

Memorandum

To: CHAIR and COMMISSIONERS

Date: May 19-20, 2010

From: BIMLA G. RHINEHART
Executive Director

Reference No. 4.19
Action

Ref: **Adoption of 2010 State Transportation Improvement Program (STIP)**

ISSUE

Under state law, the Commission adopts the biennial five-year state transportation improvement program. Under law, the Commission may allocate STIP funds only in accordance with the adopted STIP. When the Commission adopted the fund estimate for the 2010 STIP, in October 2009, it scheduled the STIP adoption for May 20, 2010. State law requires that, at least 20 days prior to the adoption of the STIP, the Executive Director make available the recommendations of staff on the program. The 2010 STIP will cover the five-year period from 2010-11 through 2014-15.

RECOMMENDATION

Staff recommends that the Commission adopt the 2010 STIP in accordance with the STIP Staff Recommendations made available to the Commission, the Department, and regional agencies on April 29, 2010. Staff recommends that the Commission adopt the STIP using the attached adoption resolution, noting any specific changes, corrections, or exceptions to the April 29 Staff Recommendations.

BACKGROUND

As background, this book item includes the text that was part of the Staff Recommendations. It does not include the 117 pages of spreadsheet tables and their descriptions that comprised the remainder of the Recommendations. The Commission staff has made the full Recommendations available by e-mail to commissioners, the Department, and regional agencies and has posted them since April 29 on the Commission's website. The staff has also made a hard copy available to each Commissioner.

The staff will present the Staff Recommendations for review and discussion on the first day of the meeting, May 19. The adoption is scheduled for the second day, May 20.

Attachments

2010 STIP STAFF RECOMMENDATIONS

California Transportation Commission

April 29, 2010

This document presents the recommendations of the staff of the California Transportation Commission (CTC) for the 2010 State Transportation Improvement Program (STIP). Government Code Section 14529.3 requires that the Executive Director of the Commission make these recommendations available to the Commission, the Department of Transportation (Caltrans), and the transportation planning agencies and county transportation commissions at least 20 days prior to the Commission's adoption of the STIP. The Commission will receive comments on these recommendations and adopt the STIP at its May 19-20, 2010 meeting.

The 2010 STIP adds two new years of programming, 2013-14 and 2014-15. However, because the 2008 STIP is now under-funded, the 2010 STIP consists primarily of rescheduling projects carried forward from the 2008 STIP. Based on the Fund Estimate, approximately 30% of the projects programmed from flexible funds (the Transportation Investment Fund and the Transportation Facilities Account) from 2009-10 through 2012-13 (or almost 39% of the projects programmed from 2010-11 through 2012-13) need to be delayed (reprogrammed) to 2013-14 and 2014-15.

In the 2008 STIP, some regions had less than their current share programmed, while other had more. Because the 2010 STIP retains projects already programmed, it will continue the programming imbalances from the prior STIP. The imbalances will be remedied when new program capacity becomes available, whether in the 2012 STIP or earlier. When new program capacity becomes available, the Commission's first priority for new programming will go to counties with unprogrammed share balances.

The 2010 Fund Estimate provided STIP program capacity in three distinct categories, the Public Transportation Account (PTA), federal Transportation Enhancement (TE) funds, and flexible funds from the Transportation Investment Fund (TIF) and the Transportation Facilities Account (TFA). Subsequent to adoption of the Fund Estimate and the submittal by the regions of their regional transportation improvement programs (RTIPs) and by Caltrans of its interregional transportation improvement program (ITIP), state legislation passed that significantly altered the STIP fund sources. This legislation (Chapters 11 and 12, Statutes of 2010, Eighth Extraordinary Session) eliminated TIF funding, reduced PTA funding, and added State Highway Account (SHA) funding.

Staff recommendations are based on the levels identified in the fund estimate (state law only allows amendments to the fund estimate prior to March 1). In recognition of the aforementioned change in funding, the staff recommendations for highway and transit projects (non-TE) are based on the combined capacity identified in the Fund Estimate for the flexible funds and for the PTA. This assumes that SHA and Federal funds will be fungible (as occurred prior to Proposition 42), and will available at an amount equal to the PTA, TIF and TFA capacity identified in the Fund Estimate. If available funding is less than assumed, the Commission may be forced to delay or restrict allocations using interim allocation plans. On the other hand, if available funding proves to be greater than

assumed, it may be possible to allocate funding to some projects earlier than the year programmed.

