



U.S. DEPARTMENT OF TRANSPORTATION

Joint Certification Review of the
San Francisco Bay Area
Metropolitan Transportation Planning Process

Final Report

prepared by the

Federal Highway Administration
and
Federal Transit Administration

October 2003

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FORWARD

Pursuant to 23 U.S.C. 134(i)(5) and 49 U.S.C. 1607, the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) must jointly certify the metropolitan transportation planning process in Transportation Management Areas (TMA) at least every three years. A TMA is an urbanized area, as defined by the U.S. Census, with a population of over 200,000. In general, the reviews consist of three primary activities: a site visit, a review of planning products (in advance of and during the site visit), and preparation of a report that summarizes the review and offers findings. The reviews focus on compliance with federal regulations, challenges, successes, and experiences of the cooperative relationship among the metropolitan planning organization (MPO), the state department of transportation, and the transit operators in the conduct of the metropolitan transportation planning process. Joint FHWA and FTA certification review guidelines provide agency field reviewers with latitude and flexibility to tailor the review to reflect local issues and needs. Consequently, the scope and depth of the certification review reports may vary significantly.

The certification review process is only one of several methods used to assess the quality of a local metropolitan transportation planning process, compliance with applicable statutes and regulations, and the level and type of technical assistance needed to enhance the effectiveness of the planning process. Other activities that provide opportunities for assessing the quality of the planning process include the Unified Planning Work Program (or Overall Work Program, as it is referred to in California) review and approval; metropolitan transportation plan reviews; metropolitan and statewide transportation improvement program findings; air quality conformity determinations (in non-attainment and maintenance areas); and a range of other formal and less formal involvement by both FHWA and FTA. The results of these other processes are considered in the certification review process.

While the certification review report itself may not fully document those many intermediate and ongoing checkpoints, the final action is based upon the cumulative findings of the entire review effort.

The review process is tailored to focus on topics of significance in each metropolitan planning area. Federal reviewers prepare certification reports to document the results of the review process. The reports and final actions are the joint responsibility of the appropriate FHWA and FTA field offices. The content will vary to reflect the planning process reviewed, whether or not they relate explicitly to formal findings of the review.

EXECUTIVE SUMMARY

This report documents the certification review conducted in 2003 by the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) of the San Francisco Bay Area metropolitan transportation planning process carried out by the Metropolitan Transportation Commission (MTC), the area's designated metropolitan planning organization (MPO). The Transportation Equity Act for the 21 Century (TEA-21) requires FHWA and FTA to jointly review and evaluate the metropolitan transportation process in all urbanized areas of more than 200,000 in population, referred to as transportation management areas (TMAs), no less than once every three years. The last certification review and report for this area were completed in 2000.

The federal review team, consisting of FHWA and FTA staff, conducted an advance desk review, a site visit, a public listening session and interviews with transit operators and locally elected officials as part of the review process. The site visit took place July 8-10, 2003, at the MPO's offices. The public listening session was held on Tuesday, July 8, 2003, from 5:00 p.m. to 8:00 p.m. at the Joseph P. Bort MetroCenter, 1st floor auditorium, 101 8th Street, across from the Lake Merritt BART station, in Oakland, CA. The interviews were held in conjunction with the site visit on July 9, 2003.

The review focused on the following topics: MPO organizational structure and board membership; planning agreements and coordination elements; Regional Transportation Plan (RTP) process and elements, including the TEA-21 planning factors; financial planning and fiscal constraint; transportation improvement program (TIP) process and elements; air quality; congestion management systems; freight and goods movement; overall work program (OWP); program delivery and project monitoring; and, public involvement process, Title VI, and environmental justice.

The review team findings include some notable strengths, several recommendations for improvement and no corrective actions.

Notable strengths of the MPO include its:

- Project delivery and monitoring process,
- Management of the TIP, and
- Efforts to improve the public involvement process as exemplified by the recent Transportation 2030 Summit.

