

Broward Metropolitan Planning Organization

November 12, 2015

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Federal Landscape

» **Republican Leadership shake up in the House — Speaker Boehner (R-OH) stepped down and resigned on October 30th:**

- Rep. Paul Ryan (R-WI) elected Speaker on October 29
- Rep. Kevin Brady (R-TX) voted as Chairman on House Ways and Means Committee
- Rep. Tom Rice (R-S.C.) replaced Ryan on House Ways and Means Committee

» **All other leadership positions remain same:**

- Rep. Kevin McCarthy (R-CA) – Majority Leader
- Rep. Steve Scalise (R-LA) – Majority Whip
- Rep. Cathy McMorris Rodgers (R-WA) – Republican Conference Chair
- Rep. Nancy Pelosi (D-CA) – Democratic Leader
- Rep. Steny Hoyer (D-MD) – Democratic Whip
- Rep. James Clyburn (D-SC) – Assistant Democratic Leader

Congressional Outlook

- » A number of critical items left before Congress leaves for recess in December:
 - **Fiscal Year (FY) 2016 Appropriations**
 - Congress passed a short-term continuing resolution (CR) to keep the government operating until December 11, 2015.
 - **Tax Extenders/Tax Reform**
 - **Highway Trust Fund** – Extension ends November 20, 2015.

Congressional Outlook - 2016 Appropriations

» House has passed 6 Appropriations Bills

- Commerce, Justice, Science
- Defense
- Energy and Water
- Legislative Branch
- Military/Veterans
- Transportation/HUD:

SPENDING BACKGROUND <i>In billions of dollars</i>			
House bill (HR 2577)	Senate bill Draft	Administration request	Fiscal 2015 level
\$55.3	\$55.6	\$65*	\$53.8

» Remaining 6 appropriations bills have been reported out of House Appropriations Committee.

» Senate just passed its first bill, Military Construction/VA, on November 10, 2015; all 12 bills have been reported out of Senate Appropriations Committee.

» Congressional Committees

- Judiciary – Patent Reform, Immigration, Antitrust Mergers, Criminal Justice Reform
- Commerce/Energy & Commerce – Net Neutrality, FAA Reauthorization (current authorization ends on March 2016)
- Finance/Ways & Means – International Tax, Corporate Tax, Municipal Finance
- Health, Education, Labor & Pensions/Education & Workforce – 21st Century Cures, Children’s Health Insurance Program Reauthorization (CHIP), Higher Education, Pensions
- EPW/T&I – Water Resources Development Act (WRDA), FAA Reauthorization

» Administration

- Implementation of surface transportation reauthorization conference report
- Continued regulatory activity in environment (Clean Air Act, Waters of the U.S.)

Transportation Investment Generating Economic Recovery (TIGER) Grants:

- DOT awarded 39 projects, total of \$485 million for FY 2015.
- DOT received 627 applications, totaling more than \$10 billion – only 227 of those applications advanced to Secretary.
- Awarded applications: 30% for bridge and road projects; 29% for public transit; 10% for passenger rail; 14% for freight rail; 9% for port; and 7% for bicycle-pedestrian projects.
- No funding was awarded to any project in Florida.
- 42% of funding awarded in 2015 were rural projects – more than any previous round of TIGER.
- Expect another round of TIGER for 2016 — FY 2016 Senate Transportation/HUD Appropriations bill provides \$500 million for TIGER, and the House bill provides \$100 million.

