

Memorandum of Understanding

Comprehensive Transportation Planning for RTPAs that receive Rural Planning Assistance Funding

This Memorandum of Understanding (MOU), effective _____, 2012, is entered into by the State of California acting through its Department of Transportation, herein referred to as Caltrans, and **Tehama County Transportation Commission**, herein referred to as TCTC, established as the Regional Transportation Planning Agency (RTPA) for the County of Tehama and the incorporated cities of Corning, Red Bluff and Tehama, pursuant to Section 29532 of the California Government Code, and establishes a general transportation planning and programming process codifying the responsibilities of TCTC and Caltrans.

Chapter 1: Recitals

1.1 Basis for Organization

TCTC is a local transportation commission created pursuant to Title 3, Division 3, Chapter 2 of the State of California Government Code, Section 29535.

1.2 Ability to Contract and Receive Grants

TCTC is empowered to make and enter into contracts in its own name and to accept grants, gifts, donations, and other monies to carry out its statutory purposes and functions

1.3 Planning Area Boundaries

For purposes of meeting the requirements of Government Code 65080 et seq., the boundaries of the RTPA include the county of Tehama. Tehama County is also a member of the North State Super Region (NSSR). The 16 county alliance came together to identify common transportation, growth, and land use issues, and formulate unified strategies that can be advocated to implementing agencies and the public.

Chapter 2: Planning

2.1 Provision for the Planning and Programming Process

TCTC is recognized as the agency responsible for comprehensive regional transportation planning, pursuant to State law, for the county and incorporated cities included in the RTPA planning area. This responsibility includes, on a regional basis: providing a forum for regional transportation issues, developing and adopting goals and objectives, performing intermodal corridor and sub-area studies, providing policy guidance, allocating State and Federal transportation funds in accordance with applicable regulations and laws, assuring prioritization of proposed transportation improvements to be funded with State and Federal funds as required by applicable regulations, complying with the California Environmental Quality Act (CEQA), and coordinating the Regional Transportation Plan (RTP) with other plans and programs as appropriate. The parties above hereby express their joint intent to mutually carry out the above described

transportation planning process for this RTPA planning area in a manner which will assure full compliance with the laws referenced in this MOU, the RTP Guidelines, the Caltrans Regional Planning Handbook, and the planning constraints of the United States Department of Transportation, where applicable.

2.2 State Requirement for a Transportation Plan

In accordance with the schedule and rules specified in California Government Code Sections 65080 et seq. and the California Transportation Commission (CTC) Regional Transportation Plan (RTP) Guidelines, TCTC shall prepare, adopt, and submit a RTP.

2.3 Overall Work Program

TCTC will prepare, adopt, and submit to Caltrans an annual Overall Work Program (OWP) in accordance with the Caltrans Regional Planning Handbook. The purpose of the OWP is to serve as a work plan to guide and manage the work of TCTC, identify transportation planning activities and products occurring in the region and to act as the basis for the TCTC budget for Rural Planning Assistance and, if applicable, other State and Federal planning funds. The Overall Work Program Agreement (OWPA) will serve as the general agreement by which State and Federal planning funds will be transferred to TCTC. The draft OWP and any amendments thereto will be subject to review and approval by the funding agencies. The OWP will also include all regional transportation planning and research activities conducted in the region, regardless of funding source.

2.4 Statewide Transportation Planning

In accordance with CA Government Code 65070 et al and 23 Code of Federal Regulations 450 Subpart B, Caltrans is responsible for the development of the multi-modal California Transportation Plan (CTP), which must explain how Caltrans plans to address statewide mobility needs over at least a twenty year period. Caltrans will provide for a coordinated process to prepare the CTP that includes the mutual sharing of plans, data, and data analysis tools and results. TCTC will engage in CTP development to help guide the direction of the State's long-range transportation planning process and help identify the best use of funds intended for interregional travel needs.