The review team offers the MPO the following recommendations for improvement:

- Enhance the project descriptions found in the RTP and highlight the link between the Project Notebook and the RTP;
- Reduce or simplify the funding categories included in TIP amendments;
- Document the public involvement process for TIP amendments and its relationship to the interagency consultation process;
- Work with the California Air Resources Board (CARB), the Bay Area Air Quality Management District (BAAQMD), and the Environmental Protection Agency (EPA) to have the revised San Francisco Bay Area conformity procedures approved by EPA;

- Continue to pursue a transportation control measure (TCM) substitution process in order to streamline the transportation conformity process;
- Revisit and update, if necessary, the air quality memorandum of understanding (MOU) with the Sacramento Council of Governments (SACOG);
- Improve documentation showing that projects that increase the carrying capacity of single occupant vehicles result from the congestion management system;
- Consider taking additional steps to enhance the cost estimate procedures to ensure that fiscal constraint considerations are adequately evaluated in the regional transportation planning process, particularly for major capacity and service enhancement projects;
- Investigate the feasibility of rotating the MTC board meetings throughout the region and implement if found feasible;
- Enhance the evaluation of the public involvement process by measuring its effectiveness in reaching out to and considering the needs of traditionally underserved groups such as low-income and minority households;
- Finalize the Title VI complaint procedures; and,
- Work with the Port of Oakland in analyzing the impacts of the anticipated doubling of container movements by 2020 and incorporate these impacts into the environmental justice analysis for the RTP.

Based on FHWA and FTA's interaction with the MPO as oversight agencies and planning partners, the information received during the review, and our current understanding of the transportation planning process in the San Francisco Bay area, FHWA and FTA jointly certify that the process meets the requirements of 23 CFR 450 and 49 CFR 613. This certification is valid for three years from the date of this report.

INTRODUCTION

The Transportation Equity Act for the 21 Century (TEA-21) requires the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) to jointly review and evaluate the metropolitan transportation planning process in all urbanized areas of more than 200,000 in population, referred to as transportation management areas (TMAs). This joint certification review process is to take place no less than once every three years. The last certification and report for the area were completed in 2000.

This report documents FHWA and FTA's 2003 certification review of the San Francisco Bay Area metropolitan transportation planning process as carried out by the Metropolitan Transportation Commission (MTC), the area's metropolitan planning organization (MPO). It consists of the following sections: Review Process Summary; Overview of the MPO and the Area; General Review Discussion; Review Findings; Summary of Previous Review Findings; and Conclusion and the Federal Action.

REVIEW PROCESS SUMMARY

This section provides an overview of the major review components: the desk review, site visit, public listening session and interviews with several locally elected officials and transit operators. These components are discussed in greater detail below. Also in this section is a list of the federal review team members, a general overview of the review participants, a summary of the public involvement techniques used to notify and solicit input from the public, and the themes identified from the comments received through all of the public input methods.

Desk Review

Prior to the site visit, the federal review team conducted an internal review of the files and documentation pertaining to the area's transportation planning process. A review guide prepared by MTC staff was also instrumental in facilitating the desk review. This guide consisted of questions on a wide range of planning topics to which MTC staff was asked to respond to prior to the scheduled site visit. The review team formulated additional questions based on the responses provided in the review guide and on information found in the MPO's planning documents. The subsequent site visit discussions focused primarily on these follow up questions.

Site Visit

The federal review team traveled to Oakland, California, for a site visit with the MPO and its transportation planning partners. The site visit took place July 8-10, 2003, at the MPO's offices.

Detailed discussions were held on the following topics: MPO organizational structure and board membership; planning agreements and coordination elements; Regional Transportation Plan (RTP) process and elements, including the TEA-21 planning factors; financial planning and fiscal constraint; transportation improvement program (TIP) process and elements; air quality; congestion management systems; freight and goods movement; overall work program; program delivery and project monitoring; and, public involvement process, Title VI, and environmental justice.

Each topic discussion began with a brief, five-minute overview by MTC staff. The review team then followed with supplementary questions and requests for clarification or additional information on each topic.