Surface Transportation Reauthorization Overview

Highway Trust Fund Expires on November 20, 2015

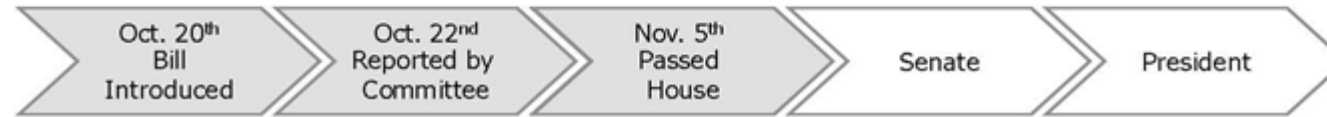
In July, Senate passed the Developing a Reliable and Innovative Vision for the Economy (DRIVE) Act (H.R. 22) by a vote of 62-36:

- 6-year authorization of transit and highways and 4-year authorization of rail programs.
- Funding is provided for only 3 years—FY 2018.
- Reauthorizes highway program at \$278 billion; \$16 billion over current funding.
- Funding for transit over current funding levels grows by 25% over six years—\$59 billion.

Surface Transportation Reauthorization Overview

House Approves Highway Funding Bill

Timeline of Surface Transportation Reauthorization and Reform Act of 2015, H.R. 3763

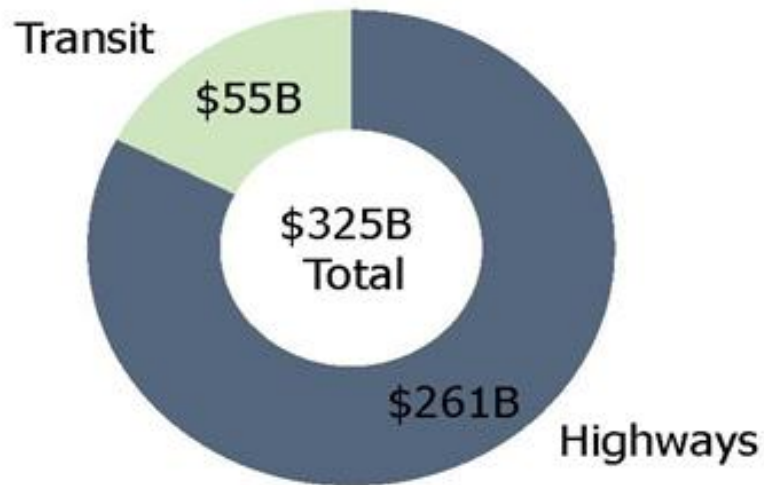


On November 5, House passed the Surface Transportation Reauthorization and Reform Act of 2015 (STRR Act) by a vote of 363-64.

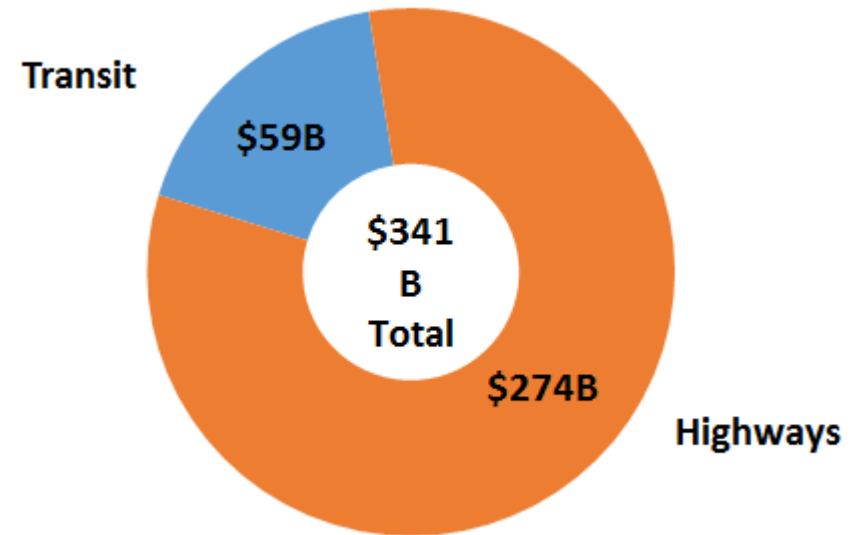
- » 6-year authorization of highways and transit at baseline funding.
- » Reauthorizes highway funding at \$261 billion and \$55 billion for transit.
- » Senate version is similar but must go to conference to resolve differences.

