



REGIONAL SURFACE TRANSPORTATION PROGRAM

Policy and Allocation

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Madera County Transportation Commission
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BACKGROUND

The Regional Surface Transportation Program (RSTP) was established by California State Statute utilizing Surface Transportation Program Funds that are identified in Section 133 of Title 23 of the United States Code. This program provides flexible funding that may be used by States and localities for projects to preserve and improve the conditions and performance on any Federal-aid highway, bridge and tunnel projects on any public road, pedestrian and bicycle infrastructure, and transit capital and intercity passenger projects.

RSTP funds originate from the federal excise tax on gasoline. The State of California distributes the funds to regional agencies and counties based on population. The Madera County Transportation Commission (MCTC) is permitted to participate in an exchange of these federal funds to nonfederal State Highway Account funds. Prior to an annual distribution of funds, an Exchange Agreement is executed between MCTC and the State Department of Transportation (CALTRANS). This exchange allows for greater flexibility with fewer administrative burdens.

Exchange funds are subject to financial and compliance audits by the State of California auditors.

ELIGIBLE PROJECTS

The exchange of funds requires agreement to projects defined under Title 23, Section 133 of the Federal Aid for Highway and in accordance with the State of California Constitution. Section 133(b) provides for the following eligible projects:

- (1) Construction, reconstruction, rehabilitation, resurfacing, restoration, and operational improvements for highways (including Interstate highways) and bridges (including bridges on public roads of all functional classifications), including any such construction or reconstruction necessary to accommodate other transportation modes, and including the seismic retrofit and painting of and application of calcium magnesium acetate, sodium acetate/formate, or other environmentally acceptable, minimally corrosive anti-icing and de-icing compositions on bridges and approaches thereto and other elevated structures, mitigation of damage to wildlife, habitat, and ecosystems caused by a transportation project funded under this title.
- (2) Capital costs for transit projects eligible for assistance under chapter 53 title 49, including vehicles and facilities, whether publicly or privately owned, that are used to provide intercity passenger service by bus.
- (3) Carpool projects, fringe and corridor parking facilities and programs, bicycle transportation and pedestrian walkways in accordance with section 217, and the modification of public sidewalks to comply with the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.).

(4) Highways and transit safety infrastructure improvements and programs, hazard eliminations, projects to mitigate hazards caused by wildlife and railway-highway grade crossings.

(5) Highway and transit research and development and technology transfer programs.

(6) Capital and operating costs for traffic monitoring, management, and control facilities and programs, including advanced truck stop electrification systems.

(7) Surface transportation planning programs.

(8) Transportation enhancement activities.

(9) Transportation control measures listed in section 108 (f)(1)(A) (other than clause (xvi)) of the Clean Air Act (42 U.S.C. 7408 (f)(1)(A)).

(10) Development and establishment of management systems under Section 303.

(11) In accordance with all applicable Federal law and regulations, participation in natural habitat and wetlands mitigation efforts related to projects funded under this title, which may include participation in natural habitat and wetlands mitigation banks; contributions to statewide and regional efforts to conserve, restore, enhance, and create natural habitats and wetlands; and development of statewide and regional natural habitat and wetlands conservation and mitigation plans, including any such banks, efforts, and plans authorized pursuant to the Water Resources Development Act of 1990 (including crediting provisions). Contributions to such mitigation efforts may take place concurrent with or in advance of project construction. Contributions toward these efforts may occur in advance of project construction only if such efforts are consistent with all applicable requirements of Federal law and regulations and State transportation planning processes. With respect to participation in a natural habitat or wetland mitigation effort related to a project funded under this title that has an impact that occurs within the service area of a mitigation bank, preference shall be given, to the maximum extent practicable to the use of the mitigation bank if the bank contains sufficient available credits to offset the impact and the bank is approved in accordance with the Federal Guidance for the Establishment, Use and Operation of Mitigation Banks (60 Fed. Reg. 58605 (November 28, 1995)) or other applicable Federal law (including regulations).

(12) Projects relating to intersections that –

(A) have disproportionately high accident rates;

(B) have high levels of congestion, as evidenced by –

(i) interrupted traffic flow at the intersection; and

- (ii) a level of service rating that is not better than “F” during peak travel hours, calculated in accordance with the Highway Capacity Manual issued by the Transportation research Board; and
- (C) are located on a Federal-aid highway.

(13) Infrastructure-based intelligent transportation systems capital improvements.

(14) Environmental restoration and pollution abatement in accordance with Section 328.

(15) Control noxious weeds and aquatic weeds and establishment of native species in accordance with section 329.

AGREEMENT WITH JURISDICTIONS

The following administrative requirements are hereby implemented to assure that the agencies receiving the RSTP funds are using the funds properly, and to assure that MCTC is properly tracking the funds.

1. Project Lists. Each entity shall be required to submit to MCTC an application for eligible projects on which they expect to expend funds. The application will include project name, project description, category of eligibility and the estimated amount of funds to be expended. (Application of RSTP Exchange Funds)
2. Monitoring Report. Each entity shall be required to submit a semi-annual report on the status of the projects. The report shall indicate how funds were expended or explain if funds are being carried over for a larger project. (RSTP Monitoring Report)

RSTP FORMULA DISTRIBUTION

During a normal funding cycle, MCTC receives instructions from the State to begin the process to exchange the RSTP funds sometime during the calendar year, resulting in an executed Exchange Agreement and receipt of funds by or near June 30 of each fiscal year. Upon receipt of the funds, Commission staff will notify the local agencies and request a RSTP Application be completed and submitted for processing of their share of the Exchange funds. The Application highlights how the funds will be used. Upon acceptance of an application, a written agreement will then be drafted and executed with the local agency that will certify that the local agency will comply with all of the applicable rules and regulations of the RSTP Exchange program.

After execution of the agreement and after costs have been incurred, the local agency may submit to the Commission a reimbursement claim for the RSTP Exchange funds. Once the claim is approved, the Fiscal Supervisor will submit a claim to the Madera County Auditor-Controller for payment to the local agency.