

# CAC COMMUNICATION: YOLO TRANSPORTATION DISTRICT

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<b>Topic:</b> Caltrans Cooperative Agreement Obligating INFRA Funds for Yolo 80 Managed Lanes Project	<b>Agenda Item#:</b>  <b>Agenda Type:</b>	<b>7</b> <b>Informational</b>
		<b>Attachments:</b> <input checked="" type="radio"/> <b>Yes</b> <input type="radio"/> <b>No</b>
<b>Prepared By: B. Abbanat / A. Bernstein</b>		<b>Meeting Date: May 7, 2024</b>

## RECOMMENDATION:

Recommend YoloTD Board authorize the Executive Director to execute a Cooperative Agreement with Caltrans District 3 to obligate the remaining \$82.9 million INFRA construction funds for the Yolo 80 Managed Lanes project.

## BACKGROUND:

Note: This staff report focuses on updating the CAC on project activities since the January 30<sup>th</sup> CAC meeting. Staff reports dating to the project's inception can be found on the YoloTD website:

Yolotd.org → Planning & Projects → Freeways & Roads

At the January meeting, staff shared with the CAC action the YoloTD Board took on the Yolo 80 Managed Lanes Project, including:

1. Approving the Joint Powers Authority (JPA) agreement with the Sacramento Area Council of Governments (SACOG) and the California Department of Transportation (Caltrans) establishing the Capitol Area Regional Tolling Authority (CARTA); and
2. Approving the resolution consenting to CARTA's submission of a Toll Facility Application to the California Transportation Commission (CTC) for Yolo 80 pursuant to Assembly Bill (AB) 194.

CAC feedback on the Yolo 80 Managed Lanes Project item centered on:

- Eligibility of toll funds for transit operations
- CARTA staffing
- Means by which the CAC can ensure their advice is heard by the CARTA Board moving forward
- Davis City Council and community members concern with the released draft EIR
- Possibility of extending FHWA deadline and effects of EIR lawsuit on obligating the awarded INFRA funds

### **Key Activities Since January CAC Meeting**

1. 2/15/2023 CARTA Board Meeting

CARTA was established via Board actions from the Sacramento Area Council of Governments (SACOG) and YoloTD at their respective January Board meetings. CARTA composition consists of five voting Board members, including one voting position for Caltrans District 3. CARTA is staffed in the interim by SACOG until the CARTA Board determines a more permanent organizational structure. At the first Board meeting on February 15<sup>th</sup>: CARTA took the following actions:

- Elected Chair / Vice Chair / Secretary (Oscar Villegas / Dr. Dawnté Early / James Corless)
- Adopted bylaws
- Approved 2024 CARTA meeting schedule
- Approved submittal of Yolo 80 Toll Facility Application on behalf of CARTA

2. *FHWA Approves Project Term Sheet*

The \$85.9 million project funding is administered by the Federal Highways Administration (FHWA). An FHWA requirement is an approved term sheet finalizing project scope, schedule, and budget assumptions along with any proposed scope of work changes. YoloTD and Caltrans have been coordinating with FHWA staff regarding our intent to change the scope of work from carpool lanes – which reflected the original grant application – to tolled managed lanes (High Occupancy Toll 3+). The project also needed FHWA approval to reduce the project’s lane miles (for Phase 1) due to the cost difference between carpool lanes and HOT 3+ lanes. In late February, the project team learned that FHWA approved the requested scope changes.

3. *TCEP Grant Resubmittal*

In early March, Caltrans District 3 submitted a revised grant application to the CTC’s Trade Corridors Enhancement Program (TCEP) to fully fund Phase 1 construction. The CTC has scheduled action on this funding request at their May meeting.

4. *Yolo 80 Managed Lanes Tolling Authority Application*

YoloTD, SACOG, Caltrans District 3, and consultants WSP coordinated to complete and submit the CARTA toll facility application to the CTC in mid-March.

5. *CTC Hosts CARTA Tolling Application Public Hearing*

Consistent with AB 194 requirements, the CTC Hosted a public hearing on April 9<sup>th</sup> in West Sacramento to receive a presentation from the CARTA team and public input.

6. *SACOG Hosts Interagency Consultation on Project-Level Air Quality Conformity*

On April 16<sup>th</sup>, SACOG hosted an interagency consultation meeting with Caltrans District 3, FHWA, EPA, and CARB to determine whether the Yolo 80 Managed Lanes project is a project of air quality concern. EPA and CARB, who have jurisdiction over the topic deferred on taking action and were expected to meet with Caltrans District 3 to address their comments.

**Caltrans Cooperative Agreement to Obligate INFRA Construction Funds**

Obligating the awarded INFRA construction funds is required by congressional statute to occur by September 30, 2024. As YoloTD is the recipient of these funds and Caltrans District 3 is the lead agency for design and construction, a cooperative agreement between YoloTD and Caltrans District 3 is needed for Caltrans to submit a Request for Authorization (RFA) to FHWA to obligate the INFRA funds. Submitting the RFA and receiving approval from FHWA are the final administrative steps prior to breaking ground, assuming May CTC approval of the CARTA tolling application and Caltrans TCEP funding approval which will fully fund the Phase 1 project. This is a significant project milestone and one for which a CAC recommendation and Board action is needed.