The Commission's adopted STIP may include only projects that have been nominated by a regional agency in its regional transportation improvement program (RTIP) or by Caltrans in its interregional transportation improvement program (ITIP).

The staff recommendation for the 2010 STIP includes the following:

- Transportation Enhancement. The staff recommendation includes all of the \$178 million in TE projects and reserves nominated in the RTIPs and the ITIP. The project nominations are \$17 million less than the \$195 million TE capacity available. While new TE capacity is primarily in the two outer years, changes to existing programmed projects were such that staff recommendations are able to include new projects in the year for which they were nominated. Additionally, there is capacity to advance \$10 million in TE projects from the outer years of the STIP into 2010-11.
- Highways and Transit (non-TE). In recognition of the change in STIP funding, the staff recommendations for non-TE projects are based on the combined capacity identified in the Fund Estimate for highway and transit projects. The staff recommendations are based on the levels identified in the fund estimate. Through 2013-14, the recommended programming exceeds identified capacity by \$3 million. In 2014-15, the recommended programming exceeds the identified capacity by \$94 million. This is slightly more than the \$82 million in over-programming identified in the Fund Estimate.
 - The staff recommendation includes all rail and transit projects nominated in the RTIPs and the ITIP. Most of the proposed changes are project delays, many of which were due to insufficient 2009-10 PTA allocation capacity. Of note is the reprogramming of two large projects in Los Angeles. The total programming on these is \$223 million. Although the funding is recommended for programming in multiple years (a departure from STIP guidelines), the initial allocation for these projects will be a commitment of funding in multiple years subject to appropriation.
 - The staff recommendations propose significantly more reprogramming of highway and road projects than was proposed in the RTIPs and ITIP. These changes were necessary to reduce programming to the capacity identified in the fund estimate. New programming for Planning, Programming, and Monitoring (PPM) was allowed within the statutory limits. In general, new highway and road projects were not recommended for programming unless offset by a like amount of deprogramming.
 - Non-TE projects from prior years that received allocation extensions or were on the Commission's list of projects delivered but not allocated were allowed to be reprogrammed to a later fiscal year. Due to the continued lack of 2009-10 STIP allocation capacity from state funds and the uncertainty regarding which STIP projects will receive allocations from the recently

identified federal allocation capacity, non-TE projects programmed in 2009-10 that had not appeared before the Commission for allocation prior to the preparation of staff recommendations are recommended for reprogramming into 2010-11. These project remain eligible for allocation in 2009-10 pursuant to the Commission's 2009-10 allocation plan should sufficient funds be available.

- Staff recommendations include projects with funding from non-STIP Proposition 1B programs (such as the Corridor Mobility Improvement Account and the Route 99 Bond Program) and projects nominated for funding from the savings in those projects. Inclusion in the 2010 STIP does not constitute approval of non-STIP Proposition 1B programming actions. Approval of these actions requires approval of a baseline or program amendment, or inclusion in a new programming action in the appropriate Proposition 1B program. If necessary, changes will be made in the 2010 STIP through subsequent amendments based on the Proposition 1B programming action.

The staff recommendations by project for each county and interregional share are listed on the pages that follow. The recommendations are based primarily on:

- the need identified in the Fund Estimate to delay 30% of the highway and road projects currently programmed in 2009-10 through 2012-13 into 2013-14 and 2014-15;
- project priorities and scheduling recommended by regional agencies in their RTIPs and by Caltrans in its ITIP;
- an effort to achieve as fair a distribution of reprogramming as possible;
- the prioritization of projects with existing funding from a competitive Proposition 1B program; and
- Commission policies as expressed in the STIP guidelines.

FUND ESTIMATE AND GUIDELINES FOR THE 2010 STIP

The development of the 2010 STIP began with the Commission’s adoption of the 2010 STIP fund estimate, together with the adoption of amendments to the STIP guidelines, on October 14, 2009. The Commission had exercised its option under state law to delay the adoption of the fund estimate beyond the statutory August 15 date because of pending state and federal legislation that would have a significant effect on the STIP fund estimate. In this case, the delay was about two months, to take into account final action of the state budget and trailer bills.

