

# TTP Update

TTP Coordinating Committee Meeting

Lakewood, CO

Brian Allen

FHWA, Tribal Transportation Program

September 20, 2016

# Topics

- ▶ FAST Act Overview
  - ▶ End of Year Reporting
  - ▶ Safety Reports
  - ▶ FY16 TTP Safety Funds
  - ▶ 25 CFR 170
  - ▶ Tribal Transportation Self-Governance Program
  - ▶ Other Programs
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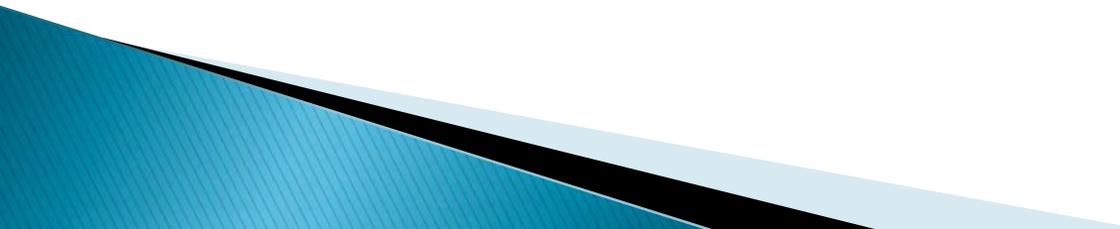
# FAST Act Overview

- ▶ Fixing America's Surface Transportation Act
- ▶ 5 year Highway Bill (FY16 – FY20)
- ▶ Tribal Transportation Program (TTP) Funding
  - FY16 – \$465 Million
  - FY17 – \$475 Million (Continuing Resolution??)
  - FY18 – \$485 Million
  - FY19 – \$495 Million
  - FY20 – \$505 Million
  - **TOTAL – \$2.425 Billion over 5 years**

# End of Year TTP Reporting

- ▶ 23 USC 201(c)(6)(C) – TRIBAL DATA COLLECTION
  - Any entity (Tribe, BIA, FHWA, etc.) that carries out a project under TTP during a fiscal year shall submit data to the Secretaries of DOT and DOI so that a report can be generated by December 31 of each year. The submitted data will:
    - Contain the names of all projects and activities carried out and include;
      - A description of each;
      - The current status;
      - The obligations and expenditures; and
      - The number of jobs created and the number of jobs retained

# End of Year TTP Reporting

- ▶ FHWA and BIADOT have developed an on-line reporting mechanism thru OMB-MAX.
  - ▶ FHWA Tribes used it for their mid-year reporting and provide feedback.
  - ▶ System ready for data submittal on Oct. 1
  - ▶ A reference to this reporting requirement is now in all TTP Agreements.
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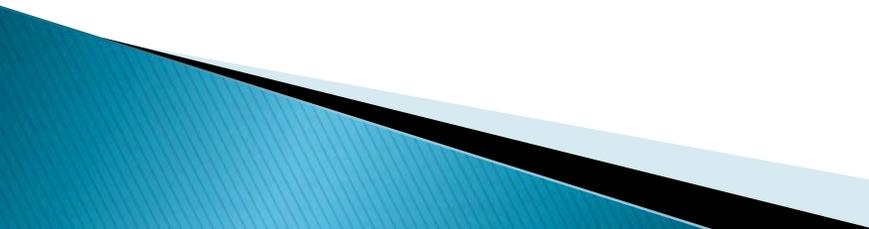
# Safety Report 1

- ▶ **REPORT TO CONGRESS ON TRIBAL GOVERNMENT TRANSPORTATION SAFETY DATA**
  - Due December 2016
  - Describes the quality of transportation safety data being collected by States, counties, and Indian tribes. Offers recommendations for improvement and potential funding sources.
  - Written by FHWA – Adam Larsen and others
  - Currently in the FHWA review process