Public Listening Session

The review team, with the assistance of MTC staff, conducted a public listening session on Tuesday, July 8, 2003, from 5:00 p.m. to 8:00 p.m. at the Joseph P. Bort MetroCenter 1st floor auditorium, 101 8th Street, Oakland, CA. The public was given the opportunity to provide oral or written comments during the session. Oral comments were limited to five minutes in order to provide everyone wishing to speak the opportunity to do so. Comment sheets were also provided for those wishing to provide written comments.

Interviews with Transit Operators and Locally Elected Officials

The opportunity to meet with transit operators and locally elected officials is an integral part of the planning certification review process. The intent is to conduct candid and informal discussions to ensure that the planning process is addressing local needs. To this end, the federal review team interviewed several individuals during the afternoon of July 9, 2003. Appendix A lists the individuals we interviewed.

Review Team and Participants

The federal review team consisted the following individuals:

- Ms. Sue Kiser, FHWA, California Division,
- Ms. Jean Mazur, FHWA, California Division,
- Ms. Mayela Sosa, FHWA, California Division,
- Mr. Lance Yokota, FHWA, California Division,
- Mr. Steve Moler, FHWA, Resource Center at San Francisco,
- Mr. Robert O'Loughlin, FHWA, Resource Center at San Francisco,
- Mr. Ted Matley, FTA, Region Nine,
- Mr. Ray Sukys, FTA, Region Nine, and
- Ms. Donna Turchie, FTA, Region Nine.

Staff from MTC, the California Department of Transportation's (Caltrans) Headquarters and District 4, the Bay Area Air Quality Management District and U.S. Environmental Protection Agency took part in the discussions held during the site visit. The complete list of individual participants is included as Appendix B.

Public Involvement Efforts

In addition to the public listening session, the review team, with the help of MTC staff, undertook other public involvement efforts designed both to provide the public notice of the review and solicit their input. Among the efforts undertaken were listings in local newspaper community calendars, articles in local newspapers and MTC's newsletter *Transactions*, postings on MTC and FHWA's websites, and electronic mail notices. We also established a unique electronic mail address to receive comments (mtc.review@fhwa.dot.gov).

Written comments from the public sent via electronic and regular mail were accepted from early June through August 8, 2003. As previously noted, oral comments were taken during the public listening session.

These efforts contributed to having 26 people attend the public listening session, of which 18 provided oral comments. In total, 60 people provided relevant oral or written comments. A list of the people that provided comments, either in oral or written form, is included as Appendix C. A few comments were submitted without a name being provided, so these are not accounted for in the list.

Themes Identified through the Public Involvement Process

Several broad themes that directly address the overall transportation planning process in the region emerged from the comments received during the interviews and the public listening session, and from those submitted in writing. We received numerous comments that did not directly speak to the overall planning process, but rather to specific projects or local decisions. For this reason, we shared all of the written comments with MTC for its information. The broad themes relating to the planning process are presented here under general, public involvement, land use, MTC board composition, communication and coordination, financial planning, and equity. The comments presented here do not represent the opinions of the review team, but instead represent a summary of what the team heard from the public.

General

Many positive comments were made on MTC's improvements since and in response to the last certification review and about MTC's staff and their work on planning studies and on committees.

Public Involvement

Many commenters noted the improvement of the public involvement process since the time of the last certification review, but also suggested that additional improvement was necessary. Other commenters suggested that MTC efforts to engage stakeholders and include the public were already broad, inclusive, and successful, and represented a strong effort by MTC staff to involve and build consensus among diverse groups. Recent public involvement efforts related to the regional plan update received many favorable comments.

Comments were made regarding a lack of effective public involvement by MTC, especially the perceived inability of the public to reach and influence decision makers. One commenter suggested that MTC's assessment of public involvement practices was a token effort that ignored involvement by members of the public. Other commenters felt that MTC public outreach efforts did not include a real cross section of the public or of transportation interests, but was dominated by certain groups and modal operators.

Commenters suggested that MTC needs to perform more effective oversight and gain more feedback from member agencies on issues relevant to the MPO. Others commented that MTC effectively communicates policy development issues to elected officials.

