

THIS PRINT COVERS CALENDAR ITEM NO.: 9
FOR THE MEETING OF: December 19, 2005

TRANSBAY JOINT POWERS AUTHORITY

BRIEF DESCRIPTION:

Presentation of an application for \$3.391 million in Regional Improvement Funds in the 2006 Regional Transportation Improvement Program (RTIP) including a Resolution of Local Support, the opinion of legal counsel, the local agency certification of assurances, and the Uniform Transit Application required for the allocation of Regional Measure 2 funds for approval by the Board of Directors.

SUMMARY:

The Transbay program funding plan includes \$24 million in State Transportation Improvement Program (STIP) funds committed in the Metropolitan Transportation Commission's (MTC) Regional Transit Expansion Policy, Resolution 3434. MTC and the San Francisco County Transportation Authority (SFCTA) program Regional Improvement Program funds for inclusion in the Regional Transportation Improvement Program (RTIP). These funds are combined with other RTIPs statewide to form the STIP. The 2006 STIP covers FY 2006-07 through FY 2010-11.

At the suggestion of the SFCTA, the TJPA agreed to apply for \$3.391 million in 2006 STIP funds for right of way acquisition planned for the Transbay program. This application requests \$3.391 million in FY 2006-07, accelerating the availability of funds by three years compared to the current funding plan. If STIP funds are made available to the Transbay program in the near term, an equal amount of Prop. K funds programmed for right of way could be deferred until later in the program. Given that Prop. K funds require the payment of interest based on the date of drawdown, deferring their use will result in a slight increase in the total amount of Prop. K available to the program over time.

RTIP funds for the Transbay program are planned to come from the Public Transportation Account and are subject to fluctuations in the state budget and the condition of the economy. If the RTIP funds requested in this application are not made available in FY 2006-07, Prop. K funds programmed in the Strategic Plan will be available through the SFCTA allocation process.

The use of STIP funds for purchasing right of way will require TJPA to comply with Caltrans right of way acquisition guidelines, hazardous materials testing, and timely use of funds, in addition to the Federal Transit Administration requirements with which TJPA currently complies.

The application requires the Board to adopt a Resolution of Local Support, the format and contents of which are defined by MTC. The Resolution incorporates the following attachments:

1. Uniform Transit Application
2. Project Nomination Sheet
3. Certification of Assurances

In addition, MTC requires an Opinion of Legal Counsel stating that the agency is an eligible sponsor of projects for the STIP; that the agency is authorized to perform the project for which funds are requested; that there is no legal impediment to the agency applying for the funds; and that there is no pending or anticipated litigation which might adversely affect the project or the ability of the agency to carry out the project. The Opinion of Legal Counsel is attached.

ENCLOSURES:

1. Resolution of Local Support
2. Uniform Transit Application
3. Project Nomination Sheet
4. Certification of Assurances
5. Opinion of Legal Counsel

RECOMMENDATION:

Adopt the Resolution of Local Support for an application for \$3.391 million in STIP funding for right of way acquisition for the Transbay program.

**TRANSBAY JOINT POWERS AUTHORITY
BOARD OF DIRECTORS**

Resolution No. _____

WHEREAS, SB 45 (Chapter 622, Statutes 1997) substantially revised the process for estimating the amount of state and federal funds available for transportation projects in the state and for appropriating and allocating the available funds to these projects; and

WHEREAS, As part of that new process, the Metropolitan Transportation Commission (MTC) is responsible for programming projects eligible for Regional Improvement Program funds, pursuant to Government Code Section 14527(b), for inclusion in the Regional Transportation Improvement Program, and submission to the California Transportation Commission, for inclusion in the State Transportation Improvement Program; and

WHEREAS, MTC has requested eligible transportation project sponsors to submit applications nominating projects to be programmed for Regional Improvement Program funds in the Regional Transportation Improvement Program; and

WHEREAS, Applications to MTC must be submitted consistent with procedures, conditions, and forms it provides transportation project sponsors; and

WHEREAS, The Transbay Joint Powers Authority is a sponsor of transportation projects eligible for Regional Improvement Program funds; and

WHEREAS, The RTIP project nomination sheet of the project application, attached hereto and incorporated herein as though set forth at length, lists the project, purpose, schedule and budget for which the Transbay Joint Powers Authority is requesting that MTC program Regional Improvement Program funds for inclusion in the Regional Transportation Improvement Program; and

WHEREAS, Part 2 of the project application, attached hereto and incorporated herein as though set forth at length, includes the certification by the Transbay Joint Powers Authority of assurances required by SB 45 in order to qualify the project listed in the RTIP project nomination sheet of the project application for programming by MTC; now, therefore, be it

RESOLVED, That the Transbay Joint Powers Authority authorizes its Executive Director or her designee to execute and file an application with MTC to program Regional Improvement Program funds, in the amount of \$3,391,000, into the Regional Transportation Improvement Program, for the projects, purposes and amounts included in the project application attached to this resolution; and be it further;

RESOLVED, That the Transbay Joint Powers Authority approves the assurances set forth in Part 2 of the project application, attached to this resolution; and be it further

RESOLVED, That the Transbay Joint Powers Authority has reviewed the project and has adequate staffing resources to deliver and complete the project within the schedule set forth in the RTIP project nomination sheet of the project application, attached to this resolution; and be it further

RESOLVED, That a copy of this resolution shall be transmitted to MTC in conjunction with the filing of the Transbay Joint Powers Authority application referenced herein.

I hereby certify that the foregoing resolution was adopted by the Transbay Joint Powers Authority Board of Directors at its meeting of December 19, 2005.

Secretary, Transbay Joint Powers Authority

April 2001

Project Name Transbay Terminal / Caltrain DTX

Agency Name Transbay Joint Powers Authority

State of California

UNIFORM TRANSIT APPLICATION

(Form A -- Application)

A completed Uniform Transit Application must be submitted for each project.

Please refer to "INSTRUCTIONS FOR COMPLETING A UNIFORM TRANSIT APPLICATION" for a line by line explanation of information required in the application. Sections in the instructions have been designed to match each section in the application.

