition, project sponsors must adhere to directives such as “Complete Streets” (MTC Routine Accommodations for Bicyclists and Pedestrians); and the Regional Project Funding Delivery Policy as outlined below; and provide the required matching funds. Project sponsors should note that fund source programs, eligibility criteria, and regulations may change as a result of the passage of new surface transportation authorization legislation. In this situation, MTC staff will work to realign new fund sources with the funding commitments approved by the Commission.
 - ▶ **Federal Project Eligibility:** STP has a wide range of projects that are eligible for consideration in the TIP. Eligible projects include, federal-aid highway and bridge improvements (construction, reconstruction, rehabilitation, resurfacing, restoration, and operational), mitigation related to an STP project, public transit capital improvements, pedestrian, and bicycle facilities, and transportation system management, transportation demand management, transportation control measures, surface transportation planning activities, and safety. More detailed eligibility requirements can be found in Section 133 of Title 23 of the United States Code.

CMAQ funding applies to new or expanded transportation projects, programs, and operations that help reduce emissions. Eligible project categories that meet this basic criteria include: Transportation activities in approved State Implementation Plan (SIP), Transportation Control Measures (TCMs), alternative fuels, traffic flow improvements, transit expansion projects, bicycle and pedestrian facilities and programs, travel demand management, outreach and rideshare activities, telecommuting programs, intermodal freight, planning and project development activities, Inspection and maintenance

programs, magnetic levitation transportation technology deployment program, and experimental pilot projects. For more detailed guidance see the *CMAQ Program Guidance* (FHWA, November 2008).

In the event that the next surface transportation authorization materially alters these programs, MTC staff will work with project sponsors to match projects with appropriate federal fund programs. MTC reserves the right to assign specific fund sources based on availability and eligibility requirements.

- ▶ **RTP Consistency:** Projects included in the Cycle 2 Program must be consistent with the adopted Regional Transportation Plan (RTP), according to federal planning regulations. Each project included in the Cycle 2 Program must identify its relationship with meeting the goals and objectives of the RTP, and where applicable, the RTP ID number or reference.

- ▶ **Complete Streets (MTC Routine Accommodations of Pedestrians and Bicyclists) Policy:** Federal, state and regional policies and directives emphasize the accommodation of bicyclists, pedestrians, and persons with disabilities when designing transportation facilities. MTC's Complete Streets policy (Resolution No. 3765) created a checklist that is intended for use on projects to ensure that the accommodation of non-motorized travelers are considered at the earliest conception or design phase. The county Congestion Management Agencies (CMAs) ensure that project sponsors complete the checklist before projects are considered by the county for funds and submitted to MTC. CMAs are required to make completed checklists available to their Bicycle and Pedestrian Advisory Committee (BPAC) for review prior to CMAs' project selection actions for Cycle 2.

Other state policies include, Caltrans Complete Streets Policy Deputy Directive 64 R1 which stipulates: pedestrians, bicyclists and persons with disabilities must be considered in all programming, planning, maintenance, construction, operations, and project development activities and products and SB 1358 California Complete Streets Act, which requires local agency general plan circulation elements to address all travel modes.

- ▶ **Project Delivery and Monitoring.** Cycle 2 funding is available in the following four federal fiscal years: FY 2012-13, 2013-14, 2014-15, and FY 2015-16. Funds may be programmed in any one of these years, conditioned upon the availability of federal apportionment and obligation authority (OA). This will be determined through the development of an annual obligation plan, which is developed in coordination with the Partnership and project sponsors. However, funds **MUST** be obligated in the fiscal year programmed in the TIP, with all Cycle 2 funds to be obligated no later than March 31, 2016. Specifically, the funds must be obligated by FHWA or transferred to Federal Transit Administration (FTA) within the federal fiscal year that the funds are programmed in the TIP.

All Cycle 2 funding is subject to the Regional Project Funding Delivery Policy and any subsequent revisions (MTC Resolution No. 3606 at http://www.mtc.ca.gov/funding/delivery/MTC_Res_3606.pdf) . Obligation deadlines, project substitutions and redirection of project savings will continue to be governed by

the MTC Regional Project Funding Delivery Policy. All funds are subject to obligation, award, invoicing, reimbursement and project close out requirements. The failure to meet these deadlines may result in the de-programming and redirection to other projects.

To further facilitate project delivery and ensure all federal funds in the region are meeting federal and state regulations and deadlines, every recipient of Cycle 2 funding will need to identify a staff position that serves as the single point of contact for the implementation of all FHWA-administered funds within that agency. The person in this position must have sufficient knowledge and expertise in the federal-aid delivery process to coordinate issues and questions that may arise from project inception to project close-out. The agency is required to identify the contact information for this position at the time of programming of funds in the federal TIP. This person will be expected to work closely with FHWA, Caltrans, MTC and the respective CMA on all issues related to federal funding for all FHWA-funded projects implemented by the recipient.

Project sponsors that continue to miss delivery milestones and funding deadlines for any federal funds are required to prepare and update a delivery status report on all projects with FHWA-administered funds they manage, and participate if requested in a consultation meeting with the county CMA, MTC and Caltrans prior to MTC approving future Cycle programming or including any funding revisions for the agency in the federal TIP. The purpose of the status report and consultation is to ensure the local public agency has the resources and technical capacity to deliver FHWA federal-aid projects, is fully aware of the required delivery deadlines, and has developed a delivery timeline that takes into consideration the requirements and lead-time of the federal-aid process within available resources.

By applying for and accepting Cycle 2 funding, the project sponsor is acknowledging that it has and will maintain the expertise and staff resources necessary to deliver the federal-aid project within the funding timeframe.

- ▶ Local Match. Projects funded with STP or CMAQ funding requires a non-federal local match. Based on California's share of the nation's federal lands, the local match for STP and CMAQ is currently 11.47% of the total project cost. The FHWA will reimburse up to 88.53% of the total project cost. Project sponsors are required to provide the required match, which is subject to change.
- ▶ Fixed Program and Specific Project Selection. Projects are chosen for the program based on eligibility, project merit, and deliverability within established deadlines. The Cycle 2 program is project specific and the funds programmed to projects are for those projects alone. The Cycle 2 Program funding is fixed at the programmed amount; therefore, any cost increase may not be covered by additional Cycle 2 funds. Project sponsors are responsible for securing the necessary match, and for cost increases or additional funding needed to complete the project including contingencies.

REGIONAL PROGRAMS

The programs below comprise the Regional Program of Cycle 2, administered by the Commission. Funding amounts for each program are included in Attachment A-1. Individual projects will be added to Attachment B as they are selected and included in the federal TIP.

1. Regional Planning Activities

This program provides funding to the Association of Bay Area Governments (ABAG), the San Francisco Bay Area Conservation and Development Commission (BCDC), and MTC to support regional planning activities. (Note that in the past this funding category included planning funding for the CMAs. Starting with Cycle 2, CMAs will access their OneBayArea Grant to fund their planning activities rather than from this regional program category). Appendix A-2 details the fund distribution.

2. Regional Operations

This program includes projects which are administered at the regional level by MTC, and includes funding to continue regional operations programs for Clipper®, 511 Traveler information (including 511 Rideshare, 511 Bicycle, 511 Traffic, 511 Real-Time Transit and 511 transit), Freeway Service Patrol / SAFE and Incident Management. Information on these programs is available at <http://www.mtc.ca.gov/services/>.

3. Freeway Performance Initiative

This program builds on the proven success of recent ramp metering projects that have achieved significant delay reduction on Bay Area freeways and arterials at a fraction of the cost of traditional highway widening projects. Several corridors are proposed for metering projects, targeting high congestion corridors. These projects also include Traffic Operations System elements to better manage the system as well as implementing the express lane network. This category also includes funding for performance monitoring activities, regional performance initiatives implementation, Regional Signal Timing Program, Program for Arterial System Synchronization (PASS), freeway and arterial performance initiative projects and express lanes.

4. Pavement Management Program

This continues the region's Pavement Management Program (PMP) and related activities including the Pavement Technical Assistance Program (PTAP). MTC provides grants to local jurisdictions to perform regular inspections of their local streets and roads networks and to update their pavement management systems which is a requirement to receive certain funding. MTC also assists local jurisdictions in conducting associated data collection and analysis efforts including local roads needs assessments and inventory surveys and asset management analysis that feed into regional planning efforts. MTC provides, training, research and development of pavement and non-pavement preservation management techniques, and participates in the state-wide local streets and roads needs assessment effort.

5. Priority Development Area (PDA) Activities

Funding in this regional program implements the following three regional programs:

Affordable TOD fund: This is a continuation of MTC's successful Transit Oriented Development (TOD) fund into Cycle 2 which successfully has leveraged a significant amount of outside funding. The TOD fund provides financing for the development of affordable housing and other vital

community services near transit lines throughout the Bay Area. Through the Fund, developers can access flexible, affordable capital to purchase or improve available property near transit lines for the development of affordable housing, retail space and other critical services, such as child care centers, fresh food outlets and health clinics.

PDA Planning Grants: MTC and ABAG's PDA Planning Grant Program will place an emphasis on affordable housing production and preservation in funding agreements with grantees. Grants will be made to jurisdictions to provide support in planning for PDAs in areas such as providing housing, jobs, intensified land use, promoting alternative modes of travel to the single occupancy vehicle, and parking management. These studies will place a special focus on selected PDAs with a greater potential for residential displacement and develop and implement community risk reduction plans. Also program funds will establish a new local planning assistance program to provide staff resources directly to jurisdictions to support local land-use planning for PDAs.

MTC will commence work with state and federal government to create private sector economic incentives to increase housing production.

PDA Planning Assistance: Grants will be made to local jurisdictions to provide planning support as needed to meet regional housing goals.

6. Climate Change Initiatives

The proposed funding for the Cycle 2 Climate Initiative Program is to support the implementation of strategies identified in Plan Bay Area to achieve the required CO₂ emissions reductions per SB375 and federal criteria pollutant reductions. Staff will work with the Bay Area Air Quality Management District to implement this program.

7. Safe Routes to Schools

Within the Safe Routes to School Program (SR2S program) funding is distributed among the nine Bay Area counties based on K-12 total enrollment for private and public schools as reported by the California Department of Education for FY 2010-11. Appendix A-3 details the county fund distribution. Before programming projects into the TIP the CMAs shall provide the SR2S recommended county program scope, budget, schedule, agency roles, and federal funding recipient. CMAs may choose to augment this program with their own Cycle 2 OBAG funding.

8. Transit Capital Rehabilitation

The program objective is to assist transit operators to fund major fleet replacements, fixed guideway rehabilitation and other high-scoring capital needs, consistent with the FTA Transit Capital Priorities program. This includes a set-aside of \$1 million to support the consolidation and transition of Vallejo and Benicia bus services to Soltrans

9. Transit Performance Initiative: This new pilot program implements transit supportive investments in major transit corridors that can be carried out within two years. The focus is on making cost-effective operational improvements on significant trunk lines which carry the largest number of passengers in the Bay Area including transit signal prioritization, passenger circulation improvements at major hubs, and boarding/stop improvements. Specific projects are included in Attachment B.

10. Priority Conservation Area: This \$10 million program is regionally competitive. The first \$5 million would be dedicated to the North Bay counties of Marin, Napa, Solano, and Sonoma.

Eligible projects would include planning, land/easement acquisition, open space access projects, and farm-to-market capital projects. Priority would be given to projects that can partner with state agencies, regional districts and private foundations to leverage outside funds, particularly for land acquisition and open space access. An additional \$5 million will be available outside of the North Bay counties for sponsors that can provide a 3:1 match. Program guidelines will be developed over the next several months. Prior to the call for projects, a meeting will be held with stakeholders to discuss the program framework and project eligibility. The program guidelines will be approved by the Commission following those discussions. Note that tribal consultation for Plan Bay Area highlighted the need for CMAs in Sonoma and Contra Costa counties to involve tribes in PCA planning and project delivery.

ONEBAYAREA GRANT PROGRAMMING POLICIES

The policies below apply to the OneBayArea Grant Program, administered by the county Congestion Management Agencies (CMAs) or substitute agency:

- ▶ **Program Eligibility:** The congestion management agency may program funds from its One Bay Area Grant fund distribution to projects that meet the eligibility requirements for any of the following transportation improvement types:
 - Local Streets and Roads Preservation
 - Bicycle and Pedestrian Improvements
 - Transportation for Livable Communities
 - Safe Routes To School/Transit
 - Priority Conservation Area
 - Planning and Outreach Activities

- ▶ **Fund Source Distribution:** OBAG is funded primarily from three federal fund sources: STP, CMAQ and TE. Although the new federal surface transportation authorization act now under consideration may alter the actual fund sources available for MTC's programming discretion it is anticipated that any new federal programs would overlap to a large extent with existing programs. The CMAs will be provided a breakdown of specific OBAG fund sources, with the understanding that actual fund sources may change as a result of the new federal surface transportation act. In this situation, MTC staff will work with the CMAs to realign new fund sources with the funding commitments approved by the Commission. Furthermore, due to strict funding availability and eligibility requirements, the CMAs must adhere to the fund source limitations provided. Exceptions may be granted by MTC staff based on actual fund sources available and final apportionment levels.

In determining the fund source distribution to the counties, each county was first guaranteed at least what they would otherwise received in Cycle 2 under the original Cycles 1 & 2 framework as compared to the original July 8, 2011 OBAG proposal. This resulted in the county of Marin receiving an additional \$1.1 million, county of Napa receiving \$1.3 million each, and the county of Solano receiving \$1.4 million, for a total of \$3.8 million (in CMAQ funds) off the top to hold these counties harmless. The Transportation Enhancement (TE) funds were then distributed based on the county TE shares available for OBAG as approved in the 2012 Regional Transportation Improvement Program (RTIP). STP funds were then assigned to the CMA planning and outreach activities. The remaining STP funds assigned to OBAG were then distributed to each county based on the OBAG distribution formula. The remaining funds were distributed as CMAQ per the OBAG distribution formula. The hold harmless clause resulted in a slight deviation in the OBAG formula distribution for the overall funding amounts for each county.