Commenters also suggested that MTC's website could be improved, and that it is not accessible to all citizens. It was suggested that MTC staff does not adequately distribute information prior to meetings or provides it in a format that is not easily accessible or understandable. It was also suggested that MTC staff should spend more time educating and communicating with the public on issues rather than focusing on administrative procedures.

Commenters suggested that MTC does not spend enough time examining the transportation needs of pedestrians or bicyclists or considering access for these groups when conducting public outreach.

Land Use

Favorable comments were made on MTC's efforts to support "Smart Growth" initiatives and transit oriented development in the region.

Commenters suggested that regional land use planning issues were not adequately addressed in MTC regional plans and other planning efforts. Commenters suggested that MTC could take many actions to communicate and coordinate with local land use agencies and could use incentives to improve regional land use and transportation planning coordination.

MTC Board Composition

Comments were made about the make up of the MTC board, suggesting that the board makeup resulted in a staff focus on local projects without appropriate evaluation of the merits of projects. One commenter suggested that MTC should be divided into several agencies serving smaller regions to allow the board members to more effectively evaluate transportation issues. Other commenters suggested that representation on the board for transit agencies in the region was necessary.

Communication and Coordination

Comments noted that the planning process was very successful and based on a bottom-up approach using extensive communication to identify both local and regional priorities. Other commenters noted that MTC has been a leader in promoting innovative projects and programs to support the region. Others commented favorably on MTC's work with local officials on projects, and work to ensure fair representation of the views of local governments not currently on the MTC Board. Other commenters noted the particular value of MTC's work to assist local transit agencies to address funding issues, and their support for planning of other local agency transportation modes.

Several commenters expressed the view that MTC merely brokers a political process instead of conducting a regional planning process. It was suggested that the call-for-projects approach is inconsistent with good regional planning practices, that real alternative planning scenarios or project alternatives are not considered, and that there is no articulated set of goals or vision for guiding the planning process. The perceived failure to present other alternatives in the planning or project evaluation process was particularly noted, and it was also suggested that the staff does not consider alternative methods of financial analysis.

Commenters suggested that MTC should put more resources towards promoting coordination and communication among transit operators in the region. Commenters stated that MTC had the capability to serve successfully in this role if undertaken. Other commenters noted that MTC failed to coordinate a seamless transit system for the region.

Commenters suggested that MTC needs to remember that one model does not fit all and that the needs of each individual transit operator are different, just as the funding needs in the large urban areas differ from those in the small urban areas. It was noted that the MTC region is unique in the state because it requires so many counties to work closely together.

Financial Planning

MTC was praised for its management of the TIP and for its ability to deal with funding shortfalls.

Several commenters suggested that the RTP is not fiscally constrained because of inaccurate cost and revenue estimates for major projects. Many commenters felt that the financing costs for New Starts transit projects were not accounted for in the RTP. Several actions were suggested to more accurately evaluate project costs and benefits. It was also suggested that MTC should serve to ensure that transit system expansions do not overwhelm the ability of transit operators to operate and maintain the system. Other commenters expressed that MTC does an excellent job of fiscal stewardship and equitably distributing financial resources throughout the region. Commenters also suggested that MTC provide more access to information on funding available to the region.

Many comments were also received noting that MTC did not fairly or adequately evaluate the cost effectiveness and performance of many projects, that more and better analytical methods of evaluating projects should be developed and applied, and that the appropriate technical capacity for MTC to evaluate projects was lacking.

Equity

Comments were made on the inadequacy of the process and methods by which equity and Title VI issues were evaluated by MTC, including the perceived failure to involve the public in developing analysis and methods in this area. Several commenters noted that the failure by MTC to adequately evaluate these issues lead to the endorsement of certain projects and services over lower cost alternatives, such as bus services, that would provide greater service to the low income and minority communities.

OVERVIEW OF THE MPO AND THE AREA

MTC is the transportation planning, coordinating and financing agency for the nine-county San Francisco Bay Area. Created by the state legislature in 1970 (California Government Code § 66500 et seq.), MTC functions as both the regional transportation planning agency—a state designation—and for federal purposes, as the region's MPO.