Section I. Title, Certification and Eligibility

Item 1. Title and Certification

A. Project Type and Title: Transbay Terminal / Caltrain Downtown Extension Program

Commuter Rail Urban Rail

Intercity Rail Other, describe: Replacement of Transbay Bus Terminal

B. Project Location (County(s), City(s)): City and County of San Francisco

C. Project Limits (Identify start and end points, such as cross street or milepost): _____

Fourth and Townsend Streets to First and Mission Streets, San Francisco

D. Total Project Cost (All fund sources - state, local, federal, other)

(Please show one total dollar amount): \$2,082,900,000

E. Total Amount of State Funding (Please show one total dollar amount): \$28,342,000

F. Total Amount of State Funds Requested For This Application by Fund Source (Please list amounts by state fund source): RTIP: \$3,391,000

G. Application Submittal Date: November 16, 2005

Item 1. Title and Certification (continued)

H Lead Applicant Agency: Transbay Joint Powers Authority

I Address: 201 Mission Street, Suite 1960
San Francisco, CA 94105

J Contact Person: Maria Ayerdi

Phone #: (415) 597-4620 FAX (415) 597-4615

K Co-Applicant Agency, as appropriate: _____

L Address: _____

M Co-Applicant Agency Contact Person: _____

Phone #: _____ FAX # _____

N List All Other Funding Agencies: Federal Transit Administration, Metropolitan Transportation
Commission, San Francisco County Transportation Authority, San Mateo County Transportation
Authority, San Francisco Redevelopment Agency

O Name of Recipient Agency, if applicable: _____

P Address of Recipient
Agency: _____

Item 1. Title and Certification (continued)

Q. To the best of my knowledge and belief, the data and information in this request are true and correct and I am authorized by my council, board, authority, commission, or ruling body to file the request on behalf of the applicant.

LEAD APPLICANT

Name and Title: Maria Ayerdi, Executive Director

Signature (in blue ink): _____ Date: _____

CO-APPLICANT

Name and Title: _____

Signature (in blue ink): _____ Date: _____

CO-APPLICANT

Name and Title: _____

Signature (in blue ink): _____ Date: _____

RECIPIENT

Name and Title: _____

Signature (in blue ink): _____ Date: _____

Item 2. Eligibility (Check-off)

If the CEO does not have agency delegation, the agency is required to provide a resolution on the eligibility requirements below: (attach copy of resolution)

- a. x That a statement has been provided from your governing body's legal counsel stating that your organization has the financial and institutional ability to implement the project and that your organization is empowered to: let a contract; to sue or be sued by another entity or person; and other responsibilities and duties of your agency.

- b. x That this project will be available to the general public, or its primary purpose will be to benefit the public and does not benefit a private entity or individual. If it does not benefit the public, please explain, and attach your explanation to this application, as part of your submittal. (State funds, in most cases, may not be used for private passenger rail facilities.)

- c. x That the matching funds required for this project are available and committed to this project. Committed funds have received necessary authorizations and the recipient agency has authority to expend the funds.

- d. x That if the project exceeds the state funds available, the applicant agency shall use other funds to backfill the cost increases to complete the project.

- e. x That this project fulfills the requirements of the High Density Housing Demonstration Program , providing the applicant wishes to have its rail transit station project considered under this program.

- f. x That the applicant will comply with the Commission's Hazardous Waste Identification and Clean-up Policy for Rail Right-of-Way;
 - o This project has been fully investigated by the applicant to determine the absence/presence of hazardous wastes.

 - o The applicant has taken reasonable steps to assure full due diligence, clean-up of the site, as appropriate, and indemnifies the state of future clean-up liability or damages, as well as not seeking state funds for clean-up, damage or liability costs associated with hazardous wastes.

- g. x That the applicant will comply with the Commission's Timely Use of Funds Policies.

For Proposition 116 Projects **attach resolution** stating:

- i. The governing body has stated that no other capital funds previously programmed, planned or approved for rail purposes will be used for other than rail purposes.

- j. The governing body has stated that the proposed project has no unnecessary enhancements and is not an unnecessarily elaborate alternative.

- k. Unless otherwise specified in Proposition 116, the governing body has stated that new or increased development fees, taxes or exactions, or permit fees have not or will not be included in the operating budget(s) for this project, or for the purpose of matching funds for Proposition 116 grants.

Item 2. Eligibility (Continued)

- i. If the Transit Integration Plan has not been completed, the governing body has stated that a plan will be completed and submitted to the Commission for review before the line begins operations. Along with this assurance, a schedule shall be provided which shows the timing for the plan's development.
- m. The governing body has stated that a passenger safety program is in place.
- n. The governing body has stated that the agency shall comply with the Proposition 116 accessibility requirements for the disabled and for providing access to bicyclists.

SECTION II. Funding, Project Description and Schedules, and System Characteristics

Item 3.

Funding Sources & CTC Actions Requested for this Specific Application

ORIGINAL REQUESTED FUNDING SOURCES & SCHEDULE				NEW REQUESTED FUNDING SOURCES & SCHEDULE (Changes to Original Requested)		
Amount Requested				Amount Requested		
	FY	FY	FY	FY 06/07	FY 08/09	FY 09/10
RTIP				\$3,391,000		

CTC ACTIONS REQUESTED

(Please enter check-mark or specify TCI, FCR, AB 973, PROP 116)

STIP Inclusion SB 2800 Approval Prop 116 Project Application Approval
 TCI Inclusion AB 3090 Approval Prop 116 Partial Project App. Approval
 Allocation Project Approval Other

Amendments
 :
 STIP
 PROP 116

(1) For each program provide any additional information below.

(2) For Proposition 116 requests, cite the section of the Public Utilities Code authorizing the project.

Item 3. (Continued)

(3) Please specify and explain any requested amendment.

(4) If applicant has indicated an SB 2800 or AB 3090 request, please refer to page 10 of the instructions for details of requirements that need to be met.

	SB 2800			AB 3090		
	Amount Requested			Amount Requested		
	FY	FY	FY	FY	FY	FY
FCR						
ISTEA						
P116						

Item 4.1 Project Description and Benefits

a. **Project Description** (Please refer to Section 4.1 of instructions.)

The Transbay Terminal /Caltrain Downtown Extension Program would construct a new multi-modal Terminal on the site of the present Transbay Terminal, extend the Peninsula Corridor Service (Caltrain) from its current San Francisco terminus at Fourth and Townsend Streets to a new underground terminus beneath the new Terminal, and establish a Redevelopment Area Plan with related development projects, including transit-oriented development on publicly-owned land in the vicinity of the new multi-modal Terminal. The project is needed because the present Transbay Terminal, which was built in 1939, does not meet current building codes, including ADA requirements, or space utilization standards. The need to modernize the Transbay Terminal provides an opportunity to revitalize the surrounding area with a mix of land uses that includes both market-rate and affordable housing, and to extend Caltrain service from its current terminus outside the downtown area into the San Francisco employment core. Increases in Caltrain and other transit ridership, reductions in non-transit vehicle use and improvements in regional air quality, and revitalization of the Terminal area are expected to result.

Total terminal patronage (including bus and rail transit and proposed High Speed Rail) is projected to be approximately 29 million passengers per year in the 2020 horizon year. Approximately 35,000 bus and 40,000 Caltrain daily trips are projected in 2020. The ultimate design capacity of the terminal will be approximately 47 million passengers per year. Currently, approximately 20,000 bus passengers pass through the Transbay Terminal each day, and 12,200 Caltrain riders disembark at the current San Francisco terminus at Fourth and Townsend Streets.

