

MAP-21 Overview

Paula J. Hammond, P.E.
Secretary

Steve Reinmuth
Chief of Staff

Allison Camden
Federal Relations Manager

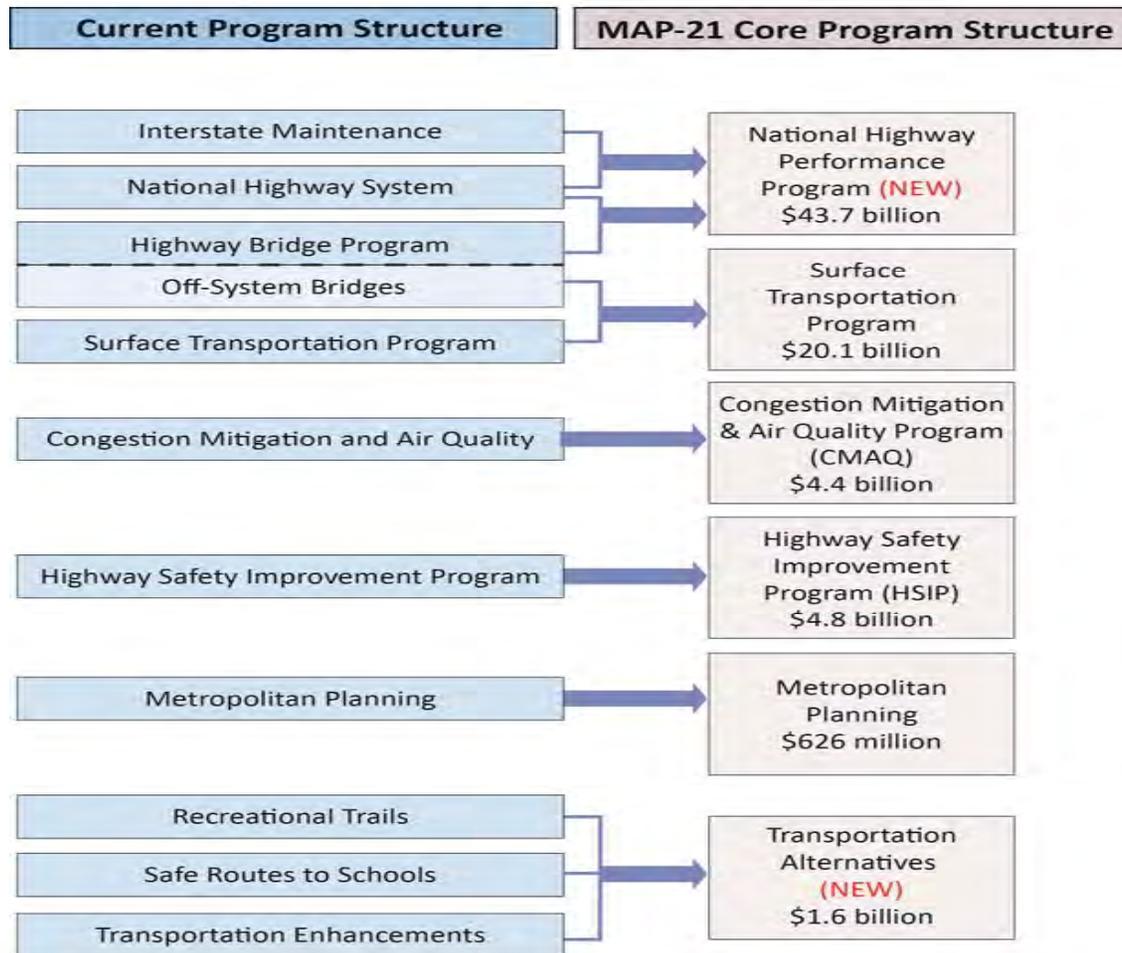
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Moving Ahead for Progress in the 21st Century Act (MAP-21)

- Provides \$105 billion over two years (through FFY14).
 - Extends current law through the end of FFY12 (September 30th).
 - Most new provisions go into effect on October 1st.
 - Federal gas tax extended through FFY16.
- Average annual funding at FFY12 levels, plus a minor inflationary increase.
- Ensures two years of solvency for Highway Trust Fund.
- Consolidates and eliminates programs.
 - Fewer formula programs, most discretionary programs eliminated, no earmarks.

