Tahoe
Metropolitan
Planning
Organization

P.O. Box 5310
128 Market Street
Stateline, Nevada 89449
(775) 588-4547 ◆ Fax (775) 588-4527

February 27, 2009

Muhanid Aljabiry
California Department of Transportation
Division of Transportation Programming, M.S. 82
Office of Federal Transportation Management Program
P.O. Box 942874
Sacramento, CA 64274-0001

Attn: Jody Tian

Subject: Formal Amendment #1 to the Tahoe Metropolitan Planning Organization's 2008-2012 Federal Transportation Improvement Program

Dear Mr. Aljabiry:

Please find attached the Tahoe Metropolitan Planning Organizations (TMPO) 2008-2012 Federal Transportation Improvement Program (FTIP) Formal Amendment #1. This amendment incorporates funds estimated by Caltrans and the Federal Highway Administration's (FHWA) California Division in preparation of timely obligation of funds upon approval of the federal American Recovery and Reinvestment Act (ARRA). It is important to note that this fund source on the updated financial sheet is titled "CA - Economic Recovery (ECREC)" and only includes recovery funds from California. This amendment adds this funding source only in the revenue category for $3,000,000 (FHWA) and $250,000 (FTA). The FTIP's programmed amount has not changed nor have any projects been amended.

This amendment package contains the following attachments:

- ✓ Approved TMPO Board Resolution
- ✓ Updated Financial Summary
- ✓ Thirty Day Public Notice
- ✓ February 13th TTC Staff Summary
- ✓ TRPA/TMPO Board Notice/Agenda
- ✓ February 25th TMPO Governing Board Staff Summary
- ✓ Comments Matrix

FINANCIAL CONSTRAINT:

The changes requested in this FTIP amendment do not exceed the total amount of funding that is available and is financially constrained. The Safe, Accountable, Flexible, Efficient, Transportation Equity Act: A Legacy for Users (SAFETEA-LU) requires that all federally-funded highway and transit projects must be develop from a fiscally constrained planning and programming process. Fiscal constraint requires that revenues in transportation planning and programming (Federal, State, local, and private) are identified and are reasonably expected to be available to implement the Regional Transportation Plan and Federal Transportation Improvement Program, while providing for the operation and maintenance of the existing highway and transit systems.

AIR QUALITY CONFORMITY / RTP CONSISTENCY:

This amendment is exempt from an air quality conformity analysis, and the 2008 FTIP's Conformity Determination approved of by the Federal Highway Administration on January 26, 2008 is still the adopted analysis. The proposed amendment is consistent with the TMPO's Regional Transportation Plan (RTP) referred to as "Mobility 2030" that was adopted on August 27th, 2008. This amendment does not interfere with the timely implementation of Transportation Control Measures (TCM's) contained in the State Implementation Plan (SIP).

Transportation conformity is a process for ensuring that federal funds are not used on projects that might impact the attainment of the federal air quality standards set forth in the Federal Clean Air Act and its Amendments of 1990. The Transportation Conformity Rule appears in 40 CFR Parts 51 and 93 and is applicable to transportation plans developed pursuant to 23 CFR part 450 or 49 CFR part 613 by a Metropolitan Planning Organization (MPO). This Transportation Conformity Rule requires all jurisdictions in non-attainment areas or who are under federally approved maintenance plans to submit a conformity analysis if the planning or programming documents identify projects that have been defined as non-exempt. The Tahoe Metropolitan Planning Organization (TMPO) is responsible for conducting conformity determinations for both the California and Nevada portions of the Basin where conformity requirements apply.

PUBLIC PARTICIPATION:

As required by Federal regulations, a Formal Amendment is subject to public review. The TMPO's Public Participation Plan (PPP) requires this public review process to be open for a 30 day period. The TMPO publicly noticed this amendment on January 20 & 21st, 2009 in the Tahoe Daily Tribune and North Lake Tahoe Bonanza. At the February 13th Tahoe Transportation Commission an opportunity for public comment was made available. On February 25, the TMPO Governing Board opened this item up for public comment prior to Board approval. (For comments see the attached Comments Matrix).

Section 450 of 23 CFR of SAFETEA-LU requires MPO's to provide all interested parties with a reasonable opportunity to comment on the proposed transportation improvement program. The 2008 FTIP has been developed under TMPO policies for community input and interagency consultation procedures. Projects included in this FTIP are projects proposed for funding under Title 23 (highway) or under Title 49 (transit), or projects for which approval by the FHWA or the FTA is required, or non-federally funded projects with regional transportation impacts. The TMPO in coordination with local, regional, state and federal agencies selected all projects in this FTIP for funding with federal and/or other funds. The Tahoe Transportation Commission (TTC) is required to review this document and any Formal Amendments to this document and provided input into its development, and make recommendation of endorsement prior to submittal to the TMPO. The TTC is a publicly open meeting that occurs the second Friday of every month.

The current 2008 FTIP as well as any noticed amendments can be found on www.trpa.org.

If you have any questions or concerns regarding this Amendment then please do not hesitate to contact me at 775-589-5322.

Sincerely,

Scott Forsythe

Scott Forsythe
Senior Transportation Planner
Tahoe Metropolitan Planning Organization

Cc: Wade Hobbs, FHWA California Division
Valerie Rodman, FHWA Nevada Division
Ted Matley, FTA Region 9
Karina O'Conner, EPA
Dennis Taylor, NDOT
Ben Bramer, CALTRANS District 3
Pam Brunnmeier, CALTRANS District 3

ATTACHMENT A
FEBRUARY 18, 2009

TAHOE METROPOLITAN PLANNING ORGANIZATION
TMPO RESOLUTION NO. 2009 - 02

RESOLUTION ADOPTING THE FORMAL AMENDMENT #1 TO THE 2008-2012 FEDERAL TRANSPORTATION IMPROVEMENT PROGRAM (FTIP) FOR THE LAKE TAHOE REGION

WHEREAS, The Tahoe Metropolitan Planning Organization (TMPO) is the designated planning organization (MPO) for the Lake Tahoe Basin as defined by the Transportation Equity Act for the 21st Century; and

WHEREAS, the Federal Clean Air Act Amendments require that no department, agency, or instrumentality of the Federal Government shall engage in, support in any way or provide financial assistance for, license or permit, or approve an activity which does not conform to an implementation plan approved or promulgated under Section 110; and

