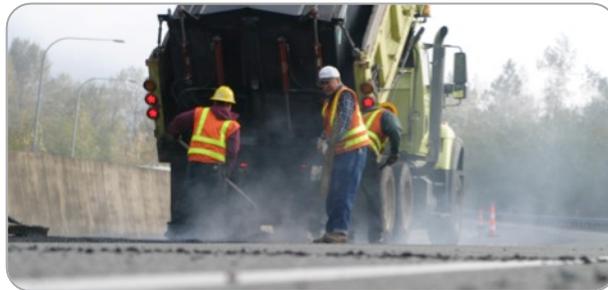


Tribal Transportation Facilities

Impact on FHWA Emergency Relief (ER) Funding for State Highways



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**Tribal Transportation Planning
Organization, Quarterly Meeting**
Northern Quest Resort, Air Heights, WA

June 3, 2014

Overview

- **What is a Federally Eligible Emergency Relief (ER) Event?**
- **MAP-21 FHWA ER Eligibility Changes**
- **MAP-21 FHWA ER Reimbursement Policy Changes**
- **Impact of TTF 100% FHWA ER Funding Eligibility**
- **What is the TTF Impact on Oso Mudslide ER Funding?**
- **Confirm the Tribal Transportation Facility Identification Process**
- **Verifying to FHWA a WA State Highway Section is a BIA Official TTF**

What is a Federally Eligible Emergency Relief (ER) Event?

- Natural Disaster Damage
 - Flooding
 - Slide
 - Earthquake
- Manmade Damage
 - Bridge Strike (I-5 Skagit River Bridge Collapse)
 - Bridge Overpass Strike
 - Bridge/Tunnel Fire
- Cost over \$700,000
 - Single cost
 - Accumulated state-wide cost (state & local transportation facilities) and more than \$5,000 per site
 - Governor's Proclamation Required

MAP-21 FHWA ER Eligibility Changes

ER eligibilities are continued, with some changes:

- Addition of actual and necessary costs of maintenance and operation of transit service as eligible activity to provide a temporary substitute for highway traffic service.
- Debris removal is eligible only if the event is not declared a major disaster by the President or where the event is declared a major disaster by the President but the debris removal is not eligible for assistance under the Stafford Act.
- ER funds may participate in costs to repair or reconstruct a comparable facility, which is defined as a facility that meets the current geometric and construction standards required for the types and volume of traffic that the facility will carry over its design life.
- *Construction phase* defined – No funds may be used for repair or reconstruction of a bridge if the construction phase of a replacement structure is included in a State's approved transportation improvement program at the time of the event.
- Tribal transportation facilities, Federal lands transportation facilities, and other Federally-owned roads open to public travel are eligible for ER funding.

MAP-21 FHWA ER Reimbursement Policy Changes

Federal share: In accordance with 23 USC 120, including sliding scale adjustment for States with high percentages of Federally-owned public lands:

- Emergency repair work to restore essential travel, minimize the extent of damage, or protect the remaining facilities, accomplished in the first 180 days after the disaster occurs, may be reimbursed at 100% Federal share; time period may be extended for delay in the ability to access damaged areas.
- For eligible permanent repairs to restore damaged facilities, up to 90% Federal share is allowed if total eligible expenses incurred by the State due to natural disasters or catastrophic failures in a Federal fiscal year exceeds the State's apportionments under 23 USC 104 for the fiscal year in which the event occurred.
- **The Federal share for repair work on Federal land, Federal land access, and Tribal Transportation Facilities (TTF) is 100%**

Impact of TTF 100% FHWA ER Funding Eligibility

Normal FHWA ER Funding Reimbursement for State Highways:

- **Emergency Response/Temporary Repair**
 - 100% reimbursement for ER eligible costs within 180 days
 - 86.5% reimbursement after 180 days for eligible costs
- **Permanent Repair**
 - 86.5% reimbursement for eligible costs
- **TTF on section of State Highway**
 - Emergency Response/Temporary Repair 100% reimbursement for ER eligible costs and no time limit
 - Permanent Repair 100% reimbursement for ER eligible costs

What is the TTF Impact on Oso Mudslide ER Funding?

