



FEDERAL TRANSIT ADMINISTRATION

FDOT Statewide Training

Jacksonville, FL

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FTA Programs Overview

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U.S. Department of Transportation

Federal Transit Administration

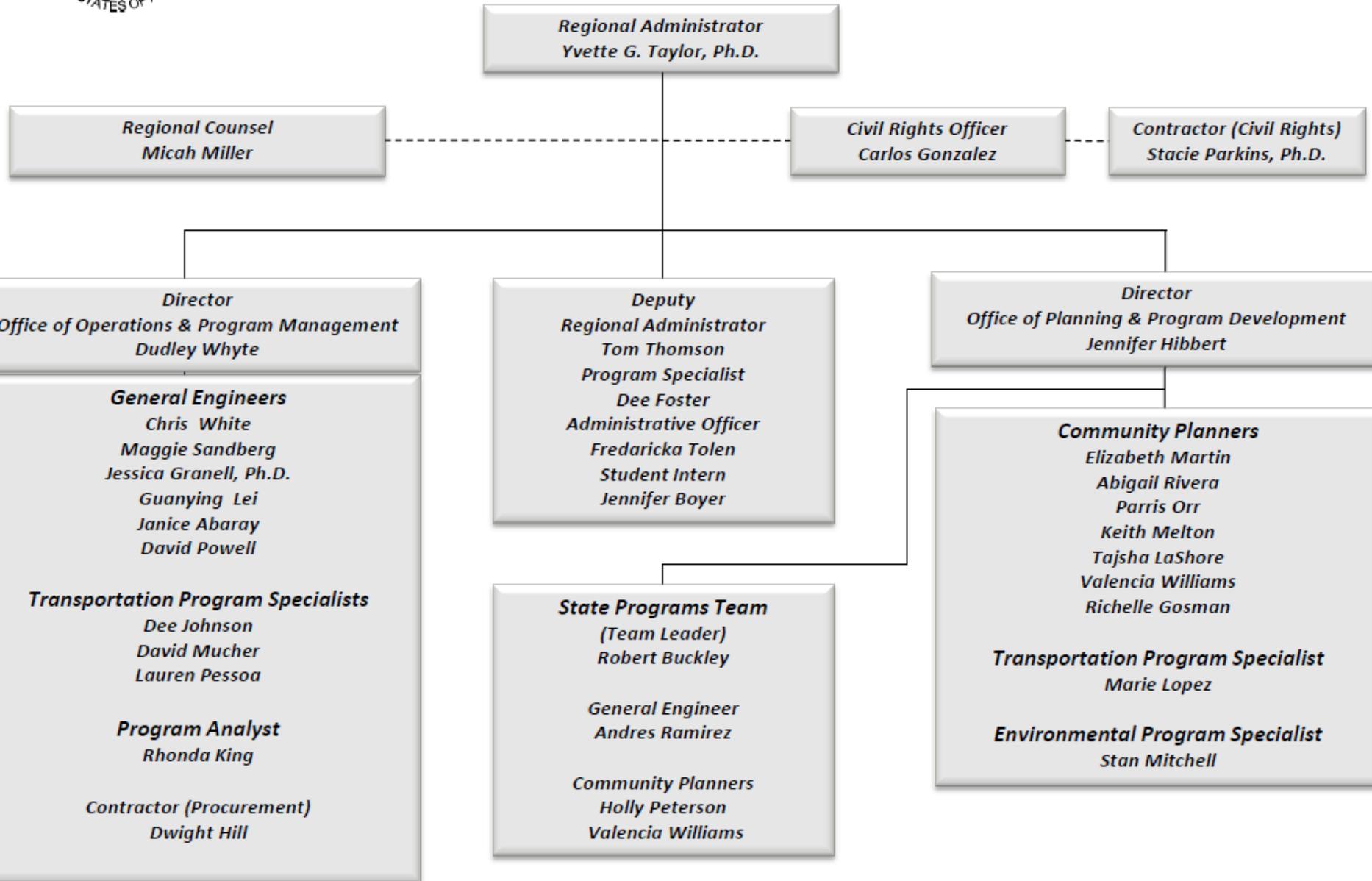
Presentation Overview

- Office of Planning and Program Development Updates
- TrAMS
- MAP-21 Updates
- Designated Recipients
- New Starts
- NEPA
- Civil Rights

Office of Planning and Program Development Updates



U.S. Department of Transportation Federal Transit Administration Region IV Organizational Chart



FTA Organizational Update

- New Hires
 - Stan Mitchell, EPS
 - Stacie Parkins, Civil Rights
 - Micah Miller, Permanent Legal Counsel for Region 4
- Departures
 - Erica Matos, Region 4 Legal Counsel
 - Myra Immings, Community Planner
- Reassignments
 - Tajsha LaShore, Community Planner
 - North Carolina Urbanized Areas
 - Elizabeth Martin, Community Planner
 - South Carolina Urbanized Areas

FY 2014 Updates / Reminders

– Carryover and Lapsing Balances

- Apply for oldest balances first – “Old Money, Old Rules”
- Carryover balances need to be reprogrammed in current STIP
- Do not combine MAP-21 and SAFETEA-LU funding within same grant.
- Split Allocation Letters
- Transfer requests (to other programs or to direct recipients) need to be done in advance
- 5307 funds used for planning must be programmed in the UPWP

FY 2014 Updates / Reminders

– FY 14 Certifications & Assurances

- The FY 2014 Certifications and Assurances were published on January 31, 2014, and are now available in TEAM.
- Current FTA recipients are required to submit (pin) their FY 2014 Certifications and Assurances within ninety (90) days from the date of publication (or by May 1, 2014).
- Applicants for FTA funds are required to pin their FY 2014 Certifications and Assurances prior to grant award.

