



**THURSDAY, May 10, 2012, 1:30 P.M.  
Camarillo City Hall  
Camarillo**

**VENTURA COUNTY TRANSPORTATION COMMISSION (VCTC)  
TRANSIT OPERATORS ADVISORY COMMITTEE (TRANSCOM)**

- Item #1**                    **CALL TO ORDER**
- Item #2**                    **INTRODUCTIONS AND ANNOUNCEMENTS**
- Item #3**                    **PUBLIC COMMENTS**
- Item #4**                    **MEETING SUMMARY APRIL 12, 2012 – pg. 2**  
That TRANSCOM review and approve the meeting summary of the APRIL 12, 2012 TRANSCOM meeting
- Item #5**                    **DEADLINE FOR EAST COUNTY TRANSIT SERVICE REVISED CMAQ APPLICATION – pg. 5**  
Consider request to extend deadline for revised application.
- Item #6**                    **FISCAL YEAR 2012/13 PROGRAM OF PROJECTS –pg. 7**  
That TRANSCOM discuss funding amounts and schedule for FY 2012/13 Program of Projects (POP).
- Item #7**                    **FEDERAL TRANSPORTATION AUTHORIZATION STATUS – pg. 13**  
That TRANSCOM receive a report on the status of the Federal Transportation authorization efforts.
- Item #8**                    **ADA CERTIFICATION UPDATE**  
Mike Culver, MMP Director of Operations for the ADA Certification Program, will provide the monthly report regarding ADA certifications in Ventura County. (No attachment)
- Item #9**                    **TRAPEZE STATUS**  
Margaret Heath, Gold Coast Transit, asked for TRANSCOM to discuss the status of TRAPEZE renewal activities. (No attachment)
- Item #10**                   **ADJOURN**



**Item #4**

**MEETING SUMMARY  
THURSDAY, APRIL 12, 2012, 1:30 P.M.  
Camarillo City Hall  
Camarillo**

- Item #1**                    **CALL TO ORDER**  
Chair called the meeting to order at 1:33 pm.
- Item #2**                    **INTRODUCTIONS AND ANNOUNCEMENTS**  
Mike Houser reported on the "East County Transit" meeting. He also comment on the ongoing TRAPEZE discussions (more on agenda item # 9)  
  
Chuck Perkins reported that Simi Valley transit has an agreement to fuel Waste Management trucks at their facility; FTA has approved the agreement.
- Item #3**                    **PUBLIC COMMENTS**  
NONE
- Item #4**                    **MEETING SUMMARY March 8 2012**  
The meeting summary for the March 8, 2012 was approved on a motion by Helene Buchman, seconded by Chuck Perkins
- Item #5**                    **APPROVE FISCAL YEAR (FY) 2011/12 PROPOSITION 1B TRANSIT SECURITY PROJECTS**  
Stephanie Young, VCTC, reported on the Proposition 1B Transit Safety and Security program. She noted that the important factors are the safety and security impacts on transit users (numbers of riders and employees), not the general public. There was a suggestion made that the scoring process be more participatory. There was also discussion about the projects and the role of California Emergency Management Agency (Cal EMA); and the state bonding process, before the program was approved on a motion by Jeff Herford, seconded by Chuck Perkins.
- Item #6**                    **APPROVE PROGRAMMING OF FISCAL YEAR (FY) 2011/12 JOBS ACCESS REVERSE COMMUTE LAPSING FUNDS**  
Stephanie Young, reported on approve shifting \$30,839 of Jobs Access Reverse Commute (JARC) Oxnard/Ventura Area funds from the Mobility Management Partners, Inc. (MMP). Mobility Management project to the Ventura County Human Services Agency for the Work Reliability Transport Project. Mike Culver, MMP stated that they had no problems with the recommendations. RAIN staff also commented on the program.

Staff recommendation was approved on a motion by Kathy Connell, seconded by Roc Pulido.

**Item #7**

**FISCAL YEAR 2012/13 PROGRAM OF PROJECTS**

Pete DeHaan presented the item regarding the funding amounts and schedule for FY 2012/13 Program of Projects (POP), and dates for submission of projects. Peter also discussed with TRANSCOM the funding of the ADA programs as allowed under FTA Section 5307. Transcom approved the recommendation, with the addition of a change in the deadline from April 26 to May 3<sup>rd</sup>, on a motion by on a motion by Shaun Kroes, seconded by Kathy Connell.

**Item #8**

**ADA CERTIFICATION UPDATE**

Mike Culver, MMP Director of Operations for the ADA Certification Program, provided the monthly report regarding ADA certifications in Ventura County. He noted that they were on target regarding the budget. He also reported that MMP had made 3 denials last month.

**Item #9**

**TRAPEZE STATUS**

Chair Mike Houser report on the status of TRAPEZE renewal activities. Status to date is that the interested agencies have met to discuss the desired modifications to the TRAPESZE system.