STIP proposals were made through the RTIPs and the ITIP, which were due to the Commission by February 12, 2010. The Commission subsequently held two public hearings on those proposals, one on March 22 in Sacramento and the other on March 25 in Los Angeles.

2010 STIP Fund Estimate

The 2010 STIP Fund Estimate covers the five-year period of the 2010 STIP, 2010-11 through 2014-15, and estimates total statewide new programming capacity of \$113 million, including \$195 million in TE funds, and a small amount of negative program capacity in both the PTA (-\$1 million) and the flexible TIF and TFA funds (-\$81 million). These amounts are about 2% of the total six-year program capacity for those funds; therefore, regional and interregional programming targets for the PTA and for the flexible funds were not needed for the 2010 STIP cycle.

Based on the Fund Estimate, all currently programmed PTA-eligible projects could remain programmed within the 2008 STIP period (through 2012-13). The flexible funds were, however, significantly over-programmed (or more accurately under-funded) in the early portion of the 2010 STIP period. This means that many of the projects currently programmed in the 2008 STIP need to be delayed (reprogrammed into a later year) in the 2010 STIP. Approximately 30% of the projects programmed from flexible funds from 2009-10 through 2012-13 need to be reprogrammed to 2013-14 and 2014-15.

The programming of the 2010 STIP will include \$3.109 billion in capacity from projects carried forward from the 2008 STIP.

SUMMARY OF 2010 STIP CAPACITY

(\$ in millions)

	Carryover Capacity	New Capacity	Total
Federal Transportation Enhancement (TE)	\$ 218	\$ 195	\$ 413
Public Transportation Account (PTA)	810	-1	809
Highway/roads (TIF, TFA, SHA)	2,081	-81	2,000
Total	\$3,109	\$ 113	\$3,222

The following table is a breakdown of the \$3.222 billion total STIP capacity by fiscal year:

SUMMARY OF 2010 STIP CAPACITY BY YEAR

(\$ in millions)

	2010-11	2011-12	2012-13	2013-14	2014-15	Total
Trans. Enhancement (TE)	\$ 81	\$ 83	\$ 83	\$ 83	\$ 83	\$ 413
Transit (PTA)	314	245	250	0	0	809
Roads (TIF,TFA,SHA)	246	426	426	451	451	2,000
Total	\$ 641	\$ 754	\$ 759	\$ 534	\$ 534	\$3,222

New programming capacity is determined in the fund estimate by estimating available revenues and deducting current commitments against those revenues. Programming capacity does not represent cash. It represents the level of programming commitments that the Commission may make to projects for each year within the STIP period. For example, cash will be required in one year to meet commitments made in a prior year, and a commitment made this year may require the cash over a period of years. The fund estimate methodology uses a “cash flow allocation basis,” which schedules funding capacity based upon cash flow requirements and reflects the method used to manage the allocation of capital projects.

Unlike recent fund estimates, the 2010 STIP fund estimate only contains targets for the \$195 million in new federal TE funds capacity.

The new TE capacity is mostly in the two new years of the fund estimate, 2013-14 and 2014-15. As specified in section 22 of the STIP guidelines, an RTIP may propose, and the Commission may program, either more or less than the TE target in a county for TE projects.

STIP Guidelines - Policies Specific to the 2010 STIP

Commission amendments to the STIP guidelines adopted in conjunction with the fund estimate identified the following policies and expectations with regard to the 2010 STIP:

- **Statewide fund estimate:** The development of the 2010 STIP will consist primarily of rescheduling projects carried forward from the 2008 STIP. Most new programming will be limited to Transportation Enhancement (TE) projects in the two years added to the STIP, 2013-14 and 2014-15.
- **County shares and targets:** Unlike recent fund estimates, the 2010 STIP Fund Estimate only contained STIP targets for the new statewide Transportation Enhancement (TE) capacity (\$195 million through 2014-15). The 2010 STIP Fund Estimate indicated that there is no new programming capacity in either the Public Transportation Account (PTA) or in the Flexible Fund sources (made up of the Transportation Investment Fund and the Transportation Facilities Account). Based on the Fund Estimate, the Flexible Funds are significantly over-programmed (or more accurately under-funded) in the early portion of the 2010 STIP period. While all currently programmed PTA-eligible projects can remain programmed within the 2008 STIP period (through 2012-13), approximately 30% of the projects programmed from Flexible Funds from 2009-10 through 2012-13 will need to be delayed (reprogrammed into a later year) in the 2010 STIP.
- **Transportation Enhancement (TE) targets:** The Fund Estimate tables included targets for TE programming from each county and the interregional share. Most new TE capacity is in the two new years of the STIP (2013-14 and 2014-15). As specified in section 22 of the STIP guidelines, an RTIP may propose, and the Commission may program, either more or less than the TE target in a county for TE projects. The Commission will change the proposed programming years for TE projects in the adopted STIP if, and only if, statewide TE proposals exceed statewide TE apportionments. Where that occurs, the Commission will give priority to projects carried forward from the prior STIP and may give priority to identified projects over TE reserves.
- **Reprogramming of current year projects:** In a departure from the general rule in the STIP Guidelines, non-TE projects programmed in 2009-10 may be reprogrammed to a later fiscal year if they are on the list of delivered projects or if they have been granted an extension of the allocation period that expires after the adoption of the 2010 STIP.
- **Allocation Extensions for Lack of Funding:** In a departure from the general rule in the STIP Guidelines, the Commission may approve allocation extensions for non-TE projects on the basis of the lack of State funding. A project component already granted an allocation extension may not be granted a second extension.
- **Limitations on planning, programming, and monitoring (PPM).** The Fund Estimate included a table of PPM limitations that identifies the 5% limit for county and interregional shares for 2012-13 through 2014-15 (the first three years of the 2012-13

through 2015-16 share period) based upon the 2008 and the 2010 Fund Estimates. The PPM limitation is a limit to the amount that can be programmed in any region and is not in addition to amounts already programmed.

- Commission expectations and priorities: The Commission expects to give first priority to the reprogramming of projects from the 2008 STIP, as amended. Any cost increases or other new programming in early years will require more reprogramming to later years. In particular, the Commission intends to focus on RTIP proposals that meet State highway improvement needs as described in section 20 of the guidelines.

STIP PROPOSALS

The Commission may include in the STIP only projects that have been nominated by a regional agency in its RTIP or by Caltrans in its ITIP. For the 2010 STIP, those RTIPs and the ITIP were due to the Commission by February 12, 2010.

The initial RTIPs and ITIP submittals proposed delaying and deleting some PTA-eligible projects resulting in proposal totaling \$18.6 million less than the PTA program capacity.

The Fund Estimate identified \$194.7 million in new Transportation Enhancement capacity. Against this capacity, Caltrans and the regions proposed initially nominated \$173.7 million in TE programming.

The Fund Estimate indicated that the flexible funds are over-programmed by \$983 million in the early portion of the 2010 STIP period (through 2012-13). The RTIP and ITIP proposals included about \$300 million in reprogramming in the 2010-11 through 2012-13 period. That meant many more projects need to be delayed in the adopted 2010 STIP.

In the 2008 STIP, some regions had less than their current share programmed, while other had more. Because the 2010 STIP retains projects already programmed, it will continue the imbalances from the prior STIP. The imbalances will be remedied when new program capacity becomes available, whether in the 2012 STIP or earlier.

The project listings on the spreadsheets with these recommendations include changes and corrections received since the preparation of the Commission Briefing Book for the STIP hearings, and a variety of updated information provided by regions and Caltrans. Also included are updated Caltrans support cost estimates, some of which were not included by some of the regions. The staff has also sought to adjust for inconsistent or missing data for projects jointly funded from county shares and the interregional program.

RECOMMENDED STIP ACTIONS

Staff recommends the adoption of the 2010 STIP to include the specific projects and schedules shown in the spreadsheets at the end of this document and as further described in the following narrative. These recommendations identify specific project components and costs for each year of the 2010 STIP, with separate groupings for highway, transit, and Transportation Enhancement projects.

The table on page 1 of the spreadsheets identifies the total amounts recommended from each county and the interregional share for highways, rail/transit, and Transportation Enhancement (TE). The table sums the amounts recommended for each county and the interregional program by fiscal year. It also compares the statewide total recommended by fiscal year to the statewide capacity by fiscal year.