WHEREAS, no metropolitan planning organization designated under Title 23 of the U.S. Code shall give its approval to any project, program or plan which does not conform to an implementation plan approved or promulgated under Section 110; and

WHEREAS, the assurance of conformity to an implementation plan is the affirmative responsibility of the Tahoe Metropolitan Planning Organization; and

WHEREAS, the 2004 Regional Transportation Plan (RTP) for the Lake Tahoe Basin describes a transportation system envisioned for the horizon years and was adopted as a financially constrained plan by the TMPO Board on October 27, 2004; and

WHEREAS, the 2008 FTIP is consistent with the transportation system and financial plan described in the 2004 RTP; and

WHEREAS, the 2008 FTIP is financially constrained by year and includes a financial plan that demonstrates which projects can be implemented using committed funds; and

WHEREAS, the 2008 FTIP includes all regionally significant transportation projects to be funded from local, state or federal resources; and

WHEREAS, the 2008 FTIP has been developed under TMPO policies for community input and interagency consultation procedures; and

WHEREAS, during the life of the program it is sometimes necessary to amend the program to reflect changes in project costs, scopes or schedules, or to add new projects; and

WHEREAS, the 2008 FTIP is now in need of amendment; and

WHEREAS, the 2008 FTIP Amendment number one does not interfere with the timely implementation of any approved Transportation Control Measure (TCM); and

WHEREAS, the 2008 FTIP Amendment number one was found to conform to the applicable State Implementation Plan; and

WHEREAS, the 2008 FTIP Amendment number one conformity determination was based on the 2008 Regional Transportation Plan for the Lake Tahoe Basin; and

WHEREAS, the 2008 FTIP Amendment number one was determined to be air quality exempt from the requirement that a conformity determination and/or regional emissions analysis be performed per 40 Code of Federal Regulations (CFR) 93.126, 93.127 or 93.128; and

WHEREAS, the 2008 FTIP Amendment number one is air quality exempt and no further conformity determination is required; and

WHEREAS, the 2008 FTIP Amendment number one meets all applicable transportation planning requirements per 23 Code of Federal Regulations (CFR) Part 450

WHEREAS, the Tahoe Transportation Commission (TTC) recommended the Tahoe Metropolitan Planning Organization (TMPO) adopt the proposed 2008 FTIP amendment number one at the February 13, 2009 TTC meeting.

NOW THEREFORE BE IT RESOLVED, that the Tahoe Metropolitan Planning Organization hereby adopts the amendment as shown on attachments to the 2008 FTIP.

BE IT FURTHER RESOLVED, that TMPO staff is hereby directed and authorized to work with Caltrans, the Nevada Department of Transportation, the Federal Highway Administration, the Federal Transit Administration and the Environmental Protection Agency to make whatever technical changes or corrections are needed to the format and organization of the document to obtain its approval by these agencies.

PASSED AND ADOPTED this 25th day of February 2009 by the Board of Directors of the Tahoe Metropolitan Planning Organization, by the following vote:

Ayes: Ms. Aldean, Mr. Biaggi, Ms. Bresnick, Mr. Breternitz, Mr. Cashman, Mr. Cole, Ms. McDermid, Mr. Merrill, Ms. Thomas, Ms. Ruthe, Ms. Santiago, Ms. Montgomery, Mr. Sher

Nays:
Abstain:
Absent:

Allen Biaggi, Chair
Tahoe Metropolitan Planning Organization

State of California

2008/09-2011/12 Federal Transportation Improvement Program

Tahoe Metropolitan Planning Organization

AMENDMENT #: 1

	REVENUE SOURCES	(Dollars X 1,000)								
		2008/09		2009/10		2010/11		2011/12		
		Previous	Current	Previous	Current	Previous	Current	Previous	Current	CURRENT TOTAL
LOCAL	Sales Tax	$0	$0	$0	$0	$0	$0	$0	$0	$0
	-- City	$0	$0	$0	$0	$0	$0	$0	$0	$0
	-- County	$0	$0	$0	$0	$0	$0	$0	$0	$0
	-- Other (Transportation Development Act)	$0	$0	$0	$0	$0	$0	$0	$0	$0
	Gas Tax	$0	$0	$0	$0	$0	$0	$0	$0	$0
	-- Gas Tax (Subventions to Cities)	$0	$0	$0	$0	$0	$0	$0	$0	$0
	-- Gas Tax (Subventions to Counties)	$0	$0	$0	$0	$0	$0	$0	$0	$0
	Other Local Funds	$744	$0	$1,944	$0	$0	$0	$0	$0	$0
	-- City General Funds	$0	$0	$0	$0	$0	$0	$0	$0	$0
	-- Street Taxes and Developer Fees (Local Transportation Funds LTF)	$744	$0	$1,944	$0	$0	$0	$0	$0	$0
	-- Other (registration fees (AB434) and Prop 42)	$0	$0	$0	$0	$0	$0	$0	$0	$0
	Transit	$0	$0	$0	$0	$0	$0	$0	$0	$0
	-- Transit Fares	$0	$0	$0	$0	$0	$0	$0	$0	$0
	-- Other Transit (e.g., parcel/property taxes, parking revenue, etc)	$0	$0	$0	$0	$0	$0	$0	$0	$0
	Tolls (e.g., non-state owned bridges)	$0	$0	$0	$0	$0	$0	$0	$0	$0
	Other (Please Specify)	$0	$0	$0	$0	$0	$0	$0	$0	$0
	Local Total	$744	$0	$1,944	$0	$0	$0	$0	$0	$0
REGIONAL[1]	Tolls	$0	$0	$0	$0	$0	$0	$0	$0	$0
	-- Bridge	$0	$0	$0	$0	$0	$0	$0	$0	$0
	-- Corridor	$0	$0	$0	$0	$0	$0	$0	$0	$0
	Regional Transit Fares/Measures	$0	$0	$0	$0	$0	$0	$0	$0	$0
	Regional Sales Tax	$0	$0	$0	$0	$0	$0	$0	$0	$0
	Regional Bond Revenue	$0	$0	$0	$0	$0	$0	$0	$0	$0
	Regional Gas Tax	$0	$0	$0	$0	$0	$0	$0	$0	$0
	Vehicle Registration Fees (CARB Fees, SAFE)	$0	$0	$0	$0	$0	$0	$0	$0	$0
	Other (Please Specify)	$0	$0	$0	$0	$0	$0	$0	$0	$0
	Regional Total	$0	$0	$0	$0	$0	$0	$0	$0	$0
STATE	State Highway Operations and Protection Program (SHOPP)	$57,811	$0	$41,850	$0	$206,120	$0	$103,740	$0	$0
	SHOPP (Including Augmentation)	$57,811	$0	$41,850	$0	$206,120	$0	$103,740	$0	$0
	SHOPP Prior	$0	$0	$0	$0	$0	$0	$0	$0	$0
	State Transportation Improvement Program (STIP)	$700	$0	$9,138	$0	$128	$0	$0	$0	$0
	STIP (Including Augmentation)	$700	$0	$9,138	$0	$128	$0	$0	$0	$0
	STIP Prior	$0	$0	$0	$0	$0	$0	$0	$0	$0
	Proposition 1 B[1]	$0	$0	$0	$0	$0	$0	$0	$0	$0
	GARVEE Bonds	$0	$0	$0	$0	$0	$0	$0	$0	$0
	Traffic Congestion Relief Program	$0	$0	$0	$0	$0	$0	$0	$0	$0
	State Transit Assistance (STA) (e.g., population/revenue based, Prop 42)	$133	$0	$0	$0	$0	$0	$0	$0	$0
	Nevada State Funds	$2,812	$0	$4,043	$0	$0	$0	$0	$0	$0
	Nevada Tahoe Bond	$0	$0	$6,290	$0	$4,100	$0	$13,875	$0	$0
	Southern Nevada Public Lands Management (SNPLMA)	$3,414	$0	$1,550	$0	$630	$0	$0	$0	$0
	State Total	$64,870	$0	$62,871	$0	$210,978	$0	$117,615	$0	$0
FEDERAL TRANSIT	Bus and Bus Related Grants (5309c)	$0	$0	$0	$0	$0	$0	$0	$0	$0
	Clean Fuel Formula Program (5308)	$1,000	$0	$1,000	$0	$0	$0	$0	$0	$0
	Elderly & Persons with Disabilities Formula Program (5310)	$467	$0	$240	$0	$24	$0	$0	$0	$0
	Fixed Guideway Modernization (5309a)	$575	$0	$575	$0	$4,000	$0	$4,000	$0	$0
	Intercity Bus (5311f)	$0	$0	$0	$0	$0	$0	$0	$0	$0
	Job Access and Reverse Commute Program (5316)	$0	$0	$0	$0	$0	$0	$0	$0	$0
	Metropolitan Planning (5303)	$0	$0	$0	$0	$0	$0	$0	$0	$0
	New and Small Starts (Capital Investment Grants) (5309b)	$0	$0	$0	$0	$0	$0	$0	$0	$0
	New Freedom (SAFETEA-LU)	$0	$0	$0	$0	$0	$0	$0	$0	$0
	Nonurbanized Area Formula Program (5311)	$145	$0	$145	$0	$145	$0	$145	$0	$0
	Public Transportation on Indian Reservation (5311c)	$0	$0	$0	$0	$0	$0	$0	$0	$0
	Transit in the Parks (5320)	$0	$0	$0	$0	$0	$0	$0	$0	$0
	Urbanized Area Formula Program (5307)	$0	$0	$0	$0	$0	$0	$0	$0	$0
	CA - Economic Recovery (ECREC)	$0	$0	$0	$250	$0	$0	$0	$0	$250
	Other (Please specify)	$0	$0	$0	$0	$0	$0	$0	$0	$0
	Federal Transit Total	$2,187	$0	$1,960	$250	$4,169	$0	$4,145	$0	$250

State of California

2008/09-2011/12 Federal Transportation Improvement Program

Tahoe Metropolitan Planning Organization

AMENDMENT #: 1

REVENUE SOURCES		(Dollars X 1,000)								
		2008/09		2009/10		2010/11		2011/12		
		Previous	Current	Previous	Current	Previous	Current	Previous	Current	CURRENT TOTAL
FEDERAL HIGHWAY	Federal Highway Non-Discretionary									
	Congestion Mitigation and Air Quality (CMAQ)	$601	$0	$612	$0	$623	$0	$634	$0	$0
	Surface Transportation Program (Regional)	$517	$0	$527	$0	$537	$0	$546	$0	$0
	Highway Bridge Program (HBP)	$0	$0	$0	$0	$0	$0	$0	$0	$0
	Highway Safety Improvement Program (HSIP)	$0	$0	$0	$0	$0	$0	$0	$0	$0
	Railway (Section 130)	$0	$0	$0	$0	$0	$0	$0	$0	$0
	Safe Routes to School (SRTS) (SAFETEA-LU)	$0	$0	$0	$0	$0	$0	$0	$0	$0
	Safe Routes to School (SR2S)	$0	$0	$0	$0	$0	$0	$0	$0	$0
	Transportation Improvements (TI)	$0	$0	$0	$0	$0	$0	$0	$0	$0
	Federal Lands Highway	$0	$0	$0	$0	$0	$0	$0	$0	$0
	CA - Economic Recovery (ECREC)	$0	$0	$0	$3,000	$0	$0	$0	$0	$3,000
	Other (Please specify)	$0	$0	$0	$0	$0	$0	$0	$0	$0
	Subtotal	$1,118	$0	$1,139	$3,000	$1,160	$0	$1,180	$0	$3,000
	Federal Highway Discretionary Programs									
	Bridge Discretionary Program	$0	$0	$0	$0	$0	$0	$0	$0	$0
	Corridor Infrastructure Improvement Program (SAFETEA-LU Sec. 1302)	$0	$0	$0	$0	$0	$0	$0	$0	$0
	Coordinated Border Infrastructure (SAFETEA-LU Sec.1303)	$0	$0	$0	$0	$0	$0	$0	$0	$0
	Ferry Boat Discretionary	$0	$0	$0	$0	$0	$0	$0	$0	$0
	High Priority Projects (HPP)	$0	$0	$0	$0	$0	$0	$0	$0	$0
	High Risk Rural Road (HRRR)	$0	$0	$0	$0	$0	$0	$0	$0	$0
	National Scenic Byways Program	$0	$0	$0	$0	$0	$0	$0	$0	$0
	Projects of National/Regional Significance (SAFETEA-LU Sec. 1301)	$0	$0	$0	$0	$0	$0	$0	$0	$0
	Public Lands Highway Discretionary	$675	$0	$1,000	$0	$0	$0	$0	$0	$0
	Recreational Trails	$0	$0	$0	$0	$0	$0	$0	$0	$0
	Transportation and Community and System Preservation Program	$0	$0	$0	$0	$0	$0	$0	$0	$0
	Forest Highway Funds	$0	$0	$0	$0	$8,500	$0	$12,300	$0	$0
	Section 115 Demo Funds	$0	$0	$2,000	$0	$0	$0	$0	$0	$0
	Subtotal	$675	$0	$3,000	$0	$8,500	$0	$12,300	$0	$0
	Federal Highway Total	$1,793	$0	$4,139	$3,000	$9,660	$0	$13,480	$0	$3,000
	FEDERAL TOTAL[2]	$3,980	$0	$6,099	$3,250	$13,829	$0	$17,625	$0	$3,250
INNOVATIVE FINANCE[3]	TIFIA (Transportation Infrastructure Finance and Innovation Act)	$0	$0	$0	$0	$0	$0	$0	$0	$0
	State Infrastructure Bank	$0	$0	$0	$0	$0	$0	$0	$0	$0
	Section 129 Loans	$0	$0	$0	$0	$0	$0	$0	$0	$0
	Rail Rehab & Improvement Financing	$0	$0	$0	$0	$0	$0	$0	$0	$0
	Private Activity Bonds	$0	$0	$0	$0	$0	$0	$0	$0	$0
	Private Concession Fees	$0	$0	$0	$0	$0	$0	$0	$0	$0
	Private Donations	$0	$0	$0	$0	$0	$0	$0	$0	$0
	Program Income (from a federal project)	$0	$0	$0	$0	$0	$0	$0	$0	$0
	Other (Please specify)	$0	$0	$0	$0	$0	$0	$0	$0	$0
	Innovative Financing Total	$0	$0	$0	$0	$0	$0	$0	$0	$0
REVENUE TOTAL		$69,594	$0	$70,914	$3,250	$224,807	$0	$135,240	$0	$3,250