**Item #10**

**UNMET TRANSIT NEEDS**

Vic Kamhi summarized the 2012-13 Unmet Transit Needs process and recommended findings. TRANSCOM recommended supporting the findings to the Commission on a motion by Kathy Connell, seconded by Roc Pulido.

**Item #11**

**ADJOURN**



MEETING TRANSCOM DATE April 12, 2012

NAME	REPRESENTING	E-MAIL (if change or new)
<u>MIKE HULSE</u>	<u>CITY OF T.O</u>	
<u>ANDRES SANTAMARIA</u>	<u>PORT HUENEME</u>	
<u>Roc Pulido</u>	<u>CAMARILLO</u>	
<u>Shaun Kroes</u>	<u>Moorpark</u>	
<u>Helene Puchman</u>	<u>Gold Coast Transit</u>	
<u>Kathy Connell</u>	<u>County of Ventura</u>	
<u>Myra Montejano</u>	<u>VCTC</u>	
<u>MIKE CULVER</u>	<u>MMP</u>	
<u>Tina McDonald</u>	<u>HSA /RAIN</u>	
<u>JEFF HEREFORD</u>	<u>CITY OF VENTURA</u>	
<u>Chuck Lentz</u>	<u>City of Simi Valley</u>	
<u>Peter De Haan</u>	<u>VCTC</u>	
<u>Vic Kamm</u>	<u>VCTC</u>	



Item #5

May 10, 2012

**MEMO TO: TRANSIT OPERATORS COMMITTEE**  
**FROM: PETER DE HAAN, PROGRAMMING DIRECTOR**  
**SUBJECT: DEADLINE FOR EAST COUNTY TRANSIT SERVICE REVISED CMAQ APPLICATION**

**RECOMMENDATION:**

- Consider request to extend deadline for revised application.

**BACKGROUND:**

At its March meeting approving the 2012 Mini Call for Projects, the Committee took the following action:

- The City of Simi Valley be given 60 days to work with VCTC and other east county cities to revise the East County Transit Service project that VCTC staff had deemed ineligible, and then resubmit the project. The project will then be rescored, and if the project scores at a comparable level or higher than other recommended shelf list projects, then it will be recommended to the Commission for placement on the shelf list.

Staff has received a request to place on the agenda a possible 30-day extension of the 60-day deadline. Since this TRANSCOM recommendation was approved by the Commission at its April 13<sup>th</sup> meeting, one option would be to interpret the 60 day period as starting on the date of Commission approval.

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Item #6

April 12, 2012

**MEMO TO: TRANSIT OPERATORS COMMITTEE**  
**FROM: PETER DE HAAN, PROGRAMMING DIRECTOR**  
**SUBJECT: FISCAL YEAR 2012/13 PROGRAM OF PROJECTS**

**RECOMMENDATION:**

- Discuss funding amounts and schedule for FY 2012/13 Program of Projects (POP).

**BACKGROUND:**

Commission staff will be providing shortly each operator's estimated Section 5307 funding amounts for the FY 2012/13 POP. This work was delayed to await the U.S. Census Bureau's announcement of new urban area boundaries, but now that these areas have been determined, the FTA funding for each operator will be very close to what was available in FY 2011/12.

The following is the proposed schedule for the FY 2012/13 POP:

April 26, 2012:	Project Lists Submitted to VCTC
May 10 <sup>th</sup> :	TRANSCOM Approval of Draft POP
June 1 <sup>st</sup> :	Commission Approval of Draft POP
July 12:	TRANSCOM Approval of Final POP
September 7 <sup>th</sup> :	Commission Approval of Final POP

One issue for consideration at this time is the amount of funding available for the Intercity East County ADA Service. Federal law allows up to 10% of an area's apportionment to be used for operations of ADA services, with the required local match being 20%. However, under the original set-up of the Intercity East County Service, the total funding was capped at \$150,000, with the remainder of the ADA funds available for the Thousand Oaks / Moorpark area being swapped with non-ADA funds from the Oxnard / Ventura area. This arrangement allowed Gold Coast Transit to use for ADA operations about \$200,000 more than what would otherwise be allowed by the 10% cap, without increasing the total Section 5307 funds received by Gold Coast. It was understood that this provision of additional flexibility in Gold Coast's funding, without increasing its funding amount, was in recognition of Gold Coast's provision of an ADA service connection to Camarillo.

Given the new federal policy to allow use of Section 5307 funds to cover 50% of fuel costs, there is the now the option of a more straightforward approach to use of the ADA funds, without the need to swap funds between areas or cap the East County Intercity ADA Service funding at

\$150,000. Instead, Gold Coast Transit would use approximately \$200,000 of its Section 5307 funding share towards fuel, and the East County would be free to use up to 10% of its apportionment for ADA operations.

Based on the discussion of the East County ADA Committee, the distribution formula was revised, and is to be update each year based on service statistics from the previous calendar year. Attached are the proposed shares for distributing \$150,000 according to the formula, but as discussed above, the \$150,000 could potentially be increased.