FY 2014 Important Grant Deadlines

FTA Region IV Important Grant Deadlines

Date	Action
30 Apr 2014	<p>Region IV lapsing grant deadline for all draft grants to be <u>entered</u> in TEAM and under FTA to review</p> <ul style="list-style-type: none"> Following grantee ensuring that the draft application has been entered accurately and completely, please notify the FTA community planner to review the application.
 30 Jun 2014	<p>Region IV deadline for ALL lapsing grants, current year and non-lapsing grants.</p> <ul style="list-style-type: none"> DOL can take up to 30-60 days. Following DOL certification, discretionary grants will be sent for Congressional Release.
July – Sep, 2014	FTA Obligations, Awards, and Execution of Grants
23 Sep 2014	<ul style="list-style-type: none"> Anticipated TEAM system closing.

FY 2014 Important Grant Deadlines

- FTA FFY 14 Appropriations, Allocations and Program Information March 10, 2014 Federal Register, p. 13465:
 - FTA will make a concerted effort to award all pending grant applications in TEAM by the end of FY 2014 and prior to TrAMS becoming available.
 - However, recipients should be aware that grant applications must be in submitted status in TEAM by June 30, 2014 so that FTA has adequate time to award the grant by the end of FY 2014, when TrAMS is first expected to become operational. FTA cannot guarantee that applications not awarded in TEAM by the end of FY 2014 will be migrated into TrAMS.
 - If an application is not migrated into the new system, the recipient will need to re-create their application in TrAMS in FY 2015.

Annual Listing of Obligated Projects

450.332

As a reminder, the State, public transportation operator(s), and the MPO shall cooperatively develop a listing of projects for which funds under 23 U.S.C. or 49 U.S.C. Chapter 53 were obligated in the preceding program year.

Regulatory Bases:

§ 450.332 Annual listing of obligated projects.

Annual Listing of Obligated Projects

450.332

a) In metropolitan planning areas, on an annual basis, no later than 90 calendar days following the end of the program year, the State, public transportation operator(s), and the MPO shall cooperatively develop a listing of projects (including investments in pedestrian walkways and bicycle transportation facilities) for which funds under 23 U.S.C. or 49 U.S.C. Chapter 53 were obligated in the preceding program year.

Annual Listing of Obligated Projects

450.332

(b) The listing shall be prepared in accordance with § 450.314(a) and shall include all federally funded projects authorized or revised to increase obligations in the preceding program year, and shall at a minimum include the TIP information under § 450.324(e)(1) and (4) and identify, for each project, the amount of Federal funds requested in the TIP, the Federal funding that was obligated during the preceding year, and the Federal funding remaining and available for subsequent years.

(c) The listing shall be published or otherwise made available in accordance with the MPO's public participation criteria for the TIP.