To summarize, the primary purposes of the Transbay Terminal / Caltrain Extension / Redevelopment Area Project are to:

- Improve public access to bus and rail services;
- Modernize the Transbay Terminal and improve service;
- Reduce non-transit vehicle usage; and
- Alleviate blight and revitalize the Transbay Terminal area.

Undertaking the project would also address the following associated needs:

- Provide a multi-modal transit facility that meets future transit needs;
- Enhance accessibility to employment, retail, and entertainment opportunities;

- Improve Caltrain service by providing direct access to downtown San Francisco;
- Enhance connectivity between Caltrain and other major transit systems;
- Enable direct access to downtown San Francisco for future intercity and/or high-speed rail service;
- Accommodate projected growth in travel demand in the San Jose – San Francisco corridor;
- Reduce traffic congestion on US Highway 101 and Interstate 280 between San Jose and San Francisco and other routes;
- Reduce vehicle hours of delay on major freeways in the Peninsula corridor;
- Improve regional air quality by reducing auto emissions;
- Facilitate transit use by developing housing next to a major transit hub;
- Address the region's housing crisis through the development of a high-density residential neighborhood along Folsom Street;
- Promote transit-oriented development in the area surrounding the new Terminal; and Support local economic development goals.

The Project is included in MTC's Resolution 3434, the RTEP, the RTP (environmental, preliminary engineering and right-of-way acquisition phases are included in the Financial Constrained Element of the RTP), MTC's 2000 Blueprint, the San Francisco Countywide Transportation Plan, the San Francisco Congestion Management Program, San Francisco's Proposition K Transportation Expenditure Plan, the Expenditure Plan for Regional Measure 2, and the Transbay Redevelopment Project Area Design for Development. All of these plans included extensive public outreach regarding the inclusion of and prioritization of projects.

Right of Way Purchase

The ROW required for the project identified in the Final EIS/EIR includes 23 parcels and easements. The TJPA has completed a Real Estate Acquisition Plan. Appraisals have been obtained for several parcels that are anticipated to be acquired in the next 6 to 18 months. Additional appraisals are being sought. The TJPA is following State and Federal ROW acquisition procedures.

Specific parcels will be identified for STIP funding as additional planning and funding needs are identified. TJPA will comply with the CTC's ROW policy (G-90-17) and the CTC policy regarding hazardous materials (G-91-2).

b. Map. Provide an 8-1/2"x11" map of the project site that shows simplified cross street detail **and** an 8-1/2"x11" area map that shows major streets. Indicate the county(s) and city(s) where the project is located.

Item 4.2. Project Benefits: See instructions Item 4.2 a-f.**a. Description:**

The Project provides the following public benefits: improved access to rail and bus services; improved Caltrain service by providing direct access to downtown San Francisco; enhanced connectivity between Caltrain and other major transit providers; modernization of the Transbay Terminal that meets future transit needs; reduced non-transit vehicle use; accommodating projected growth in travel demand in the San Jose - San Francisco corridor; reduced traffic congestion on US Highway 101 and I-280 between San Jose and San Francisco and other routes; reduced vehicle hours of delay on major freeways in the Peninsula corridor; improved regional air quality by reducing auto emissions; direct access to downtown San Francisco for future intercity and/or high-speed rail service; alleviation of blight and revitalization of the Transbay Terminal Area; construction of up to 4,700 new housing units (full build), one-third of which would be affordable; facilitate transit use by developing housing next to a major transit hub; enhanced access to employment, retail, and entertainment opportunities; and support of local economic development goals.

The Transbay Terminal / Caltrain Downtown Extension / Redevelopment Area Project will address both immediate and long-term travel needs. The new Transbay Terminal will bring all modes of public transportation to downtown San Francisco – immediately accessible to the City’s activity core – and address the Bay Area’s most pressing need for greater inter-connectivity. By the year 2020 the Transbay Terminal will potentially serve 10,000 bus passengers and 12,000 train passengers during peak hours, with capacity for considerably more. A total of 48 bus bays will meet the 2020 growth forecast for all operators currently using the Transbay Terminal and will have sufficient latent capacity to meet further service expansion.

Additionally, the project will facilitate the development of a currently blighted and undesirable area, one of the last major development opportunities in San Francisco. The Terminal will be the catalyst for and centerpiece of a new and dynamic transit-oriented mixed-use neighborhood. Comprised of nearly 3,400 new housing units (35 percent of which would be affordable to very low-, low- and moderate-income families), new office and hotel development, and neighborhood-serving retail establishments, this new neighborhood will be the best-served transit district in the Bay Area, if not the nation. Moreover, development on the property currently owned by Caltrans will contribute an estimated \$530 million in net tax increment towards design and construction costs for the Terminal and Caltrain Extension.

System Connectivity

The extension of the Caltrain Commuter Rail system 1.3 miles to Downtown San Francisco would close the gap that now exists between the train’s current terminus station at Fourth and Townsend and the largest employment center in the region, providing a seamless transportation link between the Peninsula and South Bay with the heart of downtown San Francisco. It would also facilitate connections from Transbay services (BART, AC Transit) to and from Peninsula destinations/origins including employment centers, residential centers, and the San Francisco International Airport. With the implementation of high speed rail, the project would connect San Francisco and the Bay Area with the Los Angeles area.

Patronage

Total terminal patronage (including bus and rail transit and proposed High Speed Rail) is projected to be approximately 29 million passengers per year in the 2020 horizon year. Approximately 35,000 bus and 40,000 Caltrain daily trips are projected in 2020. The ultimate design capacity of the terminal will be approximately 47 million passengers per year. Currently, approximately 20,000 bus passengers pass through the Transbay Terminal each day, and 12,200 Caltrain riders disembark at the current San Francisco terminus at Fourth and Townsend Streets.

Travel Time Savings

With the Caltrain Downtown Extension, travel time savings for selected trips are projected to be 13 to 15 minutes compared to No-Project conditions, except for trips beginning in the San Francisco Airport, for which the time savings are projected to be 10 minutes. In addition, many Caltrain passengers will no longer need to transfer to an alternate mode to complete their trip.

Transit-Oriented Mixed-Use Development

Included in the DEIS/DEIR for the Locally Preferred Alternative is the Full-Build Alternative for the redevelopment area. In addition to the Terminal and Caltrain projects, this alternative allows a maximum of approximately 7.6 million square feet of residential, office, and retail/hotel development to be built within the Project Area. The Design for Development for the project area includes nearly 3,400 new housing units, 35 percent of which would be affordable, new office and hotel development, and neighborhood-serving retail establishments.