- ▶ **Priority Development Area (PDA) Policies**
 - PDA minimum: CMAs in larger counties (Alameda, Contra Costa, San Mateo, San Francisco, and Santa Clara) shall direct at least 70% of their OBAG

investments to the PDAs. For North Bay counties (Marin, Napa, Solano, and Sonoma) this minimum target is 50% to reflect the more rural nature of these counties. A project lying outside the limits of a PDA may count towards the minimum provided that it directly connects to or provides proximate access to a PDA. Depending on the county, CMA planning costs would partially count towards PDA targets (70% or 50%) in line with its PDA funding target. At MTC staff discretion, consideration may be given to counties that provided higher investments in PDAs in Cycle 1 as part of an overall Cycle 1 and 2 investment package. Priority Conservation Area (PCA) investments do not count towards PDA targets and must use “anywhere” funds. The PDA/’anywhere’ funding split is shown in Appendix A-4.

- PDA Boundary Delineation: Refer to <http://geocommons.com/maps/141979> which provides a GIS overlay of the PDAs in the Bay Area to exact map boundaries including transportation facilities. As ABAG considers and approves new PDA designations this map will be updated.
 - Defining “proximate access to PDAs”: The CMAs make the determination for projects to count toward the PDA minimum that are not otherwise geographically located within a PDA. For projects not geographically within a PDA, CMAs are required to map projects and designate which projects are considered to support a PDA along with policy justifications. This analysis would be subject to public review when the CMA board acts on OBAG programming decisions. This should allow decision makers, stakeholders, and the public to understand how an investment outside of a PDA is to be considered to support a PDA and to be credited towards the PDA investment minimum target. MTC staff will evaluate and report to the Commission on how well this approach achieves the OBAG objectives prior to the next programming cycle.
 - PDA Investment & Growth Strategy: By May 1, 2013, CMAs shall prepare and adopt a PDA Investment & Growth Strategy to guide transportation investments that are supportive of PDAs. An existing Investment and Growth Strategy adopted by the County will be considered as meeting this requirement if it satisfies the general terms in Appendix A-6. See Appendix A-6 for details.
- ▶ Performance and Accountability Policies: Jurisdictions need to comply with the following policies in order to be eligible recipients of OBAG funds.
- To be eligible for OBAG funds, a jurisdiction will need to address complete streets policies at the local level through the adoption of a complete streets policy resolution no later than January 31, 2013. A jurisdiction can also meet this requirement through a general plan that complies with the Complete Streets Act of 2008. Staff will provide minimum requirements based on best practices for the resolution. As discussed below, jurisdictions will be expected to have a general plan that complies within the Complete Streets Act of 2008 to be eligible for the next round of funding.

- A jurisdiction is required to have its general plan housing element adopted and certified by the California Department of Housing and Community Development (HCD) for 2007-14 RHNA prior to January 31, 2013. If a jurisdiction submits its housing element to the state on a timely basis for review, but the State's comment letter identifies deficiencies that the local jurisdictions must address in order to receive HCD certification, then the local jurisdiction may submit a request to the Joint MTC Planning / ABAG Administrative Committee for a time extension to address the deficiencies and resubmit its revised draft housing element to HCD for re-consideration and certification.
- For the OBAG cycle subsequent to FY 2015-16, jurisdictions must adopt housing elements by October 31, 2014 (based on an April 2013 SCS adoption date); therefore, jurisdictions will be required to have General Plans with approved housing elements and that comply with the Complete Streets Act of 2008 by that time to be eligible for funding. This schedule allows jurisdictions to meet the housing and complete streets policies through one general plan amendment.
- OBAG funds may not be programmed to any jurisdiction out of compliance with OBAG policies and other requirements specified in this attachment. The CMA will be responsible for tracking progress towards these requirements and affirming to MTC that a jurisdiction is in compliance prior to MTC programming OBAG funds to its projects in the TIP.
- For a transit agency project sponsor under a JPA or district (not under the governance of a local jurisdiction), the jurisdiction where the project (such as station/stop improvements) is located will need to comply with these policies before funds may be programmed to the transit agency project sponsor. However, this is not required if the project is transit/rail agency property such as, track, rolling stock or transit maintenance facility.
- CMAs will provide documentation for the following prior to programming projects in the TIP:
 - The approach used to select OBAG projects including outreach and a board adopted list of projects
 - Compliance with MTC's complete streets policy
 - A map delineating projects selected outside of PDAs indicating those that are considered to provide proximate access to a PDA including their justifications as outlined on the previous page. CMA staff is expected to use this exhibit when it presents its program of projects to explain the how "proximate access" is defined to their board and the public.
- MTC staff will report on the outcome of the CMA project selection process in late 2013. This information will include, but not be limited to, the following:
 - Mix of project types selected;
 - Projects funded within PDAs and outside of PDAs and how proximity and direct connections were used and justified through the county process;
 - Complete streets elements that were funded;
 - Adherence to the performance and accountability requirements;

- Amount of funding to various jurisdictions and how this related to the distribution formula that includes population, RHNA housing allocations and housing production, as well as low-income housing factors.
 - Public participation process.
 - The CMAs will also be required to present their PDA Growth Strategy to the Joint MTC Planning / ABAG Administrative Committee.
- **Project Selection:** County congestion management agencies or substitute agencies are given the responsibility to develop a project selection process along with evaluation criteria, issue a call for projects, conduct outreach, and select projects
- **Public Involvement:** The decision making authority to select projects for federal funding accompanies responsibilities to ensure that the process complies with federal statutes and regulations. In order to ensure that the CMA process for administering OBAG is in compliance, CMAs are required to lead a public outreach process as directed by Appendix A-5.
 - **Unified Call for Projects:** CMAs are requested to issue one unified call for projects for their One Bay Area grant, with a final project list due to MTC by June 30, 2013. CMA staff need to ensure that all projects are submitted using the Fund Management System (FMS) no later than July 30, 2013. The goal of this process is to reduce staff time, coordinate all programs to respond to larger multi-modal projects, and provide project sponsors the maximum time to deliver projects.
 - **Project Programming Targets and Delivery Deadlines:** CMAs must program their block grant funds over the four-year period of Cycle 2 (FY 2012-13 through FY 2015-16). The expectation is that the CMA planning activities \ project would use capacity of the first year to provide more time for delivery as contrasted to other programs which tend to have more complex environmental and design challenges, but this is not a requirement. The funding is subject to the provisions of the Regional Project Delivery Policy (MTC Resolution 3606 or its successor) including the Request for Authorization (RFA) submittal deadline and federal authorization/obligation deadline. Furthermore the following funding deadlines apply for each county, with earlier delivery strongly encouraged:
 - Half of the OBAG funds, including all funds programmed for the PE phase, must be obligated (federal authorization/E-76) by March 31, 2015.
 - All remaining OBAG funds must be obligated by March 31, 2016.

CYCLE 2 COUNTY ONE BAY AREA GRANT PROJECT GUIDANCE

The categories below comprise the Cycle 2 County One Bay Area Grant Program, administered by the county congestion management agencies. Project selection should ensure that all of the eligibility requirements below are met. MTC staff will work with CMAs and project sponsors to resolve any eligibility issues which may arise, including air quality conformity exceptions and requirements.

1. CMA Planning and Outreach

This category provides funding to the nine county Congestion Management Agencies (CMAs) to support regional planning, programming and outreach activities. Such efforts include: county-based planning efforts for development of the RTP/SCS; development of PDA growth strategies; development and implementation of a complete streets compliance protocol; establishing land use and travel forecasting process and procedures consistent with ABAG/MTC; ensuring the efficient and effective delivery of federal-aid local projects; and undertaking the programming of assigned funding and solicitation of projects. The base funding level reflects continuing the Transportation 2035 commitment level by escalating at 3% per year from the base amount in FY 2011-12. In addition, the CMAs may request additional funding from their share of OBAG to enhance or augment additional activities at their discretion. All funding and activities will be administered through an interagency agreement between MTC and the respective CMA. Actual amounts for each CMA as augmented, are shown in Appendix A-2

2. Local Streets and Roads Preservation

This category is for the preservation of local streets and roads on the federally-eligible system. To be eligible for funding of any Local Streets and Roads (LSR) preservation project, the jurisdiction must have a certified Pavement Management Program (StreetSaver® or equivalent). The needs analysis ensures that streets recommended for treatment are cost effective. Pavement projects should be based on the needs analysis resulting from the established Pavement Management Program (PMP) for the jurisdiction. MTC is responsible for verifying the certification status. The certification status can be found at www.mtcpms.org/ptap/cert.html. Specific eligibility requirements are included below:

Pavement Rehabilitation:

Pavement rehabilitation projects including pavement segments with a PCI below 70 should be consistent with segments recommended for treatment within the programming cycle by the jurisdiction's PMP.

Preventive Maintenance: Only projects where pavement segments have a Pavement Condition Index (PCI) of 70 or above are eligible for preventive maintenance. Furthermore, the local agency's Pavement Management Program (PMP) must demonstrate that the preventive maintenance strategy is a cost effective method of extending the service life of the pavement.

Non-Pavement:

Eligible non-pavement activities and projects include rehabilitation or replacement of existing features on the roadway facility, such as storm drains, National Pollutant Discharge Elimination System (NPDES), curbs, gutters, culverts, medians, guardrails, safety features, signals, signage, sidewalks, ramps and features that bring the facility to current standards. The jurisdiction must still have a certified PMP to be eligible for improvements to non-pavement features.

Activities that are not eligible for funding include: Air quality non-exempt projects (unless granted an exception by MTC staff), capacity expansion, new roadways, roadway extensions, right of way acquisition (for future expansion), operations, routine maintenance, spot application, enhancements that are above and beyond repair or replacement of existing assets (other than bringing roadway to

current standards), and any pavement application not recommended by the Pavement Management Program unless otherwise allowed above.

Federal-Aid Eligible Facilities: Federal-aid highways as defined in 23 U.S.C. 101(a)(5) are eligible for local streets and roads preservation funding. A federal-aid highway is a public road that is not classified as a rural minor collector or local road or lower. Project sponsors must confirm the eligibility of their roadway through the Highway Performance Monitoring System (HPMS) prior to the application for funding.

Federal Aid Secondary (FAS) Program Set-Aside: While passage of the Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991 dissolved the Federal Aid Secondary (FAS) program, California statutes provide the continuation of minimum funding to counties, guaranteeing their prior FAS shares. The first three years of Cycle 2 were covered up-front under the Cycle 1 FAS program (covering a total 6-year period). The fourth year of Cycle 2 will be covered under the OBAG. Funding provided to the counties by the CMAs under OBAG will count toward the continuation of the FAS program requirement.

3. Bicycle and Pedestrian Improvements

The Bicycle and Pedestrian program may fund a wide range of bicycle and pedestrian improvements including Class I, II and III bicycle facilities, bicycle education, outreach, sharing and parking, sidewalks, ramps, pathways and pedestrian bridges, user safety and supporting facilities, and traffic signal actuation.

According to CMAQ eligibility requirements, bicycle and pedestrian facilities must not be exclusively recreational and reduce vehicle trips resulting in air pollution reductions. Also to meet the needs of users, hours of operation need to be reasonable and support bicycle / pedestrian needs particularly during commute periods. For example the policy that a trail be closed to users before sunrise or after sunset limits users from using the facility during the peak commute hours, particularly during times of the year with shorter days. These user restrictions indicate that the facility is recreational rather than commute oriented. Also, as contrasted with roadway projects, bicycle and pedestrian projects may be located on or off the federal-aid highway system.

4. Transportation for Livable Communities

The purpose of Transportation for Livable Communities (TLC) projects is to support community-based transportation projects that bring new vibrancy to downtown areas, commercial cores, high-density neighborhoods, and transit corridors, enhancing their amenities and ambiance and making them places where people want to live, work and visit. The TLC program supports the RTP/SCS by investing in improvements and facilities that promote alternative transportation modes rather than the single-occupant automobile.

General project categories include the following:

- Station Improvements such as plazas, station access pocket parks, bicycle parking
- Complete streets improvements that encourage bicycle and pedestrian access
- Transportation Demand Management projects including carsharing, vanpooling traveler coordination and information or Clipper®-related projects

- Connectivity projects connecting high density housing/jobs/mixed use to transit, such as bicycle/pedestrian paths and bridges and safe routes to transit.
- Density Incentives projects and non-transportation infrastructure improvements that include density bonuses, sewer upgrade, land banking or site assembly (these projects require funding exchanges to address federal funding eligibility limitations)
- Streetscape projects focusing on high-impact, multi-modal improvements or associated with high density housing/mixed use and transit (bulb outs, sidewalk widening , cross walk enhancements, audible signal modification, mid block crossing and signal, new striping for bicycle lanes and road diets, pedestrian street lighting, medians, pedestrian refugees, way finding signage, pedestrian scaled street furniture including bus shelters, tree grates, benches, bollards, magazine racks, garbage and recycling bins, permanent bicycle racks, signal modification for bicycle detection, street trees, raised planters, planters, costs associated with on- site storm water management, permeable paving)
- Funding for TLC projects that incentivize local PDA Transit Oriented Development Housing

5. Safe Routes to School

The county Safe Routes to School Program continues to be a regional program. The funding is distributed directly to the CMAs by formula through the Cycle 2 regional program (see Appendix A-3). However, a CMA may use OBAG funding to augment this amount. Eligible projects include infrastructure and non-infrastructure projects that facilitate reduction in vehicular travel to and from schools. It is important to note that CMAQ is used to fund this program which is targeted towards air quality improvement rather than children's health or safety. Nevertheless CMAQ eligibility overlaps with Safe Routes to School Program projects that are eligible under the federal and state programs with few exceptions which are noted below. Refer to the following link for detailed examples of eligible projects which is followed by CMAQ funding eligibility parameters:

http://mtc.ca.gov/funding/STPCMAQ/7_SR2S_Eligibility_Matrix.pdf

Non-Infrastructure Projects

Public Education and Outreach Activities

- Public education and outreach can help communities reduce emissions and congestion by inducing drivers to change their transportation choices.
- Activities that promote new or existing transportation services, developing messages and advertising materials (including market research, focus groups, and creative), placing messages and materials, evaluating message and material dissemination and public awareness, technical assistance, programs that promote the Tax Code provision related to commute benefits, and any other activities that help forward less-polluting transportation options.
- Air quality public education messages: Long-term public education and outreach can be effective in raising awareness that can lead to changes in travel behavior and ongoing emissions reductions; therefore, these activities may be funded indefinitely.
- Non-construction outreach related to safe bicycle use
- Travel Demand Management Activities including traveler information services, shuttle services, carpools, vanpools, parking pricing, etc.