NOTES:

[1] **Regional:** Some MPOs may not have regional fund sources. In these cases, data would be shown as "zero" or not applicable.

[2] **Federal Total:** Is the sum of federal highway and federal transit programs.

[3] **Innovative Finance:** Toll revenues have been included under local and regional while GARVEE bond revenues are included under state.

[4] **Proposition 1B:** Subtotal is a sum of funding for various programs funded under proposition 1B except for STIP Augmentation and SHOPP Augmentation

Ad ID 2867945 Date 01/15/2009 Time 9:40 AM

30-Day Public Comment Period for the Tahoe Metropolitan Planning Organizations Formal Amendment #1 to the 2008 Federal Transportation Improvement Program:

In preparation for the 2009 Federal Stimulus Package that is anticipated for release in February 2009, the Tahoe Metropolitan Planning Organization (TMPO) has been advised by the Federal Highway Administration (FHWA) to adjust its 2008 Federal Transportation Improvement Programs (FTIP) Financial Element. The FTIP is a transportation funding document that is required for all federally funded or regionally significant transportation projects in the Tahoe Basin for the years 2008-2012. The amount being adjusted is based on an assumption that will likely change once the Federal Stimulus is approved. It is essential for the TMPO to formally amend the FTIP with this assumptive information given the time sensitive nature of reacting quickly in delivering transportation projects stemming from the economic stimulus within 90 days of its approval. When the final stimulus amounts are announced by the federal government then the FTIP will be adjusted accordingly. This Formal Amendment #1 will add to the FTIP's financial element the funding category of "Economic Stimulus" in the amount of "$7,000,000".

The TMPO will accept written comments on this announcement until 5pm February 19, 2009. Comments received will be presented during the February 25th TMPO Board meeting. For questions contact Scott Forsythe, TMPO Senior Transportation Planner at 775-589-5322. Written comments should be sent to:

Scott Forsythe
Senior Transportation Planner
Tahoe Metropolitan Planning Organization
P.O. Box 5310
Stateline, NV 89449

Pub: January 20, 2009 **Ad#2867945**

Ad shown is not actual print size

Tahoe
Metropolitan
Planning
Organization

P.O. Box 5310
128 Market Street
Stateline, Nevada 89449
(775) 588-4547 ◆ Fax (775) 588-4527

MEMORANDUM

February 13, 2009

To: Tahoe Transportation Commission

From: TMPO Staff

Subject: 2008 Federal Transportation Improvement Program (FTIP)
Formal Amendment #1

Action Requested:
TTC endorsement of Formal Amendment #1 to the TMPO Governing Board.

Background:
In December, with the anticipation of a possible Federal Economic Recovery Plan proposed by then President Elect Obama, California transportation agencies initiated discussions statewide on what exactly this would entail. Due to the rigorous transportation programming requirements established by the Federal Highway Administration (FHWA) and State of California, it was concluded that the state must act quickly in programming funds even though an official Recovery Bill was not approved.

Discussion:
In January, the California FHWA advised all Metropolitan Planning Organizations (MPO's) to add a new funding category to each FTIP in the State with an estimated assumption of the amount of stimulus funds each region may receive. Adding a new funding source to the FTIP is considered a formal amendment that requires a thirty-day public review prior to Board adoption as established in TMPO's Public Participation Plan (PPP). On January 20 and 21, 2009, public announcements were posted in both the Tahoe Daily Tribune and Tahoe Bonanza. The thirty-day public comment period will close at 5:00 p.m. on February 19, 2009.

The urgency in amending the FTIP is due to an assumption that the final Bill will stipulate that obligation of project funds must occur in as early as 90 days of the Bill's passage or regions may lose their share of funding.

Since the public posting of the estimated stimulus dollars that the California portion of Tahoe may receive, Caltrans and the FHWA have provided a refined figure of approximately $3.2 million. Given that a final Bill is still pending, MPO's do not know what the official amount of stimulus funds will be. Additionally, the TMPO has yet to receive any preliminary assumptions from the State of Nevada as to what, if any, funds the region may receive. Assuming a final Bill is passed prior to the February 25, 2009 Governing Board, the final stimulus amount will be revised as needed for amendment into the FTIP.

For questions or comments on this item, please contact Scott Forsythe at sforsythe@trpa.org or 775-589-5322.