The redevelopment of the publicly-owned parcels in the Redevelopment Area would contribute funds directly to the Transbay Terminal / Caltrain Downtown Extension construction project. This includes more than 5.0 million square feet of residential/office/retail/ hotel development, including approximately 3,000 residential units including affordable housing, 765,000 square feet of office development, 475,000 square feet of hotel development, and neighborhood-serving retail development, according to the Redevelopment Agency's Design for Development. Based on revenue projections prepared by an independent consultant, this development would generate a total of \$534.2 million in Year of Expenditure (Future Value) dollars in net tax increment

Cost Effectiveness

The change in bus operational efficiency would be relatively minor, given that the new Transbay Terminal would be at the same location as the existing facility. However, the ramp configurations and terminal layout may provide operational efficiencies in comparison with today's operations. In the environmental analysis conducted for the program, Caltrain ridership was projected to increase significantly due to the Downtown Extension. The anticipated increase in fare revenues from this increase would be more than the incremental operating costs to Caltrain.

Item 5. System Characteristics: See instructions Item 5 a-i.**a. Description:**

The Transbay Terminal / Caltrain Downtown Extension Program is a capital only program. Rail and bus operations would be governed by the various operator boards, including Caltrain JPB, AC Transit, and High Speed Rail. As such, detailed operating plans and fare revenue projections have not yet been developed. All of the operator agencies have been extensively involved in the planning and design for the Transbay Terminal / Caltrain Downtown Extension Program.

The change in bus operational efficiency would be relatively minor, given that the new Transbay Terminal would be at the same location as the existing facility. However, the ramp configurations and terminal layout may provide operational efficiencies in comparison with today's operations. In the environmental analysis conducted for the program, Caltrain ridership was projected to increase significantly due to the Downtown Extension. The anticipated increase in fare revenues from this increase would be more than the incremental operating costs to Caltrain.

As noted in the Final EIS/EIR:

"The Transbay Terminal/Caltrain Downtown Extension Project would increase linked transit trips in the region in the year 2020 by an estimated 10,000 trips per day, from about 728,000 to 738,000 trips per day. As defined for this project, a linked transit trip consists of two or more unlinked trips, i.e., transit trips that involve two or more vehicles or modes. Thus an increase in linked transit trips in the corridor indicates that more people are choosing to use Caltrain instead of non-transit modes, compared with the No-Project Alternative.

Preliminary estimates of the transit mode shares have been made. The current transit mode share for work trips between San Mateo County and San Francisco is estimated to be 15.4 percent. Between Santa Clara County and San Francisco, the transit mode is estimated to be 13.1 percent. By 2020, these transit mode shares are expected to rise to 19.7 and 22.3 percent, respectively. With the Terminal/Extension Project, these transit mode shares are projected to be 22.2 and 28.5 percent, respectively." (p. 5-136)

Caltrain ridership forecast methodology for the Final EIS/EIR was based on an update of the patronage forecasts developed for the Caltrain Downtown Extension draft EIS/EIR. As noted in the forecast methodology report, "The selected approach was to adjust or pivot off earlier results where possible, and to use incremental modeling techniques to account for changes in services area, level of service, and projected demographics, including proposed increases in development around the Transbay Terminal. This approach was chosen for two reasons: 1.) The MTC regional model was in the midst of an update and could not be applied within the required project schedule, and 2.) the incremental model approach is well suited for estimating the effect of the level of service and demographic changes projected since the previous forecast and could be applied within the available timeframe."

It is anticipated that new AC Transit patronage forecasts will be completed in the near future, as a component to an update of MTC's Transbay corridor model.

Item 5. System Characteristics (continued)

The Transbay Transit Center will serve AC Transit, Caltrain, future High Speed Rail, San Francisco MUNI, Golden Gate Transit, SamTrans, Greyhound (private carriers), and paratransit. As such, the operating characteristics of the Transbay Transit Center would include portions of several transit operations. Detailed data for these operations has not yet been developed.

		Improved System				
		Current System	Line Year 1	System Year 1	Line Year 3	System Year 3
b.	Annual Operating Cost	_____	_____	_____	_____	_____
c.	Annual Revenues	_____	_____	_____	_____	_____
	Local Sources (Total)	_____	_____	_____	_____	_____
	Farebox	_____	_____	_____	_____	_____
	Sales Tax (LTF)	_____	_____	_____	_____	_____
	Local Sales Tax	_____	_____	_____	_____	_____
	Local Bonds	_____	_____	_____	_____	_____
	Other (Specify Source)	_____	_____	_____	_____	_____
	Private	_____	_____	_____	_____	_____
	State Sources (Total)	_____	_____	_____	_____	_____
	Sales Tax (STA)	_____	_____	_____	_____	_____
	Other (Specify Source)	_____	_____	_____	_____	_____
	Federal Sources (Total)	_____	_____	_____	_____	_____
	FTA Section 9	_____	_____	_____	_____	_____
	Other (Specify Source)	_____	_____	_____	_____	_____
d.	Ridership Projections (Annual)	_____	_____	_____	_____	_____
	Average Weekday Ridership	_____	_____	_____	_____	_____
e.	Operating Costs Covered by Farebox Revenue	%	%	%	%	%
f.	Average Fare Per Passenger	_____	_____	_____	_____	_____
	(a) Actual Farebox Ratio	_____	_____	_____	_____	_____
	(b) If Below TDA Requirements	_____	_____	_____	_____	_____
	Show the Subsidy Amount and Specify Source(s)	_____	_____	_____	_____	_____

April 2001

Project Name Transbay Terminal / Caltrain DTX

Agency Name Transbay Joint Powers Authority

Item 6. Overall Project Schedules

Indicate, as applicable, the beginning and ending dates for each phase of this project. (A detailed project development schedule must accompany an allocation request.)

Identify any significant issues that may arise and result in project delay due to environmental, litigation, relocation, right-of-way acquisition, or other pertinent issues.

