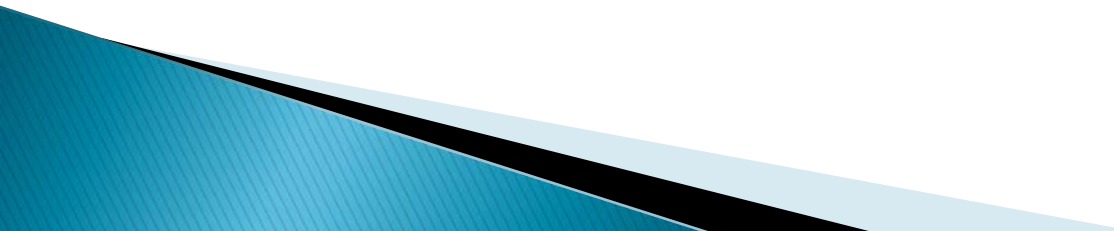


TTP – Legislative & Funding Update

Midwest Region
Partners In Action Conference

Baraboo, WI
June 23, 2015

Topics

- ▶ TTP Funding Status
 - ▶ Reauthorization Update
 - ▶ TTP Safety Program
 - ▶ TTP Bridge Program
 - ▶ Use of 23 USC 202(a)(9) to transfer funds
 - ▶ TIGER VII
 - ▶ Funds Accountability
 - ▶ Federal Lands Acting Associate Administrator
- 

Program Funding

▶ Authority

◦ **Public Law 113 –159**

- Kept Highway Trust Fund solvent and extended the provisions of MAP-21 through May 31, 2015.
- 8 months/67%

◦ **HR 2353**

- Extended above law through July 31, 2015

▶ Appropriations

◦ **Public Law 113 – 235**

- Bill provided limitation for TTP for the entire year (through September 30, 2015).

▶ *So we are limited by the Authority*

- **67% of the FY15 funding has been made available**
- **Additional 2 months (16.7%) should be available by July 1.**

But the extension expires in 53 days



Program Funding

- ▶ Additional congressional action will be needed before July 31 in order to make the final 16.7% of the TTP funding available.
- ▶ Impacts of a 2 month extension
 - Because of the timeframe that it takes to get the funding approved by OMB, passed down to FHWA, then further passed down to FLH and BIA, it is likely that the last 2 months of funding will not be available until near the end of the fiscal year.
 - Impacts
 - A need to carry out program on 10 months of funding including PM&O.
 - Carryover either as August redistribution or bad carryover
 - Restatement of carryover does not occur until November and then is potentially piecemealed through the year.
 - Safety and Bridge also affected
 - FY16 THUD Bill scheduled to be voted on by the House June 9th.

Reauthorization Proposal

▶ The Administration's Proposal

GROW AMERICA 2.0

“Generating Renewal, Opportunity, and Work with Accelerated Mobility, Efficiency, and Rebuilding of Infrastructure and Communities throughout America”

- 6 year Bill

- TTP

- Program size starts at \$507 M with \pm \$10 M increases/year
 - Represents an increase of 12.7% from current \$450 M
 - No change to statutory funding formula
 - Some change in takedowns
 - Brings HPP back into the primary program

- This proposal has been presented to Congress.

- But Congress has the final responsibility to develop a new Highway Bill.

GROW AMERICA 2.0 – TTP

▶ Proposed Authorized Amounts

- FY16 – \$507 million
- FY17 – \$517 million
- FY18 – \$527 million
- 6 year total – \$3.197.5 B
- FY19 – \$538 million
- FY20 – \$548.8 million
- FY21 – \$559.7 million

▶ Takedowns

- *6% PM&O* – no change
- *2% Safety* – no change
- *4% Bridge* – to address bridge inspection costs and rehabilitate deficient bridges in Indian Country
- *3% Planning* – to improve overall data collection and develop a more performance based, data supported program of projects
- *7% HPP* – brings the MAP-21 Sec. 1123 Tribal High Priority Projects Program (old HPP) back under main TTP.

▶ Initial program \$\$ increase offsets increase in takedowns

- Overall tribal shares and planning funds increase by \$5 million

GROW AMERICA 2.0 – TTP

▶ Other

- Nationally Significant Federal Lands and Tribal Projects Program
 - \$150 million/year, \$50 million projects

Safety Funding

- ▶ 2% takedown – Approx. \$8.6 million/year
- ▶ FY13
 - 240 applications received totaling \$27 million
 - Awarded 195 projects to 183 Tribes
- ▶ FY14
 - 126 applications received totaling \$27.1 million
 - Awarded 94 projects to 82 Tribes
- ▶ **2 year total – 289 funded projects/activities – \$17.2 M**
- ▶ FY15
 - TTP Safety NOFA will be issued shortly. Emphasis will be on getting awards announced before the end of the calendar year. Webinar scheduled for end of June. We will notify you and place information on the FHWA and BIA websites.