A 19-member panel sets MTC policies and serves as the decision-making body on transportation planning and programming issues. Fourteen members are appointed directly by local elected officials. Two members represent regional agencies—the Association of Bay Area Governments

and the Bay Conservation and Development Commission. Three non-voting members have been appointed to represent federal and state transportation agencies and the U.S. Department of Housing and Urban Development.

MTC serves a region with eight primary public transit systems, as well as numerous other local transit operators, which together carry an average weekday ridership of about 1.5 million. In addition, there are numerous specialized services for elderly and disabled travelers, some 18,000 miles of local streets and roads, 1,400 miles of highways, six public ports and five commercial airports. The region covers nine counties that include 100 cities. Over 6 million people reside within its 7,000 square miles.¹

GENERAL REVIEW DISCUSSION

As part of the certification review process, the team provided MTC staff with a review guide with questions to which they were asked to respond. The review team's evaluation of the responses to the review guide questions, review of pertinent documents, and our prior knowledge of the region, formed the basis for the discussions held during the site visit.

As previously mentioned, the review focused on the following topic areas: MPO organizational structure and board membership; planning agreements and coordination elements; RTP process and elements, including the TEA-21 planning factors; financial planning and fiscal constraint; TIP process and elements; air quality; congestion management systems; freight and goods movement; OWP; program delivery and project monitoring; and, public involvement process, Title VI, and environmental justice.

Unless the above listed topic is specifically discussed in the Review Findings section below, the review team found the MPO to be in compliance with the applicable laws, regulations, policies, procedures and guidance relating to the topic.

REVIEW FINDINGS

Besides providing MTC with several recommendations for improvement, the review team also recognizes the MPO for its exceptional work and efforts in certain areas as detailed under notable strengths. The team found no major deficiencies prompting the need for corrective actions.

The review team reached consensus on these findings after considering all the information that was gathered throughout the review process, including the comments we received from the public, transit operators and local officials, and each member's experience in dealing with the MPO.

Notable Strengths

Project Delivery And Monitoring Process

The team commends MTC for developing a project-monitoring database that tracks projects, monitors the obligation and allocation of funds, and is used to generate reports, and for establishing a regional policy that sets obligation deadlines and project substitution guidelines for

¹ Source: *About MTC* webpage: http://www.mtc.ca.gov/about_mtc/about.htm. Accessed July 31, 2003.

certain funding programs. These two items have clearly contributed to the timely delivery of projects.

Management of the TIP

The team recognizes MTC for its ability to effectively manage a highly complex and large transportation improvement program. MTC has a process that allows for working cooperatively with numerous project sponsors to program funds and deal with the recent funding shortfalls.

Improvements to the Public Involvement Process

MTC has made significant improvements to its public involvement process, which now includes grants to community based organizations in underrepresented communities to conduct outreach and host meetings, audio cast of full MTC board and standing committee meetings, and multifaceted means to encourage public input. MTC demonstrated its commitment to improve the process most recently by organizing and holding the Transportation 2030 Summit, which was designed to get early public input for the RTP update and was very well received. Even numerous critics of MTC commented on the improvements MTC has made to its public involvement process. We commend MTC for its accomplishments in this area and encourage it to continue improving the process.

Recommendations for Improvement

The team has several recommendations for improvement related to the RTP, TIP, air quality, fiscal constraint, public involvement, and Title VI and environmental justice.

RTP

As MTC works on updating the RTP, we recommend that it enhance the project descriptions contained in the RTP by including a clear design concept and scope for the planned improvement, along with the project's proposed completion date for air quality planning purposes. It is also helpful to have a clear description of the existing condition of the area, or what is currently on the ground, for each of the proposed improvements. We realize that some of this information is in the Project Notebook; however, even here the project descriptions could be improved in some cases. Additionally, we believe that the Project Notebook relationship to the RTP should be elevated and highlighted as integral component of the RTP, since it is often overlooked.