Infrastructure Projects

Bicycle/Pedestrian Use:

- Constructing bicycle and pedestrian facilities (paths, bike racks, support facilities, etc.) that are not exclusively recreational and reduce vehicle trips
- Programs for secure bicycle storage facilities and other facilities, including bicycle lanes, for the convenience and protection of bicyclists, in both public and private areas new construction and major reconstructions of paths, tracks, or areas solely for the use by pedestrian or other non-motorized means of transportation when economically feasible and in the public interest
- Traffic calming measures

Exclusions found to be ineligible uses of CMAQ funds:

- Walking audits and other planning activities (STP based on availability will be provided for these purposes upon CMA's request)
- Crossing guards and vehicle speed feedback devices, traffic control that is primarily oriented to vehicular traffic rather than bicyclists and pedestrians
- Material incentives that lack an educational message or exceeding a nominal cost.

6. Priority Conservation Areas

This is an outgrowth of the new regional program pilot for the development of Priority Conservation Area (PCA) plans and projects to assist counties to ameliorate outward development expansion and maintain their rural character. A CMA may use OBAG funding to augment grants received from the regionally competitive program or develop its own county PCA program. Generally, eligible projects will include planning, land / easement acquisition, open space access projects, and farm-to-market capital projects.

PROGRAM SCHEDULE

Cycle 2 spans apportionments over four fiscal years: FY 2012-13, FY 2013-14, FY 2014-15 and FY 2015-16. Programming in the first year will generally be for the on-going regional operations and regional planning activities which can be delivered immediately, allowing the region to meet the obligation deadlines for use of FY 2012-13 funds. This strategy, at the same time, provides several months during FY 2012-13 for program managers to select projects and for MTC to program projects into the TIP to be obligated during the remaining second, third and fourth years of the Cycle 2 period. If CMAs wish to program any OBAG funds in the first year, MTC will try to accommodate requests depending on available federal apportionments and obligation limitations, as long as the recipient has meet the OBAG requirements.

Appendix A-1

Cycle 2 Regional and County Programs FY 2012-13 through FY 2015-16 May 2012

Proposed Cycle 2 Funding Commitments

Regional Program (millions \$ - rounded)		4-Year Total
Regional Categories		
1	Regional Planning Activities	\$7
2	Regional Operations	\$95
3	Freeway Performance Initiative	\$96
4	Pavement Management Program	\$7
5	Priority Development Activities	\$40
6	Climate Initiatives	\$20
7	Safe Routes To School	\$20
8	Transit Capital Rehabilitation	\$150
9	Transit Performance Initiative	\$30
10	Priority Conservation Area	\$10
Regional Program Total:*		\$475
		60%

One Bay Area Grant (OBAG) (millions \$ - rounded)		4-Year Total
Counties		
1	Alameda	\$63
2	Contra Costa	\$44
3	Marin	\$10
4	Napa	\$6
5	San Francisco	\$38
6	San Mateo	\$26
7	Santa Clara	\$87
8	Solano	\$18
9	Sonoma	\$23
OBAG Total:*		\$320
		40%

Cycle 2 Total Total:*	\$795
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* Amounts may not total due to rounding

* OBAG amounts are draft estimates until final adoption of RHNA, expected July 2012.

Appendix A-2

Cycle 2 Planning & Outreach FY 2012-13 through FY 2015-16 May 2012

OBAG - County CMA Planning

County	Agency	Cycle 2 OBAG County CMA Planning				STP Total
		2012-13	2013-14	2014-15	2015-16	
Alameda	ACTC	\$916,000	\$944,000	\$973,000	\$1,003,000	\$3,836,000
Contra Costa	CCTA	\$725,000	\$747,000	\$770,000	\$794,000	\$3,036,000
Marin	TAM	\$638,000	\$658,000	\$678,000	\$699,000	\$2,673,000
Napa	NCTPA	\$638,000	\$658,000	\$678,000	\$699,000	\$2,673,000
San Francisco	SFCTA	\$667,000	\$688,000	\$709,000	\$731,000	\$2,795,000
San Mateo	SMCCAG	\$638,000	\$658,000	\$678,000	\$699,000	\$2,673,000
Santa Clara	VTA	\$1,014,000	\$1,045,000	\$1,077,000	\$1,110,000	\$4,246,000
Solano	STA	\$638,000	\$658,000	\$678,000	\$699,000	\$2,673,000
Sonoma	SCTA	\$638,000	\$658,000	\$678,000	\$699,000	\$2,673,000
County CMAs Total:		\$6,512,000	\$6,714,000	\$6,919,000	\$7,133,000	\$27,278,000

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Regional Agency Planning

Regional Agency	Agency	Cycle 2 Regional Agency Planning				STP Total
		2012-13	2013-14	2014-15	2015-16	
ABAG	ABAG	\$638,000	\$658,000	\$678,000	\$699,000	\$2,673,000
BCDC	BCDC	\$320,000	\$330,000	\$340,000	\$351,000	\$1,341,000
MTC	MTC	\$638,000	\$658,000	\$678,000	\$699,000	\$2,673,000
Regional Agencies Total:		\$1,596,000	\$1,646,000	\$1,696,000	\$1,749,000	\$6,687,000

\$33,965,000

Appendix A-3

**Cycle 2
 Safe Routes to School County Distribution
 FY 2012-13 through FY 2015-16
 May 2012**

Safe Routes To School County Distribution

County	Public School Enrollment (K-12) *	Private School Enrollment (K-12) *	Total School Enrollment (K-12) *	Percentage	Total Funding
					\$20,000,000
Alameda	214,626	24,537	239,163	21%	\$4,293,000
Contra Costa	166,956	16,274	183,230	16%	\$3,289,000
Marin	29,615	5,645	35,260	3%	\$633,000
Napa	20,370	3,036	23,406	2%	\$420,000
San Francisco	56,454	23,723	80,177	7%	\$1,439,000
San Mateo	89,971	16,189	106,160	10%	\$1,905,000
Santa Clara	261,945	38,119	300,064	27%	\$5,386,000
Solano	67,117	2,855	69,972	6%	\$1,256,000
Sonoma	71,049	5,787	76,836	7%	\$1,379,000
Total:	978,103	136,165	1,114,268	100%	\$20,000,000

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* From California Department of Education for FY 2010-11

Appendix A-4

Cycle 2 OBAG County Fund Distribution FY 2012-13 through FY 2015-16 May 2012

OBAG Geographic Funding Distribution

County	OBAG Funds	PDA/Anywhere Split	PDA	Anywhere
Alameda	\$63,732,000	70/30	\$44,612,000	\$19,120,000
Contra Costa	\$44,787,000	70/30	\$31,351,000	\$13,436,000
Marin	\$10,047,000	50/50	\$5,024,000	\$5,023,000
Napa	\$6,653,000	50/50	\$3,327,000	\$3,326,000
San Francisco	\$38,837,000	70/30	\$27,186,000	\$11,651,000
San Mateo	\$26,246,000	70/30	\$18,372,000	\$7,874,000
Santa Clara	\$87,284,000	70/30	\$61,099,000	\$26,185,000
Solano	\$18,801,000	50/50	\$9,401,000	\$9,400,000
Sonoma	\$23,613,000	50/50	\$11,807,000	\$11,806,000
Total:	\$320,000,000		\$212,179,000	\$107,821,000

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OBAG amounts are draft estimates until final adoption of RHNA, expected July 2012.

Appendix A-5: One Bay Area Grant Call for Projects Guidance

The Metropolitan Transportation Commission (MTC) has delegated OBAG project selection to the nine Bay Area Congestion Management Agencies (CMAs) as they are best suited for this role because of their existing relationships with local jurisdictions, elected officials, transit agencies, community organizations and stakeholders, and members of the public within their respective counties. In order to meet federal requirements that accompany the decision-making process regarding federal transportation funding, MTC expects the CMAs to plan and execute an effective public outreach and local engagement process to solicit candidate projects to be submitted to MTC for consideration for inclusion in the Cycle 2 One Bay Area Grant Program. CMAs will also serve as the main point of contact for local sponsoring agencies and members of the public submitting projects for consideration for inclusion in the 2013 Transportation Improvement Program.

CMAs will conduct a transparent process for the Call for Projects while complying with federal regulations by carrying out the following activities:

1. Public Involvement and Outreach

- **Conduct countywide outreach to stakeholders and the public to solicit project ideas.** CMAs will be expected to implement their public outreach efforts in a manner consistent with MTC's Public Participation Plan (MTC Resolution No. 3821), which can be found at http://www.onebayarea.org/get_involved.htm. CMAs are expected at a minimum to:
 - Execute effective and meaningful local engagement efforts during the call for projects by working closely with local jurisdictions, elected officials, transit agencies, community-based organizations, and the public through the project solicitation process.
 - Explain the local Call for Projects process, informing stakeholders and the public about the opportunities for public comments on project ideas and when decisions are to be made on the list of projects to be submitted to MTC;
 - Hold public meetings and/or workshops at times which are conducive to public participation to solicit public input on project ideas to submit;
 - Post notices of public meetings and hearing(s) on their agency website; include information on how to request language translation for individuals with limited English proficiency. If agency protocol has not been established, please refer to MTC's Plan for Assisting Limited English Proficient Populations at http://www.mtc.ca.gov/get_involved/lep.htm
 - Hold public meetings in central locations that are accessible for people with disabilities and by public transit;
 - Offer language translations and accommodations for people with disabilities, if requested at least three days in advance of the meeting.
- **Document the outreach effort undertaken for the local call for projects.** CMAs are to provide MTC with:
 - A description of how the public was involved in the process for nominating and/or commenting on projects selected for OBAG funding. Specify whether public input was gathered at forums held specifically for the OBAG project solicitation or as part of a separate planning or programming outreach effort;

- A description of how the public engagement process met the outreach requirements of MTC's Public Participation Plan, including how the CMA ensured full and fair participation by all potentially affected communities in the project submittal process.
- A summary of comments received from the public and a description of how public comments informed the recommended list of projects submitted by the CMA.

2. Agency Coordination

- ***Work closely with local jurisdictions, transit agencies, MTC, Caltrans, federally recognized tribal governments, and stakeholders to identify projects for consideration in the OBAG Program.*** CMAs will assist with agency coordination by:
 - Communicating this Call for Projects guidance to local jurisdictions, transit agencies, federally recognized tribal governments, and other stakeholders

3. Title VI Responsibilities

- ***Ensure the public involvement process provides underserved communities access to the project submittal process as in compliance with Title VI of the Civil Rights Act of 1964.***
 - Assist community-based organizations, communities of concern, and any other underserved community interested in having projects submitted for funding;
 - Remove barriers for persons with limited-English proficiency to have access to the project submittal process;
 - For Title IV outreach strategies, please refer to MTC's Public Participation Plan found at: http://www.onebayarea.org/get_involved.htm
 - Additional resources are available at
 - i. <http://www.fhwa.dot.gov/civilrights/programs/tvi.htm>
 - ii. http://www.dot.ca.gov/hq/LocalPrograms/DBE_CRLC.html#TitleVI
 - iii. http://www.mtc.ca.gov/get_involved/rights/index.htm

Appendix A-6: PDA Investment & Growth Strategy

MTC shall consult with the CMAs and amend the scope of activities identified below, as necessary, to minimize administrative workload and to avoid duplication of effort. This consultation may result in specific work elements shifting to MTC and/or ABAG. Such changes will be formalized through a future amendment to this appendix.

The purpose of a PDA Investment & Growth Strategy is to ensure that CMAs have a transportation project priority-setting process for OBAG funding that supports and encourages development in the region's PDAs, recognizing that the diversity of PDAs will require different strategies. Some of the planning activities noted below may be appropriate for CMAs to consider for jurisdictions or areas not currently designated as PDAs if those areas are still considering future housing and job growth. Regional agencies will provide support, as needed, for the PDA Investment & Growth Strategies. The following are activities CMAs need to undertake in order to develop a project priority-setting process:

(1) Engaging Regional/Local Agencies

- Develop or continue a process to regularly engage local planners and public works staff. Encourage community participation throughout the planning process and in determining project priorities
- Participate as a TAC member in local jurisdiction planning processes funded through the regional PDA Planning Program or as requested by jurisdictions. Partner with MTC and ABAG staff to ensure that regional policies are addressed in PDA plans.
- Help develop protocols with MTC, ABAG and Air District staff to assess toxic-air contaminants and particulate matter, as well as related mitigation strategies, as part of regional PDA Planning Program.