TrAMS

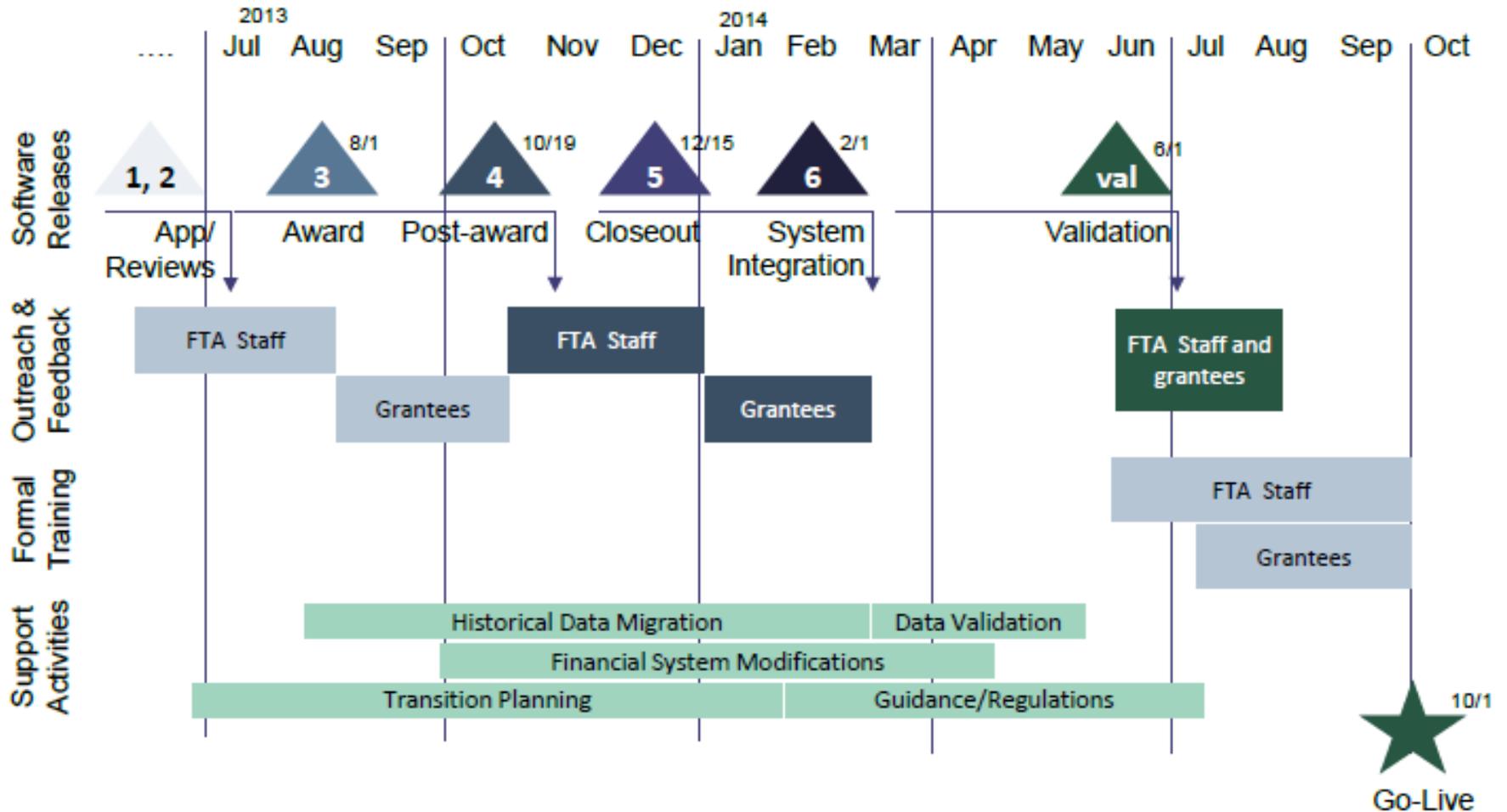
Key Improvements

- **Efficiency:** more intuitive workflow, easier to apply for grants
- **Transparency:** less reliance on codes; information on funds at project/scope level; data connected for cross-reporting
- **Integrity:** detailed data inside the system (like suballocation details vice attached split letter); audit trail of transactions
- **Consistency:** TrAMS data matches with external systems
- **Flexibility:** system can be easily changed to improve our work and to respond to new legislation

Major Steps to Deployment

- Finish technical development (includes making improvements identified during testing and feedback)
- Migrate existing TEAM data into TrAMS and validate the results
- Train grantees and FTA users on the new system and procedures
- Help grantees setup user accounts and organizational data in TrAMS (designated recipients, association with UZAs and programs)
- May need to set a cutoff date to send new applications into TEAM.

Summary Schedule



MAP-21 Updates

Highlights of Program Changes

New

- Safety Authority (5329)
- State of Good Repair Grants (5337)
- Asset Management (5326)
- Bus and Bus Facilities Formula Grants (5339)
- Public Transportation Emergency Relief (5324)
- TOD Planning Pilot Grants (20005(b) of MAP-21)

Repealed

- Clean Fuels Grants (5308)
- Job Access and Reverse Commute (5316) [JARC]
- New Freedom Program (5317)
- Paul S. Sarbanes Transit in the Parks (5320)
- Alternatives Analysis (5339)
- Over-the-Road Bus (Sec. 3038 – TEA-21)

Consolidated

- Urbanized Area Formula Grants (5307) [JARC]
- Enhanced Mobility of Seniors and Individuals with Disabilities (5310) [New Freedom]
- Rural Area Formula Grants (5311)[JARC]

Modified

- Fixed Guideway Capital Investment Grants (5309)
- Metropolitan and Statewide Planning (5303 & 5304)
- Research, Development, Demonstration, and Deployment (5312)
- Technical Assistance and Standards (5314)
- Human Resources and Training (5322)

Program Circular Updates

- FTA is continuing to update its program circulars to reflect program changes as a result of MAP-21. Here is a listing of active or planned circular updates:
- *Section 5307 (Urbanized Area Formula)*—Finalized on 16 January 2014 and posted to FTA website.
- *Section 5310 (Enh. Mobility with Senior and Individuals with Disabilities)*—In proposed format. Being finalized by FTA HQ. Closed for public comment.
- *Section 5311 (Rural Area Formula Program)*—In proposed format. Closed for public comment.
- *Section 5337 (State of Good Repair Formula)*—In proposed format. Released 03 March 2104
- *Section 5339 (Bus and Bus Facilities Formula)*—Draft under FTA internal review. To be release for public comment next.

FTA's Planning Initiatives

- Support MAP-21 requirements for more transit focused planning.
- MPO Representation on the Board – more to come as details are made available.
- MPO Planning Certification Review Process
 - More focused FTA involvement
 - Risk assessment matrix
 - Ensure transit priorities are included in the review process
- FTA Workforce Allocation and Involvement in the Planning Process
 - Reviewing internal workload and identifying how staff can be more involved in the planning process

USDOT/FTA Discretionary Programs

- FTA NoLo – \$24.9 M
- USDOT Tiger - \$600 M

<u>Program</u>	<u>2013 Full-Year Funding</u>	<u>NOFA</u>	<u>Public Announcement of Allocation</u>
<u>LoNo:</u> Low or No Emission Vehicle Deployment Program (LoNo) Program	\$24.9M	Published 1/9/2014; due 4/10/2014 (Extended from 3/10/2014)	Sometime after evaluation and project selection
TIGER VI	\$600M	Published 2/26/14; due 4/28/2014	Sometime after evaluation and project selection

FTA Grant Programs

MAP-2I Formula Programs

- 5303/5304
- 5307
- 5310
- 5311
- 5337
- 5339

FTA Grant Programs

Section 5303/5304

- **5303 – Metropolitan Planning Program**
 - Support a cooperative, continuous, and comprehensive planning program for transportation investment decision-making at the metropolitan.
- **5304 – Statewide Planning Program**
 - Support a cooperative, continuous, and comprehensive planning program for transportation investment decision-making at the state level.
- **Major Changes from SAFETEA-LU**
 - None
- **Eligible Project Types**
 - Planning Only
 - State DOTs and MPOs (through DOTs)
- **Period of Availability = Year +3**