TAHOE REGIONAL PLANNING AGENCY (TRPA)
AND TRPA COMMITTEE MEETINGS

NOTICE IS HEREBY GIVEN that on **Wednesday, February 25, 2009, commencing at 9:30 a.m.** and **Thursday, February 26, 2009 commencing at 9:00 a.m.** at the **TRPA Offices, 128 Market Street, Stateline, NV**, the Governing Board of the Tahoe Regional Planning Agency will conduct its regular meeting. The agenda is attached hereto and made a part of this notice.

NOTICE IS FURTHER GIVEN that on **Wednesday, February 25, 2009**, commencing at **8:30 a.m.**, at **TRPA,** the TRPA Legal Committee will meet. The agenda will be as follows: **1)** Public Interest Comments; **2)** Closed Session with Counsel to Discuss Existing and Potential Litigation; **3)** Potential Direction Regarding Agenda Item No. 2; **4)** Resolution of Enforcement Action, State of California Department of Transportation, Martin Brothers Construction, Failure to Winterize Site, Failure to Maintain Best Management Practices (BMPs), and Sediment Discharge, Hwy 89, Placer County, CA, TRPA File # 20021472; **Page 45 5)** Resolution of Enforcement Action, KB Foster Engineering, Z7 Development, and Washoe County Public Works Department, Failure to Maintain Best Management Practices (BMPs), Sediment Discharge, and Unauthorized Grading, Hwy 28, Crystal Bay, Washoe County, TRPA File # 2007-0974; **Page 41 6)** Member Comments; (Committee: Chair – Aldean, Vice Chair – Bresnick, Biaggi, Santiago, Miller, Sher, Yount)

NOTICE IS FURTHER GIVEN that on **Wednesday, February 25, 2009**, commencing at **8:00 a.m.**, at **TRPA**, the TRPA Operations Committee will meet. The agenda will be as follows: **1)** Public Interest Comments; **2)** Election of Vice Chair; **3)** Acceptance of January Monthly Financial Statement; **Page 1 4)** Acceptance of the Agency Annual Financial Audit for FY 07-08; **Page 29 5)** Resolution Allocating Local Transportation Funds (LTF) and State Transit Assistance (STA) Funds to Tahoe Basin Transit Operators; **Page 31 6)** Resolution Adopting the Preliminary Fiscal Year 2009/2010 Transportation Development Act Local Transportation Fund and State Transit Assistance Apportionments; **Page 49 7)** Amendment of the TRPA Employee Policy Manual to Include Policy 1.21, South Tahoe Area Transit Authority BlueGO Transit Administrator; **Page 55 8)** Resolution Modifying the Membership of the Regional Transportation Planning Agency Social Services Transportation Advisory Council; **Page 35 9)** Adoption of the TRPA/TMPO/TTD/STATA Disadvantaged Business Enterprise Program and Goal; **Page 61 10)** Amendment Rules of Procedure to Add Article XV, Public Records; **11)** Member Comments (Committee: Chair – Merrill, Vice Chair – OPEN, Cashman, Breternitz, McDermid, Ruthe)

NOTICE IS FURTHER GIVEN that on **Wednesday, February 25, 2009** commencing at **noon.**, at the same location, the TRPA **Public Outreach/Environmental Education Committee** will meet. The agenda will be as follows: **1)** Public Interest Comments; **2)** Discussion on Creating a Non-Proprietary Membership in TRPA; **3)** Regional Plan Outreach Strategy Rollout; **4)** Public Outreach Discussion Related to the Executive Director Replacement; **5)** Communications Update and Public Education Overview; **6)** Member Comments (Committee: Chair – Santiago, Vice Chair –Yount, Aldean, Miller, Merrill)

February 18, 2009

John Singlaub Executive Director

This agenda has been posted at the TRPA office and at the following post offices: Zephyr Cove and Stateline, Nevada and Tahoe Valley and Al Tahoe, California. The agenda has also been posted at the North Tahoe Conference Center in Kings Beach, the Incline Village GID office and the North Lake Tahoe Chamber of Commerce.

Public Hearing, and Appeal items will be taken at the time those agenda items are heard. The Governing Board is prohibited by law from taking immediate action on or discussing issues raised by the public that are not listed on this agenda.

IV. APPROVAL OF AGENDA

V. APPROVAL OF MINUTES

VI. TRPA CONSENT CALENDAR (see Consent Calendar agenda below, for specific items)

VII. GOVERNING BOARD MEMBER REPORTS

Adjourn as the TRPA and convene as the TMPO

VIII. TAHOE METROPOLITAN PLANNING ORGANIZATION

A. TMPO Consent Calendar (see Consent Calendar agenda below for specific items) **Page 65** **Page 69**

Adjourn as the TMPO and reconvene as the TRPA

IX. PUBLIC HEARINGS

A. Extension of the Time Limit for Allocation Reservations Relative to the Community Enhancement Program ***(time certain 1:30 p.m. Wednesday)*** **Page 73**

B. Distribution of Residential Allocations for 2009 and Discussion on Proposed Amendments to Extend the Allocation Return Deadline **Page 117**

C. Amendment of IPES Map Showing Need for Water Quality Improvements Pursuant to Requirements of Chapter 37, Subsection 37.2.G **Page 129**

D. Consideration of Lowering the Individual Parcel Evaluation System (IPES) Line in Placer County Pursuant to Requirements of Chapter 37, Subsection 37.8.C **Page 143**

E. Amendment of Chapter 20, Subsection 20.5.A (3) (b), Excess Coverage Mitigation Fee **Page 149**

X. PLANNING MATTERS

A. USFS Presentation on Angora Fire Restoration **(time certain 10:00 a.m. Wednesday)**

B. Presentation by South Tahoe Refuse (STR) on their Blue Bag Recycling Program **(time certain 10:30 a.m. Wednesday)**

C. Lake Tahoe Restoration Act Presentation

D. Regional Plan Update Presentation **(time certain 9:00 a.m. Thursday)**

	Z7 Development, and Washoe County Public Works Department, Failure to Maintain Best Management Practices (BMPs), Sediment Discharge, and Unauthorized Grading, Hwy 28, Crystal Bay, Washoe County, TRPA File # 2007-0974		
6.	Resolution of Enforcement Action, State of California Department of Transportation, Martin Brothers Construction, Failure to Winterize Site, Failure to Maintain Best Management Practices (BMPs), and Sediment Discharge, Hwy 89, Placer County, CA, TRPA File # 20021472	Approval	**Page 45**
7.	Resolution Adopting the Preliminary Fiscal Year 2009/2010 Transportation Development Act Local Transportation Fund and State Transit Assistance Apportionments	Approval	**Page 49**
8.	Amendment of the TRPA Employee Policy Manual to Include Policy 1.21, South Tahoe Area Transit Authority BlueGO Transit Administrator	Approval	**Page 55**
9.	TRPA Adoption of the TRPA/TMPO/TTD/STATA Disadvantaged Business Enterprise Program and Goal	Approval	**Page 61**

