

**ELIGIBILITY
Consolidated Call for Projects**

**Santa Cruz County Regional Transportation Commission (RTC)
2018 Regional Transportation Improvement Program (RTIP)**

The type of funds designated to each project approved by the RTC in 2017 will be determined in consideration of eligibility for each funding source, consultation with project sponsors, and consultation with California Transportation Commission (CTC) staff for State Transportation Improvement Program (STIP) and SB1-Local Partnership Program (LPP) funds.

Surface Transportation Block Grant Program/Regional Surface Transportation Program Exchange (STBG/RSTPX) Eligibility:

Excerpts from FHWA "STBG Implementation Guidance" <http://www.fhwa.dot.gov/specialfunding/stp/160307.cfm#d>

Funds must be used for projects as defined in Sections 133(b) and 133(c) of Title 23 of the United States Code (U.S.C)—Highways, and not otherwise excluded by Article XIX-Motor Vehicle Revenues of the CA State Constitution. **Only direct project related costs are eligible. Local agency overhead and other non-direct charges are ineligible for STBG and RSTPX.**

1. Eligible Projects and Activities:

1. Location of Projects (23 U.S.C. 133(c)): STBG projects may not be undertaken on a road functionally classified as a local road or a rural minor collector unless the road was on a Federal-aid highway system on January 1, 1991, except-
 - (1) For a bridge or tunnel project (other than the construction of a new bridge or tunnel at a new location);
 - (2) For a project described in 23 U.S.C. 133(b)(4)-(11) and described below under "Eligible Activities" (b)(4) through (11);
 - (3) For transportation alternatives projects described in 23 U.S.C. 101(a)(29) before enactment of the FAST Act (these are described in 23 U.S.C. 133(h) and in separate TA Set-Aside guidance.); and
 - (4) As approved by the Secretary.
2. Eligible Activities (23 U.S.C. 133(b)): Subject to the location of projects requirements in paragraph (a), the following eligible activities are listed in 23 U.S.C. 133(b):
 - (1) Construction, as defined in 23 U.S.C. 101(a)(4), of the following:
 - i. Highways, bridges, and tunnels, including designated routes of the Appalachian development highway system and local access roads under 40 U.S.C. 14501;
 - ii. Ferry boats and terminal facilities eligible under 23 U.S.C. 129(c);
 - iii. transit capital projects eligible under chapter 53 of title 49, United States Code;

iv. Infrastructure-based intelligent transportation systems capital improvements, including the installation of vehicle-to-infrastructure communication equipment;

v. Truck parking facilities eligible under Section 1401 of MAP-21 (23 U.S.C. 137 note); and

vi. Border infrastructure projects eligible under Section 1303 of SAFETEA-LU (23 U.S.C. 101 note).

(2) Operational improvements and capital and operating costs for traffic monitoring, management, and control facilities and programs. Operational improvement is defined in 23 U.S.C. 101(a)(18).

(3) Environmental measures eligible under 23 U.S.C. 119(g), 328, and 329, and transportation control measures listed in Section 108(f)(1)(A) (other than clause (xvi) of that section) of the Clean Air Act (42 U.S.C. 7408(f)(1)(A)).

(4) Highway and transit safety infrastructure improvements and programs, including railway-highway grade crossings.

(5) Fringe and corridor parking facilities and programs in accordance with 23 U.S.C. 137 and carpool projects in accordance with 23 U.S.C. 146. Carpool project is defined in 23 U.S.C. 101(a)(3).

(6) Recreational trails projects eligible under 23 U.S.C. 206, pedestrian and bicycle projects in accordance with 23 U.S.C. 217 (including modifications to comply with accessibility requirements under the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.)), and the Safe Routes to School Program under Section 1404 of SAFETEA-LU (23 U.S.C. 402 note).

(7) Planning, design, or construction of boulevards and other roadways largely in the right-of-way of former Interstate System routes or other divided highways.

(8) Development and implementation of a State asset management plan for the National Highway System (NHS) and a performance-based management program for other public roads.

(9) Protection (including painting, scour countermeasures, seismic retrofits, impact protection measures, security countermeasures, and protection against extreme events) for bridges (including approaches to bridges and other elevated structures) and tunnels on public roads, and inspection and evaluation of bridges and tunnels and other highway assets.

(10) Surface transportation planning programs, highway and transit research and development and technology transfer programs, and workforce development, training, and education under chapter 5 of title 23, United States Code.

(11) Surface transportation infrastructure modifications to facilitate direct intermodal interchange, transfer, and access into and out of a port terminal.