(2) Planning Objectives – to Inform Project Priorities

- Keep apprised of ongoing transportation and land-use planning efforts throughout the county
- Encourage local agencies to quantify infrastructure needs and costs as part of their planning processes
- Encourage and support local jurisdictions in meeting their housing objectives established through their adopted Housing Elements and RHNA.
 - *Short-term:* By May 1, 2013, analyze progress of local jurisdictions in implementing their housing element objectives and identify current local housing policies that encourage affordable housing production and/or community stabilization.
 - *Long-term:* Starting in May 2014 and for subsequent updates, PDA Investment & Growth Strategies will assess performance in producing sufficient housing for all income levels through the RHNA process and, where appropriate, assist local jurisdictions in implementing local policy changes to facilitate achieving these goals¹. The locally crafted policies should be targeted to the specific circumstances of each PDA. For example, if the PDA currently does not provide for a mix of income-levels, any recommend policy changes should be aimed at promoting affordable housing. If the PDA currently is mostly low-income housing, any needed policy changes should be aimed at community stabilization. This analysis will be coordinated with related work conducted through the Housing and Urban Development (HUD) grant awarded to the region in fall 2011.

(3) Establishing Local Funding Priorities - Develop funding guidelines for evaluating OBAG projects that support multi-modal transportation priorities based on connections to housing, jobs and commercial activity. Emphasis should be placed on the following factors when developing project evaluation criteria:

¹ Such as inclusionary housing requirements, city-sponsored land-banking for affordable housing production, “just cause eviction” policies, policies or investments that preserve existing deed-restricted or “naturally” affordable housing, condo conversion ordinances that support stability and preserve affordable housing, etc.

- **Projects located in high impact project areas.** Key factors defining high impact areas include:
 - a. Housing – PDAs taking on significant housing growth in the SCS (total number of units and percentage change), including RHNA allocations, as well as housing production
 - b. Jobs in proximity to housing and transit (both current levels and those included in the SCS),
 - c. Improved transportation choices for all income levels (reduces VMT), proximity to quality transit access, with an emphasis on connectivity (including safety, lighting, etc.)
 - d. Consistency with regional TLC design guidelines or design that encourages multi-modal access: http://www.mtc.ca.gov/planning/smart_growth/tlc/2009_TLC_Design_Guidelines.pdf
 - e. Project areas with parking management and pricing policies
- **Projects located in Communities of Concern (COC)** – favorably consider projects located in a COC see: <http://geocommons.com/maps/110983>
- **PDAs with affordable housing preservation and creation strategies** – favorably consider projects in jurisdictions with affordable housing preservation and creation strategies or policies
- **PDAs that overlap with Air District CARE Communities and/or are in proximity to freight transport infrastructure** – Favorably consider projects located in PDAs with highest exposure to particulate matter and toxic air contaminants where jurisdictions employ best management practices to mitigate exposure.

Process/Timeline

CMAs develop PDA Investment & Growth Strategy	June 2012 – May 2013
PDA Investment & Growth Strategy Presentations by CMAs to Joint MTC Planning and ABAG Administrative Committee	Summer/Fall 2013
CMAs amend PDA Investment & Growth Strategy to incorporate follow-up to local housing production and policies	May 2014
CMAs submit annual progress reports related to PDA Growth Strategies, including status of jurisdiction progress on development/adoption of housing elements and complete streets ordinances.	May 2014, Ongoing

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**Cycle 2
 Regional Programs Project List
 FY 2012-13 through FY 2015-16
 May 2012**

Regional Programs Project List

Project Category and Title	County	Implementing Agency	Total STP/CMAQ	Total Other RTIP/TE/TFCA	Total Cycle 2
CYCLE 2 PROGRAMMING			\$435,187,000	\$40,000,000	\$475,187,000
1. REGIONAL PLANNING ACTIVITIES (PL)					
ABAG Planning	Region-Wide	ABAG	\$2,673,000	\$0	\$2,673,000
BCDC Planning	Region-Wide	BCDC	\$1,341,000	\$0	\$1,341,000
MTC Planning	Region-Wide	MTC	\$2,673,000	\$0	\$2,673,000
1. REGIONAL PLANNING ACTIVITIES (PL)			TOTAL: \$6,687,000	\$0	\$6,687,000
2. REGIONAL OPERATIONS (RO)					
Clipper® Fare Media Collection	Region-Wide	MTC	\$21,400,000	\$0	\$21,400,000
511 - Traveler Information	Region-Wide	MTC	\$48,770,000	\$0	\$48,770,000
SUBTOTAL			\$70,170,000	\$0	\$70,170,000
FSP/Incident Management	Region-Wide	MTC/SAFE	\$25,130,000	\$0	\$25,130,000
SUBTOTAL			\$25,130,000	\$0	\$25,130,000
2. REGIONAL OPERATIONS (RO)			TOTAL: \$95,300,000	\$0	\$95,300,000
3. FREEWAY PERFORMANCE INITIATIVE (FPI)					
Regional Performance Initiatives Implementation	Region-Wide	MTC	\$5,750,000	\$0	\$5,750,000
Regional Performance Initiatives Corridor Implementation	Region-Wide	MTC	\$8,000,000	\$0	\$8,000,000
Program for Arterial System Synchronization (PASS)	Region-Wide	MTC	\$5,000,000	\$0	\$5,000,000
SUBTOTAL			\$18,750,000	\$0	\$18,750,000
Ramp Metering and TOS Elements					
FPI - Specific projects TBD by Commission	TBD	TBD	\$43,250,000	\$34,000,000	\$77,250,000
SUBTOTAL			\$43,250,000	\$34,000,000	\$77,250,000
3. FREEWAY PERFORMANCE INITIATIVE (FPI)			TOTAL: \$62,000,000	\$34,000,000	\$96,000,000
4. PAVEMENT MANAGEMENT PROGRAM (PMP)					
Pavement Technical Advisory Program (PTAP)					
Pavement Management Program (PMP)	Region-Wide	MTC	\$6,000,000	\$0	\$6,000,000
Pavement Management Program (PMP)	Region-Wide	MTC	\$1,200,000	\$0	\$1,200,000
4. PAVEMENT MANAGEMENT PROGRAM (PMP)			TOTAL: \$7,200,000	\$0	\$7,200,000
5. PRIORITY DEVELOPMENT ACTIVITIES (PDA)					
PDA Planning					
Specific projects TBD by Commission	TBD	TBD	\$25,000,000	\$0	\$25,000,000
SUBTOTAL			\$25,000,000	\$0	\$25,000,000
Transit Oriented Affordable Development (TOD)					
Specific projects TBD by Commission	Region-Wide	MTC	\$15,000,000	\$0	\$15,000,000
SUBTOTAL			\$15,000,000	\$0	\$15,000,000
5. PRIORITY DEVELOPMENT ACTIVITIES (PDA)			TOTAL: \$40,000,000	\$0	\$40,000,000
6. CLIMATE CHANGE INITIATIVES (CCI)					
Climate Strategies	TBD	TBD	\$14,000,000	\$6,000,000	\$20,000,000
6. CLIMATE CHANGE INITIATIVES (CCI)			TOTAL: \$14,000,000	\$6,000,000	\$20,000,000
7. SAFE ROUTES TO SCHOOL (SR2S)					
<i>Specific projects TBD by CMAQs</i>					
SR2S - Alameda	Alameda	ACTC	\$4,293,000	\$0	\$4,293,000
SR2S - Contra Costa	Contra Costa	CCTA	\$3,289,000	\$0	\$3,289,000
SR2S - Marin	Marin	TAM	\$633,000	\$0	\$633,000
SR2S - Napa	Napa	NCTPA	\$420,000	\$0	\$420,000
SR2S - San Francisco	San Francisco	SFCTA	\$1,439,000	\$0	\$1,439,000
SR2S - San Mateo	San Mateo	SMCCAG	\$1,905,000	\$0	\$1,905,000
SR2S - Santa Clara	Santa Clara	SCVTA	\$5,386,000	\$0	\$5,386,000
SR2S - Solano	Solano	STA	\$1,256,000	\$0	\$1,256,000
SR2S - Sonoma	Sonoma	SCTA	\$1,379,000	\$0	\$1,379,000
7. SAFE ROUTES TO SCHOOL (SR2S)			TOTAL: \$20,000,000	\$0	\$20,000,000
8. TRANSIT CAPITAL PROGRAM (TCP)					
<i>Specific projects TBD by Transit Operators</i>					
SolTrans - Preventive Maintenance	Solano	SolTrans	\$1,000,000	\$0	\$1,000,000
8. TRANSIT CAPITAL PROGRAM (TCP)			TOTAL: \$150,000,000	\$0	\$150,000,000
9. TRANSIT PERFORMANCE INITIATIVE (TPI)					
AC Transit - Line 51 Corridor Speed Protection and Restoration	Alameda	AC Transit	\$10,515,624	\$0	\$10,515,624
SFMTA - Mission Mobility Maximization	San Francisco	SFMTA	\$7,016,395	\$0	\$7,016,395
SFMTA - N-Judah Mobility Maximization	San Francisco	SFMTA	\$3,750,574	\$0	\$3,750,574
SFMTA - Bus Stop Consolidation and Roadway Modifications	San Francisco	SFMTA	\$4,133,031	\$0	\$4,133,031
SCVTA - Light Rail Transit Signal Priority	Santa Clara	SCVTA	\$1,587,176	\$0	\$1,587,176
SCVTA - Steven Creek - Limited 323 Transit Signal Priority	Santa Clara	SCVTA	\$712,888	\$0	\$712,888
Unprogrammed Transit Performance Initiative Reserve	TBD	TBD	\$2,284,312	\$0	\$2,284,312
9. TRANSIT PERFORMANCE INITIATIVE (TPI)			TOTAL: \$30,000,000	\$0	\$30,000,000
10. PRIORITY CONSERVATION AREA (PCA)					
Specific projects TBD by Commission	TBD	TBD	\$10,000,000	\$0	\$10,000,000
10. PRIORITY CONSERVATION AREA (PCA)			TOTAL: \$10,000,000	\$0	\$10,000,000
Cycle 2 Total			TOTAL: \$435,187,000	\$40,000,000	\$475,187,000

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**Cycle 2
 OBAG Project List
 FY 2012-13 through FY 2015-16
 May 2012**

OBAG Program Project List

Project Category and Title	Implementing Agency	Total STP/CMAQ	Total Other RTIP-TE	Total Cycle 2
CYCLE 2 COUNTY OBAG PROGRAMMING		\$301,964,000	\$18,036,000	\$320,000,000
ALAMEDA COUNTY				
<i>Specific projects TBD by Alameda CMA</i>	TBD	\$56,170,000	\$3,726,000	\$59,896,000
CMA Planning Activities - Alameda	ACTC	\$3,836,000	\$0	\$3,836,000
ALAMEDA COUNTY		TOTAL: \$60,006,000	\$3,726,000	\$63,732,000
CONTRA COSTA COUNTY				
<i>Specific projects TBD by Contra Costa CMA</i>	TBD	\$39,367,000	\$2,384,000	\$41,751,000
CMA Planning Activities - Contra Costa	CCTA	\$3,036,000	\$0	\$3,036,000
CONTRA COSTA COUNTY		TOTAL: \$42,403,000	\$2,384,000	\$44,787,000
MARIN COUNTY				
<i>Specific projects TBD by Marin CMA</i>	TBD	\$6,667,000	\$707,000	\$7,374,000
CMA Planning Activities - Marin	TAM	\$2,673,000	\$0	\$2,673,000
MARIN COUNTY		TOTAL: \$9,340,000	\$707,000	\$10,047,000
NAPA COUNTY				
<i>Specific projects TBD by Napa</i>	TBD	\$3,549,000	\$431,000	\$3,980,000
CMA Planning Activities - Napa	NCTPA	\$2,673,000	\$0	\$2,673,000
NAPA COUNTY		TOTAL: \$6,222,000	\$431,000	\$6,653,000
SAN FRANCISCO COUNTY				
<i>Specific projects TBD by San Francisco CMA</i>	TBD	\$34,132,000	\$1,910,000	\$36,042,000
CMA Planning Activities - San Francisco	SFCTA	\$2,795,000	\$0	\$2,795,000
SAN FRANCISCO COUNTY		TOTAL: \$36,927,000	\$1,910,000	\$38,837,000
SAN MATEO COUNTY				
<i>Specific projects TBD by San Mateo CMA</i>	TBD	\$21,582,000	\$1,991,000	\$23,573,000
CMA Planning Activities - San Mateo	SMCCAG	\$2,673,000	\$0	\$2,673,000
SAN MATEO COUNTY		TOTAL: \$24,255,000	\$1,991,000	\$26,246,000
SANTA CLARA COUNTY				
<i>Specific projects TBD by Santa Clara CMA</i>	TBD	\$78,688,000	\$4,350,000	\$83,038,000
CMA Planning Activities - Santa Clara	SCVTA	\$4,246,000	\$0	\$4,246,000
SANTA CLARA COUNTY		TOTAL: \$82,934,000	\$4,350,000	\$87,284,000
SOLANO COUNTY				
<i>Specific projects TBD by Solano CMA</i>	TBD	\$14,987,000	\$1,141,000	\$16,128,000
CMA Planning Activities - Solano	STA	\$2,673,000	\$0	\$2,673,000
SOLANO COUNTY		TOTAL: \$17,660,000	\$1,141,000	\$18,801,000
SONOMA COUNTY				
<i>Specific projects TBD by Sonoma CMA</i>	TBD	\$19,544,000	\$1,396,000	\$20,940,000
CMA Planning Activities - Sonoma	SCTA	\$2,673,000	\$0	\$2,673,000
SONOMA COUNTY		TOTAL: \$22,217,000	\$1,396,000	\$23,613,000
Cycle 2 Total		TOTAL: \$301,964,000	\$18,036,000	\$320,000,000