TIP

We recommend that MTC reduce or simplify the funding categories included in the TIP amendments in order to make it easier to identify proposed funding changes. For example, the different categories of Surface Transportation Program (STP) funding listed for an eligible project could be collapsed into one STP line item for each applicable year in the TIP cycle and a single line item for all previous STP funding used on the project. The same could be done for all other major funding categories used to fund a project so as to reduce the total number of line items. It would also be helpful for general public disclosure purposes and for the staff involved in the review and approval process, if the proposed change was somehow highlighted in the document, either as bold type or underlined, and if the description of the change was more specific.

Additionally, we recommend that MTC document the public involvement process for TIP amendments and address how this process relates to the interagency consultation process for conformity determinations. Having this documentation is important in and of itself, but it would also be useful as a reference for new staff members from all of the partner agencies involved in the TIP amendment review and approval process. A clear, documented process will assist in ensuring that TIP amendments are processed in a timely manner.

Air Quality

MTC adopted a conformity State Implementation Plan (SIP), including interagency consultation procedures and conformity procedures, in October 1994. The conformity procedures contained in the conformity SIP reflected the federal transportation conformity rule procedures promulgated by EPA in November 1993. MTC revised the conformity procedures contained in the conformity SIP in October 1996. EPA subsequently approved the conformity procedures in the original conformity SIP and as revised. In 1998, MTC again revised the conformity procedures to reflect changes to the federal transportation conformity rule promulgated by EPA in August 1997. However, EPA has never approved these revisions. Therefore, we recommend that MTC work with BAAQMD and CARB to have the updated procedures approved into the conformity SIP.

MTC has been developing, through the interagency consultation process, a TCM substitution mechanism. The mechanism would allow for the replacement of a TCM in an approved SIP without having to conduct a SIP revision and EPA rulemaking. Due to the longevity of TCMs and their potential for affecting the implementation of transportation projects in a nonattainment/maintenance area, we recommend that MTC continue to pursue a TCM substitution mechanism. FHWA and FTA will work closely with MTC to develop a process that allows for flexibility in replacing obsolete TCMs while ensuring the integrity of the transportation and air quality planning processes.

In 1994, MTC and the Sacramento Area Council of Governments (SACOG) signed an MOU to coordinate conformity determinations (and Congestion Mitigation and Air Quality funding) in the eastern portion of Solano County. The eastern portion of Solano County is in the San Francisco Bay Area metropolitan planning area, but in the Sacramento Air Basin. We recommend that MTC and SACOG review the MOU and update it as appropriate. MTC and SACOG should consider adding information pertaining to a conformity lapse situation and more specific information regarding the implementation of new projects in the overlapping area.

Lastly, nonattainment TMAs such as MTC may not program funds for projects that will result in a significant increase in carrying capacity for single occupant vehicles unless the projects resulted from the congestion management system. While we consider that MTC is meeting this requirement, we believe that the documentation relating to it could be improved. Therefore, we recommend that MTC document this process more explicitly for applicable projects.

Fiscal Constraint

While neither FHWA or FTA have issued specific guidance on fiscal constraint, the issue is of great concern to us and is one that is receiving more attention all the time, particularly the cost estimating practices associated with it. Because we believe it's important for MPOs to develop

and use sound cost estimating practices that will limit large and significant changes in the cost estimates for major projects, we recommend that MTC consider taking additional steps to enhance its cost estimate procedures to ensure that fiscal constraint considerations are correctly evaluated in the regional transportation planning process. These efforts should be limited to a small set of major capacity and service enhancement projects. For example, MTC could consider the taking the following actions:

- Developing a risk assessment effort that identifies and documents the potential for certain factors to create alterations in cost estimates. For example, a high, medium, or low score could be applied to areas such as costs of mitigation, difficulties in clearing NEPA requirements, potential legal challenges, delays in funding, and others, based on an evaluation of the potential for cost alterations to be generated in these areas. While it is impossible to predict the future, it may be possible to identify areas where there exists a greater potential for significant cost alterations to occur.
- Reviewing contingency rates used on major projects, and consider increasing contingency rates for projects where a significant number of factors exist that could result in significant changes in absolute, not just percentage, project costs.
- Drawing on the expertise of the MTC staff, member agencies, and federal agencies to create a special interagency process to examine cost estimates of major projects. This can develop an interagency consensus and knowledge base on project costs at an early stage, and ensure that all stakeholders have an understanding of the risk areas involved as a project advances.
- Reviewing and revising, as necessary, the existing analysis methods to determine if the ability of organizations to absorb additional operating and maintenance costs is fairly and accurately evaluated.
- Establishing additional written criteria and guidance for project sponsors to use in developing comprehensive financial plans and cost estimates for major projects.
- Reviewing past examples of major project cost increases, identifying factors that contributed to the unanticipated costs, and evaluating the methods used to create estimates in these cases to determine why the additional costs were not identified. This information could then be used in the assessment of the cost increase risk of similar types of projects and cost estimate approaches.

Public Involvement

Based on the public comments we received, we recommend that MTC investigate the feasibility of rotating the MTC board meetings throughout the region and do so, if it's found feasible. We understand that MTC already holds one meeting per year at an alternate location and we believe that doing this more often would benefit members of the public that live in the region, but find it difficult to attend meetings held in Oakland.

We also recommend that MTC enhance its evaluation of the public involvement process by taking steps to measure its effectiveness in reaching out to and considering the needs of traditionally underserved groups such as low-income and minority households.

Title VI and Environmental Justice

We encourage MTC to continue to perform its equity analysis of the RTP investment alternatives by using a variety of performance measures to ensure that communities of concern share fairly in

the benefits of the transportation system and not bear a disproportionate share of the burdens of the transportation system. We also encourage MTC to diligently implement its strategy to improve government-to-government consultation with Native American tribes.

As for recommendations for improvement in this area, we offer two:

- We recommend that MTC finalize the Title VI complaint procedures that were in draft form at the time of the site visit as soon as possible.
- We recommend that MTC work with the Port of Oakland in analyzing the impacts of the anticipated doubling of container movements by 2020 and incorporate these impacts into the environmental justice analysis for the RTP update.

Corrective Actions

Having found no major deficiencies in the overall transportation planning process, the review team has no corrective actions.

SUMMARY OF PREVIOUS REVIEW FINDINGS

The previous review findings included several observations and recommendations, which are not repeated here. Those interested in these may obtain the full report by contacting FHWA or FTA. The previous review findings also included two corrective actions, both relating to the public involvement process. MTC undertook various efforts in response to the corrective actions leading to FHWA and FTA's determination of full compliance.

The first corrective action required MTC to conduct a review and evaluation of its regional transportation planning public involvement process for effectiveness in assuring that the process provides full and open access to all. MTC did so with the help of a consultant and subsequently adopted an action plan for improving the public involvement process. On December 4, 2001, FHWA and FTA determined that MTC had fully satisfied the corrective action citation concerning the evaluation.

The second corrective action required MTC to make a concerted effort to involve the public, especially those traditionally underserved by the existing transportation system, in its process of social equity analysis, including the development of performance criteria and subsequent evaluation. MTC did so by revising its approach to social equity analysis as described in *The Environmental Justice Report for the 2001 RTP*. On April 29, 2002, we determined that MTC had satisfactorily fulfilled this requirement.

CONCLUSION AND FEDERAL ACTION

The federal review team found the review to be very productive and we thank MTC and all of its partners for their cooperation. Based on our review and understanding of the transportation planning process in the San Francisco Bay Area, we have noted MTC's strengths and made several recommendations for improvements, while issuing no corrective actions.

In conclusion, FHWA and FTA hereby jointly certify that the metropolitan transportation planning process, as carried out by MTC, meets the requirements of 23 CFR 450 and 49 CFR 613. This certification is valid for three years from the date of this report.