Overall Project Schedule

	<u>Begin Work Month/Year</u>	<u>Completion Month/Year</u>
Federal Alternatives Analysis/Initial Study	<u>May 1995</u>	<u>February 2001</u>
Environmental Documentation & Clearance	<u>August 2000</u>	<u>February 2005</u>
Preliminary Engineering	<u>November 2004</u>	<u>June 2007</u>
Final Design	<u>July 2007</u>	<u>December 2008</u>
Acquisition of Right-of-Way or Other Access Rights	<u>November 2005</u>	<u>June 2007</u>
Construction/Rehabilitation	<u>June 2008</u>	<u>June 2012</u>
Vehicle Acquisitions (locomotives, cabs, trailers, LRVs, buses, other)	<u>N/A</u>	<u>N/A</u>
Date Initial Service Will Begin Operation	<u>N/A</u>	<u>June 2012</u>
Date Full Service Will Begin Operation	<u>N/A</u>	<u>June 2012</u>

April 2001

Project Name Transbay Terminal / Caltrain DTX

Agency Name Transbay Joint Powers Authority

Item 7. Environmental Clearance

Please check the appropriate category and provide the information below on the status of the environmental clearance for the project. If appropriate, provide documentation which demonstrates that the requirements have been met. (Check all that apply)

	List Actual or Estimated <u>Completion Date</u>
<u>CEQA:</u> (California Environmental Quality Act- Public Res. Code 21000 et seq.)	
_____ Categorically Exempt, cite section _____	_____
_____ Statutory Exempt, cite section _____	_____

<u>NEPA:</u> (National Environmental Policy Act- 42 USC, Sec. 4321 et seq.)	
_____ Categorically Excluded, cite _____ section _____	_____

IF YOUR PROJECT IS NOT EXEMPT, INDICATE THE FOLLOWING:

CEQA

_____ Negative Declaration	_____
_____ Draft EIR	<u>October 2002</u>
_____ Final EIR	<u>March 2004</u>
_____ Supplemental EIR	_____
_____ Certification of EIR	<u>April 2004</u>
_____ Notice of Determination	<u>June 16, 2004</u>

Lead Agency	City and County of San Francisco, San Francisco Redevelopment Agency, and Peninsula Corridor Joint Powers Board	Responsible agency	_____
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Item 7. Environmental Status (Continued)

	List Actual or Estimated <u>Completion Date</u>
<u>NEPA</u>	_____
_____ Finding of No Significant Impact	_____
_____ Draft EIS	<u>October 2002</u>
_____ Final EIS	<u>March 2004</u>
_____ Supplemental EIS	_____
_____ Record of Decision	<u>February 8, 2005</u>

Item 8. Financial Plan

a. Complete the following Project Financial Plan showing all sources of capital funds that will be used to finance the total project cost, including this application. (Agencies may provide their own financial plan format, providing all required information is presented.)

b. Describe the assumptions and process for how the projected capital costs were developed.

Soft costs assumed in the Final EIS/EIR include 25 percent construction cost contingency; 10 percent project reserve; and a 25 percent contingency that includes 10 percent for design costs, 8 percent for construction management, and 7 percent for owner costs.

c. Describe the prior commitments that your agency has obtained for this project.

The RTEP (MTC's Resolution 3434) for the San Francisco Bay Area region includes the following funding commitments for the Transbay Terminal / Caltrain Downtown Extension project (in 2004 \$s):

Federal Demonstration Funds:	\$11,000,000
RTIP:	\$24,000,000
Regional Measure 1:	\$53,000,000
Regional Measure 2:	\$150,000,000
AB 1171:	\$150,000,000
San Francisco Prop K Sales Tax:	\$272,000,000
San Mateo Sales Tax:	\$29,000,000
Land Sales & Tax Increment:	\$361,000,000
Net Operating Revenues	\$170,000,000

SAFETEA-LU includes \$56.2 million in earmarks for the project.

Of these commitments, the following funds have been allocated to the TJPA:

Regional Measure 2:	\$44,495,000
San Francisco Prop K Sales Tax:	\$34,495,000
San Mateo Sales Tax:	\$7,280,000

In addition, the TJPA has received a Federal Section 1601 grant totalling \$11 million, including the local matching funds from Regional Measure 1 and an in-kind contribution from the San Francisco Redevelopment Agency.

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Project Name Transbay Terminal / Caltrain DTX

Agency Name Transbay Joint Powers Authority

Item 8. (Continued)

Print out pages "14 -17 of the Application" document to use for this application.

Print out "Page 18 of the Application" document to use as page 18 for this application.

2006 STATE TRANSPORTATION IMPROVEMENT PROGRAM
Project Nomination Sheet (Page A-1) Reformatted - 07/29/2005

Project Information						Fact Sheet Date: 11/09/05		
County	Caltrans District	PPNO *	EA *	Region/MPO/TIP ID*	Element	Route / Corridor *	PM / KP Back *	PM / KP Ahead *
San Francisco	4			SF-010015			PM: KP:	PM: KP:
Legislative Districts:	Senate: 3			Congressional: 8				
	Assembly: 12							
Project Sponsor:	Transbay Joint Powers Authority (TJPA)							
Implementing Agency: (by component)	PA&ED: TJPA	AB 3090? <input type="checkbox"/>		PS&E: TJPA		AB 3090? <input type="checkbox"/>		
	R/W: TJPA	AB 3090? <input type="checkbox"/>		CON: TJPA		AB 3090? <input type="checkbox"/>		
Project Title:	Transbay Transit Center / Caltrain Downtown Extens							

* NOTE: PPNO & EA assigned by Caltrans. Region/MPO/TIP ID assigned by RTPA/MPO. Route/Corridor & PM/KP Back/Ahead used for State Highway System and Intercity Rail projects.

Location - Project Limits - Description and Scope of Work - (brief) (State/Region and Area Specific Maps to be included below)

In San Francisco: The Downtown Extension to a Rebuilt Transbay Transit Center, or the "Project," has three major components: the extension of Caltrain commuter rail service from its current San Francisco terminus at Fourth and Townsend Streets to a new underground terminus underneath a proposed new Transbay Transit Center; a new, multi-modal Transbay Transit Center on the site of the present Transbay Terminal; and the establishment of a Redevelopment Area Plan with related development projects, including transit-oriented development on publicly owned land in the vicinity of the new multi-modal Transbay Transit Center. The Project costs include only the Caltrain extension and the rebuilt Transbay Transit Center.

Transportation Problem to be Addressed by Project and Description of Project Benefits - (brief)

The Project provides the following public benefits: improved access to rail and bus services; improved Caltrain service by providing direct access to downtown San Francisco; enhanced connectivity between Caltrain and other major transit providers; modernization of the Transbay Transit Center that meets future transit needs; reduced non-transit vehicle use; accommodating projected growth in travel demand in the San Jose - San Francisco corridor; reduced traffic congestion on US Highway 101 and I-280 between San Jose and San Francisco and other routes; reduced vehicle hours of delay on major freeways in the Peninsula corridor; improved regional air quality by reducing auto emissions; direct access to downtown San Francisco for future intercity and/or high-speed rail service; alleviation of blight and revitalization of the Transbay Terminal Area; construction of up to 4,700 new housing units (full build), one-third of which would be affordable; facilitate transit use by developing housing next to a major transit hub; enhanced access to employment, retail, and entertainment opportunities; and support of local economic development goals.