The table on page 2 of the spreadsheets sums the recommendations for highways and transit projects (non-TE). It also compares the statewide total recommended for highways and transit projects by fiscal year to the statewide capacity by fiscal year.

The table on page 3 of the spreadsheets sums the recommendations for TE projects. This table compares the amounts recommended to the TE targets for each county and interregional share and to the statewide TE capacity by fiscal year.

The project recommendations are based primarily on:

- project priorities and scheduling recommended by regional agencies in their RTIPs and by Caltrans in its ITIP;
- the statewide yearly program capacity identified in the fund estimate, including the need identified in the Fund Estimate to delay 30% of the highway and road projects currently programmed in 2009-10 through 2012-13 into 2013-14 and 2014-15;
- an effort to achieve as fair a distribution of reprogramming as possible;
- the prioritization of projects with existing funding from a competitive Proposition 1B program
- the importance of PPM to regional agencies; and
- Commission policies as expressed in the STIP guidelines.

Project Recommendations

The staff recommendation identifies specific projects and project components to program including reprogramming recommended to reduce program levels in 2010-11 through 2012-13 to the capacity identified in the Fund Estimate.

The staff recommendation gives priority to retaining programming on competitively selected Proposition 1B program projects (e.g., CMIA and Route 99 Bond Program projects) in the years in which they were programmed. For the majority of other projects carried forward from the 2008 STIP, our recommendations include delays of funding of at least one year. Some of these delays were included in the RTIP and ITIP proposals.

Other delays reflect recommendations by staff. The recommended scheduling reflects the limits of Fund Estimate program capacity.

In the 2008 STIP, some regions had less than their current share programmed, while other had more. Because the 2010 STIP retains projects already programmed, it will continue the imbalances from the prior STIP. The imbalances will be remedied when new program capacity becomes available, whether in the 2012 STIP or earlier. The counties with the largest unprogrammed share balances are Contra Costa, Riverside, and San Bernardino.

New programming for PPM is recommended within the statutory limits. In general however, new highway and road projects were not recommended for programming unless offset by a like amount of deprogramming.

Major new highway project funding recommended for the 2010 STIP with offsetting deprogramming includes:

- Fresno:
 - Add: Route 180 Braided Ramps, \$30 million.
 - Delete: Construction, Route 180 4-lane expressway, Temperance to Academy, \$30 million.
- Kern:
 - Add: Westside Parkway Phase 6, \$26 million.
 - Delete: Westside Parkway Phase 3, \$26 million.
- Riverside:
 - Add: Route 215 Bi-County HOV Gap Closure, \$27 million.
 - Delete: Route 15 French Valley Parkway interchange, \$32 million.
- San Bernardino:
 - Add: Route 215 Bi-County HOV Gap Closure, \$45 million.
 - Delete: Construction, Route 215 Barton interchange reconstruction, \$39 million (RTIP increase to \$44 million).
- San Diego:
 - Add: Route 5 HOV extension, Manchester Ave. to Route 78, \$50 million.
 - Delete: Route 15 Managed lanes, south segment (CMIA), \$50 million.

Transportation Enhancement Projects

Under the STIP guidelines, Caltrans and the regions may nominate either specific TE projects or TE reserves from which specific projects will be identified and receive allocations later. The staff recommendation includes all of the projects and reserves nominated by Caltrans and the regions.

UNCERTAINTIES FOR FUTURE FUNDING ALLOCATIONS

The 2010 STIP staff recommendation is consistent with the adopted 2010 Fund Estimate, as required by statute. As previously noted, subsequent to adoption of the Fund Estimate and the submittal of the RTIPs and ITIP, state legislation passed that significantly altered the STIP fund sources. Funding conditions may, and usually do, continue to change from the assumptions made in the fund estimate. The Commission and Caltrans will need to continue to monitor those conditions to determine its ability to allocate funding to STIP projects. If available funding is less than was assumed in the fund estimate, the Commission may be forced to delay or restrict allocations through the use of allocation plans. On the other hand, if available funding proves to be greater than was assumed in the fund estimate, it may be possible to allocate funding to some projects sooner than the year programmed.

In recent years, the STIP has been almost completely state-funded. Based on our recent experience with an influx of federal funding, and the anticipated fungibility of state and federal funding through the state budget, it is prudent for implementing agencies to consider federalizing large STIP highway projects and transit projects.