FTA Grant Programs

Section 5307: Urbanized Area Formula

- Purpose:
 - Grants to Urbanized Areas (UZA) for public transportation capital, planning, job access and reverse commute projects, as well as operating expenses in certain circumstances.
- **Eligible Project Types**
 - Capital, Operating, and Planning
 - Job Access and Reverse Commute type projects (no set-aside or cap)
 - JARC projects should be added under the 646-00 Scope
 - To be eligible for operating assistance, must
 - Be located in Small UZA
 - Be a small operator (less than 100 buses) in large UZA and use new ALI
 - JARC service or route

FTA Grant Programs

Section 5307: Urbanized Area Formula

- Major Changes from SAFETEA-LU
 - New Takedowns and Apportionment Factor
 - State Safety Oversight and Ferry Discretionary Programs
 - Eligibility for Job Access / Reverse Commute projects
 - New JARC service or routes implemented after 10/1/2012, OR
 - Maintaining a previously funded (by SAFETEA-LU) JARC service or route
 - Transit enhancements are removed and replaced by more narrowly defined “associated transportation improvements” in TMAs
 - Recipients must continue expend at least 1% of their 5307 apportionment on these improvements.
 - MAP-21 removes eligibility for the transfer of 5307 transit funds to highway projects.

FTA Grant Programs

Section 5307: Urbanized Area Formula

- **Other Provisions**

- Funding provided by other non-DOT federal government agencies or departments that are eligible to be expended on transportation may be used as local match.
- Certain expenditures by vanpool operators may be used as local match.

- **Period of Availability**

- Year of apportionment plus 5

- **Resources:**

- MAP-21 Interim Guidance: <http://www.gpo.gov/fdsys/pkg/FR-2012-10-16/pdf/2012-25152.pdf>
- FTA Circular 9030.IE: http://www.fta.dot.gov/legislation_law/12349_15209.html

FTA Grant Programs

Section 5310: Enhanced Mobility of Seniors and Individuals with Disabilities Formula

- **Program Purpose:**
 - Intended to enhance mobility for seniors and persons with disabilities by providing funds for programs to serve the special needs of transit-dependent populations beyond traditional public transportation services and Americans with Disabilities Act (ADA) complementary paratransit services.

FTA Grant Programs

Section 5310: Enhanced Mobility of Seniors and Individuals with Disabilities Formula

- **Eligible Project Types (derived from coordinated plan)**
 - “Traditional 5310 Projects”
 - To provide transportation for seniors and persons with disabilities.
 - Capital Only
 - Typical recipients – non-profit agencies
 - Project examples: accessible van procurement, purchase of service (POS), equipment, mobility management
 - “Traditional 5317 Projects”
 - To provide transportation for seniors and persons with disabilities that go beyond ADA requirements
 - Capital And Operating
 - Project examples: bus purchase, route operations (beyond ADA requirements), mobility management
 - These projects should be added under the 647-00 Scope

FTA Grant Programs

Section 5310: Enhanced Mobility of Seniors and Individuals with Disabilities Formula

• Major Changes from SAFETEA-LU

- Now includes New Freedom (5317)
- Large UZA Designated Recipient Requirement
 - Under MAP-21 this program no longer provides a single apportionment to the State; provides specific apportionments to large UZAs, small UZAs, and rural areas.
 - Designated Recipients must be named in large urbanized areas BEFORE funds can be awarded
- 55% minimum MUST be spent on “traditional 5310 projects”
- Remaining 45 % MAY be spent on “traditional 5317 projects”
- Up to 10% MAY be spent on Program Administration (100% federal)
- Competitive selection process recommended, but not required

FTA Grant Programs

Section 5310: Enhanced Mobility of Seniors and Individuals with Disabilities Formula

• **Other Provisions**

- State/Program Management Plans required
- Programs of Projects (POP) required
- Transfer provisions
 - Rural or Small UZA → Large UZAs – only if there is an approved statewide coordinated plan
 - Rural → Small UZA – can be transferred if Governor provides letter to FTA certifying the needs in the rural area are being met.
 - Small UZA → Rural – can be transferred if Governor provides letter to FTA certifying the needs in the small UZAs are being met.
 - No other types of transfers allowed

• **Period of Availability**

- Year of apportionment plus 2

FTA Grant Programs

Section 5311: Non-Urbanized Area Formula

- **Program Purpose**

- Grants to rural areas for public transportation capital, planning, job access and reverse commute projects, as well as operating expenses in certain circumstances.
- State DOTs apply directly to FTA for funds apportioned under this program (with exception of Tribal Transit Program funds)

- **Eligible Project Type**

- Capital, Operating, Planning, and Administration
- Job Access and Reverse Commute (JARC) type projects
 - JARC projects should be added under the 646-00 Scope
- Rural Transportation Assistance Program – training and technical assistance projects

FTA Grant Programs

Section 5311: Non-Urbanized Area Formula

- **Major Changes from SAFETEA-LU**

- Planning is now eligible
- Eligible State Administration amount 10% (previously 15%)
- Eligibility for Job Access / Reverse Commute projects (no set-aside or cap)
 - New JARC service or routes implemented after 10/1/2012, OR
 - Maintaining a previously funded (by SAFETEA-LU) JARC service or route

FTA Grant Programs

Section 5311: Non-Urbanized Area Formula

• Major Changes from SAFETEA-LU (Cont.)