Expected Source(s) of Additional Funding Necessary to Complete Project - as Identified Under 'Additional Need' - (brief)

Station Access Fees, High Speed Rail Bond, Federal Discretionary Funds, Other

Requesting State-Only Funds?			
Project Milestones	Date	Doc. Type	Date
Project Study Report (PSR) Complete:	11/16/05	Scheduled Circulation of Draft Environmental Document:	ROD, EIS/EIR 02/08/05
Project Manager (Person responsible for delivering the project within cost, scope and schedule)			
Name: Elizabeth Wiecha	Agency: TJPA	Phone: 415/597-4620	
Project Location Maps - Location Map of Project in State/Region, and Area Specific Map			

NOTE: The CTC STIP Guidelines should have been read and understood prior to preparation of the STIP Fact Sheet, with particular attention to Sections 37 - 62.
A copy of the CTC STIP Guidelines and a template of the Project Nomination Sheets are available at: <http://www.dot.ca.gov/hq/transprog/STIP2006/stip2006.htm>

**2006 STATE TRANSPORTATION IMPROVEMENT PROGRAM
Project Nomination Sheet (Page B-1)**

(dollars in thousands and escalated)

Date: 9-Nov-05

County	CT District	PPNO *	EA *	Region/MPO/TIP ID *	Implementing Agency
San Francisco	4			SF-010015	TJPA
Project Title: Transbay Transit Center / Caltrain Downtown Extens					

* NOTE: PPNO and EA assigned by Caltrans. Region/MPO/TIP ID assigned by RTPA/MPO

Proposed Total Project Cost							Project Total	Comments:
Component	Prior	06/07	07/08	08/09	09/10	10/11+		
E&P (PA&ED)	56,240	31,650	10,150				98,040	Does not include anticipated financing
PS&E		80,730	18,630	24,840			124,200	
R/W SUP (CT) *								
CON SUP (CT) *								
R/W	70,500	24,100			10,800		105,400	
CON			542,468	99,921	78,290	1,034,581	1,755,260	
TOTAL	126,740	136,480	571,248	124,761	89,090	1,034,581	2,082,900	

Existing RTIP Funding #1							Program Code: **	Agency:
Component	Prior	06/07	07/08	08/09	09/10	10/11	Total	
E&P (PA&ED)								
PS&E								
R/W SUP (CT) *								
CON SUP (CT) *								
R/W								
CON								
TOTAL								

Proposed RTIP Funding #1							Program Code: **	Agency:
Component	Prior	06/07	07/08	08/09	09/10	10/11	Total	
E&P (PA&ED)								
PS&E								
R/W SUP (CT) *								
CON SUP (CT) *								
R/W		3,391					3,391	
CON								
TOTAL		3,391					3,391	

* NOTE: R/W SUP and CON SUP to be used only for projects implemented by Caltrans - See Section 47 & 50 of CTC adopted STIP Guidelines. ** Program Code provided by Caltrans

Existing ITIP Funding #1							Program Code: **	Agency:
Component	Prior	06/07	07/08	08/09	09/10	10/11	Total	
E&P (PA&ED)								
PS&E								
R/W SUP (CT) *								
CON SUP (CT) *								
R/W								
CON								
TOTAL								

Proposed ITIP Funding #1							Program Code: **	Agency:
Component	Prior	06/07	07/08	08/09	09/10	10/11	Total	
E&P (PA&ED)								
PS&E								
R/W SUP (CT) *								
CON SUP (CT) *								
R/W								
CON								
TOTAL								

* NOTE: R/W SUP and CON SUP to be used only for projects implemented by Caltrans - See Section 47 & 50 of CTC adopted STIP Guidelines. ** Program Code provided by Caltrans

Existing 'Grandfathered STIP' Funds							Program Code: **	Agency:
Component	Prior	06/07	07/08	08/09	09/10	10/11	Total	
E&P (PA&ED)								
PS&E								
R/W SUP (CT) *								
CON SUP (CT) *								
R/W								
CON								
TOTAL								

Proposed 'Grandfathered STIP' Funds							Program Code: **	Agency:
Component	Prior	06/07	07/08	08/09	09/10	10/11	Total	
E&P (PA&ED)								
PS&E								
R/W SUP (CT) *								
CON SUP (CT) *								
R/W								
CON								
TOTAL								

The CTC STIP Guidelines and a template of the STIP fund sheet are available at: <http://www.dot.ca.gov/hq/transprog/STIP2006/stip2006.htm>

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(dollars in thousands and escalated)

Date: 9-Nov-05

County	CT District	PPNO	EA	Region/MPO/TIP ID	Implementing Agency
San Francisco	4			SF-010015	TJPA
Project Title: Transbay Transit Center / Caltrain Downtown Extens					

Existing RTIP Funding #2								Agency:
Component	Prior	06/07	07/08	08/09	09/10	10/11+	Total	Prog Code:
E&P (PA&ED)								
PS&E								
R/W SUP (CT) *								
CON SUP (CT) *								
R/W								
CON								
TOTAL								
Proposed RTIP Funding #2								Agency:
Component	Prior	06/07	07/08	08/09	09/10	10/11+	Total	Prog Code:
E&P (PA&ED)								
PS&E								
R/W SUP (CT) *								
CON SUP (CT) *								
R/W								
CON								
TOTAL								

* NOTE: R/W SUP and CON SUP to be used only for projects implemented by Caltrans - See Section 47 & 50 of CTC adopted STIP Guidelines.

Existing RTIP Funding #3								Agency:
Component	Prior	06/07	07/08	08/09	09/10	10/11+	Total	Prog Code:
E&P (PA&ED)								
PS&E								
R/W SUP (CT) *								
CON SUP (CT) *								
R/W								
CON								
TOTAL								
Proposed RTIP Funding #3								Agency:
Component	Prior	06/07	07/08	08/09	09/10	10/11+	Total	Prog Code:
E&P (PA&ED)								
PS&E								
R/W SUP (CT) *								
CON SUP (CT) *								
R/W								
CON								
TOTAL								

* NOTE: R/W SUP and CON SUP to be used only for projects implemented by Caltrans - See Section 47 & 50 of CTC adopted STIP Guidelines.