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	Measue A Distribution FY 2013	Measue A Distribution FY 2014	Two Year Total	OBAG Cycle II	OBAG Cycle II Plus	Total OBAG	Total Construction Cost	% of Measure A Used as SLPP Match (FY 13 only)	% of Measure A Used as SLPP Match (FY 13 &14)
SAN MATEO COUNTY									
ATHERTON	\$264,506	\$264,506	\$529,012	\$237,460	\$49,433	\$286,893	\$573,786.83	108%	54%
BELMONT	\$506,136	\$506,136	\$1,012,272	\$442,253	\$94,592	\$536,845	\$1,073,689.09	106%	53%
BRISBANE	\$142,976	\$142,976	\$285,952	\$120,614	\$26,721	\$147,335	\$294,669.45	103%	52%
BURLINGAME	\$610,509	\$610,509	\$1,221,018	\$300,000	\$114,098	\$414,098	\$828,195.55	68%	34%
COLMA	\$48,612	\$48,612	\$97,224	\$40,205	\$9,085	\$49,290	\$98,580.15	101%	51%
DALY CITY	\$1,448,349	\$1,448,349	\$2,896,698	\$300,000	\$270,681	\$570,681	\$1,141,362.68	39%	20%
EAST PALO ALTO	\$456,094	\$456,094	\$912,188	\$412,099	\$85,239	\$497,338	\$994,676.44	109%	55%
FOSTER CITY	\$487,549	\$487,549	\$975,098	\$419,638	\$91,118	\$510,756	\$1,021,511.66	105%	52%
HALF MOON BAY	\$217,324	\$217,324	\$434,648	\$202,280	\$40,616	\$242,896	\$485,791.18	112%	56%
HILLSBOROUGH	\$431,788	\$431,788	\$863,576	\$378,176	\$80,697	\$458,873	\$917,745.36	106%	53%
MENLO PARK	\$702,013	\$702,013	\$1,404,026	\$300,000	\$131,199	\$431,199	\$862,397.83	61%	31%
MILLBRAE	\$424,639	\$424,639	\$849,278	\$368,125	\$79,361	\$447,486	\$894,971.21	105%	53%
PACIFICA	\$723,460	\$723,460	\$1,446,920	\$300,000	\$135,207	\$435,207	\$870,414.28	60%	30%
PORTOLA VALLEY	\$208,745	\$208,745	\$417,490	\$185,947	\$39,012	\$224,959	\$449,918.53	108%	54%
REDWOOD CITY	\$1,368,283	\$1,368,283	\$2,736,566	\$300,000	\$255,718	\$555,718	\$1,111,435.68	41%	20%
SAN BRUNO	\$720,600	\$720,600	\$1,441,200	\$300,000	\$134,673	\$434,673	\$869,345.27	60%	30%
SAN CARLOS	\$619,087	\$619,087	\$1,238,174	\$300,000	\$115,701	\$415,701	\$831,401.82	67%	34%
SAN MATEO	\$1,724,294	\$1,724,294	\$3,448,588	\$300,000	\$322,253	\$622,253	\$1,244,505.18	36%	18%
SOUTH SAN FRANCISCO	\$1,110,925	\$1,110,925	\$2,221,850	\$300,000	\$207,620	\$507,620	\$1,015,240.62	46%	23%
WOODSIDE	\$248,779	\$248,779	\$497,558	\$221,126	\$46,494	\$267,620	\$535,240.41	108%	54%
COUNTY OF SAN MATEO	<u>\$1,832,956</u>	<u>\$1,832,956</u>	\$3,665,912	\$300,000	\$342,560	\$642,560	\$1,285,120.77	35%	18%
COUNTY TOTAL	\$14,297,624	\$14,297,624	\$28,595,248	\$6,027,923	\$2,672,077	\$8,700,000	\$17,400,000.00	61%	30%

**DRAFT OBAG Fund Source Distribution
 FY 2012-13 through FY 2015-16
 May 2012**

DRAFT OBAG Fund Source Distribution - To be finalized in July after RHNA numbers are finalized
 Possibilities to exchange some OBAG CMAQ with STP are currently being pursued

County	% Population	OBAG Formula	County Distribution	DRAFT OBAG by Fund Source					Total	STP %	CMAQ %	TE %	STP %
				Planning STP	Remaining STP	Total STP	CMAQ	TE					
Alameda	21.1%	20.2%	19.9%	\$3,836,000	\$19,874,000	\$23,710,000	\$36,296,000	\$3,726,000	\$63,732,000	37%	57%	6%	19%
Contra Costa	14.4%	14.2%	14.0%	\$3,036,000	\$13,967,000	\$17,003,000	\$25,400,000	\$2,384,000	\$44,787,000	38%	57%	5%	14%
Marin	3.5%	2.8%	3.1%	\$2,673,000	\$2,790,000	\$5,463,000	\$3,877,000	\$707,000	\$10,047,000	54%	39%	7%	4%
Napa	1.9%	1.7%	2.1%	\$2,673,000	\$1,669,000	\$4,342,000	\$1,880,000	\$431,000	\$6,653,000	65%	28%	6%	3%
San Francisco	11.3%	12.3%	12.1%	\$2,795,000	\$12,111,000	\$14,906,000	\$22,021,000	\$1,910,000	\$38,837,000	38%	57%	5%	12%
San Mateo	10.1%	8.3%	8.2%	\$2,673,000	\$8,185,000	\$10,858,000	\$13,397,000	\$1,991,000	\$26,246,000	41%	51%	8%	9%
Santa Clara	25.2%	27.6%	27.3%	\$4,246,000	\$27,218,000	\$31,464,000	\$51,470,000	\$4,350,000	\$87,284,000	36%	59%	5%	25%
Solano	5.8%	5.5%	5.9%	\$2,673,000	\$5,427,000	\$8,100,000	\$9,560,000	\$1,141,000	\$18,801,000	43%	51%	6%	6%
Sonoma	6.6%	7.5%	7.4%	\$2,673,000	\$7,364,000	\$10,037,000	\$12,180,000	\$1,396,000	\$23,613,000	43%	52%	6%	8%
OBAG Total:				\$27,278,000	\$98,605,000	\$125,883,000	\$176,081,000	\$18,036,000	\$320,000,000				
	100.0%	100.0%	100.0%				39%	55%	6%				61%

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C/CAG AGENDA REPORT

Date: July 19, 2012
To: Congestion Management Program Technical Advisory Committee (TAC)
From: Matthew Fabry
Subject: Provide Feedback on Draft Request for Proposals for Technical Consulting Services Supporting a Countywide Funding Initiative for Stormwater Compliance Activities

(For further information contact Matthew Fabry at 650-599-1419)

RECOMMENDATION

Review and provide feedback on a draft Request for Proposals (RFP) for a countywide funding initiative to increase funding for both the Countywide Water Pollution Prevention Program (Countywide Program) under C/CAG and the member agencies.

FISCAL IMPACT

None at this time, but if an RFP is issued and a consultant team directed to proceed, the first phase of tasks under the RFP is expected to cost between \$100,000 and \$150,000. The total for a countywide Proposition 218 process will likely cost between \$500,000 and \$1 million. C/CAG budgeted \$315,000 in Countywide Program funds for a Proposition 218 process for Fiscal Year 2012-13, and the Countywide Program is preliminarily budgeting \$630,000 and \$105,000 in FYs 2013-14 and 2014-15, respectively, for a total of \$1.05 million.

SOURCE OF FUNDS

The source of funds a Proposition 218 process would be the property tax assessments that fund the Countywide Program.

BACKGROUND/DISSION

The NPDES TAC has previously discussed and budgeted for a countywide Proposition 218 effort to generate additional funding for both the Countywide Program and the individual jurisdictions for meeting the requirements of the Municipal Regional Permit and future municipal stormwater permits. Modeling efforts after the Contra Costa Clean Water Program's recent process, staff drafted an RFP for consulting services that would address three phases of tasks and services. Under the first phase, a consultant would analyze current and projected expenditures for both the Countywide Program and local agencies as well as sources of funding,

evaluate potential additional sources of funding, conduct public opinion surveys, and summarize results. Should the public opinion surveys under Phase I indicate favorable support, Phase II would include development of a revenue report that establishes proposed funding mechanisms and amounts (e.g., a property-related per-parcel fee based on impervious area), and Phase III would consist of implementing the recommended Proposition 218 process, including public outreach and education. Lessons learned during the unsuccessful Contra Costa process would be incorporated, especially with regard to public outreach and education.

Staff presented the draft RFP to the NPDES TAC in June and is now soliciting feedback from the Congestion Management TAC. The C/CAG Board will be asked for final approval to issue the RFP and initiate the process.

ATTACHMENTS

Draft Request for Proposals for Consultant Services to Implement a Stormwater Quality Funding Initiative

[DATE]
REQUEST FOR PROPOSALS (RFP)
FOR CONSULTANT SERVICES
TO IMPLEMENT A
STORMWATER QUALITY FUNDING INITIATIVE

DUE BY [DATE] (12 NOON)

The City/County Association of Governments of San Mateo County (C/CAG) is inviting proposals to develop a viable public financing mechanism for both countywide and local stormwater management activities mandated under municipal stormwater National Pollutant Discharge Elimination System (NPDES) permits. In San Mateo County, compliance with stormwater regulatory requirements is currently achieved jointly by C/CAG through its San Mateo Countywide Water Pollution Prevention Program (on issues of countywide or regional significance) and its member agencies at the local level. C/CAG also provides technical assistance to its member agencies on regulatory requirements. C/CAG is seeking technical assistance to evaluate available funding options for stormwater quality programs, gauge public support for the most likely options, quantify current and anticipated expenditures (at both the local and C/CAG levels) necessary for meeting stormwater regulatory mandates, provide public outreach and education, and pursue implementation of the preferred financing mechanism to meet determined funding needs.

The qualified firm shall conduct research; analyze results; provide administrative, legal, and technical support to C/CAG; develop and recommend strategies; develop public education materials; provide outreach; perform public opinion polling; develop an engineer's report as needed; and provide the necessary technical support to conduct an election within San Mateo County for imposing a fee to provide a stable, long-term funding source to meet mandatory regulatory requirements for both C/CAG and the local agencies.

Proposals must be addressed and submitted no later than 12 Noon on **[DATE]**, as follows:

City/County Association of Governments
Stormwater Management Funding Initiative
Attn: Matthew Fabry, Program Manager
San Mateo Countywide Water Pollution Prevention Program
555 County Center, 5th Floor
Redwood City, CA 94063

BACKGROUND

C/CAG established its Countywide Water Pollution Prevention Program (Countywide Program) in the early 1990s in response to the initial municipal stormwater permit issued to San Mateo county jurisdictions. The Countywide Program collaborates with twenty two public agencies in San Mateo County, including San Mateo County, all 20 of its incorporated cities and towns, and the San Mateo County Flood Control District. The Countywide Program's primary purpose is to assist C/CAG's member agencies in meeting federally and state-mandated stormwater regulations specifically targeting the discharge of pollutants in urban runoff from municipal separate storm sewer systems (MS4s). The Countywide Program includes all of the incorporated and unincorporated areas of San Mateo County.

The 1987 amendments to the Federal Clean Water Act designated urban runoff as a point source discharge of pollutants requiring permitting under the National Pollutant Discharge Elimination System (NPDES). The United States Environmental Protection Agency promulgated rules and regulations under the NPDES permit program to reduce the discharge of pollutants in urban runoff to the maximum extent practicable on November 16, 1990. NPDES permitting regulations have been delegated to the State of California, and the program is administered by the State Water Resources Control Board and its nine Regional Water Quality Control Boards (Regional Boards). The jurisdictions in San Mateo County are regulated by the San Francisco Bay Regional Board, although a small section of the southwestern corner of unincorporated county drains to an area of the Pacific Ocean regulated by the Central Coast Regional Board. The Regional Boards issue, oversee, and enforce compliance with NPDES permits within their jurisdictional areas, with permits issued for five-year terms and including additional requirements pursuant to the state's water code, the Porter-Cologne Water Quality Control Act.

Although San Mateo jurisdictions have been regulated under countywide municipal NPDES permits since the early 1990s, the San Francisco Bay Regional Board issued a Municipal Regional Permit in November 2009 that regulates all jurisdictions in San Mateo, Santa Clara, Alameda, and Contra Costa Counties (with the exception of Antioch, Brentwood, Oakley, and eastern Contra Costa County), and the cities of Fairfield, Suisun City, and Vallejo. The Municipal Regional Permit can be downloaded from the San Francisco Bay Regional Board's website at www.swrcb.ca.gov/rwqcb2/ and details on the Countywide Program can be found on its website at www.flowstobay.org or C/CAG's website at www.ccag.ca.gov.

C/CAG currently receives revenue from a countywide property-related fee that is assessed on the property tax rolls through the San Mateo County Flood Control District. Some of C/CAG's member agencies also have their own local stormwater fees on the tax rolls. C/CAG and the local agencies also receive stormwater pollution prevention program funding from two county-specific vehicle license fees, the first of which was authorized through the state legislative process and is set to expire at the end of 2012 and the second of which was approved by voters in 2010 and in effect for 25 years. Unfortunately, these combined revenue sources are insufficient to fund present and anticipated stormwater regulatory requirements. Thus, the need to increase resources for both C/CAG and its member agencies to remain in compliance with Municipal Regional Permit requirements is critical.

SCOPE OF WORK

C/CAG is seeking a fully qualified consultant or consultant teams who have actual demonstrated experience and can perform the following tasks and services. The work is anticipated to be performed in the designated phases, with decision points on whether to proceed after each phase.

Phase I (Tasks 1 to 3)

Task 1 – Consultant shall analyze current and projected Countywide Program and local agency expenditures and sources of funding for meeting existing and anticipated Municipal Regional Permit requirements. Consultant shall meet individually with Countywide Program and local agency staffs to perform this analysis.