- Established an Appalachian Development Transportation Assistance Program (ADTAP) - \$20 Million / 13 States
 - Additional funding to support public transportation in the Appalachian region.
 - Eligible states/counties: <http://www.arc.gov/counties>
 - Funds under this program can be transferred to FHWA for highway purposes within the same geographic area, under certain circumstances
 - These projects should be added under the 648-00 scope
- Public Transportation on Indian Reservations Program – Formula and Discretionary - \$30 Million
 - Funds can be used by Indian tribes for any purpose eligible under section 5311
 - \$5 million will be allocated on a competitive basis
 - \$25 million will be allocated by formula

FTA Grant Programs

Section 5311: Non-Urbanized Area Formula

- **Other Provisions**

- 15% must continue to be spent on Intercity bus unless Governor certifies needs are being met

- **Period of Availability**

- Year of apportionment plus 2

- **Resources:**

- MAP-21 Interim Guidance:

<http://www.gpo.gov/fdsys/pkg/FR-2012-10-16/pdf/2012-25152.pdf>

FTA Grant Programs

Section 5337: State of Good Repair Program

- **Program Purpose**
 - Provides capital assistance for replacement and rehabilitation projects of existing fixed guideway systems
 - Funding is apportioned to fixed guideway systems open for at least 7 years with a minimum length of 1 mile
- **Eligible Project Type**
 - Capital replacement and rehabilitation projects
 - Preventive maintenance
 - Any fixed guideway project in the UZA is eligible regardless of age

FTA Grant Programs

Section 5337: State of Good Repair Program

- **Major Changes from SAFETEA-LU**
 - Projects that solely expand capacity or service are not eligible
 - High-occupancy vehicle (HOV) lanes are no longer part of the definition for fixed-guideway systems
 - There is a new definition for high-intensity motor buses, which is defined as public transportation that shares lanes with other HOV vehicles.
- **Other Provisions**
 - State of Good Repair projects must be included in Transit Asset Management (TAM) plans after final rule is issued
- **Period of Availability**
 - Year of apportionment plus 3
- **Resources:**
- MAP-21 Interim Guidance: <http://www.gpo.gov/fdsys/pkg/FR-2012-10-16/pdf/2012-25152.pdf>

FTA Grant Programs

Section 5339: Bus and Bus Facilities Formula

- **Program Purpose**

- Provides capital funding to replace, rehabilitate and purchase buses and related equipment and to construct bus-related facilities.

- **Eligible Project Types**

- Capital Only
- Project examples: bus purchase, facility rehabilitation and construction, equipment
- Preventive Maintenance NOT ELIGIBLE

FTA Grant Programs

Section 5339: Bus and Bus Facilities Formula

- **Major Changes from SAFETEA-LU**
 - Replaces the Section 5309 Bus and Bus Facilities Program.
 - Converted to formula program
 - Eligible applicants (to FTA)
 - Only 5307 Designated Recipients can make grant applications to FTA
 - Eligible Sub-recipients
 - Public agencies or private nonprofit organizations engaged in public transportation
 - Three pots of money:
 - Large Urban
 - Small UZA
 - National Distribution

FTA Grant Programs

Section 5339: Bus and Bus Facilities Formula

- **Other Provisions**

- Transferability

- Funds cannot be transferred across areas
- Exception: National Distribution allocation.
 - Up to State DOTs to suballocate.
 - Then can be transferred to 5307 or 5311.
 - Must be used consistent with requirements of 5339 (i.e. capital only)

- **Period of Availability**

- Year of apportionment plus 3

- **Resources:**

- MAP-21 Interim Guidance:

<http://www.gpo.gov/fdsys/pkg/FR-2012-10-16/pdf/2012-25152.pdf>

Designated Recipients

FTA Designated Recipients

- Definition of Designated Recipient
- Designation Process
- Difference Between Designated and Direct Recipient
- Responsibilities by Program
 - 5303/5304
 - 5307
 - 5310
 - 5311
 - 5339

Definition of Designated Recipient

- Designated Recipient.
 - An entity designated, in accordance with the planning process under Sections 5303 and 5304, by the governor of a state, responsible local officials, and publicly owned operators of public transportation, to receive and apportion amounts under Section 5336 to urbanized areas of 200,000 or more in population;
 - A state or regional authority, if the authority is responsible under the laws of a state for a capital project and for financing and directly providing public transportation.

Designated Recipient

- Designation Process
 - Typically starts at the MPO level following appropriate planning processes
 - Becomes effective when the governor of a state officially notifies the appropriate FTA regional administrator(s)
 - Remains in effect until changed
 - Designation notice must include:
 - A letter expressing the governor's concurrence; and
 - Concurrence in the selection of the designated recipient by transit operators, and/or an appropriately certified resolution of the metropolitan planning organization (MPO) concurring in the designation.

Designated Recipient

- Designation Process

- Possible to name one Designated Recipient for Multiple adjacent UZAs.
- In multi-state UZAs, each state governor must participate in designation process, i.e. submit concurrence letter to FTA

Designated Recipient

- Designation Process
 - State is the Designated Recipient for Small UZAs
 - Can receive input from local MPOs to develop/recommend funding allocations, but final approval is with State
 - May authorize direct recipients, depending upon the FTA program.

Designated Recipient

- Designation Process
 - Multiple Designated Recipients
 - FTA encourages the designation of a single designated recipient for each UZA 200,000 or more in population, including such UZAs that span more than one state, in order to streamline the administration of the program and foster coordination.
 - However, nothing precludes the designation of multiple designated recipients.

Difference Between Designated and Direct

- Direct Recipient
 - An eligible entity authorized by a designated recipient or state to receive Urbanized Area Formula Program funds directly from FTA.