Staff recommends the CAC recommend to the Board the YoloTD Executive Direction execute a cooperative agreement with Caltrans District 3 to submit an RFA for the Yolo 80 Managed Lanes project and, as a result, fully obligate the project’s INFRA \$82.9 million construction funds.

Executing the RFA will enable the project to obligate the INFRA funds within the September 30, 2024 statutory requirement. Failure to execute the RFA and obligate funding will result in the loss of INFRA funds.

### Remaining Project-Related Activities

Several important topics remain to be addressed; however, they are either not directly related to the Yolo 80 Managed Lanes INFRA funding obligation or will need to be resolved later in the project schedule:

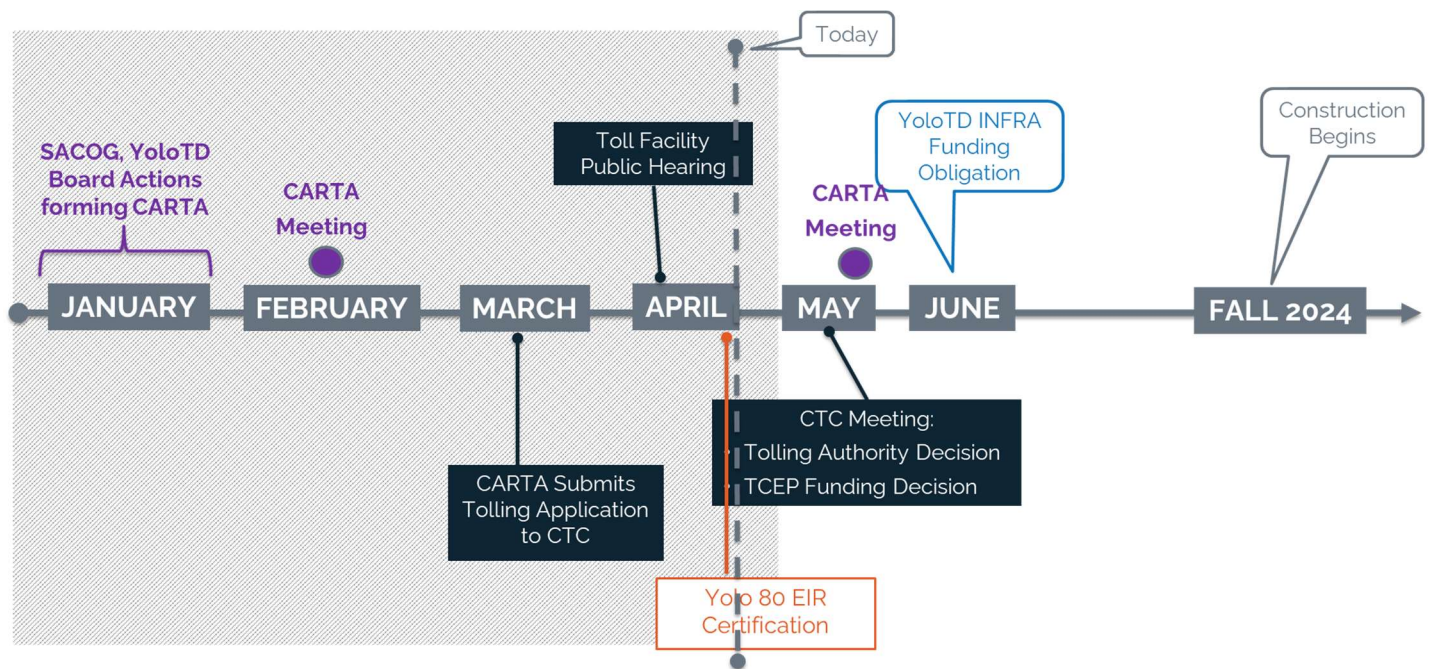
1. Final Environmental Impact Report Notice of Determination and VMT Mitigation Plan

CAC members expressed interest in the VMT Mitigation Plan presented at the January meeting. Caltrans continues to develop and refine this plan, which will accompany the Final EIR (FEIR). While the VMT Mitigation Plan is not publicly available in time for the CAC meeting, both of which will be available prior to the May YoloTD Board meeting.

2. Yolo 80 Managed Lanes Tolling Ordinance and Equity Plan

Several administrative aspects of the tolled managed lanes remain to be developed by CARTA, the facility’s managing agency. These include a tolling ordinance which establishes operational policies such as hours and days of operation, toll rates, occupancy requirements, etc. An equity plan also remains to be developed. These regionally significant policies will be led by CARTA over the next 12-18 months and implemented prior to the tolled lanes opening.

### Project Timeline



### BUDGET IMPACT:

No direct budget impacts accompany this action.