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DRAFT

CALIFORNIA TRANSPORTATION COMMISSION Adoption of 2010 State Transportation Improvement Program

Resolution No. G-10-13

- 1.1 WHEREAS Government Code Section 14529 requires the California Transportation Commission biennially to adopt and submit to the Legislature and Governor a state transportation improvement program (STIP), and
- 1.2 WHEREAS, pursuant to Section 14529, the 2010 STIP is a five-year STIP, adding two new program years, 2013-14, and 2014-15, and
- 1.3 WHEREAS, pursuant to Section 14525, the Commission adopted the 2010 STIP Fund Estimate on October 14, 2009, and
- 1.4 WHEREAS, pursuant to Section 14530.1, the Commission adopted amendments to the STIP guidelines, to be applicable to the 2010 STIP development process, on October 14, 2009, and
- 1.5 WHEREAS the 2010 STIP fund estimate provided \$113 million in new STIP programming capacity, and
- 1.6 WHEREAS the \$113 million in new capacity includes \$195 million that is restricted to projects eligible for funding from federal Transportation Enhancement funds, and
- 1.7 WHEREAS the fund estimate included negative program capacity in both the Public Transportation Account (-\$1 million) and the flexible funds from the Transportation Investment Fund and the Transportation Facilities Account (-\$81 million) totaling approximately 2% of the total six-year program capacity for those funds, and
- 1.8 WHEREAS, based on the fund estimate, approximately 30% of the projects programmed from flexible Transportation Investment Fund and the Transportation Facilities Account fund from 2009-10 through 2012 13 need to be delayed (reprogrammed) to 2013-14 and 2014-15, and
- 1.9 WHEREAS, the limited program capacity in the 2010 STIP necessitates that regions that had less than their county share programmed in the 2008 STIP retain those programming imbalances, and
- 1.10 WHEREAS the statutes define the STIP as a resource management document to assist the state and local entities to plan and implement transportation improvements and to utilize resources in a cost effective manner, and
- 1.11 WHEREAS the statutes make 75% of all new STIP funds available for the regional improvement program, subdivided by formula into county shares, with projects to be nominated by each regional agency in its regional transportation improvement program (RTIP), and
- 1.12 WHEREAS the statutes make the remaining 25% of all new STIP funds available for the interregional improvement program, with projects to be nominated by the Department of

- Transportation (Caltrans) in its interregional transportation improvement program (ITIP) or, under limited circumstances, by a regional agency in its RTIP, and
- 1.13 WHEREAS the Commission has received and reviewed the 2010 RTIPs and the 2010 ITIP submitted on or about February 12, 2010, as well as various amendments and corrections submitted subsequently, and
 - 1.14 WHEREAS the Commission has received requests for changes to the STIP funding of projects also funded from competitive Proposition 1B programs (such as the Corridor Mobility Improvement Account and the Trade Corridors Improvement Fund) and requests for STIP funding for projects that have been nominated for programming in the Corridor Mobility Improvement Account using savings from that program, and
 - 1.15 WHEREAS, pursuant to Section 14529, the Commission held two public hearings, one in Sacramento on March 22, 2010, and the other in Los Angeles on March 25, 2010, for the purpose of reconciling any objections by any county or regional agency to the ITIP or the Department's objections to any RTIP, and has considered the testimony heard at those hearings along with further written and oral comments, and
 - 1.16 WHEREAS the total amount programmed in each fiscal year may not exceed the amount specified in the adopted fund estimate, and
 - 1.17 WHEREAS the Commission staff recommendations for the 2010 STIP were published and made available to the Commission, the Department, regional transportation agencies, and county transportation commissions on April 29, 2010, and
 - 1.18 WHEREAS the staff recommendations conform to the fund estimate and other requirements of statute for the STIP, and
 - 2.1 NOW THEREFORE BE IT RESOLVED that the California Transportation Commission hereby adopts the 2010 State Transportation Improvement Program to include the program described in the staff recommendations, including the attachments to this resolution, and
 - 2.2 BE IT FURTHER RESOLVED that, except as otherwise noted in the staff recommendations or this resolution, the 2010 STIP includes all projects remaining from the 2008 STIP, as currently amended, for which funding has not yet been allocated, and
 - 2.3 BE IT FURTHER RESOLVED that each of the local road and transit rehabilitation projects included in the staff recommendations or remaining from the prior STIP is included in the 2010 STIP, subject to verification by the Department at the time of allocation by the Commission that the project meets the standard for rehabilitation and does not include ineligible maintenance costs, and
 - 2.4 BE IT FURTHER RESOLVED that each of the projects identified in the staff recommendations as eligible for Transportation Enhancement funding is included in the 2010 STIP subject to verification by the Department and the Federal Highway Administration that the project is indeed eligible for Transportation Enhancement funding, and
 - 2.5 BE IT FURTHER RESOLVED that the Commission intends that all STIP projects that are eligible or could be made eligible for Transportation Enhancement funds shall be funded from the state's Federal Transportation Enhancement apportionment, whether or not they are identified in the staff recommendations as Transportation Enhancement eligible and whether or not they are designated for programming from Transportation Enhancement funding, and
 - 2.6 BE IT FURTHER RESOLVED that the Commission intends that STIP rail and transit projects, including grade separations on passenger rail lines, be funded from the Public Transportation