Consolidated Highway Formula Programs

Consolidated Highway Program Structure



National Highway Performance Program

- \$380 million for Washington in FFY13.
- Consolidates the National Highway System (NHS), the Interstate Maintenance and part of the Highway Bridge programs.
- Requires an asset management plan. States set targets for conditions and performance.
- Federal funds must support progress towards the achievement of performance targets established in the asset management plan.
- Establishes minimum standards for Interstate and bridge conditions in a state.
 - USDOT to set minimum standard for Interstate pavement condition.
 - Sets standards for NHS bridges – no more than 10% of deck area may be structurally deficient.

Surface Transportation Program (STP)

- \$175 million for Washington in FFY13.
- Continued flexible funding for Federal-aid highways, plus a requirement that the equivalent of 15% of the FFY09 bridge apportionment be set-aside for bridges off the federal-aid system.
- Eliminates several stand-alone programs but makes them eligible uses of STP funding, including: transportation enhancements (TE), rec trails, ferry boats, consolidated border infrastructure, truck parking, and safe routes to schools.
 - 10% TE set-aside is eliminated.
- 50% of funds subject to sub-allocation based on population, the other 50% can be spent anywhere in the state.

Congestion Mitigation & Air Quality Improvement Program (CMAQ)

- \$35 million for Washington in FFY13.
- Provides funds to state and local governments for transportation projects and programs to help meet the requirements of the Clean Air Act. Funds are available for areas that do not meet National Air Ambient Quality Standards (non-attainment areas), as well as former non-attainment areas that are now in compliance (maintenance areas).
- Continues current program with some changes, including:
 - expanded authority to use funds for transit operations;
 - explicit support for installation of facilities serving electric or natural gas-fueled vehicles; and
 - puts in statute the ability to use CMAQ funding for passenger rail operating costs for up to three years.

Highway Safety Improvement Program

- \$42 million for Washington in FFY13.
- Doubles size of existing program and maintains current structure; adds requirement for regular update of the Strategic Highway Safety Plan (Target Zero).
- Keeps rail-highway grade crossing set-aside.
- Eliminates set-aside for high-risk rural roads, with a penalty if fatalities increase.
- USDOT to establish measures and states to set targets for number of injuries and fatalities (and number per VMT).

Transportation Alternatives

- \$12 million for Washington in FFY13.
- Incorporate eligibilities from many current programs.
 - Includes most, but not all, formerly TE-eligible activities.
 - Recreational Trails Program
 - Safe Routes to Schools Program
 - Planning, designing, or constructing roadways within the right-of-way of former Interstate or other divided highways
- Similar funding level to TE under SAFETEA-LU.
 - Total Transportation Alternatives funding equal to 2% of MAP-21 highway funding.
 - 50% sub-allocated to locals based on population; the other half may be obligated in any area of the state.
 - States may opt out of the Recreational Trails component of the program.

Ferry Boats and Terminals Program

- Turns the current competitive Ferry Boat Discretionary Program into a \$67 million a year nationwide formula program.
- Guarantees public ferry systems a particular amount of annual federal ferry funding for the length of the 2-year bill.
- Formula based 20% on passengers, 45% on vehicles, and 35% on route miles.
- FHWA has incomplete ferry data so ferry systems won't know how much they will receive or how it will be distributed for a few months.

Federal Lands and Tribal Transportation Programs

- The Federal Lands Transportation Program provides \$300 million annually for projects that improve access within Federal lands, such as national forests and national recreation areas, on infrastructure owned by the Federal government. This program combines the former Park Roads and Refuge Roads programs, and adds three new Federal land management agency partners.
- The Federal Lands Access Program provides \$250 million annually for projects that improve access to Federal lands on infrastructure owned by States and local governments. Replaces and expands the Forest Highways program; projects providing access to any Federal lands are eligible. Funds are distributed by formula
- The Tribal Transportation Program provides \$450 million annually for projects that improve access to and within Tribal lands. This program generally continues the existing Indian Reservation Roads program, while adding new set-asides for tribal bridge projects and tribal safety projects. A new statutory formula for distributing funds among tribes, based on tribal population, road mileage, and average funding under SAFETEA-LU, plus an equity provision, is to be phased in over a four year period.
- MAP-21 also authorizes \$30 million annually for a discretionary Tribal High Priority Projects Program. The funding will need to be appropriated from the General Fund.