APPENDIX A: INTERVIEWED TRANSIT OPERATORS AND LOCALLY ELECTED OFFICIALS

Name	Representing
Dennis R. Fay	Alameda County Congestion Management Agency
Jim Gleich	Alameda-Contra Costa Transit District
Kathleen Kelly	Alameda-Contra Costa Transit District
Patrisha Piras	Alameda-Contra Costa Transit District
Jean Roggenkamp	Bay Area Air Quality Management District
Joel C. Goldberg	Bay Area Rapid Transit District
Robert K. McCleary	Contra Costa Transportation Authority
Rick Ramacier	County Connection
Steve Kinsey	MTC Chair, Marin County Board of Supervisors
Richard J. Wiederhorn	Port of Oakland
Jose Luis Moscovich	San Francisco County Transportation Authority
Howard Goode	San Mateo County Transit District
James R. Lightbody	Santa Clara Valley Transportation Authority
John Ristow	Santa Clara Valley Transportation Authority
Dan Christians	Solano Transportation Authority
Daryl K. Halls	Solano Transportation Authority
Thomas G. Bertken	Water Transit Authority

APPENDIX B: REVIEW PARTICIPANTS

Name	Organization
Jean Roggenkamp	Bay Area Air Quality Management District
Doug Sibley	California Department of Transportation, District 4
Kome Ajise	California Department of Transportation, District 4
Stephen Yokoi	California Department of Transportation, District 4
Nieves X. Castro	California Department of Transportation, Headquarters
Sharon Scherzinger	California Department of Transportation, Headquarters
Jean Mazur	Federal Highway Administration
Joung Lee	Federal Highway Administration
K. Sue Kiser	Federal Highway Administration
Lance Yokota	Federal Highway Administration
Mayela Sosa	Federal Highway Administration
Robert O'Loughlin	Federal Highway Administration
Donna Turchie	Federal Transit Administration
Lorraine Lerman	Federal Transit Administration
Ray Sukys	Federal Transit Administration
Ted Matley	Federal Transit Administration
Ann Flemer	Metropolitan Transportation Commission
Chris Brittle	Metropolitan Transportation Commission
Dianne Steinhauer	Metropolitan Transportation Commission
Doug Kimsey	Metropolitan Transportation Commission
Lisa Klein	Metropolitan Transportation Commission
Nancy Okasaki	Metropolitan Transportation Commission
Raymond Odunlami	Metropolitan Transportation Commission
Ross McKeown	Metropolitan Transportation Commission
Sara MacKusick	Metropolitan Transportation Commission
Steve Heminger	Metropolitan Transportation Commission
Therese McMillan	Metropolitan Transportation Commission
Ginger Vagenas	U.S. Environmental Protection Agency

APPENDIX C: LIST OF COMMENTERS

Eva Alexis	Richard Napier
Jim Allison	Margaret Okuzumi
David Anderson	Wayne Phillips
Richard M. Betts	Patrishia Piras
Christopher Blair	Bob Planthold
Ted Brown	James D. Richardson
Gerald P. Cauthen	Norman Rolfe
Jill Clay	Michael F. Sarabia
Stuart Cohen	David Schonbrunn
Zakhary Cribari	Eduardo C. Serafin
Denise D'Anne	Andre L. Shumake, Jr.
Peggy Da Silva	Charles & Anne Smith
Anthony Davies	Charles L. Smith
Bruce De Benedictis	Don Steiger
Mary Donovan	Norm Stone
Kelly Doyle	Valerie Taylor
David R. Fadness	Ed Tennyson
Chris Ferrara	Ethan Veneklasen
Samuel R. Ganczaruk	Sharon Ventura
Liz Garcia	Pamela Wagner
Ron Gonzales	Matt Williams
Pedro Gonzalez	Kimberly Winston
Carl Guardino	
R. H.	
Michael T. Hardesty	
Stuart Heasman	
Michael Kiesling	
David B. Kutrosky	
Alan (Last Name Not Given)	
Linda (Last Name Not Given)	
Peter Loubal	
Peter Lydon	
John Maybury	
Peter Montgomery	
Roy Nakadegawa	