

Memorandum

To: Chair and Commissioners

Date: June 15, 2008

From: John F. Barna, Jr.
Executive Director

File No: Reference # 4.13

Information

Ref: Proposition 1B Highway-Railroad Crossing Safety Account (HRCSA) Program List of Project Nominations

Issue:

The Commission will have an opportunity to hear from HRCSA applicants about their proposed projects. The intent is to permit the Commission to familiarize itself with the applications received by the June 16th deadline. A hearing will be held at the July meeting where the Commission will be given more information regarding the project nominations. (Because the Agenda Book is compiled the same day as the HRCSA project nomination deadline, staff will provide a spreadsheet of the nominations later in the week and post it to the Commission's website.)

Recommendation:

This is an informational session so that the Commission can become familiar with the types of projects submitted for the HRCSA Program.

Background:

On November 7, 2006, the voters approved Proposition 1B. Proposition 1B provides \$250 million to fund the HRCSA for two sub-programs – \$150 million for highway-railroad grade separations derived from the California Public Utilities Commission's Section 190 grade separation priority list and \$100 million for non-Section 190 high-priority grade crossing improvements.

Specifically, Proposition 1B authorized the \$250 million for the HRCSA in two parts:

- (a) Part 1. Proposition 1B provided that \$150 million from the HRCSA shall be made available for allocation to projects on the priority list established by the Public Utilities Commission (PUC) pursuant to the process established in Chapter 10 (commencing with Section 2450) of Division 3 of the Streets and Highways Code, with two exceptions: (1) a dollar for dollar match of non-state funds shall be provided for each project, and (2) the \$5 million maximum in Section 2454 shall not apply to HRCSA funds.
- (b) Part 2. Proposition 1B provided that the other \$100 million from the HRCSA shall be made available to high-priority railroad crossing improvements, including grade separation projects, that are not part of the process established in Chapter 10 (commencing with Section 2450) of Division 3 of the Streets and Highways Code. These may include projects at any of the following:

- (a) Crossings where freight and passenger rail share the affected rail line.
- (b) Crossings with a high incidence of motor vehicle-rail or pedestrian-rail collisions.
- (c) Crossings with a high potential for savings in rail and roadway traffic delay.
- (d) Crossings where an improvement will result in quantifiable emission benefits.
- (e) Crossings where the improvement will improve the flow of rail freight to or from a port facility.

The CTC will adopt an HRCSA program of projects for funds under both these parts from projects nominated by Caltrans, regional agencies or recipient local agencies. A single nomination will be considered for funding from either part of the program, as appropriate. The principal differences between the two parts of the HRCSA program are:

- PUC priority list. Projects to be funded from Part 1 must be on the priority list established by the PUC pursuant to Section 2452 of the Streets and Highways Code. Projects to be funded under Part 2 may be, but need not be, on the PUC priority list.
- Match. Projects to be funded from Part 1 require at least a one-to-one match of local, federal or private funds. In accordance with subdivision (d) of Section 2454 of the Streets and Highways Code, no allocation shall be made unless the railroad agrees to contribute 10 percent of the cost of the project. Projects to be funded from Part 2 do not require any specific match or railroad contribution. However, the CTC will give higher priority for funding from Part 2 to projects with a non-state match.
- Program Year. Because the PUC priority list to be adopted by July 1, 2008, will be valid only for the 2008-09 and 2009-10 fiscal years, the CTC will initially program Part 1 funding only for projects that are expected to be ready for a project construction allocation by June 2010. The CTC anticipates that it will allocate all of the \$150 million for Part 1 by June 2010. If it has not allocated all available Part 1 funding by that time, the CTC will update the HRCSA program of projects to reflect the PUC priority list to be adopted by July 1, 2010.

For Part 2, the initial program of projects may include projects scheduled for construction at any time through June 2014. However, the CTC will give higher priority for funding for Part 2 to projects with earlier delivery.