Designated Recipient

- Documentation
 - FTA has begun asking for Designated Recipient letters in large UZAs.
 - Multiple reasons:
 - 1st question in Triennial Reviews
 - Section 5339 funds can only be applied for by 5307 Designated Recipient
 - All parties should have documentation identifying Designated Recipients in UZAs

DR Responsibilities by Program

- 5303/5304
- 5307
- 5310
- 5311
- 5339

Designated Recipient Responsibilities

- 5303
 - Notifying eligible local entities of the availability of MPP assistance;
 - Determining how MPP assistance should be allocated to each MPO, which is a formula developed with its MPOs and approved by FTA;
 - Grant approval constitutes formula approval
 - Reviewing UPWP work tasks;
 - Grant application

Designated Recipient Responsibilities

- 5303
 - Certifications and Assurances;
 - Enter into a written subagreement with MPO stating the terms and conditions of the provision of MPP assistance.
 - Ensuring compliance with Federal requirements by all subrecipients;
 - Monitoring the MPOs' project activity;
 - Overseeing project audit and grant closeout.

Designated Recipient Responsibilities

- 5304
 - Allocates its SPRP assistance to planning agencies on a formula developed by the State in cooperation with the entities and approved by FTA
 - Can be transferred to an MPO

Designated Recipient Responsibilities

- 5303/5304
 - Consolidated Planning Grants
 - Allows the States and MPOs to merge FTA metropolitan or statewide planning funds with FHWA Planning (PL) funds to provide States support for both highway and transit planning activities in single consolidated grants with either FTA or FHWA
 - State will continue to develop its own distribution formula, in consultation with the MPOs

Designated Recipient Responsibilities

- 5307
 - A state is responsible for administering the program on behalf of all UZAs under 200,000 in population, or portions thereof, that are located within its boundaries.
 - Allocate apportionment among recipients based on local needs and arrangements, and in coordination with the MPO(s);

Designated Recipient Responsibilities

- 5307
 - Identifying and selecting the projects and ensure inclusion in applicable urbanized plans: TIP/STIP/UPWP and LRTP
 - MPO and the designated recipient must work cooperatively to develop the TIP and agree on how to spend Section 5307 funds.
 - MPO is the forum for cooperative decision making to carry out the transportation planning process.

Designated Recipient Responsibilities

- 5307
 - Submitting a grant application for the Section 5307 program of projects (POP)
 - AND/OR
 - Split Letter to authorizing direct recipients

Designated Recipient Responsibilities

- 5307
 - Ensure UZA-wide requirements included in POP or split:
 - 1% for associated transit improvements (Large UZAs Only)
 - 1% public transportation security projects
 - Each designated recipient must verify that appropriate documentation of designation is on file with FTA and, if not, provide such documentation.

Designated Recipient Responsibilities

- 5307
 - Track obligations made by direct recipients against apportionment

Designated Recipient Responsibilities

- 5307
 - Supplemental Agreements
 - Applies to any non-designated, direct recipients of 5307
 - Done within TEAM between Grant Award by FTA and Grant Execution by direct recipient.
 - Permits the direct recipient to receive and expend the federal funds and sets forth that the grant recipient assumes all responsibilities of the grant agreement.

Designated Recipient Responsibilities

- 5310 (from PROPOSED Circular)
 - Document the State or designated recipient's procedures in a State Management Plan (SMP) or Program Management Plan (PMP);
 - Plan for future transportation needs, and ensures integration and coordination among diverse transportation modes and providers;
 - Develop project selection criteria consistent with the coordinated planning process;
 - Notify eligible local entities of funding availability;

Designated Recipient Responsibilities

- 5310 (from PROPOSED Circular)
 - Solicit applications from potential subrecipients;
 - Determine applicant and project eligibility;
 - Project must be included in (derived from) a locally developed, coordinated public transit-human service transportation plan
 - Certify that allocations of funds to subrecipients are made on a fair and equitable basis;
 - Submit an annual POP and grant application to FTA;
 - Ensure subrecipients comply with Federal requirements;

Designated Recipient Responsibilities

- 5310 (from PROPOSED Circular)
 - Ensure that at least 55% of the area's apportionment is used for traditional Section 5310 projects carried out by the eligible subrecipients as described in Chapter III(5).
 - Shown in the POP submitted to FTA
 - Oversee project audit and closeout.

Designated Recipient Responsibilities

- 5310 (from PROPOSED Circular)
 - Eligible Direct Recipients
 - Rural and Small Urbanized Areas under 200,000 in population. The State is the designated recipient and may apply directly to FTA for grant funds for itself and its subrecipients. The State is the only direct recipient for Section 5310 funds in rural areas and small UZAs.
 - Urbanized Areas over 200,000. The Section 5307 Designated Recipient(s), if selected through coordinated planning and project selection process

Designated Recipient Responsibilities

- 5339 (from PENDING Circular)
 - Allocate apportionment among subrecipients in the urbanized area or areas based on local needs and arrangements, and in coordination with the MPO(s);
 - Identify and select projects and ensure inclusion in applicable urbanized plans: TIP/STIP/UPVWP and LRTP

Designated Recipient Responsibilities

- 5339 (from PENDING Circular)
 - Submit grant application to FTA for selected projects
 - Report on behalf of subrecipients contained in the POP
 - Ensure subrecipients and projects are in compliance with all applicable federal requirements.

Designated Recipient Responsibilities

- 5339 (from PENDING Circular)
 - Areas with Multiple Designated Recipients
 - Designated Recipients and MPO should work together to determine and agree on the allocation based on local needs
 - Documentation of the allocation must be provided to FTA

Designated Recipient Responsibilities

- 5339 (from PENDING Circular)
 - Eligible Direct Recipients
 - Large UZA Allocation: 5307 Designated Recipient(s)
 - Small UZA Allocation: State DOTs
 - National Distribution: State DOT or selected FTA direct recipient

New Starts / Small Starts

New Starts / Small Starts

Under MAP-21, the New Starts and Small Starts program has been streamlined through the elimination of various steps in the “pipeline.” The final policy guidance also sets forth breakpoints for determining whether a project rates “high,” “medium-high,” “medium,” “low-medium,” or “low” on each of the various criteria.