# Safety Report 2

- ▶ **STUDY ON BUREAU OF INDIAN AFFAIRS ROAD SAFETY.**
  - Report due **December 2017**
  - Developed after consultation with the Secretary of the Interior, the Attorney General, States, and Indian tribes.
  - Study must identify and evaluate options for improving safety on public roads on Indian reservations.
  - Being developed with full coordination of the Tribal Transportation SMS Steering Committee

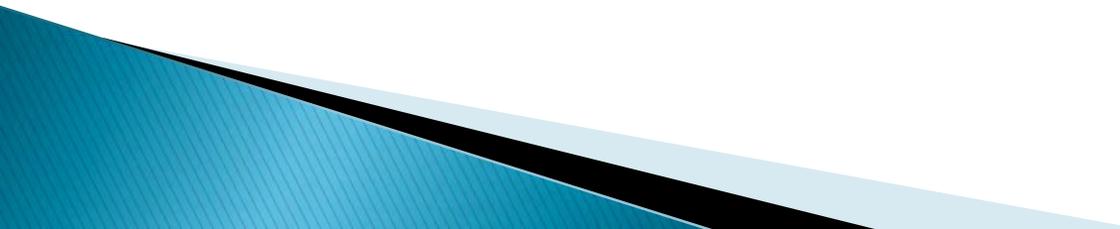
# Another Report

- ▶ Included in the FY16 Appropriations Bill
  - ▶ Identifies that:
    - Only 8% of 14k miles of tribal roads are paved and that 75% of the 29k miles of BIA road are gravel, earth, or primitive; and
    - Current funding levels do not meet the true needs on Indian Country thus limiting economic growth and safety improvements, as well as adding to backlog of maintenance projects
  - ▶ DOT has been directed to work with DOI on the transportation infrastructure needs facing Indian Country and propose steps to make improvements.
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# TTP Safety Funding

- ▶ FY16 NOFO published July 18, 2016
  - Application deadline was September 16, 2016
  - 172 applications – \$40m
    - 52 new safety plans
    - 7 safety plan updates
    - 86 infrastructure improvement projects
    - 27 road safety audits or crash data improvements
  - Team is reviewing applications this week.

# 25 CFR 170

- ▶ Target date for publication is “September”.
  - ▶ Data collection requirements from FAST Act have been included.
  - ▶ Roll out meetings will be scheduled and included in the Federal Register Notice.
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# TTSGP – Overview and Expectations

*Compliments of Bob Sparrow*

# Tribal Transportation Self-Governance Program

- ▶ Secretary must establish and carry out a program to be known as the *Tribal Transportation Self-Governance Program*
  - Eligibility is similar to FHWA Agreements
    - Demonstration of Financial and Program Management capability
  - Used for all formula funding and discretionary grants at DOT (1-stop shop)
    - Includes transfer of state funds, IE:(202(a)(9))
  - Section 1121 contains a list of the contents, terms, provisions, and applicability of ISDEAA that need to be included in the program.

# Tribal Transportation Self-Governance Program

- ▶ Statutory Timeframes
  - PROMULGATION. – By March 4, 2016, the Secretary shall initiate procedures under subchapter III of chapter 5 of title 5 to negotiate and promulgate such regulations as are necessary to carry out this section. (Negotiated Rulemaking)
  - PUBLICATION OF PROPOSED REGULATIONS.—An NPRM will be published in Federal Register by September 4, 2017.
  - PUBLICATION OF FINAL RULE – within 30 months
  - EXTENSION OF DEADLINES.—Single extension up to 180 days if agreed to by all parties.