TMPO CONSENT CALENDAR

Item		Recommendation	
1.	2008 Federal Transportation Improvement Program Formal Amendment #1	Approval	**Page 65**
2.	TMPO Adoption of the TRPA/TMPO/TTD/STATA Disadvantaged Business Enterprise Program and Goal	Approval	**Page 69**

The consent calendar items are expected to be routine and non-controversial. **They will be acted upon by the Board at one time without discussion or staff presentation.** The special use determinations will be removed from the calendar at the request of any member of the public and taken up separately. If any Board member or noticed affected property owner requests that an item be removed from the calendar, it will be taken up separately in the appropriate agenda category.

Four of the members of the governing body from each State constitute a quorum for the transaction of the business of the agency. The voting procedure shall be as follows:

(1) For adopting, amending or repealing environmental threshold carrying capacities, the regional plan, and ordinances, rules and regulations, and for granting variances from the ordinances, rules and regulations, the vote of at least four of the members of each State agreeing with the vote of at least four members of the other State shall be required to take action. If there is no vote of at least four of the members from one State agreeing with the vote of at least four of the members of the other State on the actions specified in this paragraph, an action of rejection shall be deemed to have been taken. (2) For approving a project, the affirmative vote of at least five members from the State in which the project is located and the affirmative vote of at least nine members of the governing body are required. If at least five members of the governing body
from the State in which the project is located and at least nine members of the entire governing body do not vote in favor of the project, upon a motion for approval, an action of rejection shall be deemed

Tahoe
Metropolitan
Planning
Organization

P.O. Box 5310
128 Market Street
Stateline, Nevada 89449
(775) 588-4547 ◆ Fax (775) 588-4527

Date: February 25, 2009

To: TMPO Governing Board (GB)

From: TMPO Staff

Subject: American Recovery and Reinvestment Act and Resolution Adopting the Formal Amendment #1 to the TMPO 2008 Federal Transportation Improvement Programs (FTIP)

Requested Action: Governing Board Adoption of the Attached Resolution (Attachment A) approving the Formal Amendment #1 to the 2008 Federal Transportation Improvement Program (FTIP).

Staff Recommendation: Staff recommends that the Governing Board adopt the attached resolution (Attachment A).

TTC Recommendation: At its February 13th TTC, the Commission endorsed FTIP Amendment #1 and recommended TMPO Governing Board adoption.

Required Motion: In order to adopt the proposed resolution, the Board must make the following motion, based on this staff summary and the evidence in the record:

1) A motion to approve the attached Resolution (see Attachment A)

In order for the motion to pass, an affirmative vote of any 8 Board Members is required.

Background:. As of the date of writing this staff summary the Federal American Recovery and Reinvestment Act has yet to officially be enacted by the Federal Government. Although it is not yet enacted the TMPO has been involved with several California statewide transportation organizations and committee's in determining what amount of funding would be allocated to California for disbursement to Metropolitan Planning Organizations (MPO's) for transportation projects. Due to a complicated process for funding transportation projects in California, the Federal Highway Administration (FHWA) has advised all California MPO's to amend their FTIP's to include a new funding category and include an estimated amount of funds that may be received. It has been estimated that TMPO will receive $3.25 million of the Federal Recovery funds being allocated to California. TMPO has yet to hear what amount of funding will be received from the State of Nevada.

The TMPO is currently working with our local transportation partners along with the TTC to develop a list of what projects that will benefit the greatest from these funds. The recommended projects along with the final amount of Economic Recovery funds that TMPO will receive will be presented at the March 25th TMPO Governing Board for final approval into the FTIP.

Issues/Concerns: There is urgency in moving quickly to obligate the Economic Recovery funds from the date that the Bill is signed. Current language in the Bill is stating that at the minimum, 50% of the funds must be obligated to projects within 180 days of the Bills passage and construction or procurement of projects must begin in the summer of 2009.

Tahoe
Metropolitan
Planning
Organization

P.O. Box 5310
128 Market Street
Stateline, Nevada 89449
(775) 588-4547 ◆ Fax (775) 588-4527

If there are any remaining funds then they can be obligated after the first 180 days but must be put to use prior to August 2010.

Regional Plan Compliance: The proposed resolution complies with all requirements of the TRPA Goals and Policies, Plan Area Statements, and Code of Ordinances

Contact Information: If you have any questions, please contact Scott Forsythe, Senior Transportation Planner at sforsythe@trpa.org or 775-589-5322.

Comments Matrix - 2008 FTIP Formal Amendment #1

Open Date: 20-Jan Close Date: 19-Feb

Date Received	From	Comment	Response
21-Jan-09	Caltrans - Abhijit Bahgde	After the release of the 30 day public comment notice, Caltrans at the descretion of the FHWA released an estimated fund of economic dollars by region. The estimated amount provided was $3.25 million.	This revision has been reflected in the Board Resolution as well as the FTIPs Financial Summary Table. This amount is subject to change pending additional clarification from both California and Nevada.

Tahoe
Metropolitan
Planning
Organization

P.O. Box 5310
128 Market Street
Stateline, Nevada 89449
(775) 588-4547 ◆ Fax (775) 588-4527

March 2, 2009

Muhaned Aljabiry
California Department of Transportation
Division of Transportation Programming, M.S. 82
Office of Federal Transportation Management Program
P.O. Box 942874
Sacramento, CA 64274-0001

Attn: Jody Tian

Subject: Formal Amendment #1 to the Tahoe Metropolitan Planning Organization's (TMPO) 2008-2012 Federal Transportation Improvement Program (FTIP) – Technical Correction

Dear Mr. Aljabiry:

This is to notify the respective agencies of a technical correction to the February 27, 2009 Formal Amendment #1 to TMPO's 2008 FTIP. It has been brought to our attention that funds included for the TMPO revenue source, "American Recovery and Reinvestment Act (ARRA)", has been mistakenly incorporated into the 2009/2010 fiscal year. The funds should have been reflected in the current 2008/2009 fiscal year as is substantiated by the attached TMPO Governing Board staff summary.