Task 2 – Consultant shall evaluate potential funding sources, recommend which funding enhancement options should be pursued by the Countywide Program and local agencies, and provide recommendations for how the Countywide Program and local agencies could revise or restructure existing funding methods in a manner that best links funding sources with compliance activities (e.g., street sweeping costs on garbage bills, new and redevelopment costs through developer fees, etc.). The evaluation shall consider:

- The pros and cons of each source;
- The political viability of each source;
- Any legal restrictions and considerations for their use;
- Determine if they require any legislative changes or additional authorizations to implement;
- The future reliability of each source;
- The estimated amount each funding source may generate for the stormwater program; and,
- The estimated implementation cost of the most viable funding options.
- Timing and next steps for implementation of the most viable funding options.

Task 3 – Provide a recommended scope and approach for opinion research and survey to measure the political viability of increasing funding either with a voter-decided parcel tax, a property owner decided fee, or another viable funding option. Consultant shall conduct a statistically valid countywide public opinion survey.

Polling shall test public awareness, understanding, and receptiveness to finance stormwater compliance programs. All aspects of property owners and voters within the County should be polled including single family residents, retail business owners, hotels, industry leaders, public land trusts and others deemed appropriate.

When considering the timing and strategy of the opinion poll, it will be important to consider impacts from recent and planned elections involving fees, assessments, and other revenue generation proposals within the County.

Phase II (Task 5)

Task 5 – Should a property-related assessment be the preferred option, a revenue report shall be prepared along with an action plan for implementing the funding enhancement options supported by the Countywide Program and local agencies. An estimated cost to develop the revenue report and action plan shall be included in the consultant’s cost proposal. C/CAG is interested in evaluating revenue structures that will incentivize on-site stormwater management; the recommended funding mechanism shall consider revenue structures that include both base rates to address stormwater impacts from public infrastructure (e.g., roads, sidewalks, parking lots) and general program administration costs and parcel-specific rates to address private parcel impacts, with mechanisms to incentivize on- or off-site stormwater retention and management via reductions in the private parcel portion of the rate structure. This may require analysis of individual parcels to determine contributory impervious areas. Categories shall be explored to find out how to divide parcels for assessment, and the need for exemptions for certain parcel classes shall be considered. Additionally, all legal aspects in determining an impervious area per parcel shall be included.

Phase III (Tasks 6 & 7)

Task 6 – Assist C/CAG and the Countywide Program with the implementation of any funding enhancement options and provide the necessary technical support for successful passage, including development of any ballot measures, authorizing resolutions, public hearing information, and associated schedules. Consultant shall be capable of providing strategic analysis, expert opinions, and recommended strategies for how best to ensure successful passage of a recommended funding measures.

Task 7 – Public education may be required to inform and educate citizens about funding enhancement options and associated approval processes. The consultant shall develop a recommended education program and implementation approach, including consideration of mailers, community workshops, engagement with editorial boards, education of elected officials, etc. Any proposed outreach or education program shall be developed to ensure it does not constitute advocacy for the measure.

PROJECT SCHEDULE

The project period for this consultant shall commence as quickly as possible, (assume [DATE]) and end prior to [DATE].

CONSULTANT SELECTION AND RANKING CRITERIA

The Countywide Program has established an Oversight Ad Hoc Workgroup (Workgroup) that is composed of XX municipal representatives. This Workgroup shall be responsible for selecting and recommending the consultant to the Countywide Program’s Technical Advisory Committee for a formal recommendation for contract award to the C/CAG Board. The anticipated timetable for consultant selection process is as follows (subject to minor revision):

[DATE]	Request for Proposal Released
[DATE]	Pre-Proposal Meeting (1:00 to 2:30)

[DATE]	Proposals Due (12 Noon)
[DATE]	Conduct Interviews and Make Selection
[DATE]	Contract Negotiations Begin
[DATE]	TAC Consideration and Recommendation to C/CAG Board
[DATE]	C/CAG Board Contract Approval
[DATE]	Anticipated Notice to Proceed
[DATE]	Completion of Contract

The submitted proposals will be evaluated consistent with the below-listed criteria. The selected consultant will be chosen according to the highest ranking from the written proposal and the oral interview.

C/CAG reserves the right to select the vendor it determines to be the highest qualified firm to perform the requested services.

The evaluation of the proposal and the interview will include the following criteria:

1. Demonstrated competence and professional qualifications necessary for satisfactory performance of the services required by the Countywide Program and local agencies.
2. Experience performing similar services.
3. Experience with and understanding of the Countywide Program and San Francisco Bay Regional Board stormwater regulations.
4. Understanding of the work required by C/CAG and proposed approach for the scope of work.
5. Quality and responsiveness of the proposal to the stated requirements.
6. References.
7. Background and related experience of the specific individuals to be assigned to the project.
8. Proposed compensation.
9. As reflected above, a contract award will not be based solely on price, but on a combination of factors determined to be in the best interest of C/CAG and the local agencies. Given the expertise required for this RFP is highly specialized, C/CAG reserves the right to negotiate a contract with the firm determined to offer unique and unmatched expertise. After evaluating the proposals, C/CAG reserves the right to further negotiate the scope of work, method of delivery, and amount of compensation.

PROCESS

Proposals must be presented in accordance with the requirements specified in this RFP. **Five (5) printed proposals and one electronic proposal on CD or other media must be submitted to C/CAG's offices (attention Matthew Fabry, Program Coordinator) no later than [DATE] at 12 Noon. Late proposals will not be accepted.**

Countywide Program and selected Workgroup representatives will be available for a pre-proposal meeting on [DATE] at 1:00 PM to discuss the project and answer questions. This meeting will be held at C/CAG's offices at 555 County Center, 5th Floor in Redwood City. No reservations are required.

The Countywide Program's Workgroup will conduct interviews on [DATE]. Each firm selected to be interviewed shall be allotted 30 minutes to make a presentation followed by a 15 minute question and answer period from the Workgroup representatives.

The Workgroup's consultant selection recommendation will be considered by the Countywide Program's Technical Advisory Committee at its regularly scheduled meeting on [DATE], or at a specially called meeting.

Following a recommendation of approval of a consultant by the Technical Advisory Committee, and after negotiations between C/CAG and the selected consultant(s) have taken place, the contract will be placed on the C/CAG Board's agenda for approval on or about [DATE]. The contract will terminate [DATE].

PROPOSAL FORMAT

Proposal format and content are important, but length is limited as specified below. Clarity and conciseness are essential and will be considered in assessing the firm's responsiveness and capabilities. Proposals shall use a minimum 12-point size font. All ten copies of the proposal should be double-sided. Each page shall measure 8 ½ by 11 inches with one inch margins.

The proposal should be organized in the following manner:

1. Cover Letter (1 page)
2. Title Page (1 page) – Include the RFP subject, name of firm, location address, telephone number, fax number, email address, and date. The project manager shall be designated and be the principal contact for C/CAG. Indicate other firms serving as sub-consultants, as appropriate.
3. Proposal Content – This section should clearly convey the consultant understands the work to be undertaken. The consultant should detail the following:
 - a. Organizational chart (1 page) – Identify principal-in-charge, project manager, staff, and other team members.

- b. Work Plan (4 pages maximum) – Identify management approach, relevant project issues, scope of work, and describe all proposed consultant tasks.
 - c. Project Tasks (2 pages maximum) – Provide a spreadsheet which shows, in detail, the number of hours per task and each person/classification assigned to each task.
 - d. Project Schedule (2 pages maximum) – Identify project schedule to include meetings reports, deliverables, Workgroup review, and submittal dates.
 - e. Statement of Qualifications (5 pages maximum) – Provide a summary of the firm(s) information, direct work experience, references, and brief resumes of key team members. The consultant group must show experience related to the scope of work with capabilities to complete all the tasks from the beginning to the end of the project.
4. Cost Proposal – Detailed payment schedules including hourly rates for each category of personnel assigned to the project and other direct expenses **shall not** be included in the proposal, but shall be submitted in a separate envelope.

These schedules must specify the following information:

- a. A range of costs by task and by phase to complete the entire effort from polling through community education, campaign, and funding measure initiative.
- b. Show project deliverables and due dates.
- c. Budget for direct costs for all public outreach printing, postage, and website management.

Fees paid to the consultant shall be on a time and materials basis up to a negotiated maximum amount per signed contract. Any extra work deemed necessary by the consultant must be pre-approved and authorized by C/CAG in writing. No payment will be made on any unauthorized work performed by the consultant or sub-consultants.

The consultant shall implement Phase I of the work described in this RFP. Upon the successful completion of these tasks and the satisfactory performance of the consultant, C/CAG shall authorize the consultant to proceed to Phase II, then Phase III.

The selected consultant's payment schedule will either be accepted in whole or C/CAG will negotiate an acceptable payment schedule with the consultant. If C/CAG and the consultant are unable to agree upon a payment schedule, then the Workgroup will look to the next highest qualified consultant. Please find enclosed a copy of C/CAG's Consulting Services Agreement (Appendix B) that will be used to execute an Agreement between C/CAG and the selected

consultant. **Changes to the agreement cannot be made.** If the terms and conditions are not acceptable to the consultant, then C/CAG reserves the right to negotiate with another firm.

This solicitation does not commit C/CAG to pay any costs incurred by consultants in preparing and presenting proposals or to select any consultant that chooses to propose. This solicitation covers only the work described herein and does not commit C/CAG to any work beyond what is described herein.

Thank you for proposing to provide services under this request.

Sincerely,

Matthew Fabry, P.E.
Program Coordinator
C/CAG – San Mateo Countywide Water Pollution Prevention Program

C/CAG AGENDA REPORT

Date: July 19, 2012
To: C/CAG CMP Technical Advisory Committee (TAC)
From: Jean Higaki, Transportation System Coordinator
Subject: Regional Project and Funding Information

(For further information or questions contact Jean Higaki at 650-599-1462)

RECOMMENDATION

This is an informational item.

FISCAL IMPACT

None.

SOURCE OF FUNDS

N/A

BACKGROUND/DISCUSSION

C/CAG staff routinely attends meetings hosted by the Metropolitan Transportation Commission (MTC) and receives information distributed by the MTC pertaining to Federal funding, project delivery, and other regional policies that may affect local agencies. Attached to this report includes relevant information from MTC.

- FHWA policy for inactive projects - The current inactive list is attached. Project sponsors are requested to visit the Caltrans site regularly for updated project status at:
<http://www.dot.ca.gov/hq/LocalPrograms/Inactiveprojects.htm>

Caltrans provides policy and procedural guidance to Caltrans and local agency staff for the management of Inactive Obligations at:

http://www.dot.ca.gov/hq/LocalPrograms/DLA_OB/office-bulletins/ob11-03.pdf

- Pavement Management Program (PMP) Certification Listing – In accordance with section 2108.1 of the Streets and Highway Code, MTC requires cities and counties submitting pavement maintenance and rehabilitation projects for funding to utilize a Pavement Management Program (PMP). The status of the PMP certifications is attached. Jurisdictions should recertify or extend their PMP certification before the expiration date.

- Federal Aid Announcements – The following are general announcements related to Fed-Aid projects.
 - The US DOT rescinded the Disadvantaged Business Enterprise (DBE) program waiver previously granted to Caltrans on August 7, 2008. That waiver allowed race conscious (RC) contract goals to be limited to only four groups referred to as “UDBEs” (aka, the “Old RC DBE Program”). With rescission of the waiver, contract goals for federally funded projects authorized on and after July 1, 2012 must include ALL DBE groups (African Americans, Asian Pacific Americans, Native Americans, Women, Hispanic Americans, Subcontinent Asian Americans, and any other groups whose members are certified as socially and economically disadvantaged). This is referred to as the New RC DBE Program. Further information is attached.
 - Consultant Selection, of the Local Assistance Procedures Manual (LAPM), has been significantly revised. The previous pre-award audit process is replaced with a new risk-based Architectural and Engineering (A&E) consultant audit process. Other refinements to Chapter 10 have been made as well. Revisions to this chapter are located at: http://www.dot.ca.gov/hq/LocalPrograms/DLA_OB/DLA_OB.htm
 - Caltrans announced a combined Call for Projects: Cycle 5 of HSIP and Cycle 3 of HR3 - On Monday, April 23, 2012, Caltrans Division of Local Assistance announced a combined Call for Projects for the Cycle 5 Highway Safety Improvement Program (HSIP) and Cycle 3 High Risk Rural Road Program (HR3). This Call for Projects is targeted for approximately \$100 million for HSIP and \$15 million for HR3 based on the estimated programming capacity in the upcoming 2013 FSTIP. Applications are due by Friday, July 20, 2012 and should be submitted to the attention of the District Local Assistance Engineers (DLAEs). Applications received or postmarked later than July 20 will not be accepted. For program guidelines, application form and other useful documents, please go to http://www.dot.ca.gov/hq/LocalPrograms/HSIP/apply_now.htm.

Note, if an agency has active HSIP or HR3 projects that are flagged for not meeting delivery milestones, Caltrans will not accept HSIP or HR3 applications from the agency unless the flags have been resolved prior to the application due date.