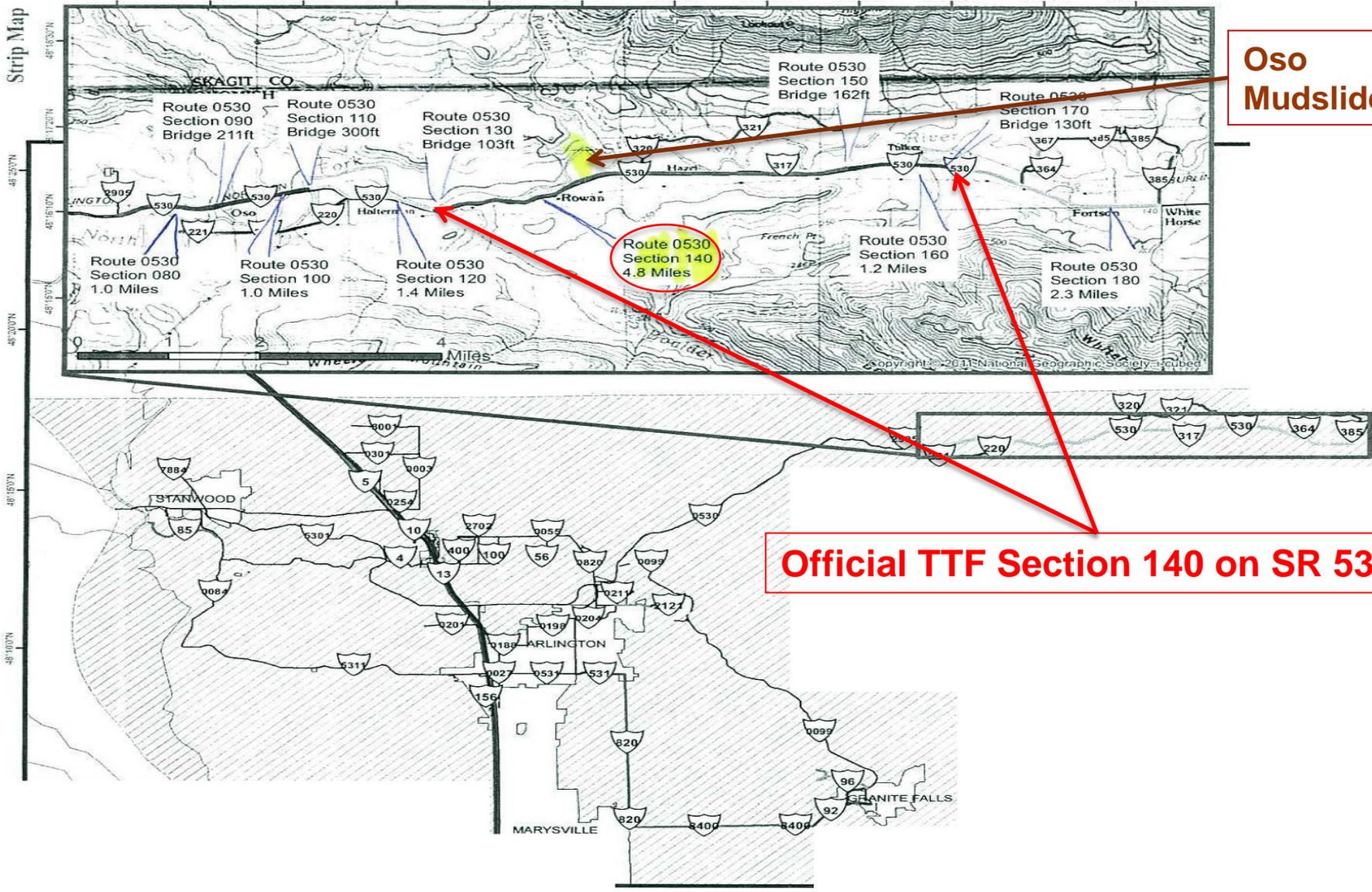
- Emergency Response/Detour Road Access Estimate
 - \$5.9M
 - 100% ER eligible
 - No TTF impact as work was completed within 180 days
- SR 530 Permanent Repair Estimate
 - \$25.3M
 - 100% ER eligible due to affected TTF section on SR 530
 - **TTF impact may save the State \$3.4M!**
- **A million thanks to Stillaguamish Tribe!!!!**

Tribal Transportation Facility Identification Process?