# Tribal Transportation Self-Governance Program

- ▶ On Monday April 25, FHWA published a Federal Register Notice announcing the rulemaking and requesting nominees for committee members.
  - ▶ Nominations for committee membership closed on June 9, 2016.
  - ▶ A total of 33 nominations were received, including multiple nominations from tribes located within 10 of the 12 BIA Regions.
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# Tribal Transportation Self-Governance Program

- ▶ 18 tribal representatives were named to the committee;
  - 12 primary regional tribal representatives
  - 2 tribal representatives that received backing and support from national or regional tribal organization/committees; and
  - 4 additional tribal representatives based on their experience and knowledge as well as to improve the overall diversity of the committee
- ▶ Tribal Committee representatives are all tribal members and are tribal leaders, work directly in the area of self-governance or self-determination, or are Directors or equivalent in their Tribe's transportation department, with most having direct experience in self-governance/self-determination.
- ▶ Seven additional alternate tribal representatives have also been named. An alternate will attend meetings when the primary regional representative is not able to attend.

# Tribal Transportation Self-Governance Program

- ▶ Mr. Joe Garcia and Ms. Kay Rhoads are the Tribal Co-Chairs
- ▶ There are 7 Federal representatives:
  - Three from FHWA;
  - One each from OST, FTA ,and FAA; and
  - One from BIA;

# Tribal Members of Committee

Joe Garcia	<i>Ohkay Owingeh Pueblo</i>	Michael Hostler	<i>Hoopa Valley</i>
Kay Rhoads	<i>Sac and Fox Nation</i>	John Smith	<i>Wind River Reservation</i>
Denise Michels	<i>Kawerak, Inc.</i>	Edwina Butler-Wolfe	<i>Absentee Shawnee Tribe of Oklahoma</i>
Westley Woodruff	<i>Poarch Band of Creek Indians</i>	Jennifer Lynn Jack	<i>Salt River Pima-Maricopa Indian Community</i>
Palmer S. Mosely V	<i>The Chickasaw Nation</i>	Mickey Peercy	<i>Choctaw Nation of Oklahoma - DOI Self-Governance Workgroup</i>
Ron His Horse is Thunder	<i>Standing Rock Sioux Tribe</i>	Jody Clark	<i>Seneca Nation - USET</i>
David Conner	<i>Red Lake Band of Chippewa Indians</i>	Gerald Hope	<i>Sitka Tribe of Alaska</i>
Darryl Bradley	<i>Navajo Nation</i>	Karen Woodard	<u><i>Morongo Band of Mission Indians</i></u>
Timothy Ballew			

# Federal Members of TTSGP Committee

Robert Sparrow	Designated Federal Official
Vivian Philbin	FHWA
Basharat Siddiqi	FHWA - Oklahoma
Kenneth Martin	OST
Elan Flippin	FTA
Katherine Andrus	FAA
LeRoy Gishi	BIA

# Tribal Transportation Self-Governance Program

- ▶ The committee will assist in the development of the Notice of Proposed Rulemaking that contains the proposed regulations needed to implement the TTSGP.
  - Anticipate one meeting each month (minimum)
  - Most meetings will take place in ABQ or at a location that is equal to or less than the cost of conducting the meeting in Albuquerque.
- ▶ DOT is committed to work towards publishing the NPRM by September 2017.

# Nationally Significant Federal Lands and Tribal Projects Program

- ▶ To provide funding to construct, reconstruct, or rehabilitate nationally significant Federal lands and tribal transportation projects. (NO DESIGN)
- ▶ Tribes are eligible applicants
  - An eligible project must be a single continuous project on a TTP facility, have completed NEPA; and an estimated cost of at least \$25,000,000.
- ▶ Funded through General Funding (not funded in FY16)

# TIGER VIII

- ▶ \$500M
- ▶ Awards announced in August
- ▶ Congratulations to the Rosebud Sioux Tribe
- ▶ See: <https://www.transportation.gov/tiger>

# Other Information

## ▶ TTP Program Reviews

- FHWA hired a contractor to assist us in carrying out TTP “Program Reviews”.
  - 6 pilot reviews conducted this year
  - 10 reviews anticipated next year

## ▶ Changing of the Guard

- Brian Allen – Acting TTP Director until Sept. 30
- Cindi Ptak – Acting TTP Director beginning Oct. 1
- Advertisement for Bob’s replacement posted soon

# Questions?

- ▶ Contact information:

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