Chapter 3: Programming

3.1 Regional Transportation Improvement Plan (RTIP)

TCTC shall prepare, adopt and submit a five-year Regional Transportation Improvement Program to the CTC on or before December 15 of each odd-numbered year, updated every two years, pursuant to Sections 65080 and 65080.5 of the California Government Code and in accordance with the State Transportation Improvement Program (STIP) guidelines prepared by the CTC.

3.2 Federal Statewide Transportation Improvement Program (FSTIP) Development

Caltrans shall develop the FSTIP in accordance with the requirements of 23 CFR 450.200 et al for all areas of the State. The FSTIP shall cover a period of no less than four years and be updated at least every four years, or more frequently if Caltrans elects a more frequent update cycle.

3.3 Caltrans Role in Providing a Five-Year Funding Estimate

In compliance with CA Government Code Section 14524, Caltrans will, by July 15 of odd-numbered years, submit an estimate of all federal and state funds reasonably expected to be available during the following five fiscal years. The estimate shall specify the amount that may be programmed in each county for regional improvement programs and shall identify any statutory restriction on the use of particular funds.

3.4 Review of State Highway Operations and Protection Program (SHOPP)

Under California Government Code 14526.5, Caltrans is required to prepare a SHOPP, for the expenditure of transportation funds for major capitol improvements relative to maintenance, safety, and rehabilitation of state highways and bridges that do not add a new traffic lane to the system. The program covers a four-year horizon, starting with projects beginning July 1 of the year following the year in which the SHOPP is submitted. The SHOPP must be submitted to the CTC no later than January 31 of even numbered years, and is adopted separately from the State Transportation Improvement Program (STIP). Prior to submitting the program, Caltrans shall make a draft of its proposed SHOPP available to TCTC for review and comment and shall include the comments in its submittal to the commission.

Chapter 4: Partnership/Coordination

4.1 State Role and Responsibilities

Caltrans has a continuing duty of planning transportation systems of statewide significance, identifying potential transportation issues and concerns of overriding State interest, and recognizing conflicts in regional transportation improvement programs. In carrying out its duties, Caltrans will work in partnership with TCTC relative to activities within its transportation planning area and include TCTC in its dealings with cities, counties, public transit operators, rail operators, and airports. TCTC and Caltrans will mutually carry out the transportation planning process for this transportation planning area in a manner that will assure full compliance with the laws referenced herein and assure cooperation between all participants.

4.2 Public Participation

The RTPA planning process will be conducted in an open manner so members of the public, civic groups, interest groups, non-federally recognized Native American tribes, businesses and industries, and other agencies can fully participate. Public participation procedures shall be documented, periodically revised, and their effectiveness regularly

evaluated. TCTC should take appropriate actions to ensure public participation through such formal means as:

(a) Posting of public hearing agendas, (b) appointment of eligible citizen members, where appropriate and allowed, to serve as committee members, (c) innovative outreach efforts targeting particularly the traditionally underserved public (i.e. minorities, senior citizens, and low income citizens), and (d) creation of standing advisory committees. Those committees not composed entirely of citizen members shall post public hearing agendas in accordance with the Brown Act (California Government Code section 54950), when applicable, and all committees shall operate according to their adopted bylaws.

4.3 Cooperation and Coordination

As necessary, the planning process employed by TCTC will provide for the cooperation of, and coordination with, public transit and paratransit operators, public airport operators, local public works and planning departments, air pollution control districts, passenger and freight rail operators, seaports, neighboring RTPAs, State and Federal agencies, as appropriate, and Caltrans. TCTC will coordinate with Caltrans' District, TCTC's Air Pollution Control District, and other affected agencies within the same air basin to develop consistency in travel demand modeling, transportation air emission modeling, and other interregional issues related to the development of plans.

4.4 Consultation with Native American Tribal Governments

In accordance with State and Federal policies, TCTC will consult with all federally recognized Native American tribal governments within or contiguous to TCTC boundaries in the development of State and Federal transportation plans, programs, and projects, and related studies and environmental assessments.