Surface Transportation Reauthorization

Spending for House STRR Act



Spending for Senate DRIVE Act



Sources: Keith Laing, "House Approves \$325B Highway Bill," The Hill, November 5, 2015; Jason Plautz, "House Passes Long-Term Transportation Bill," National Journal, November 5, 2015.

Broward MPO Wins

- » **Project Streamlining/Programmatic Approach**
- » **Increases MPO's Role**
- » **Newly created programs for Freight/Goods Movement**
- » **Increased funding for Highway-Rail Grade Crossing program**
- » **New Intelligent Transportation Systems (ITS) program for MPOs**
- » **Increased funding/project streamlining for Transit**

Project Streamlining/Programmatic Approach

» Project Streamlining

– **Senate:**

- Directs DOT to issue new regulations encouraging the use of expedited environmental reviews and practices for small, low-impact projects.
- Requires DOT Secretary to report to EPW/T&I on “ways to modernize, simplify, and improve implementation” of the NEPA process no later than 1 year after the date of bill enactment.

– **House:**

- Requires a GAO review within 2 years of bill enactment of the progress made on accelerated project delivery provisions under SAFETEA-LU, MAP-21, and this bill.

Project Streamlining/Programmatic Approach

Programmatic Approach

– **House:**

- Declares a national interest to expedite delivery surface transportation projects and that programmatic approaches shall be used to reduce the need for federal agencies' project-by-project reviews and decisions.
- Requires DOT Secretary to develop guidance that encourages the use of programmatic approaches to project delivery, “expedited and prudent procurement” techniques, and other best practices to facilitate the timely and productive expenditure of funds for projects.

– **Senate:**

- Requires DOT to develop, upon the request of a state DOT, a programmatic categorical exclusion (PCE) agreement. DOT is required to develop a “method” to verify that certain CEs listed in FHWA regulations are evaluated and documented in a consistent manner. The CEs included in the agreements must be in effect on the date of enactment of this legislation.

Strengthening MPOs Role

» House

- Tolling: Requires states to consult with MPOs on placement of toll facilities and toll amounts.

» Senate

- Newly created System Operations and ITS Deployment Grant Program: \$30 million/year for grants to accelerate deployment, operation, management, intermodal integration, and interoperability of ITS and ITS-enabled strategies. Uses include: deployment of autonomous, vehicle-to-vehicle, and vehicle-to-infrastructure communications technologies; establishment and implementation of ITS and ITS-enabled strategies; creation of networks that link metropolitan and rural surface transportation systems into an integrated data network; support for establishment and institutional relationships; and carrying out multi-modal and cross-jurisdictional planning.

Highway-Rail Grade Crossing Program

» **House**

- Total of \$1.425 billion in funding
- Eligible activity under Nationally Significant Freight and Highway Projects program

» **Senate**

- Total of \$1.32 billion in funding (current funding level of \$220 million/year)

Senate Freight

- Creates a freight formula program funded at \$11.55 billion over 6 years.
- Keeps National Highway Freight Network created in MAP-21.
- Increases the mileage caps on the freight network to 30,000 miles.
- States shall consider nominations from MPOs of additional miles they would like to have designated.
- Expands flexibility for states and MPOs to designate key freight corridors that match regional goods movement on roads beyond the Primary Highway Freight System.

House Freight

- No freight formula program
- Rewrites National Highway Freight Network created in MAP-21 – Requires that the DOT Secretary designate a National Highway Freight Network consisting of the Interstate System, the non-Interstate highway segments designated for the National Freight Network under MAP-21, and additional non-Interstate highway segments designated by states within 1 year of enactment that close gaps, establish connections to the National Highway Freight Network, or are critical emerging freight corridors.