New Starts / Small Starts

The final policy guidance addresses the weighting of the criteria and measures to arrive at an overall project rating. The final policy guidance accompanies the final rule for Major Capital Investment projects issued on January 9, 2013, at 78 FR 1992–2037, and codified at 49 CFR Part 611.

New Starts / Small Starts

A listing of Frequently Asked Questions (FAQs) are posted on the FTA New Starts website, <http://www.fta.dot.gov/>, and provide a valuable resource for all grantees. In addition, on this website, you will also find a comparison of the New Starts and Small Starts Programs under SAFETEA-LU and MAP-21.

New Starts

- FTA's final policy guidance to sponsors of New and Small Starts projects was published on 14 August 2013 and is available at <http://www.fta.dot.gov>.
- This revised policy guidance accompanies the final rule to explain and provide guidance on the New and Small Starts evaluation criteria and rating process.

New Starts

- Below is a summary of the criteria discussed in the guidance:
 - Project Justification Criteria (50%)
 - Mobility Improvements
 - Economic Development Effects
 - Environmental Benefits
 - Cost Effectiveness
 - Land Use
 - Local Financial Commitment (50%)
 - Current Condition
 - Commitment of Funds
 - Reliability/Capacity

NEPA

NEPA/Environmental Update

- Notice of Final Rulemaking
 - Categorical Exclusions 23 CFR 771.118(c)(12) and (13)
- Categorical Exclusion Considerations
- MAP-21 § 1319(b) Intent

NEPA/Environmental Update

Notice of Final Rulemaking – pub 1/13/14 – eff 2/12/14

- Categorical Exclusion 23 CFR 771.118(c)(12).
 - *Projects, as defined in 23 U.S.C. 101, that would take place entirely within the existing operational right-of-way. Existing operational right-of-way refers to right-of-way that has been disturbed for an existing transportation facility or is maintained for a transportation purpose.*
- Categorical Exclusion 23 CFR 771.118(c)(13).
 - *Federally-funded projects: (i) That receive less than \$5,000,000 of Federal funds; or (ii) With a total estimated cost of not more than \$30,000,000 and Federal funds comprising less than 15 percent of the total estimated project cost.*
- <http://www.gpo.gov/fdsys/pkg/FR-2014-01-13/pdf/2014-00370.pdf>
- http://www.fta.dot.gov/documents/Section_118_Guidance-February_2014_dated_02-12-14.pdf

NEPA/Environmental Update

- 23 CFR 771.118(a)

Categorical exclusions (CEs) are actions which meet the definition contained in 40 CFR 1508.4, and, based on past experience with similar actions, do not involve significant environmental impacts. They are actions which: do not induce significant impacts to planned growth or land use for the area; do not require the relocation of significant numbers of people; do not have a significant impact on any natural, cultural, recreational, historic or other resource; do not involve significant air, noise, or water quality impacts; do not have significant impacts on travel patterns; or do not otherwise, either individually or cumulatively, have any significant environmental impacts.

NEPA/Environmental Update

- 23 CFR 771.118(b):

Any action which normally would be classified as a CE but could involve unusual circumstances will require FTA, in cooperation with the applicant, to conduct appropriate environmental studies to determine if the CE classification is proper. Such unusual circumstances include:

- (1) Significant environmental impacts;*
- (2) Substantial controversy on environmental grounds;*
- (3) Significant impact on properties protected by Section 4(f) of the DOT Act or Section 106 of the National Historic Preservation Act; or*
- (4) Inconsistencies with any Federal, State, or local law, requirement or administrative determination relating to the environmental aspects of the action.*

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- Even if given as an example in 23 CFR 771.118(c) we cannot use CE if there are unusual circumstances.
- 23 CFR 771.118(b)(4) examples:
 - Lengthy 404 permit (or other) process required
 - Local ordinances

NEPA/Environmental Update

Topics that may require documentation



NEPA/Environmental Update

- When do we use a 23 CFR 771.118(d) documented CE instead of listed CE?
 - Action does not meet any examples given in Paragraph (c) but impact judged not significant.
- Note that any type of CE may require additional documentation.
- What is the difference between a c-list CE that requires documentation and a DCE?

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- Other “c-list” Categorical Exclusion considerations:
 - Other environmental requirements might still apply (e.g., Section 106, Section 4(f), Section 7 of the Endangered Species Act), as well as “unusual circumstances”
 - Can use the “Environmental Finding Details/Justification” box in TEAM to document other requirements that have been met.
- FTA “approval” for c-list CEs is the award of the grant.
- Documented CEs (“d-list”) require written approval.

NEPA/Environmental Update

§ 1319(b) Interim Guidance

- Joint FTA/FHWA guidance memo dated January 14, 2013.
- Clarification: Preparing combined FEIS/ROD is not optional.
- Combine ROD with Final EIS to the maximum extent practicable unless:
 - The FEIS makes substantial changes to the proposed action that are relevant to environmental or safety concerns; or,
 - There are significant new circumstances or information relevant to environmental concerns that bear on the proposed action or the impacts of the proposed action.
- 30-day period is no longer required between issuance of a FEIS and the ROD.

