

Draft CALCOG Comments on Economic Stimulus

California is seeking a federal economic recovery program for transportation projects that:

1. Maximizes California's return from any federal program by advocating for the distribution formula that produces the most funding for the State.
2. Ensures that there is maximum flexibility allowed to the states to:
 - a. Select projects for funding within the scope of Titles 23 and 49 of US Code, and
 - b. Substitute projects as necessary to meet any use it or lose it requirements.
 - c. Select projects that are not in the current FTIP so long as the projects are in the MTP and the region will amend the FTIP within an appropriate time
 - d. Select projects that have or can comply with substantive state environmental laws such as CEQA without being held up due to NEPA
 - e. Minimizes federal review and approval with an agency assuming the risk that is in compliance with Davis Bacon, Civil Rights and other federal requirements in a manner similar to the FTA process for self certification without federal approval that holds up the project as long as the agency remains at risk for losing the funds if a violation is subsequently discovered
3. Includes some form of suballocation of funding to regions, for a portion of the total funds and which allows small regions which would not have any projects to swap these funds for state funds and with the state allowed to use those funds in other parts of the state.
4. Allows states to have discretion as to how much of their share of federal recovery funds is applied to any proposed project and that these funds may be used in addition to any federal funding previously programmed for the project.
5. Allows states to use recovery funds to sustain projects already under contract but are in jeopardy of breach because of impending state or local funding shortfalls provided that project proponents agree to a future "maintenance of effort" once state or local funding becomes available.