Senate Freight

- Includes intermodal projects in state and MPO transportation plans.
- Creates Intelligent Freight Transportation System.

House Freight

- Includes intermodal projects in state and MPO transportation plans.

Senate

- Creates the Assistance for Major Projects Program (AMP) funded at total of \$2.1 billion.
 - Eligible projects: freight/intermodal projects on national freight network, highway/bridge projects on NHS, rail-highway grade crossing/separation.
 - Minimum grant size - \$50 million (except for rural areas).
 - Project size is \$350 million or 25% of state's total annual federal highway apportionment.
 - 20% set-aside for rural areas.
 - Annual limit on multimodal/transit projects in 20%.
 - Each Jan. 1, DOT submits list of projects that meet eligibility to Senate EPW and House T&I who approve projects.

House

- Creates new competitive grant program, Nationally Significant Freight and Highway Projects, authorized a total of \$4.46 billion.
 - Any project eligible for Title 23 or 49.
 - No minimum grant size.
 - Project size is \$100 million or 30% of state's total annual federal highway apportionment.
 - 20% set-aside for rural areas.
 - Not more than \$500 million of the 2016-2021 aggregate total can be used for intermodal or rail freight projects.
 - DOT must submit grant notifications to Congress, and the grant cannot be made until after Congress has 60 days to enact a joint resolution disapproving the project.

Transit Title Provisions of STRR & DRIVE Act

Senate

- » Sec. 5309—New Starts/Small Starts:
 - Authorizes \$14.641 billion for Capital Investment Grants (CIG).
 - Adds Small Starts to Program of Interrelated Projects.
 - Amends definition of “corridor-based bus service” to remove weekend service requirement.
 - Amends definition of Small Starts to raise total project from \$250 million to \$300 million and CIG share from \$75 million to \$100 million
 - Establishes a pilot program for 10 grants that would allow projects with local financing and limited federal funding to be considered under expedited review.
 - Adds new section for Joint Public Transportation and Intercity Rail Projects

House

- » Sec. 5309—New Starts/Small Starts:
 - Authorizes \$12.779 billion for Capital Investment Grants (CIG).
 - Adds Small Starts to Program of Interrelated Projects.
 - Removes use of STP funding in local share for FFGA.
 - Requires FTA to include capital costs of art and landscaping elements in the calculation for the cost effectiveness measure.

Transit Provisions of STRR & DRIVE Act

Senate

»Sec. 5302—Definitions

- Adds value capture to include increased property value in property near public transportation resulting from investments in public transportation.

»Sec. 5303—Metropolitan Planning

- Amends planning requirements to plan for “resilient” transportation facilities.
- Allow transit representative to the MPO to be an elected official serving MPO in another capacity.

»Sec. 5323—General Provisions

- Allows monies generated from value capture to be considered “local match” for capital projects and operating costs.

House

»Sec. 5302—Definitions

- Adds value capture to include increased property value in property near public transportation resulting from investments in public transportation.

»Sec. 5303—Metropolitan Planning

- Amends planning requirements to plan for “resilient” transportation facilities.
- Allow transit representative to the MPO to be an elected official serving MPO in another capacity.

»Sec. 5319—Bicycle Facilities

- Reduces federal funding from 90% to 80% for shelters and bicycle facilities and 95% to 80% for projects that provide access to public transportation facilities.

»Sec. 5323—General Provisions

- Allows monies generated from value capture to be considered “local match” for capital projects and operating costs.

Transit Title Provisions of STRR & DRIVE Act

Senate

»Sec. 5339—Bus and Bus Facilities

- Increases formula allocations to states.
- Restores discretionary competitive grant program.
 - \$190 million per year.
 - In making grants, Secretary must consider age and condition of the buses, bus fleets, related equipment and bus-related facilities.
 - States are allowed to submit a statewide application.
 - FTA must disclose the metrics used to award grants.
 - Monies available for three years.
 - 10% of funding awarded to rural.