Attached is the revised financial element. If you have any questions or concerns regarding this technical correction then please contact Scott Forsythe at 775-589-5322.

Sincerely,

JMarchetta

Joanne Marchetta
Acting Executive Director
Tahoe Metropolitan Planning Organization

Cc: Wade Hobbs, FHWA California Division
Valerie Rodman, FHWA Nevada Division
Ted Matley, FTA Region 9
Karina O'Conner, EPA
Dennis Taylor, NDOT
Ben Bramer, CALTRANS District 3
Pam Brunnmeier, CALTRANS District 3

State of California

2008/09-2011/12 Federal Transportation Improvement Program

Tahoe Metropolitan Planning Organization

AMENDMENT #: 1

	REVENUE SOURCES	(Dollars X 1,000)								
		2008/09		2009/10		2010/11		2011/12		
		Previous	Current	Previous	Current	Previous	Current	Previous	Current	CURRENT TOTAL
LOCAL	Sales Tax	$0	$0	$0	$0	$0	$0	$0	$0	$0
	-- City	$0	$0	$0	$0	$0	$0	$0	$0	$0
	-- County	$0	$0	$0	$0	$0	$0	$0	$0	$0
	-- Other (Transportation Development Act)	$0	$0	$0	$0	$0	$0	$0	$0	$0
	Gas Tax	$0	$0	$0	$0	$0	$0	$0	$0	$0
	-- Gas Tax (Subventions to Cities)	$0	$0	$0	$0	$0	$0	$0	$0	$0
	-- Gas Tax (Subventions to Counties)	$0	$0	$0	$0	$0	$0	$0	$0	$0
	Other Local Funds	$744	$0	$1,944	$0	$0	$0	$0	$0	$0
	-- City General Funds	$0	$0	$0	$0	$0	$0	$0	$0	$0
	-- Street Taxes and Developer Fees (Local Transportation Funds LTF)	$744	$0	$1,944	$0	$0	$0	$0	$0	$0
	-- Other (registration fees (AB434) and Prop 42)	$0	$0	$0	$0	$0	$0	$0	$0	$0
	Transit	$0	$0	$0	$0	$0	$0	$0	$0	$0
	-- Transit Fares	$0	$0	$0	$0	$0	$0	$0	$0	$0
	-- Other Transit (e.g., parcel/property taxes, parking revenue, etc)	$0	$0	$0	$0	$0	$0	$0	$0	$0
	Tolls (e.g., non-state owned bridges)	$0	$0	$0	$0	$0	$0	$0	$0	$0
	Other (Please Specify)	$0	$0	$0	$0	$0	$0	$0	$0	$0
	Local Total	$744	$0	$1,944	$0	$0	$0	$0	$0	$0
REGIONAL[1]	Tolls	$0	$0	$0	$0	$0	$0	$0	$0	$0
	-- Bridge	$0	$0	$0	$0	$0	$0	$0	$0	$0
	-- Corridor	$0	$0	$0	$0	$0	$0	$0	$0	$0
	Regional Transit Fares/Measures	$0	$0	$0	$0	$0	$0	$0	$0	$0
	Regional Sales Tax	$0	$0	$0	$0	$0	$0	$0	$0	$0
	Regional Bond Revenue	$0	$0	$0	$0	$0	$0	$0	$0	$0
	Regional Gas Tax	$0	$0	$0	$0	$0	$0	$0	$0	$0
	Vehicle Registration Fees (CARB Fees, SAFE)	$0	$0	$0	$0	$0	$0	$0	$0	$0
	Other (Please Specify)	$0	$0	$0	$0	$0	$0	$0	$0	$0
	Regional Total	$0	$0	$0	$0	$0	$0	$0	$0	$0
STATE	State Highway Operations and Protection Program (SHOPP)	$57,811	$0	$41,850	$0	$206,120	$0	$103,740	$0	$0
	SHOPP (Including Augmentation)	$57,811	$0	$41,850	$0	$206,120	$0	$103,740	$0	$0
	SHOPP Prior	$0	$0	$0	$0	$0	$0	$0	$0	$0
	State Transportation Improvement Program (STIP)	$700	$0	$9,138	$0	$128	$0	$0	$0	$0
	STIP (Including Augmentation)	$700	$0	$9,138	$0	$128	$0	$0	$0	$0
	STIP Prior	$0	$0	$0	$0	$0	$0	$0	$0	$0
	Proposition 1 B[1]	$0	$0	$0	$0	$0	$0	$0	$0	$0
	GARVEE Bonds	$0	$0	$0	$0	$0	$0	$0	$0	$0
	Traffic Congestion Relief Program	$0	$0	$0	$0	$0	$0	$0	$0	$0
	State Transit Assistance (STA) (e.g. population/revenue based, Prop 42)	$133	$0	$0	$0	$0	$0	$0	$0	$0
	Nevada State Funds	$2,812	$0	$4,043	$0	$0	$0	$0	$0	$0
	Nevada Tahoe Bond	$0	$0	$6,290	$0	$4,100	$0	$13,875	$0	$0
	Southern Nevada Public Lands Management (SNPLMA)	$3,414	$0	$1,550	$0	$630	$0	$0	$0	$0
	State Total	$64,870	$0	$62,871	$0	$210,978	$0	$117,615	$0	$0
FEDERAL TRANSIT	Bus and Bus Related Grants (5309c)	$0	$0	$0	$0	$0	$0	$0	$0	$0
	Clean Fuel Formula Program (5308)	$1,000	$0	$1,000	$0	$0	$0	$0	$0	$0
	Elderly & Persons with Disabilities Formula Program (5310)	$467	$0	$240	$0	$24	$0	$0	$0	$0
	Fixed Guideway Modernization (5309a)	$575	$0	$575	$0	$4,000	$0	$4,000	$0	$0
	Intercity Bus (5311f)	$0	$0	$0	$0	$0	$0	$0	$0	$0
	Job Access and Reverse Commute Program (5316)	$0	$0	$0	$0	$0	$0	$0	$0	$0
	Metropolitan Planning (5303)	$0	$0	$0	$0	$0	$0	$0	$0	$0
	New and Small Starts (Capital Investment Grants) (5309b)	$0	$0	$0	$0	$0	$0	$0	$0	$0
	New Freedom (SAFETEA-LU)	$0	$0	$0	$0	$0	$0	$0	$0	$0
	Nonurbanized Area Formula Program (5311)	$145	$0	$145	$0	$145	$0	$145	$0	$0
	Public Transportation on Indian Reservation (5311c)	$0	$0	$0	$0	$0	$0	$0	$0	$0
	Transit in the Parks (5320)	$0	$0	$0	$0	$0	$0	$0	$0	$0
	Urbanized Area Formula Program (5307)	$0	$0	$0	$0	$0	$0	$0	$0	$0
	CA - Economic Recovery (ECREC)	$0	$250	$0	$0	$0	$0	$0	$0	$250
	Other (Please specify)	$0	$0	$0	$0	$0	$0	$0	$0	$0
	Federal Transit Total	$2,187	$250	$1,960	$0	$4,169	$0	$4,145	$0	$250