Bureau of Indian Affairs (BIA) Definition: The Tribal Transportation Facilities (TTF) are public roads **which provide access to** and within Indian reservations, Indian trust land, restricted Indian land, and Alaska native villages.

- Access is whatever a Tribe determines and BIA validates as an **Official** TTF
- Tribes identifies sections of State highway as TTF and submits to HQ WSDOT Planning for certification
 - HQ WSDOT Planning for certifies the sections are on federally funded highways and WSDOT is responsible to maintain
 - Tribes then submits to BIA with Strip Map for inclusion in the Indian Reservation Road (IRR) System database, which is maintained by the Department of Interior
 - BIA validates the Tribal request and designates the section of the State highway as an **Official** TTF

Strip Map



Oso
Mudslide

Official TTF Section 140 on SR 530



Indian Reservation Roads Program Official Indian Reservation Road inventory

04/15/2014



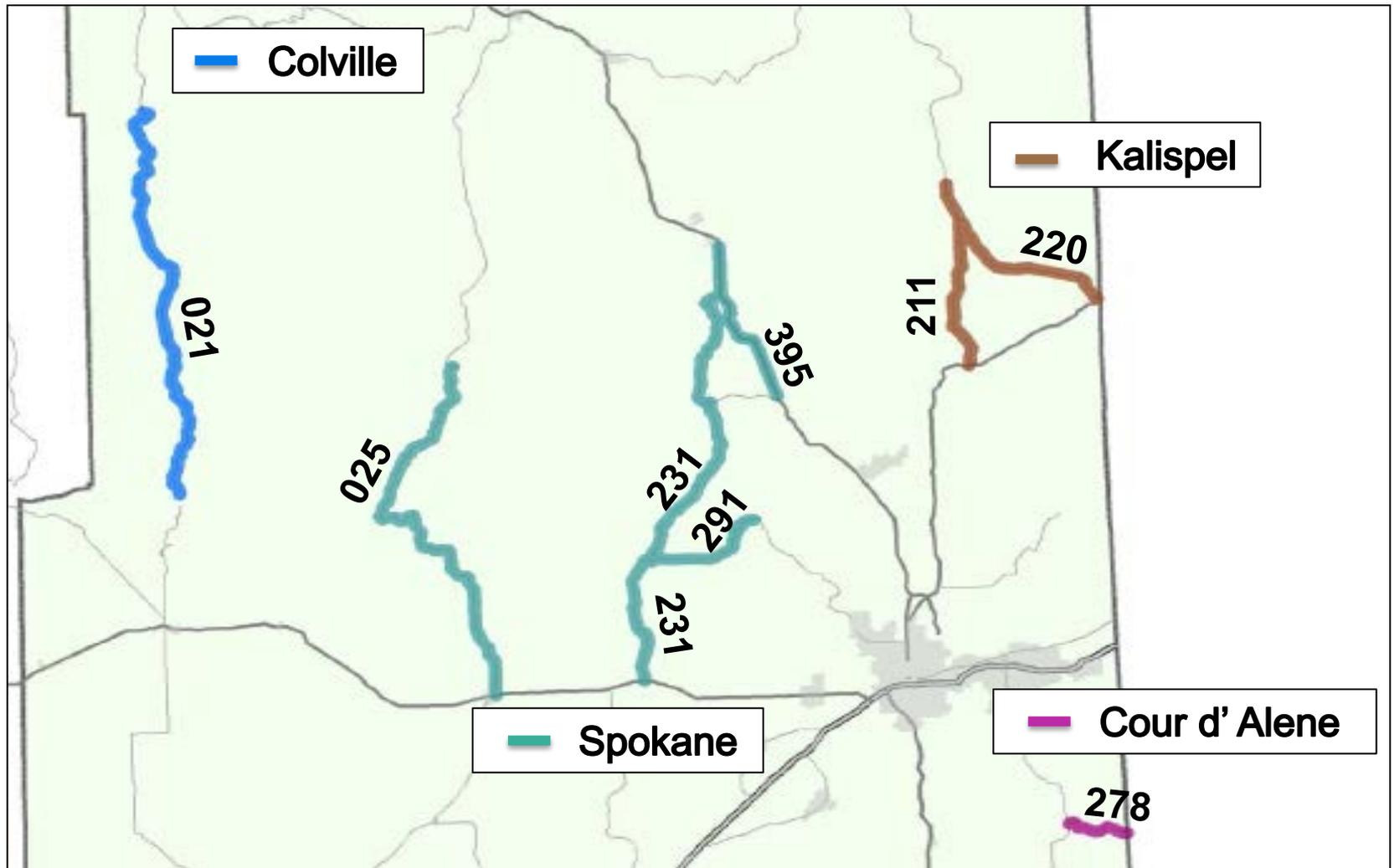
Status Code	Location	Sec Len	Bridge No	Bdg Cnd	Bdg Len	Cty Cd	Cngr Dist	St	ADT Year	ADT	Cls	Ter Typ	Own Cd	CN	Sh Typ	Sur Typ	PCI Cnd	RD	GPR No	Fur Sur	Future ADT	ADS No	VMT	Raw CTC \$ (100 0)	BIA %	IRR CTC \$ (100 0)
Official	P10139 Rt 0530/120	1.4				061	02	53			2	1	3	2	3	5	75	5	42	P	149	7	19	20	14	3
Approved	P10139 Rt 0530/130		0008389 A000000	0	9	103	061	02	53		2		3	2					42	P					14	
Official	P10139 Rt 0530/130		0008389 A000000	0	9	103	061	02	53		2		3	2					42	P					14	
Approved	P10139 Rt 0530/140	4.8				061	02	53			2	1	3	2	3	5	75	5	42	P	149	7	65	68	14	9
Official	P10139 Rt 0530/140	4.8				061	02	53			2	1	3	2	3	5	75	5	42	P	149	7	65	68	14	9