Existing RTIP Funding #4								Agency:
Component	Prior	06/07	07/08	08/09	09/10	10/11+	Total	Prog Code:
E&P (PA&ED)								
PS&E								
R/W SUP (CT) *								
CON SUP (CT) *								
R/W								
CON								
TOTAL								
Proposed RTIP Funding #4								Agency:
Component	Prior	06/07	07/08	08/09	09/10	10/11+	Total	Prog Code:
E&P (PA&ED)								
PS&E								
R/W SUP (CT) *								
CON SUP (CT) *								
R/W								
CON								
TOTAL								

Additional Funding Needs (funding needs not yet committed)									13/14 and Beyond	Project Total
Component	Prior	06/07	07/08	08/09	09/10	10/11	11/12	12/13		
E&P (PA&ED)										
PS&E		80,730	18,630	24,840						124,200
R/W SUP (CT) *										
CON SUP (CT) *										
R/W										
CON			542,468	99,921	78,290	1,034,581				1,755,260
TOTAL		80,730	561,098	124,761	78,290	1,034,581				1,879,460

The CTC STIP Guidelines and a template of the STIP fund sheet are available at: <http://www.dot.ca.gov/hq/transprog/STIP2006/stip2006.htm>

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2006 STATE TRANSPORTATION IMPROVEMENT PROGRAM

Project Nomination Sheet (Page B-3)

(dollars in thousands and escalated)

Date: 9-Nov-05

County	CT District	PPNO	EA	Region/MPO/TIP ID	Implementing Agency
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San Francisco	4		SF-010015	TJPA
Project Title:		Transbay Transit Center / Caltrain Downtown Extens		

Existing ITIP Funding #2								Agency:
Component	Prior	06/07	07/08	08/09	09/10	10/11+	Total	Prog Code:
E&P (PA&ED)								
PS&E								
R/W SUP (CT) *								
CON SUP (CT) *								
R/W								
CON								
TOTAL								

Proposed ITIP Funding #2								Agency:
Component	Prior	06/07	07/08	08/09	09/10	10/11+	Total	Prog Code:
E&P (PA&ED)								
PS&E								
R/W SUP (CT) *								
CON SUP (CT) *								
R/W								
CON								
TOTAL								

* NOTE: R/W SUP and CON SUP to be used only for projects implemented by Caltrans - See Section 47 & 50 of CTC adopted STIP Guidelines.

Existing Non-STIP Funding - Contributor 1								Agency:
Component	Prior	06/07	07/08	08/09	09/10	10/11+	Total	Fund Type:
E&P (PA&ED)								
PS&E								
R/W SUP (CT) *								
CON SUP (CT) *								
R/W								
CON								
TOTAL								

Proposed Non-STIP Funding - Contributor 1								Agency:
Component	Prior	06/07	07/08	08/09	09/10	10/11+	Total	Fund Type: Federal 1601
E&P (PA&ED)	11,000						11,000	
PS&E								
R/W SUP (CT) *								
CON SUP (CT) *								
R/W								
CON								
TOTAL	11,000						11,000	

* NOTE: R/W SUP and CON SUP to be used only for projects implemented by Caltrans - See Section 47 & 50 of CTC adopted STIP Guidelines.

Existing Non-STIP Funding - Contributor 2								Agency:
Component	Prior	06/07	07/08	08/09	09/10	10/11+	Total	Fund Type:
E&P (PA&ED)								
PS&E								
R/W SUP (CT) *								
CON SUP (CT) *								
R/W								
CON								
TOTAL								

Proposed Non-STIP Funding - Contributor 2								Agency:
Component	Prior	06/07	07/08	08/09	09/10	10/11+	Total	Fund Type: MTC Regional Measure 2
E&P (PA&ED)	23,975	5,025					29,000	
PS&E								
R/W SUP (CT) *								
CON SUP (CT) *								
R/W	35,250	16,450					51,700	
CON								
TOTAL	59,225	21,475					80,700	

* NOTE: Each Non-STIP Contributing Agency and Fund Type must be identified separately. Use additional sheets for additional Non-STIP fund sources

COMMENTS:

The CTC STIP Guidelines and a template of the STIP fund sheet are available at: <http://www.dot.ca.gov/hq/transprog/STIP2006/stip2006.htm> Reformatted Version 07/29/2005

2006 STATE TRANSPORTATION IMPROVEMENT PROGRAM
Project Nomination Sheet (Page B-4)
(dollars in thousands and escalated)

Date: 9-Nov-05

County	CT District	PPNO	EA	Region/MPO/TIP ID	Implementing Agency
San Francisco	4			SF-010015	TJPA
Project Title:		Transbay Transit Center / Caltrain Downtown Extens			

Existing Non-STIP Funding - Contributor 3								Agency:
Component	Prior	06/07	07/08	08/09	09/10	10/11+	Total	Fund Type:
E&P (PA&ED)								
PS&E								
R/W SUP (CT) *								
CON SUP (CT) *								
R/W								
CON								
TOTAL								
Proposed Non-STIP Funding - Contributor 3								Agency:
Component	Prior	06/07	07/08	08/09	09/10	10/11+	Total	Fund Type: SF Prop K Sales Tax
E&P (PA&ED)	13,985	13,115					27,100	
PS&E								
R/W SUP (CT) *								
CON SUP (CT) *								
R/W	35,250	4,259			10,800		50,309	
CON								
TOTAL	49,235	17,374			10,800		77,409	

* NOTE: R/W SUP and CON SUP to be used only for projects implemented by Caltrans - See Section 47 & 50 of CTC adopted STIP Guidelines.

Existing Non-STIP Funding - Contributor 4								Agency:
Component	Prior	06/07	07/08	08/09	09/10	10/11+	Total	Fund Type:
E&P (PA&ED)								
PS&E								
R/W SUP (CT) *								
CON SUP (CT) *								
R/W								
CON								
TOTAL								
Proposed Non-STIP Funding - Contributor 4								Agency:
Component	Prior	06/07	07/08	08/09	09/10	10/11+	Total	Fund Type: San Mateo Sales Tax
E&P (PA&ED)	7,280	13,510	10,150				30,940	
PS&E								
R/W SUP (CT) *								
CON SUP (CT) *								
R/W								
CON								
TOTAL	7,280	13,510	10,150				30,940	

* NOTE: R/W SUP and CON SUP to be used only for projects implemented by Caltrans - See Section 47 & 50 of CTC adopted STIP Guidelines.