4.5 Air Quality

TCTC will participate in interagency consultation under the Federal Clean Air Act (42 USC 7506(c)) and U.S. EPA's Transportation Conformity regulations (40 CFR 93) when required by the Caltrans' District for consideration of a regionally significant project in an isolated rural nonattainment or maintenance area (40 CFR 93.109(n)).

4.6 Caltrans and RTPA roles in Coordination of System Planning

Caltrans utilizes Transportation System and Freight Planning documents as a source for nominating capital and operational projects for inclusion and funding in the RTPA produced RTP and RTIP. In conducting its Transportation System and Freight Planning Program, Caltrans will coordinate its studies with those being conducted by TCTC, and in the development and priority of System and Freight Planning products, TCTC will provide substantive response and input, where appropriate.

4.7 Public Transportation Provider's Role in OWP

TCTC will provide publicly owned transportation service providers with timely notice of plans, programs and studies and the full opportunity to participate in and comment on OWP development and implementation.

4.8 Public Transportation Provider's Role in RTP and TIP

TCTC will give public transportation service providers the opportunity to propose priority order for projects to be listed in a fiscally constrained TIP and to actively participate in the development of the RTP.

Chapter 5: Environmental Protection and Streamlining Coordination

5.1 Environmental Protection and Streamlining

TCTC will be an equal partner with the Caltrans to promote environmental stewardship in planning and programming projects for California's transportation systems. TCTC and Caltrans will work to streamline the environmental review process to expedite the development of transportation projects. TCTC and Caltrans agree to comply with all applicable environmental laws, regulations, and policies and cooperatively address any informational needs associated with such statutes. TCTC will consult with Federal and State resource agencies to seek their input, coordinate environmental protection issues with its constituents and any other entities for which it has assumed planning and programming responsibilities, and resolve any disputes using the processes defined in the most current federal regulations. Caltrans will assist TCTC in developing its plans and programs by making available existing resources to TCTC, participating in appropriate planning activities and, wherever possible, improving the available environmental data.

Chapter 6: Certification Process

6.1 Certification Process

For purposes of certification, TCTC will establish a process that includes the following:

- (a) Fully executed copies of the State Transportation Planning Process Certification and, if receiving federal planning funding, FHWA and FTA Certifications and Assurances and debarment and suspension as part of the final adopted and approved OWP.
- (b) TCTC will provide Caltrans with documentation (e.g. quarterly reports, public notices, finished work element products, etc.) to support TCTCs planning process.

Chapter 7: General Provisions

7.1 Review

This MOU has been reviewed and endorsed by both parties to assure its continued effectiveness. Any proposed amendments shall be submitted in writing for the consideration of both parties.

7.2 Amendment

This MOU constitutes an expression of desire and means of accomplishing the general requirements for a comprehensive transportation planning process for TCTC. It may be modified, altered, revised, or expanded as deemed appropriate to that end by written agreement of both parties.

7.3 Rescission of Prior Agreements

This MOU supersedes any existing MOU designed to serve as a statement of the transportation planning relationship between Caltrans and TCTC.

7.4 Monitoring

TCTC and Caltrans jointly agree to meet periodically to address and review issues of consistency with this MOU. Meetings will be held as often as is agreed. Other issues and activities of mutual interest or concern may also be addressed. During the term of this MOU, TCTC and Caltrans agree to notify the other of events that have a significant impact upon the MOU.

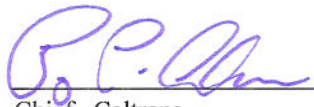
7.5 Termination

Either party may terminate this understanding upon written notice provided at least ninety days prior to the effective date of termination and specifying that effective date.

IN WITNESS WHEREOF the parties hereto have caused this Memorandum of Understanding to be executed by their respective officers duly authorized.


Executive Director, TCTC
Gary Antone, P.E., P.L.S.

4/24/12
DATE


Chief, Caltrans
Division of Transportation Planning

9/7/12
DATE