Approved	P10139 Rt 0530/150		0006897 A000000	0	9	162	061	02	53		2		3	2					42	P					14	
Official	P10139 Rt 0530/150		0006897 A000000	0	9	162	061	02	53		2		3	2					42	P					14	
Approved	P10139 Rt 0530/160	1.2				061	02	53			2	1	3	2	3	5	75	5	42	P	149	7	16	17	14	2
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Approved	P10139 Rt 0530/170		0012113 A000000	0	9	130	061	02	53		2		3	2					42	P					14	
Official	P10139 Rt 0530/170		0012113 A000000	0	9	130	061	02	53		2		3	2					42	P					14	
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Official	P10139 Rt 0531/30		8379A		9	295	061	02	53		4		3	2					42	P					14	

Verifying to FHWA Highway Section is a BIA Official TTF

In order to take advantage of the 100% ER eligibility, WSDOT has to provide FHWA the Tribal Strip Map and corresponding entry from the IRR Program Inventory

- Western BIA is obtaining hard copies from the Department of Interior of all the Strip Maps for **Official** TTF WA state highway sections
 - In the interim during an ER eligible event, WSDOT Region needs to contact the nearest Tribe(s) to determine if the section of State highway involved is an **Official** TTF
 - If determined, Tribe will need to provide Strip Map and IRR reference to WSDOT Region
- Long term solution is to create a WSDOT GIS map layer for Official TTF located on State highway sections
 - Update GIS map layer periodically as new BIA **Official** TTF sections are added
 - May want to include TTF sections submitted for BIA approval

IRR Inventory – WSDOT Eastern Region



- Add SR Mileposts
- Label Official TTF vs. Pending

Tribal Transportation Facilities

Questions?