Existing Non-STIP Funding - Contributor 5								Agency:
Component	Prior	06/07	07/08	08/09	09/10	10/11+	Total	Fund Type:
E&P (PA&ED)								
PS&E								
R/W SUP (CT) *								
CON SUP (CT) *								
R/W								
CON								
TOTAL								
Proposed Non-STIP Funding - Contributor 5								Agency:
Component	Prior	06/07	07/08	08/09	09/10	10/11+	Total	Fund Type:
E&P (PA&ED)								
PS&E								
R/W SUP (CT) *								
CON SUP (CT) *								
R/W								
CON								
TOTAL								

* NOTE: Each Non-STIP Contributing Agency and Fund Type must be identified separately. Use additional sheets for additional Non-STIP fund sources

COMMENTS:

The CTC STIP Guidelines and a template of the STIP fund sheet are available at: <http://www.dot.ca.gov/hq/transprog/STIP2006/stip2006.htm> Reformatted Version 07/29/2005

2006 STATE TRANSPORTATION IMPROVEMENT PROGRAM

Project Nomination Sheet (Page B-5)

(dollars in thousands and escalated)

Date: 9-Nov-05

County	CT District	PPNO	EA	Region/MPO/TIP ID	Implementing Agency
San Francisco	4			SF-010015	TJPA
Project Title: Transbay Transit Center / Caltrain Downtown Extens					

Existing Non-STIP Funding - Contributor 6								Agency:
Component	Prior	06/07	07/08	08/09	09/10	10/11+	Total	Fund Type:
E&P (PA&ED)								
PS&E								
R/W SUP (CT) *								
CON SUP (CT) *								
R/W								
CON								
TOTAL								
Proposed Non-STIP Funding - Contributor 6								Agency:
Component	Prior	06/07	07/08	08/09	09/10	10/11+	Total	Fund Type:
E&P (PA&ED)								
PS&E								
R/W SUP (CT) *								
CON SUP (CT) *								
R/W								
CON								
TOTAL								

* NOTE: R/W SUP and CON SUP to be used only for projects implemented by Caltrans - See Section 47 & 50 of CTC adopted STIP Guidelines.

Existing Non-STIP Funding - Contributor 7								Agency:
Component	Prior	06/07	07/08	08/09	09/10	10/11+	Total	Fund Type:
E&P (PA&ED)								
PS&E								
R/W SUP (CT) *								
CON SUP (CT) *								
R/W								
CON								
TOTAL								
Proposed Non-STIP Funding - Contributor 7								Agency:
Component	Prior	06/07	07/08	08/09	09/10	10/11+	Total	Fund Type:
E&P (PA&ED)								
PS&E								
R/W SUP (CT) *								
CON SUP (CT) *								
R/W								
CON								
TOTAL								

* NOTE: R/W SUP and CON SUP to be used only for projects implemented by Caltrans - See Section 47 & 50 of CTC adopted STIP Guidelines.

Existing Non-STIP Funding - Contributor 8								Agency:
Component	Prior	06/07	07/08	08/09	09/10	10/11+	Total	Fund Type:
E&P (PA&ED)								
PS&E								
R/W SUP (CT) *								
CON SUP (CT) *								
R/W								
CON								
TOTAL								
Proposed Non-STIP Funding - Contributor 8								Agency:
Component	Prior	06/07	07/08	08/09	09/10	10/11+	Total	Fund Type:
E&P (PA&ED)								
PS&E								
R/W SUP (CT) *								
CON SUP (CT) *								
R/W								
CON								
TOTAL								

* NOTE: Each Non-STIP Contributing Agency and Fund Type must be identified separately. Use additional sheets for additional Non-STIP fund sources

COMMENTS:

RTIP Project Application

Part 2: Certification of Assurances

The implementing agency certifies that the project for which Regional Improvement Program funding is requested meets the following project screening Criteria. **Please initial each.**

1. The project is eligible for consideration in the RTIP. Pursuant to Streets and Highways Code Section 164 (e), eligible projects include improving state highways, local roads, public transit, intercity rail, pedestrian, and bicycle facilities, and grade separation, transportation system management, transportation demand management, soundwall projects, intermodal facilities, and safety. _____

2. For the funds requested, no costs have/will be incurred prior to adoption into the STIP by the CTC. _____

3. A Project Study Report (PSR) or PSR equivalent has been prepared for the project.

4. The project budget included in Part 2 of the project application reflects current costs updated as of the date of application and escalated to the appropriate year. _____

5. The project is included in a local congestion management program (CMP). (Note: For those counties that have opted out of preparing a CMP in accordance with Government Code Section 65088.3, the project must be consistent with the capital improvement program adopted pursuant to MTC's funding agreement with the countywide transportation planning agency.) _____

6. The year of funding for any design, right-of-way and/or construction phases has taken into consideration the time necessary to obtain environmental clearance and permitting approval for the project. _____

7. The project is fully funded. _____

8. For projects with STIP federal funds, the implementing agency agrees to contact Caltrans and schedule and complete a field review within six months of the project being adopted or amended into the TIP. _____

9. For STIP construction funds, the implementing agency agrees to send a copy of the Caltrans LPP 01-06 "Award Information for STIP Projects – Attachment A" to MTC and the CMA, upon award. _____

10. The implementing agency agrees to be available for an audit of STIP funds, if requested.

The implementing agency also agrees to abide by all statutes, rules and regulations applying to the State Transportation Improvement Program (STIP), and to follow all requirements associated with the funds programmed to the project in the STIP. _____

These include, but are not limited to:

1. Environmental requirements: NEPA standards and procedures for all projects with Federal funds; CEQA standards and procedures for all projects programmed with State funds.
2. California Transportation Commission (CTC) requirements for transit projects, formerly associated with the Transit Capital Improvement (TCI) program. These include rules governing right-of-way acquisition, hazardous materials testing, and timely use of funds.
3. Federal Transit Administration (FTA) requirements for transit projects as outlined in FTA regulations and circulars.
4. Federal Highway Administration (FHWA) and Caltrans requirements for highway and other roadway projects as outlined in the Caltrans Local Programs Manual.
5. Federal air quality conformity requirements, and local project review requirements, as outlined in the adopted Bay Area Conformity Revision of the State Implementation Plan (SIP).

LAW OFFICES OF
MOSCONE, EMBLIDGE & QUADRA, LLP
180 Montgomery Street, Suite 1240
San Francisco, California 94104-4238
Tel: (415) 362-3599
Fax: (415) 362-7332

December 12, 2005

To: Metropolitan Transportation Commission

From: Transbay Joint Powers Authority

Re: Eligibility for State Transportation Improvement Program (STIP) funds

I serve as the General Counsel for the Transbay Joint Powers Authority. This communication will serve as the requisite opinion of counsel in connection with the application of the Transbay Joint Powers Authority for funding from the State Transportation Improvement Program (STIP) made available pursuant to the State Transportation Funding Plan, Streets and Highways Code Section 163 et. seq.

1. Transbay Joint Powers Authority is an eligible sponsor of projects for the STIP.
2. Transbay Joint Powers Authority is authorized to submit an application for STIP funding for the Transbay Terminal / Caltrain Downtown Extension Program.
3. I have reviewed the pertinent state laws and I am of the opinion that there is no legal impediment to Transbay Joint Powers Authority making applications for STIP funds. Furthermore, as a result of my examinations, I find that there is no pending or threatened litigation which might in any way adversely affect the proposed projects, or the ability of Transbay Joint Powers Authority to carry out such projects.

Sincerely,

MOSCONE, EMBLIDGE & QUADRA, LLP



G. Scott Emblidge