House

»Sec. 5339—Bus and Bus Facilities

- Retains current formula program.
- Restores discretionary competitive grant program.
 - \$90 million in FY 2016; \$200 million per year, FY 17-21.
 - In making grants, Secretary must consider age and condition of the buses, bus fleets, related equipment and bus-related facilities.
 - States are allowed to submit a statewide application.
 - FTA must disclose the metrics used to award grants.
 - Monies available for three years.
 - 15% of funding awarded to rural areas in FY 16, 5% in each subsequent year.

Positive Train Control (PTC)

- Highway Trust Fund Extension - Extended PTC deadline to December 2018
- DOT has authority to extend deadline for certain railroads until 2020

Surface Transportation Authorization Conferees

House Conferees

Majority (16)

- Shuster (PA)
- Duncan (TN)
- Graves (MO)
- Miller (MI)
- Crawford (AR)
- Barletta (PA)
- Farenthold (TX)
- Gibbs (OH)
- Denham (CA)
- Ribble (WI)
- Perry (PA)
- Woodall (GA)
- Katko (NY)
- Babin (TX)
- Hardy (NV)
- Graves (LA)

Minority (12)

- DeFazio (OR)
- Norton (D.C.)
- Nadler (NY)
- Brown (FL)
- Johnson, E.B. (TX)
- Cummings (MD)
- Capuano (MA)
- Napolitano (CA)
- Lipinski (IL)
- Cohen (TN)
- Sires (NJ)

Senate Conferees

Majority (7)

- Inhofe (OK)
- Thune (SD)
- Hatch (UT)
- Murkowski (AK)
- Fischer (NE)
- Barrasso (WY)
- Cornyn (TX)

Minority (6)

- Boxer (CA)
- Brown (OH)
- Nelson (FL)
- Durbin (IL)
- Schumer (NY)
- Wyden (OR)

Conferees from House Ways Means & Committee and House Energy & Commerce Committee still need to be announced.

Chairs/Ranking for Key Committees

Senate Environment and Public Works – Full Committee



**Senator Jim
Inhofe (OK)
Chairman**



**Senator Barbara
Boxer (CA)
Ranking Member**

House Transportation & Infrastructure – Full Committee



**Rep. Bill Shuster
(PA)
Chairman**



**Rep. Peter
DeFazio (OR)
Ranking Member**

Other Committees of Jurisdiction

Senate Finance Committee



**Senator Orrin Hatch (UT)
Chairman**



**Senator Ron Wyden (OR)
Ranking Member**

House Ways & Means Committee



**Rep. Kevin Brady (TX)
Chairman**



**Rep. Sander Levin (MI)
Ranking Member**

Senate Banking Committee



**Senator Richard Shelby (AL)
Chairman**



**Senator Sherrod Brown (OH)
Ranking Member**

Senate Commerce, Science, and Transportation



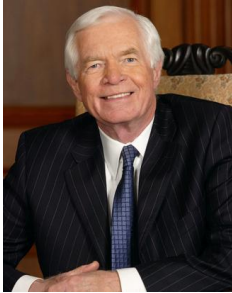
**Senator John Thune (SD)
Chairman**



**Senator Bill Nelson (FL)
Ranking Member**

Appropriations Committees

Senate Appropriations – Full Committee



**Senator Thad Cochran (MS)
Chairman**



**Senator Barbara Mikulski (MD)
Ranking Member**

Senate Appropriations – THUD Subcommittee



**Senator Susan Collins (ME)
Chairwoman**



**Senator Jack Reed (RI)
Ranking Member**

House Appropriations – Full Committee



**Rep. Harold Rogers (KY)
Chairman**



**Rep. Nita Lowey (NY)
Ranking Member**

House Appropriations – THUD Subcommittee



**Rep. Mario Diaz-Balart (FL)
Chairman**



**Rep. David Price (NC)
Ranking Member**



Thank You