(12) Projects and strategies designed to support congestion pricing, including electronic toll collection and travel demand management strategies and programs.

(13) Upon request of a State and subject to the approval of the Secretary, if Transportation Infrastructure Finance and Innovation Act (TIFIA) credit assistance is approved for an STBG-eligible project, then the State may use STBG funds to pay the subsidy and administrative costs associated with providing Federal credit assistance for the projects.

(14) The creation and operation by a State of an office to assist in the design, implementation, and oversight of public-private partnerships eligible to receive funding under title 23 and chapter 53 of title 49, United States Code, and the payment of a stipend to unsuccessful private bidders to offset their proposal development costs, if necessary to encourage robust competition in public-private partnership procurements.

(15) Any type of project eligible under 23 U.S.C. 133 as in effect on the day before the FAST Act was enacted. Among these are:

i. Replacement of bridges with fill material;

ii. Training of bridge and tunnel inspectors;

iii. Application of calcium magnesium acetate, sodium acetate/formate, or other environmentally acceptable, minimally corrosive anti-icing and deicing compositions for bridges (and approaches to bridges and other elevated structures) and tunnels;

iv. Projects to accommodate other transportation modes continue to be eligible pursuant to 23 U.S.C. 142(c) if such accommodation does not adversely affect traffic safety;

v. Transit capital projects eligible for assistance under chapter 53 of title 49, United States Code, including vehicles and facilities (publicly or privately owned) that are used to provide intercity passenger bus service;

vi. Approach roadways to ferry terminals to accommodate other transportation modes and to provide access into and out of the ports;

vii. [Transportation alternatives](#) previously described in 23 U.S.C. 101(a)(29) and described in 23 U.S.C. 213;

viii. Projects relating to intersections having disproportionately high accident rates, high levels of congestion (as evidenced by interrupted traffic flow at the intersection and a level of service rating of "F" during peak travel hours, calculated in accordance with the Highway Capacity Manual), and are located on a Federal-aid highway;

ix. Construction and operational improvements for any minor collector if the minor collector and the project to be carried out are in the same corridor and in proximity to an NHS route; the construction or improvements will enhance the level of service on the NHS route and improve regional traffic flow; and the construction or improvements are more cost-effective, as determined by a benefit-cost analysis, than an improvement to the NHS route;

x. Workforce development, training, and education activities discussed in 23 U.S.C. 504(e);

xi. Advanced truck stop electrification systems. Truck stop electrification system is defined in 23 U.S.C. 101(a)(32);

xii. Installation of safety barriers and nets on bridges, hazard eliminations, projects to mitigate hazards caused by wildlife;

xiii. Electric vehicle and natural gas vehicle infrastructure in accordance with 23 U.S.C. 137;

xiv. Data collection, maintenance, and integration and the costs associated with obtaining, updating, and licensing software and equipment required for risk-based asset management and performance based management, and for similar activities related to the development and implementation of a performance based management program for other public roads;

xv. Construction of any bridge in accordance with 23 U.S.C. 144(f) that replaces any low water crossing (regardless of the length of the low water crossing); any bridge that was destroyed prior to January 1, 1965; any ferry that was in existence on January 1, 1984; or any road bridge that is rendered obsolete as a result of a Corps of Engineers flood control or channelization project and is not rebuilt with funds from the Corps of Engineers. Not subject to the Location of Project requirement in 23 U.S.C. 133(c); and

xvi. Actions in accordance with the definition and conditions in 23 U.S.C. 144(g) to preserve or reduce the impact of a project on the historic integrity of a historic bridge if the load capacity and safety features of the historic bridge are adequate to serve the intended use for the life of the historic bridge. Not subject to the Location of Project requirement in 23 U.S.C. 133(c).

2. **Applicability of Planning Requirements (23 U.S.C. 133(d)(5)):** Projects must be identified in the Statewide Transportation Improvement Program (STIP)/Transportation Improvement Program (TIP) and be consistent with the Long-Range Statewide Transportation Plan and the Metropolitan Transportation Plan(s). When obligating suballocated funding (discussed below), the State must coordinate with relevant metropolitan planning organizations (MPO) or rural planning organizations (23 U.S.C. 133(d)(3)). Programming and expenditure of funds for projects shall be consistent with 23 U.S.C. 134 and 135.