Safety Funding

- ▶ Information when discussing applications with the Tribes:
 - FHWA has reviewed 360+ safety applications and 80+ safety plans. Common patterns:
 - Many decisions on safety projects are missing the key element of supporting data
 - Difficult to secure competitive funding without documented/data driven justification
 - Many plans talk about “what” to do without describing why the identified priorities were selected
 - Need a clear story that connects past incidents and future risks to the project/program that is proposed

Safety Resources

- ▶ <http://flh.fhwa.dot.gov/programs/ttp/safety/>
 - TTP Safety Fund Info
 - Safety Plans Toolkit for Tribes
 - Road Safety Audits
 - Other safety related information
 - Contact information

Safety Steering Committee

- ▶ We are re-establishing the IRR Safety Management Steering Committee that was created after the passage of SAFETEA-LU.
 - Primary purpose will be to update the strategies the committee developed for transportation safety in Indian Country.
- ▶ Membership will be FHWA, BIA, Tribal, and other federal safety agencies

TTP Bridge Program

- ▶ Current status of TTP Bridge Program
 - PE
 - BIA/Tribal
 - 10 projects wholly or partially funded (\$1.195 million)
 - 4 projects in queue (\$352.5k)
 - Non BIA/Tribal
 - 0 funded
 - 2 projects in queue (\$240k)
 - CN
 - BIA/Tribal
 - 4 projects funded (\$1.96 million)
 - 2 projects in queue (\$4.96 million)
 - Non BIA/Tribal
 - 5 projects funded (\$2.48 million)
 - 4 projects in queue (\$380k)
 - \$1.42 million now and possibly \$1.42 later

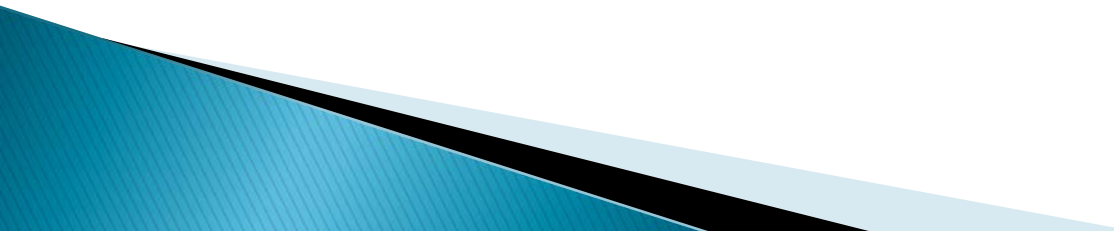
TTP Bridge Program

- ▶ TTP Bridge Program (TTPBP) Regulation (23 CFR 661) will be updated after the NPRM from FHWA Bridge Office is finalized.
 - Expected publication is
 - Will potentially have to align the TTPBP to a new risk based national rating system as identified in MAP-21.
 - Using Condition rating (Good, Fair, Poor) vs. Overall Sufficiency rating
 - We will need to review the secondary rating factors already identified in 23 CFR 661 and update if necessary.

Use of 23 USC 202(a)(9)

- ▶ Provides authority for “Title 23” funds that were provided to a state, county, or local government to be made available to Tribes through an Agreement with the BIA or FHWA.
 - State must request that funds be transferred to a tribe for a project or activity
 - FHWA has finalized the specific language for its TTP Funding Agreements and will individually work with a tribe and state to complete the Agreement. Language has been made available to BIA and Tribes as well.
 - Funds must be tracked separately but the project is carried out like a TTP project.

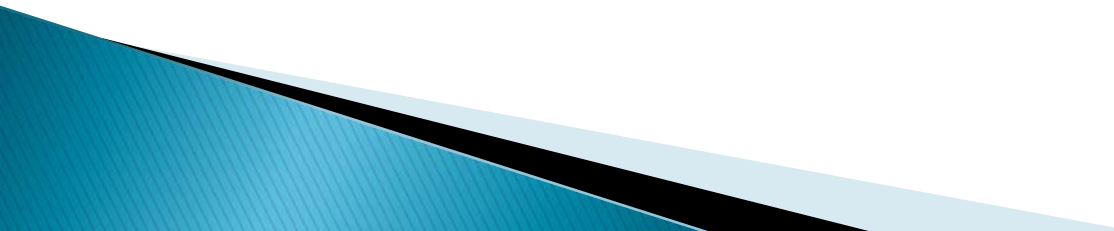
TIGER VII

- ▶ Secretary Foxx announced TIGER VII on April 2, 2015.
 - Pre-applications were due on May 4, 2015.
 - Final applications were due on June 5, 2015
 - ▶ Coordination:
 - TIGER Summit was held in D.C. on April 16
 - Tribal Governments Tele-Conference Call was held on April 29, 2015
 - ▶ Applications will now be reviewed by a multi-agency team working for the DOT Secretary.
 - ▶ FHWA TTP Team Involvement
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Accountability of Title 23 Funds under FHWA Program and BIA G2G Agreements

- ▶ TTP funds are to be used only for eligible activities identified in 25 CFR 170.
- ▶ TTP funds can only be expended on those projects and activities that are listed on your Tribe's Transportation Improvement Program (TIP) that is approved by FHWA.
 - (see 23 USC 202)
- ▶ A tribe is required to account for the receipt, obligation, and expenditure of these funds.
- ▶ It is strongly encouraged that TTP funds be kept in a separate account.
- ▶ It is not the intent of these agreements to have the Federal Government hold the funds on the Tribe's behalf.

Acting Federal Lands AA

- ▶ Joyce Curtis retired in January
 - ▶ Acting Associate Administrator for Federal Lands is Robert Arnold
 - ▶ No change in program or support should be expected.
 - ▶ New Associate Administrator should be named very soon.
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Questions?