Projects of National & Regional Significance (PNRS)

- Continues the PNRS Program by authorizing \$500 million in FFY13.
- The funding will need to be appropriated from the General Fund.
- Aimed at critical high-cost capital projects.
 - Competitive grants to states, tribes and transit agencies.
 - No earmarks (vs. fully earmarked under SAFETEA-LU).
- USDOT must compile a report that identifies and analyzes a comprehensive list of PNRS projects compiled via a survey of states.

TIFIA and Tolling Provisions

- Expanded and enhanced TIFIA loan program.
 - Annual funding increased from current level of \$122 million to \$750 million in FFY13 and \$1 billion in FFY14. (Lending capacity expanded from \$1 billion annually to \$10 billion annually).
 - Applications accepted on a rolling basis.
 - Increased TIFIA participation in project costs from 33% to 49%.
- Revisions to toll authorities.
 - Allows tolling/pricing of new capacity, including the Interstate (but generally requires current level of free capacity to remain unchanged).
 - Continues to allow tolling of bridges and tunnels on the Interstate if they are reconstructed.
 - Extends toll pilots for Value Pricing and Interstate Reconstruction.

Performance Management

- MAP-21 identifies national goal areas.
- USDOT establishes measures, with input (e.g. safety, system reliability, infrastructure condition, congestion reduction).
- States set targets.
- State and metro plans describe how the organization will use program and project selection to help achieve targets.
- States to report to USDOT on progress toward targets (within four years of enactment; biennially thereafter).
- Reports typically lead to corrective actions (not sanctions).
- Consequences if condition of NHS falls below thresholds.

Accelerating Project Delivery

- Makes reforms to accelerate project delivery, including:
 - USDOT is required to establish Categorical Exclusions for emergency replacement projects, projects located within the operational right-of-way, and projects with limited amount of federal funding.
 - Makes the five-state NEPA delegation pilot a permanent program and extends to all states. Expands to rail, transit and multimodal projects.
 - Resource agencies face financial penalties for failure to meet deadlines.
 - Statute of limitations for NEPA judicial challenges is reduced from 180 days to 150 days.

Freight Provisions

- National Freight Policy
 - Directs USDOT to establish a National Freight Network, including the Primary Freight Network, the remainder of the Interstate System and critical rural freight corridors.
 - National freight strategic plan.
 - Freight transportation conditions and performance reports.
- Prioritization of projects to improve freight movement.
 - For these projects, increases the federal share to 95% on the Interstate and 90% elsewhere.
 - USDOT must certify project improves efficiency of freight movement.
 - Projects must be identified in a state freight plan.
- State freight advisory committees & freight plans encouraged; plan required to qualify for increased federal share.

Transit

- Maintains federal transit programs at current levels with an inflationary adjustment in FFY14.
- Reduces the number of discretionary programs by consolidating a number of smaller programs, formularizing some and updating others.
 - Competitive Bus and Bus Facilities program turned into a formula program.
 - JARC, New Freedom and Elderly & Disabled programs are consolidated.
 - New State of Good Repair Program to be distributed by formula.
- Does not include operating assistance for transit agencies in areas over 200,000 population except for agencies that operate less than 100 buses.
- The Federal Transit Administration's New Starts program is funded at a slightly reduced level.
- Gives USDOT the authority to create a new National Safety Plan for all modes of public transportation, to set minimum safety performance standards for rolling stock and to establish a national safety certification training program for federal and state employees with safety audit and oversight responsibilities.

Planning

- The MPO threshold remains at 50,000 population.
- The metropolitan and statewide transportation planning processes are continued and enhanced to incorporate performance goals, measures, and targets into the process of identifying needed transportation improvements and project selection.
- Requirements for a long-range plan and a short-term transportation improvement plan (TIP) continue, with the long-range plan to incorporate performance plans required for specific programs.
- The long-range plan must describe the performance measures and targets used in assessing system performance and progress in achieving the performance targets. The TIP must also be developed to make progress toward established performance targets and include a description of the anticipated achievements.

Next Steps

- New programs and policy changes don't take effect until October 1st.
- USDOT will have to undertake many rulemakings to implement bill provisions; should provide some interim guidance.
- WSDOT staff analyzing bill section-by-section to determine impacts on the State and what implementation actions might need to be taken.
- MAP-21 expires September 30, 2014; Congress will need to start writing next bill in 2013 or early 2014.
- Long-term solvency of the Highway Trust Fund will need to be addressed.

Questions?

For more information on MAP-21, please contact:

Allison Camden, Federal Relations Manager
(360) 705-7507 or camdena@wsdot.wa.gov.