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Civil Rights

Civil Rights

- Explanation of Service Equity Requirements
- Explanation of Fare Equity Requirements
- Explanation of Title VI Equity Analysis
- Resources

Requirements for Fixed Route Transit Providers

Requirement	Fixed Route Transit Providers that do not meet the threshold	Transit Providers with 50 or more fixed route vehicles in peak service, located in large UZA
Set system-wide standards and policies	Required	Required
Collect and report data	Not required	Required: <ul style="list-style-type: none"> • Demographic and service profile maps and charts • Survey data regarding customer demographic and travel patterns
Evaluate service and fare equity changes	Not required	Required
Monitor transit service	Not required	Required

New Circular: 50+ vehicles in peak and 200,000 UZA

- Remember
 - System-wide standards: ALL MODES (**ALL Grantees**)
 - Vehicle load, on time performance, headways, transit amenities, and transit access
 - Service policies: vehicle assignment and transit security.
 - These are separate from Service & Fare Equity Analyses

Service and Fare Equity Analyses

- Only section where low-income is included
- Requires recipients to develop major service change policy, disparate impact policy, disproportionate burden policy, and evaluate adverse effects based on degree of impact
- Recipients may use population of service area or ridership for comparisons

Service & Fare Equity Analysis

- Usually conducted at programming stage
- By urbanized area with population of 200,000 or more and have 50 or more vehicles during peak service that proposes major service change or fare change
- (Note: There is no threshold for fare changes – one penny makes a fare change.)
- FTA Circular 4702.1B

Purpose of Service/Fare Analyses

- Analyze how the proposed changes impact low-income & minority populations
- Identify whether there will be a disproportionate impact
- Identify methods to avoid, minimize, and mitigate disproportionate impacts

Purpose of Service/Fare Analysis (cont.)

“Recipients can implement a service/fare increase that would have a disparate impact provided that the recipient (1) demonstrates that the action meets a substantial need that is in the public interest; and (2) that alternatives would have more severe adverse effects than the preferred alternative.”

Circular 4702.1A, Title VI Guidelines for FTA Recipients

Title VI Equity Analysis

DETERMINATION OF SITE OR LOCATION OF FACILITIES.

Title 49 CFR Section

21.9(b)(3) states, “In determining the site or location of facilities, a recipient or applicant may not make selections with the purpose or effect of excluding persons from, denying them the benefits of, or subjecting them to discrimination under any program to which this regulation applies, on the grounds of race, color, or national origin; or with the purpose or effect of defeating or substantially impairing the accomplishment of the objectives of the Actor this part.”

Title VI Equity Analysis

DETERMINATION OF SITE OR LOCATION OF FACILITIES.

“The location of projects requiring land acquisition and the displacement of persons from their residences and businesses may not be determined on the basis of race, color, or national origin.” For purposes of this requirement, “facilities” does not include bus shelters, as these are transit amenities and are covered in Chapter IV, nor does it include transit stations, power substations, etc., as those are evaluated during project development and the NEPA process. Facilities included in this provision include, but are not limited to, storage facilities, maintenance facilities, operations centers, etc.

Title VI Equity Analysis

DETERMINATION OF SITE OR LOCATION OF FACILITIES.

In order to comply with the regulations:

- a. The recipient shall complete a Title VI equity analysis during the planning stage with regard to where a project is located or sited to ensure the location is selected without regard to race, color, or national origin.
- b. When evaluating locations of facilities, recipients should give attention to other facilities with similar impacts in the area to determine if any cumulative adverse impacts might result.
- c. If the recipient determines that the location of the project will result in a disparate impact on the basis of race, color, or national origin, the recipient may only locate the project in that location if there is a substantial legitimate justification for locating the project there, and where there are no alternative locations that would have a less disparate impact on the basis of race, color, or national origin.

Resources

FTA -Title VI of the Civil Rights Act of 1964

<http://www.fta.dot.gov/civilrights/12328.html>

Title VI Circular 4702.1B

http://www.fta.dot.gov/legislation_law/12349_14792.html

Civil Rights Training Materials

<http://www.fta.dot.gov/civilrights/12885.html>

FTA Region IV website:

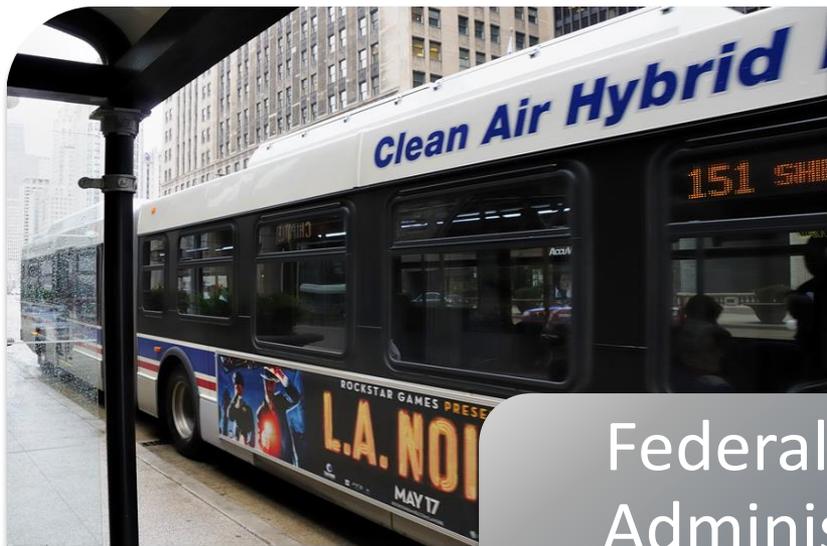
<http://www.fta.dot.gov/about/region4.html>

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Questions?





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