Account should such funds be available, or, if eligible, from the state's Federal Transportation Enhancement apportionment, and

- 2.7 BE IT FURTHER RESOLVED that if available funding is less than assumed in the fund estimate, the Commission may be forced to delay or restrict allocations using interim allocation plans, or, if available funding proves to be greater than assumed, it may be possible to allocate funding to some projects earlier than the year programmed, and
- 2.8 BE IT FURTHER RESOLVED that the Commission's first priority for new programming when new program capacity becomes available, whether in the 2012 STIP or earlier, will go to counties with unprogrammed share balances carried forward from the 2008 STIP, and
- 2.9 BE IT FURTHER RESOLVED that the Commission acknowledges and supports the Department efforts in the 2010 ITIP to prioritize large partially programmed ITIP projects and to limit the expenditures on projects without a reasonable expectation of receiving construction funding, and
- 2.10 BE IT FURTHER RESOLVED that highway and transit projects (excluding Transportation Enhancement projects) programmed in 2009-10 that are reprogrammed into 2010-11 pursuant to staff recommendations remain eligible for allocation in 2009-10 pursuant to the Commission's 2009-10 allocation plan should sufficient funds be available, and
- 2.11 BE IT FURTHER RESOLVED that changes to or the addition of the STIP funding of projects also funded from competitive Proposition 1B programs does not constitute approval of non-STIP Proposition 1B programming actions, and
- 2.12 BE IT FURTHER RESOLVED that the approval of such actions requires the approval of a baseline or program amendment, or inclusion in a new programming action in the appropriate Proposition 1B program, with subsequent conforming STIP amendments as needed based on the Proposition 1B programming action, and
- 2.13 BE IT FURTHER RESOLVED that Commission staff, in consultation with the Department and regional agencies, is authorized to make further technical changes in cost, schedules, and descriptions for projects in the 2010 STIP, consistent with the fund estimate, in order to reflect the most current information, including the allocation or lapse of projects at the close of the 2009-10 fiscal year, or to clarify the Commission's programming commitments, with report of any substantive changes back to the Commission for approval at the June 30 – July 1, 2010 meeting.

ATTACHMENT A
2010 STIP STAFF RECOMMENDATIONS
ERRATA

(All costs listed in \$1,000's)

County Share Summaries:

- San Diego (TE): For Bay Shore Bikeway (1017) the project name should be Bayshore Bikeway, Segments 7 & 8A.
- Yolo: For Implement (Unitrans) ITS (3173), decrease construction from \$650 to \$300.

Interregional Share Summary:

- Interregional Program (TE): For Route 15 Gateway Enhancements (175N), more construction (\$1,446) and construction support (\$400) from 2011-12 to 2012-13.

ATTACHMENT B
2010 STIP STAFF RECOMMENDATIONS
LATE CHANGES AND CLARIFICATIONS
(All costs listed in \$1,000's)

- Imperial (TE): Delete El Centro bus transfer clock tower (588A), \$44, which was delivered with ARRA funds.
- Riverside (TE): Increase TE reserve in 2010-11 to \$3,257.
- Siskiyou (TE): For Tauhindauli River Park bike trail (2478) PS&E increased to \$28 (was \$23).