ATTACHMENTS

1. Inactive Project List generated on 7/05/2012
2. PMP Certification Status generated on 7/29/12
3. New Race Conscious DBE Program for Local Assistance Federal-aid Projects

Quarterly Review of Inactive Obligations
 Local, State Administered Locally Funded and Rail Projects
 (Review Period 04/01/2012- 06/30/2012)

Updated on 07/05/2012		Inactive Projects (Review period: 04/01/2012-06/30/2012)					Updated on 07/05/2012		Inactive Projects (Review period: 04/01/2012-06/30/2012)										
Project No	LOOK AHEAD	Agency/District Action Required	State Project No	Prefix	District	County	Agency	Description	Latest Date	Authorization Date	Last Expenditure Date	Program Codes	Total Cost	Federal Funds	Expenditure Amt	Unexpended Bal	3-Tier Criteria	Project No	
5102030	3 MONTH	No Federal funds remain. Proceed with project closure or submit justification next quarter to request project to remain open.	04924689L	STPL	04	SM	San Mateo	POPLAR AVE,TILTON AVE,HUMBOLDT ST , AC OVERLAY AND REHAB	7/22/2009	12/7/2007	7/22/2009	L230	649,285.00	325,000.00	325,000.00	0.00	TIER 3	5102030	
5273017	INACTIVE	Submit invoice or justification to District by 08/24/2012.	04924751L	SRTS	04	SM	Menlo Park	SANTA CRUZ AVE: LEMON AVE TO SAN MATEO AVE, INSTALL CROSSWLK, PED SFTY,AND	7/22/2009	10/30/2007	7/22/2009	LU20	133,000.00	133,000.00	15,400.00	117,600.00	TIER 2	5273017	
5376001	6 MONTH	Submit invoice to District.	04923418L	BRLZ	04	SM	Brisbane	TUNNEL AVENUE BR (BR. NO. 35C-0124), BRIDGE REPLACEMENT	10/7/2011	5/30/2000	10/7/2011	Q120,Q100,L1CE,L1C0,H100	15,015,505.00	11,976,023.00	11,322,327.70	653,695.30	TIER 1	5376001	



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[P-TAP](#) [PMP Certification](#)

Pavement Management Program Certification Listing

In accordance with section 2108.1 of the Streets and Highway Code, MTC requires cities and counties submitting pavement maintenance and rehabilitation projects for funding to utilize a Pavement Management Program (PMP).

Section 2108.1 of the Streets and Highway Codes says:

By July 1, 1990, the City, County, State Cooperation Committee in the department shall develop and adopt a pavement management program to be utilized on local streets or highways that receive funding under the state transportation improvement program. The pavement management program shall be transmitted to every county or city for possible adoption or incorporation into an existing pavement management program. The City, County, State Cooperation Committee shall solicit recommendations from transportation planning agencies and any other entity the committee deems appropriate.

Based on the recommendation of the joint City, County, State Cooperation Committee, the MTC will grant certification to a jurisdiction when all of the following applies:

1. The Pavement Management Program used by the jurisdiction is capable of completing all the following:
 - Storing inventory data for all roads within the jurisdiction
 - Assessing the pavement condition based on distress information
 - Identifying all pavement sections that need rehabilitation or replacement
 - Calculating budget needs for rehabilitating or replacing deficient pavement sections
2. The jurisdiction completes all the following:
 - Reviews and updates the inventory information for all roads every two years. The review will include checking for road network completeness along with checking for the accuracy of the existing management sections.
 - Completes inspection of pavement sections for arterial and collector routes in the system every two years, and residential routes every 5 years.
 - Calculates budget needs for rehabilitating or replacing deficient pavement sections for the current year and the next three years.

To be certified please submit the following to MTC:

1. Your jurisdiction's latest updated pavement management database. If you are not using MTC PMP, please submit items #2 and #3 only. If you are using an MTC PMP software program please submit all files associated with the version of StreetSaver you are using. If you need assistance in accessing these files, please contact your [PMP coordinator](#).
2. The following 3 budget scenarios reports: 1) a report showing sections selected for treatment over the next five years based on your jurisdiction's annual budget estimates, 2) a report showing what would need to be done to maintain your jurisdiction's existing PCI, and 3) a scenario depicting a five-point increase of your jurisdiction's current PCI over the next five years. *(These types of reports are typically generated as part of the Pavement Management Technical Assistance Program (P-TAP) projects.)*
3. A signed letter by the Public Works Director, or equivalent department head, stating that all of the requirements in parts 1 and 2 above have been met. ["Sample letter"](#)

MTC will post certification status updates of Bay Area jurisdictions on this page the first day of every month. The updated certification will have an expiration date two years from the date when the last inspection of arterials and collectors in your network was completed.

Temporary exemptions from the certification process

* A jurisdiction may apply for a one-year extension if the department head submits a letter stating that reinspection will occur within one year. Extensions may not continue beyond three years from the last major inspection date.

** A jurisdiction, whose certification is expiring, may apply for pending status if it is in the process of inspecting its network. You must notify the MTC in writing of your request for pending status, and include a reasonable date when inspections will be completed, or your certification will be considered expired. **Jurisdictions who received a pending status because of their participation with P-TAP 12 had until April 30, 2012 to submit their documentation or will be reverted back to 24 months after the "Last Major Inspection" date.** P-TAP 13 awardees have until April 30, 2013 to submit their documentation or be reverted back to 24 months after

the "Last Major Inspection" date.

NOTE: Failure to submit your PMP Certification letter and/or extension request by the above deadlines and/or your Certification Expiration Date will result in a lapse in compliance and any Pending status will revert back to its original expiration date.

The information should be forwarded to your [PMP Contact](#).

Last Updated: June 29, 2012

[Alameda County](#) [Contra Costa County](#) [Marin County](#) [Napa County](#) [San Francisco County](#)

[San Mateo County](#) [Santa Clara County](#) [Solano County](#) [Sonoma County](#)

Note: An *italicized* status represents a certification expected to expire in ~ 60 days.

Alameda County

Jurisdiction	Last Major Inspection	Certified	Certification Expiration Date
County of Alameda	11/30/2011	Yes	12/01/2013
Alameda	09/30/2010	Yes(P13)	10/01/2012
Albany	08/31/2011	Yes	09/01/2013
Berkeley	03/30/2011	Yes	04/01/2013
Dublin	10/31/2010	Yes(P13)	11/01/2012
Emeryville	10/31/2010	Yes	11/01/2012
Fremont	09/30/2011	Yes	10/01/2013
Hayward	06/30/2011	Yes(P13)	07/01/2013
Livermore	11/30/2011	Yes	12/01/2013
Newark	02/28/2011	Yes	03/01/2013
Oakland	02/28/2011	Yes	03/01/2013
<i>Piedmont</i>	<i>07/31/2010</i>	<i>Yes</i>	<i>08/01/2012</i>
Pleasanton	06/30/2011	Yes	07/01/2013
San Leandro	06/30/2011	Yes(P13)	07/01/2013
<i>Union City</i>	<i>08/31/2010</i>	<i>Yes</i>	<i>09/01/2012</i>

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Contra Costa County

Jurisdiction	Last Major Inspection	Certified	Certification Expiration Date
Contra Costa County	05/31/2011	Yes	06/01/2013
Antioch	12/31/2010	Yes	01/01/2013
Brentwood	08/31/2010	Yes(P13)	09/01/2012
Clayton	05/31/2010	Pending	P-TAP 13
Concord	06/30/2010	Pending	P-TAP 13
Danville	02/28/2011	Yes(P13)	03/01/2013
El Cerrito	10/31/2010	Yes(P13)	11/01/2012
<i>Hercules</i>	<i>05/31/2010</i>	<i>No</i>	<i>06/01/2012</i>
Lafayette	04/30/2010	Pending	P-TAP 13
Martinez	01/31/2011	Yes	02/01/2013
Moraga	02/28/2011	Yes	03/01/2013
Oakley	10/31/2010	Yes(P13)	11/01/2012
Orinda	05/31/2010	Pending	P-TAP 13
Pinole	06/30/2010	Pending	P-TAP 13
Pittsburg	10/31/2011	Yes	11/01/2013
Pleasant Hill	10/31/2011	Yes	11/01/2013
Richmond	02/28/2011	Yes	03/01/2013
<i>San Pablo</i>	<i>06/30/2010</i>	<i>Yes</i>	<i>07/01/2012</i>
San Ramon	02/29/2012	Yes	03/01/2014
Walnut Creek	11/30/2011	Yes	12/01/2013

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Marin County

Jurisdiction	Last Major Inspection	Certified	Certification Expiration Date
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LSRPDWG 07/16/12: Item 6C

Marin County	11/30/2010	Yes(P13)	12/01/2012
<i>Belvedere*</i>	<i>06/30/2009</i>	<i>Yes*</i>	<i>07/01/2012*</i>
Corte Madera	09/30/2011	Yes	10/01/2013
Fairfax	10/31/2010	Yes	11/01/2012
Larkspur	07/31/2011	Yes	08/01/2013
Mill Valley	07/31/2010	Yes(P13)	08/01/2012
Novato	10/31/2011	Yes	11/01/2013
Ross	07/31/2011	Yes	08/01/2013
San Anselmo	03/31/2011	Yes	04/01/2013
San Rafael	11/30/2011	Yes	12/01/2013
Sausalito	07/31/2011	Yes	08/01/2013
Tiburon	06/30/2010	Pending	P-TAP 13

» [Back to Top](#)**Napa County**

Jurisdiction	Last Major Inspection	Certified	Certification Expiration Date
Napa County	09/30/2011	Yes	10/01/2013
American Canyon	08/31/2011	Yes	09/01/2013
Calistoga	12/31/2010	Yes(P13)	01/01/2013
Napa	04/30/2012	Yes	05/01/2014
St. Helena	08/31/2010	Yes	09/01/2012
Yountville	08/31/2011	Yes	09/01/2013

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Jurisdiction	Last Major Inspection	Certified	Certification Expiration Date
San Francisco	08/31/2011	Yes(P13)	09/01/2013

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Jurisdiction	Last Major Inspection	Certified	Certification Expiration Date
San Mateo County	10/31/2010	Yes(P13)	11/01/2012
Atherton	10/31/2010	Yes(P13)	11/01/2012
Belmont	08/30/2010	Yes(P13)	09/01/2012
Brisbane	11/30/2010	Yes(P13)	12/01/2012
Burlingame	06/30/2011	Yes	07/01/2013
<i>Colma</i>	<i>07/31/2010</i>	<i>Yes</i>	<i>08/01/2012</i>
Daly City	01/31/2012	Yes	02/01/2014
<i>East Palo Alto</i>	<i>07/31/2010</i>	<i>Yes</i>	<i>08/08/2012</i>
Foster City	12/31/2011	Yes	01/01/2014
Half Moon Bay	10/31/2010	Yes	11/01/2012
Hillsborough*	06/30/2010*	Yes*	07/01/2013*
Menlo Park	10/31/2011	Yes	11/01/2013
Millbrae	12/31/2011	Yes	01/01/2014
Pacifica	02/29/2012	Yes	03/01/2014
Portola Valley	08/31/2009	Pending	P-TAP 13
Redwood City	09/30/2011	Yes	10/1/2013
San Bruno	12/31/2011	Yes	01/01/2014
San Carlos	09/30/2010	Yes	10/01/2012
San Mateo	12/31/2010	Yes(P13)	01/01/2013
South San Francisco	11/30/2011	Yes	12/01/2013
Woodside	09/30/2010	Yes	10/01/2012

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Jurisdiction	Last Major Inspection	Certified	Certification Expiration Date
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LSRPDWG 07/16/12: Item 6C

Santa Clara County	09/30/2011	Yes	10/01/2013
Campbell	07/31/2011	Yes	08/01/2013
Cupertino	07/31/2010	Yes(P13)	08/01/2012
Gilroy	10/31/2008	Pending	P-TAP 13
Los Altos	08/31/2011	Yes	09/01/2013
Los Altos Hills	06/30/2010	Pending	P-TAP 13
Los Gatos	05/31/2011	Yes	06/01/2013
Milpitas	06/30/2011	Yes	07/01/2013
Monte Sereno	10/31/2010	Yes	11/01/2012
Morgan Hill	01/31/2012	Yes	02/01/2014
Mountain View	09/30/2010	Yes(P13)	10/01/2012
Palo Alto	11/30/2010	Yes	12/01/2012
San Jose	02/29/2012	Yes	03/01/2014
Santa Clara	07/31/2011	Yes	08/01/2013
Saratoga	12/31/2010	Yes	01/01/2013
Sunnyvale	02/28/2011	Yes	03/01/2013

» [Back to Top](#)**Solano County**

Jurisdiction	Last Major Inspection	Certified	Certification Expiration Date
Solano County	02/29/2012	Yes	03/01/2014
Benicia	01/31/2011	Yes(P13)	02/01/2013
Dixon	09/30/2011	Yes	10/01/2013
Fairfield	11/30/2010	Yes(P13)	12/01/2012
Rio Vista	07/31/2011	Yes	08/01/2013
Suisun City	08/31/2011	Yes	09/01/2013
Vacaville	07/31/2011	Yes	08/01/2013
Vallejo	11/30/2011	Yes	12/01/2013

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Jurisdiction	Last Major Inspection	Certified	Certification Expiration Date
Sonoma County	12/31/2010	Yes(P13)	01/01/2013
Cloverdale	07/31/2011	Yes	08/01/2013
Cotati	08/31/2011	Yes	09/01/2013
Healdsburg	12/31/2010	Yes(P13)	01/01/2013
Petaluma	09/30/2011	Yes	10/01/2013
Rohnert Park	07/31/2010	Yes(P13)	08/01/2012
Santa Rosa	05/31/2012	Yes	06/01/2014
Sebastopol	11/30/2010	Yes(P13)	12/01/2012
Sonoma	07/31/2011	Yes	08/01/2013
Windsor	01/31/2011	Yes	02/01/2013

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 PMP is sponsored by the Metropolitan Transportation Commission

From: "(DLAWUA) DLA Website Update Announcement"
<dla-website-updates-announce@lists.dot.ca.gov>
To: <dla-website-updates-announce@lists.dot.ca.gov>
Date: 06/29/12 4:47 PM
Subject: [DLAWUA] List Server Announcement: DLA-OB 12-04 - Race Conscious Measures to include all DBEs has been posted

Subject

Changes to the DBE Program

Announcement

DLA-OB 12-04 - "Race Conscious Measures to Include All DBEs" has been posted to the Local Assistance website at: http://www.dot.ca.gov/hq/LocalPrograms/DLA_OB/DLA_OB.htm

Change

All DBEs are to be included in race conscious measures used by local agencies in meeting the overall DBE goal. The following LAPM exhibits have been amended to comply with this change: 3A, 3B, 3C, 3D, 3Q, 10A, 10C, 10D, 10I, 10J, 10O-1, 10O-2, 12D, 12E, 15A, 15B, 15G-1, 15G-2 (Deleted), 15H, 15I, 15L, and 17F.