STBG projects for eligible planning purposes must be reflected in the statewide SPR work program or Metropolitan Unified Planning Work Program. Further, these projects must be in the STIP/TIP unless the State DOT or MPO agree that they may be excluded. (23 CFR 420.119(e))

3. **Applicability of 23 U.S.C. 217(i) for Bicycle Projects:** 23 U.S.C. 217(i) requires that bicycle facilities “be principally for transportation, rather than recreation, purposes.” However, 23 U.S.C. 133(b)(6) and 133(h) list “recreational trails projects” as eligible activities under STBG. Therefore, the requirement in 23 U.S.C. 217(i) does not apply to recreational trails projects (including for bicycle use) using STBG funds. Section 217(i) continues to apply to bicycle facilities other than trail-related projects, and Section 217(i) continues to apply to bicycle facilities using other Federal-aid highway program funds (e.g., NHPP, Highway Safety Improvement Program, and Congestion Mitigation and Air Quality Improvement Program). The transportation requirement under Section 217(i) is applicable only to bicycle projects; it does not apply to any other trail use or transportation mode.

State Transportation Improvement Program (STIP) Eligibility: *(set by CTC STIP Guidelines)*

- Projects that meet eligibility requirements for funds from the State Highway Account, in accordance with Article XIX of the California Constitution can receive STIP funds.
- Project planning, programming, and monitoring
- Capital projects (including project development costs). These projects generally may include, but are not limited to, improving State highways, local roads, public transit (including buses), intercity rail, pedestrian and bicycle facilities, grade separations, transportation system management, transportation demand management, soundwalls, intermodal facilities, and safety.
 - Rail rolling stock and buses may be funded only from the Federal revenues in the STIP.
- Non-capital costs for transportation system management or transportation demand management may be included where the regional agency finds the project to be a cost-effective substitute for capital expenditures.
- Not eligible: Road and transit maintenance are not eligible.

Local Partnership Program (LPP) Eligibility: *(criteria still under development by the CTC, the following reflects draft guidelines -8/17)*

Eligible projects shall include all of the following:

A. Improvements to the state highway system including, but not limited to, all of the following:

- Major rehabilitation of an existing segment that extends the useful life of the segment by at least 15 years;
- New construction to increase capacity of a highway segment that improves mobility or reduces congestion on that segment; and
- Safety or operational improvements on a highway segment that are intended to reduce accidents and fatalities or improve traffic flow on that segment.

B. Improvements to transit facilities, subject to the restrictions of Article XIX of the California Constitution, including guideways, that expand transit services, increase transit ridership, improve transit safety, enhance access or convenience of the traveling public, or otherwise provide or facilitate a viable alternative to driving.

C. Improvements to the local road system, including, but not limited to, both of the following:

- Major roadway rehabilitation, resurfacing, or reconstruction that extends its useful life by at least 15 years; and
- New construction and facilities to increase capacity, improve mobility, or enhance safety.

D. Improvements to bicycle or pedestrian safety or mobility with a useful life of at least 15 years.

E. Improvements to mitigate the environmental impact of new transportation infrastructure on a locality's or region's air quality or water quality, commonly known as "urban runoff," including, management practices for capturing or treating urban runoff.

- F. For purposes of the Local Partnership Program, a separate phase or stage of construction for an eligible project may include mitigation of the project's environmental impacts, including, but not limited to, sound walls, landscaping, wetlands or habitat restoration or creation, replacement plantings, and drainage facilities.
- G. Sound walls for a freeway that was built prior to 1987 without sound walls and with or without high occupancy vehicle lanes if the completion of the sound walls has been deferred due to lack of available funding for at least 20 years and a noise barrier scope summary report has been completed within the last 20 years.
- H. Road maintenance and rehabilitation.
- I. Other transportation improvement projects.

Preconstruction work will be allowed for the formulaic programs.

State Transit Assistance Public Utilities Code for Section 99313 Formula Fund Eligibility

- Public transportation purposes operated by a public transportation entity.
- Community transit services meeting requirements set forth in Section 99275. Community transit services include such services for those, such as the disabled, who cannot use conventional transit services and transportation services which link intracommunity origins and destinations.
 - Examples of community transit services provided by transit agencies, cities, counties, non-profits and others: lifeline transit services, local circulators, emergency transit services, downtown shuttles, commuter shuttles, local transit to homeless services, shopping and job centers, smaller capacity vehicles, dial-a-ride, and flexible/route deviation services. Typically these services are integrated into existing fixed route and paratransit services. They must respond to needs not currently being met.
- Funds are available to support local and regional transit operating and capital needs, within the limits set forth by applicable PUC codes. Services funded by STA must meet certain performance and reporting criteria.