State of California

2008/09-2011/12 Federal Transportation Improvement Program

Tahoe Metropolitan Planning Organization

AMENDMENT #: 1

	REVENUE SOURCES	(Dollars X 1,000)								
		2008/09		2009/10		2010/11		2011/12		
		Previous	Current	Previous	Current	Previous	Current	Previous	Current	CURRENT TOTAL
FEDERAL HIGHWAY	Federal Highway Non-Discretionary									
	Congestion Mitigation and Air Quality (CMAQ)	$601	$0	$612	$0	$623	$0	$634	$0	$0
	Surface Transportation Program (Regional)	$517	$0	$527	$0	$537	$0	$546	$0	$0
	Highway Bridge Program (HBP)	$0	$0	$0	$0	$0	$0	$0	$0	$0
	Highway Safety Improvement Program (HSIP)	$0	$0	$0	$0	$0	$0	$0	$0	$0
	Railway (Section 130)	$0	$0	$0	$0	$0	$0	$0	$0	$0
	Safe Routes to School (SRTS) (SAFETEA-LU)	$0	$0	$0	$0	$0	$0	$0	$0	$0
	Safe Routes to School (SR2S)	$0	$0	$0	$0	$0	$0	$0	$0	$0
	Transportation Improvements (TI)	$0	$0	$0	$0	$0	$0	$0	$0	$0
	Federal Lands Highway	$0	$0	$0	$0	$0	$0	$0	$0	$0
	CA - Economic Recovery (ECREC)	$0	$3,000	$0	$0	$0	$0	$0	$0	$3,000
	Other (Please specify)	$0	$0	$0	$0	$0	$0	$0	$0	$0
	Subtotal	$1,118	$3,000	$1,139	$0	$1,160	$0	$1,180	$0	$3,000
	Federal Highway Discretionary Programs									
	Bridge Discretionary Program	$0	$0	$0	$0	$0	$0	$0	$0	$0
	Corridor Infrastructure Improvement Program (SAFETEA-LU Sec. 1302)	$0	$0	$0	$0	$0	$0	$0	$0	$0
	Coordinated Border Infrastructure (SAFETEA-LU Sec.1303)	$0	$0	$0	$0	$0	$0	$0	$0	$0
	Ferry Boat Discretionary	$0	$0	$0	$0	$0	$0	$0	$0	$0
	High Priority Projects (HPP)	$0	$0	$0	$0	$0	$0	$0	$0	$0
	High Risk Rural Road (HRRR)	$0	$0	$0	$0	$0	$0	$0	$0	$0
	National Scenic Byways Program	$0	$0	$0	$0	$0	$0	$0	$0	$0
	Projects of National/Regional Significance (SAFETEA-LU Sec. 1301)	$0	$0	$0	$0	$0	$0	$0	$0	$0
	Public Lands Highway Discretionary	$675	$0	$1,000	$0	$0	$0	$0	$0	$0
	Recreational Trails	$0	$0	$0	$0	$0	$0	$0	$0	$0
	Transportation and Community and System Preservation Program	$0	$0	$0	$0	$0	$0	$0	$0	$0
	Forest Highway Funds	$0	$0	$0	$0	$8,500	$0	$12,300	$0	$0
	Section 115 Demo Funds	$0	$0	$2,000	$0	$0	$0	$0	$0	$0
	Subtotal	$675	$0	$3,000	$0	$8,500	$0	$12,300	$0	$0
	Federal Highway Total	$1,793	$3,000	$4,139	$0	$9,660	$0	$13,480	$0	$3,000
	FEDERAL TOTAL[2]	$3,980	$3,250	$8,099	$0	$13,829	$0	$17,625	$0	$3,250
INNOVATIVE FINANCE[3]	TIFIA (Transportation Infrastructure Finance and Innovation Act)	$0	$0	$0	$0	$0	$0	$0	$0	$0
	State Infrastructure Bank	$0	$0	$0	$0	$0	$0	$0	$0	$0
	Section 129 Loans	$0	$0	$0	$0	$0	$0	$0	$0	$0
	Rail Rehab & Improvement Financing	$0	$0	$0	$0	$0	$0	$0	$0	$0
	Private Activity Bonds	$0	$0	$0	$0	$0	$0	$0	$0	$0
	Private Concession Fees	$0	$0	$0	$0	$0	$0	$0	$0	$0
	Private Donations	$0	$0	$0	$0	$0	$0	$0	$0	$0
	Program Income (from a federal project)	$0	$0	$0	$0	$0	$0	$0	$0	$0
	Other (Please specify)	$0	$0	$0	$0	$0	$0	$0	$0	$0
	Innovative Financing Total	$0	$0	$0	$0	$0	$0	$0	$0	$0
REVENUE TOTAL		$69,594	$3,250	$70,914	$0	$224,807	$0	$135,240	$0	$3,250

NOTES:

[1] **Regional:** Some MPOs may not have regional fund sources. In these cases, data would be shown as "zero" or not applicable.

[2] **Federal Total:** Is the sum of federal highway and federal transit programs

[3] **Innovative Finance:** Toll revenues have been included under local and regional while GARVEE bond revenues are included under state

[4] **Proposition 1B:** Subtotal is a sum of funding for various programs funded under proposition 1B except for STIP Augmentation and SHOPP Augmentation