Impacts

This change applies to all Federal-aid projects funded by Local Assistance; non-compliance with this change will result in loss of federal funds.

Contact

Questions or comments regarding this change should be directed to:
Jessica Del Nero at (916) 653-9251 or jessica_del_nero@dot.ca.gov.

DLA-Website-Updates-Announce mailing list
DLA-Website-Updates-Announce@lists.dot.ca.gov
<http://lists.dot.ca.gov/mailman/listinfo/dla-website-updates-announce>

From: Rihui Zhang <Rihui_Zhang@dot.ca.gov>
To: <CalRTPA@yahoogroups.com>, <kbuss@counties.org>, <jwhiting@cacities.org>
CC: Rene Halverson <rene_halferson@dot.ca.gov>, "Nuncio, Jose" <jnu@sandag.org>, William Ridder <Ridder@sjcog.org>
Date: 07/02/12 3:00 PM
Subject: [CalRTPA] Fw: Implementing the New Race Conscious DBE Program for Local Assistance Federal-aid Projects
Attachments: FINAL DLA-OB RC Program Change 06.29.12 (SIGNED).docx.pdf; FINAL Local Agency Letter 06.29.12.docx; FINAL DBE Letter to Locals 6.29.2012 (SIGNED).pdf

Hello Transportation Partners,

This email is intended to communicate to you the various documents related to the implementation of the New Race Conscious DBE Program for Local Assistance Federal-aid Projects.

Recently, the US DOT rescinded the Disadvantaged Business Enterprise (DBE) program waiver previously granted to Caltrans on August 7, 2008. That waiver allowed race conscious (RC) contract goals to be limited to only four groups referred to as "UDBEs" (aka, the "Old RC DBE Program"). With rescission of the waiver, contract goals for federally funded projects authorized on and after July 1, 2012 must include ALL DBE groups (African Americans, Asian Pacific Americans, Native Americans, Women, Hispanic Americans, Subcontinent Asian Americans, and any other groups whose members are certified as socially and economically disadvantaged). This is referred to as the New RC DBE Program.

As directed in the June 15, 2012 letter from the Federal Highway Administration (FHWA), Caltrans is transitioning to the New RC DBE Program which applies to Caltrans and Local Agency transportation projects funded by FHWA.

To demonstrate good faith efforts in implementing the New RC DBE Program, while at the same time ensure uninterrupted delivery of Federal-aid projects, Caltrans has secured concurrence from FHWA to allow for continued authorization of projects under the condition that they will be advertised under the New RC DBE Program. This agreement is reflected in the following project authorization scenarios:

Impacts to Federal-Aid Projects

Projects authorized prior to July 1, 2012:

If practical, these projects should use contract goals that include all certified DBEs and not just UDBEs. If it is not practical to do this, these projects should be advertised as soon as possible under the Old RC DBE Program by applying contract goals only to UDBEs. However, projects advertised after August 17, 2012 must use contract goals that include all certified DBEs. For projects advertised after August 17, 2012, contract goals cannot be limited to UDBEs.

Projects authorized between July 1, 2012 and September 30, 2012:

Projects may be authorized under the Old RC DBE Program procedures on the condition that, PRIOR TO ADVERTISING, bid documents must be revised to comply with the New RC DBE Program such that contract goals include all certified DBEs. In addition to submitting the normal Request for Authorization (RFA) documentation, local agencies will be asked to attach a certification letter acknowledging that the local agency has read and understood the New RC DBE Program Office Bulletin, and that failure to comply with the New RC DBE Program will make the agency's project ineligible for federal funds.

Projects authorized after October 1, 2012:

All FHWA federally funded projects must comply with the New RC DBE Program requirements PRIOR TO AUTHORIZATION.

Implementation Policies

Based on the Director's June 29, 2012 letter to the local agencies, we have released a DLA Office Bulletin outlining our policy and procedure for the implementation of the New RC DBE Program for Local Assistance Federal-aid Projects. We have also updated various LAPM exhibits affected by this change, which are available on the Local Assistance website.

Outreach and Training for Caltrans Local Assistance and Local Agencies:

In addition to wide range distribution of these implementation documents to the local and regional agencies, we also intend to have the following outreach and training opportunities for Caltrans Local Assistance staff as well as for the local agencies:

Dates/Times	Training Offering
July 10, 2012 10:00am – 11:30am	Teleconference with the District Local Assistance Engineers (DLAEs)
July 12, 2012 (Timeframe TBD)	Statewide Webinar and teleconference with the local agencies (depending on webinar capacity, may hold additional webinars; additional details will be available next week).
Ongoing	Other outreach efforts – DLAEs are encouraged to partner with local agencies under their respective jurisdictions to aid in this transitional period.

If you have additional questions or concerns, please contact Henry Wells at (916) 651-8911, or Jessica Del Nero at (916) 653-9251.

Ray Zhang
Chief, Office of Policy Development and Quality Assurance
Division of Local Assistance
916-651-0018

(See attached file: FINAL DLA-OB RC Program Change 06.29.12 (SIGNED).docx.pdf)(See attached file: FINAL Local Agency Letter 06.29.12.docx)(See attached file: FINAL DBE Letter to Locals 6.29.2012 (SIGNED).pdf)



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Be energy efficient!*

DEPARTMENT OF TRANSPORTATION

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June 29, 2012

ALL CITIES AND COUNTIES IN CALIFORNIA
METROPOLITAN PLANNING ORGANIZATIONS
REGIONAL TRANSPORTATION PLANNING AGENCIES

Dear Directors:

This letter supersedes my letter dated June 22, 2012, on the same subject. This letter contains further clarifications from the United States Department of Transportation (US DOT).

The US DOT has informed the California Department of Transportation (Caltrans) that the Disadvantaged Business Enterprise (DBE) program waiver granted on August 7, 2008, has been rescinded. That waiver allowed race-conscious (RC) contract goals to be limited to only four groups referred to as "UDBEs" (the "Old RC DBE Program"). With rescission of the waiver, contract goals for federally funded projects authorized on and after July 1, 2012, must include ALL DBE groups (African Americans, Asian Pacific American, Native American, Women, Hispanic American, and Subcontinent Asian American and any other groups whose members are certified as socially and economically disadvantaged). This is referred to as the New RC DBE Program.

As directed in the June 15, 2012, letter from the Federal Highway Administration (FHWA), Caltrans is transitioning to the New RC DBE Program and it will apply to Caltrans and Local Agency transportation projects funded with FHWA federal funds.

Impacts to FHWA Funded Federal-aid Projects

- **Projects authorized prior to July 1, 2012:** If practical, these projects should use contract goals that include all certified DBEs and not just UDBEs. If it is not practical to do this, then these projects should be advertised as soon as possible under the Old RC DBE program applying contract goals only to UDBEs. However, projects **advertised after August 17, 2012**, must use contract goals that include all certified DBEs. For projects advertised after August 17, 2012, contract goals cannot be limited to UDBEs.
- **Projects authorized between July 1, 2012 and September 30, 2012** Projects may be authorized under the Old RC DBE procedures under the *condition* that, **PRIOR TO ADVERTISING**, bid documents must be revised to comply with the New RC DBE Program such that contract goals include all certified DBEs. In addition to submitting the normal Request for Authorization documents, local agencies will be asked to attach a certification letter acknowledging that the local agency has read and understood the new

All Cities and Counties in California, et al
June 29, 2012
Page 2

RC DBE Office Bulletin, and that failure to comply with the New RC DBE Program will make the project ineligible for federal funds.

- **Projects authorized After October 1, 2012:** All FHWA federally funded projects must comply with the new RC DBE requirements PRIOR TO AUTHORIZATION.

Implementation of the New RC DBE Program

Caltrans Division of Local Assistance (DLA) is publishing a DLA Office Bulletin for the implementation of the New RC DBE Program. The Office Bulletin will address the following:

- Procedures for the transition to and implementation of the New RC DBE Program requirements.
- Revised Local Programs Procedures Manual exhibits required for implementation of the New RC DBE requirements.
- Revised consultant and construction contract specifications for use under the New RC DBE Program.

In addition, DLA will conduct trainings for local agencies on the New RC DBE requirements beginning in July 2012.

If you have questions, please contact your District Local Assistance Engineer.

Sincerely,



MALCOLM DOUGHERTY
Director

Enclosures:

- (1) US DOT Letter
- (2) FHWA Letter



Expires – Upon Issuance of LPP

Race Conscious Measures to include all DBEs

I. BACKGROUND

Under a waiver granted by the United States Department of Transportation (US DOT) dated August 7, 2008, the California Department of Transportation (Caltrans) Disadvantaged Business Enterprise (DBE) Program set contract goals for only Underutilized DBEs (UDBEs) which included exclusively those firms owned by Black Americans, Native Americans, Asian-Pacific Americans and Women.

Recently, the US DOT rescinded this waiver. With this rescission, contract goals for federally funded projects authorized on and after July 1, 2012, must include ALL DBE groups (i.e. African Americans, Asian Pacific Americans, Native Americans, Women, Hispanic Americans, Subcontinent Asian Americans, and any other groups whose members are certified as socially and economically disadvantaged). This is referred to as the “New RC DBE Program.” To assist with the implementation of this new program, Caltrans Division of Local Assistance (DLA) has outlined policies and procedures regarding Federal-aid highway projects administered by local agencies.

II. POLICY

It is the policy of Caltrans Division of Local Assistance (DLA) that all federal-aid highway projects administered by local agencies comply with the latest requirements with regards to the utilization of disadvantaged business enterprises.

To ensure compliance with federal DBE requirements and, at the same time, to facilitate the timely delivery of local agency federal-aid projects, DLA will consider the following three scenarios of project authorizations.

Projects Authorized by FHWA prior to July 1, 2012

1. Local agencies should take all possible actions to use contract goals for all DBEs in contracts advertised after the date of this Office Bulletin when contract goals are used. Local agencies that adopt new race conscious measures must revise the contract goal, edit DBE contract language and proposal/bid documents and turn in a new PS&E Checklist, Exhibit 12-D, for their respective projects.
2. If it is not practical to do this, then these projects should be advertised as soon as possible under the Old RC DBE program applying contract goals only to UDBEs. However, Projects advertised after August 17, 2012 must use contract goals that include all certified DBEs. For projects advertised after August 17, 2012, contract goals cannot be limited to UDBEs.

Projects Authorized by FHWA from July 1, 2012 to September 30, 2012

1. At the request of a local agency, a conditional authorization to proceed may be granted to a project that was prepared using pre-July 2012 race conscious measures and corresponding exhibits from the Local Assistance Procedure Manual (LAPM), under the condition that, **PRIOR TO ADVERTISING**, bid documents must be revised to comply with the New RC DBE Program such that contract goals include all certified DBEs. Additionally, the local



agency will need to include in its authorization request a signed letter acknowledging receipt and understanding of this Office Bulletin. See attachments for sample letter. Local agencies that received such conditional authorizations must submit a revised Exhibit 12-D “PS&E Checklist” under the New DBE Program to be accepted by the District Local Assistance Engineer prior to advertising the contract.

2. Projects that are prepared using the New DBE Program and corresponding exhibits from the LAPM, as contained in this Office Bulletin, will follow normal authorization procedures.

Projects Authorized by FHWA after September 30, 2012

All projects must be prepared using the post-July 2012 race conscious measures and corresponding exhibits from the LAPM, as contained in this Office Bulletin.

III. PROCEDURE

Along with the release of this Office Bulletin, the following LAPM Exhibits/forms have been modified to reflect the New DBE Program requirements:

- Chapter 3, “Project Authorization,” including Exhibits 3-A through 3-D and 3-Q.
- Chapter 10, “Consultant Selection,” including Exhibits 10-C, 10-D, 10-I, 10-J, 10-O1 and 10-O2.
- Chapter 12, “Plans, Specifications and Estimate,” including Exhibits 12-D and 12-E.
- Chapter 15, “Advertise and Award Project,” including Exhibits 15-A, 15-B, 15-G, 15-H, 15-I and 15-L.
- Chapter 17, “Project Completion,” including Exhibit 17-F.

These revised LAPM exhibits are available on the Local Assistance Website.

IV. APPLICABILITY/IMPACTS

This will impact all federal-aid projects administered by local agencies. Noncompliance will result in loss of federal funds.

Recommended: _____
 Henry Wells, Committee Chair _____
 Date

Approved:  _____
 Ray Zhang, Chief 6/29/2010
 Office of Policy Development and Quality Assurance _____
 Date

Attachments:

Attachment 1 – Sample Letter Acknowledging Receipt of Office Bulletin 12-04

Local Agency Letterhead

**Request for Conditional Federal Authorization to Proceed and
Commitment to Comply with the New Race Conscious DBE Requirement**

To: (DLAE Name)	Date: _____
District Local Assistance Engineer	Federal Project No.: _____
Caltrans, Office of Local Assistance	Project Description: _____
District Address	_____

This is a request for Conditional Federal Authorization to Proceed for a project developed under the Old RC DBE Program requirements, as allowed by DLA Office Bulletin 12-04, "Race Conscious Measures to include all DBEs".

We have read and understand the DLA Office Bulletin 12-04.

We understand that the California Department of Transportation (Caltrans) is implementing a new Disadvantaged Business Enterprise (DBE) program applicable to all federally funded local transportation projects with DBE contract goals.

We understand that even with the Conditional Federal Authorization to Proceed granted, we must revise our contract bid document to include DBE contract goals for all DBEs before the project is advertised, to comply with the New DBE Program requirements.

We accept the responsibility to ensure compliance with the New DBE Requirements and understand that failure to comply with the New RC DBE Program will make the project ineligible for federal funds.

Signature of Local Agency Representative

Printed Name

Title

Local Agency