2011-12 Proposed Distribution of \$150,000 East County ADA Pass Through Funds

<u>Jurisdiction</u>	<u>Base \$</u>	<u>Inter-city Trips</u>	<u>Percent of Inter-city Total</u>	<u>Inter-City \$</u>	<u>Total \$</u>
Camarillo	\$ 2,500	-	0.00%	\$ -	\$ 2,500
Camarillo HCD	\$ 11,000	3,806	35.68%	\$ 36,925	\$ 47,925
Moorpark	\$ 11,000	1,627	15.25%	\$ 15,785	\$ 26,785
Simi Valley	\$ 11,000	-	0.00%	\$ -	\$ 11,000
Thousand Oaks	\$ 11,000	5,235	49.07%	\$ 50,790	\$ 61,790
Total	\$ 46,500	10,668		\$ 103,500	\$ 150,000

FY 2012/13 POP Countywide Planning (FTA Section 5307 funds only)						
	11/12 POP			12/13 POP		
	Additional	Pre Prog	Total	Additional	Pre Prog	Total
	11/12	12/13	11/12 Grant	12/13	13/14	12/13 Grant
VISTA Planning		185,000	185,000		196,000	196,000
Elderly/Disabled Planning/Evaluation		168,000	168,000		177,000	177,000
Smartcard Data Management		251,000	251,000		191,000	191,000
Smartcard Capital		482,000	482,000			-
Fare Collection Equipment					130,000	130,000
Ridership Monitoring Equipment					400,000	
Nextbus	105,000		105,000	105,000		105,000
Transit Planning & Programming		285,000	285,000		285,000	285,000
Transit P & P One-time studies <sup>1</sup>	28,000		28,000			-
Transit Information Center		205,000	205,000		221,000	221,000
Transit Marketing <sup>2</sup>						
<b>Total VCTC planning</b>	<b>\$ 133,000</b>	<b>\$ 1,576,000</b>	<b>\$ 1,709,000</b>	<b>\$ 105,000</b>	<b>\$ 1,600,000</b>	<b>\$ 1,705,000</b>

Note 1: Federally-required updates of Coordinated Paratransit Plan and Title VI Analysis  
Note 2: Transit Marketing now funded from CMAQ.

2012/13 ESTIMATED POP REVENUES- STATUS QUO						
	Metrolink 5309 Funds <sup>1</sup>	Metrolink 5307 Funds <sup>1</sup>	VISTA 5307 Funds <sup>2</sup>	Bus	Population	TOTAL
<b>Oxnard/Ventura UZA</b>	<b>\$ 1,568,469</b>	<b>\$ 1,897,286</b>	<b>\$ 1,190,810</b>	<b>\$ 1,332,940</b>	<b>\$ 3,188,077</b>	<b>\$ 9,177,582</b>
Gold Coast	\$ -	\$ -	\$ -	\$ 1,332,940	\$ 3,188,077	\$ 4,521,017
SCRRA/VISTA	\$ 482,016	\$ 574,119	\$ 921,818	\$ -	\$ -	\$ 1,977,953
Simi Valley	\$ 604,042	\$ 735,578	\$ 61,374	\$ -	\$ -	\$ 1,400,994
Camarillo	\$ 482,411	\$ 587,589	\$ 71,115	\$ -	\$ -	\$ 1,141,115
Thousand Oaks/Moorpark	\$ -	\$ -	\$ 136,503	\$ -	\$ -	\$ 136,503
<b>Thousand Oaks/Moorpark UZA</b>	<b>\$ 864,535</b>	<b>\$ 869,714</b>	<b>\$ -</b>	<b>\$ 392,854</b>	<b>\$ 1,857,497</b>	<b>\$ 3,984,600</b>
Thousand Oaks Transit	\$ -	\$ -	\$ -	\$ 392,854	\$ -	\$ 392,854
Thousand Oaks/Moorpark	\$ 864,535	\$ 869,714	\$ -	\$ -	\$ 983,764	\$ 2,718,013
County Unincorporated <sup>3</sup>	\$ -	\$ -	\$ -	\$ -	\$ 873,733	\$ 873,733
<b>Simi Valley UZA</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 2,308,990</b>	<b>\$ 2,308,990</b>
<b>Camarillo UZA<sup>4</sup></b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 2,722,941</b>	<b>\$ 2,722,941</b>
<b>Rural Area</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>TOTAL FTA Funds</b>	<b>\$ 2,433,004</b>	<b>\$ 2,767,000</b>	<b>\$ 1,190,810</b>	<b>\$ 1,725,794</b>	<b>\$10,077,505</b>	<b>\$ 18,194,113</b>

<sup>1</sup>Metrolink FTA revenue for Simi Valley and Camarillo Areas is reported to Oxnard/Ventura Area.

<sup>2</sup>VISTA FTA Revenue for TO/Moorpark, Camarillo, and Simi Valley Areas is reported to Oxnard/Ventura Area.

<sup>3</sup>County Unincorporated includes population revenue for portion of TO/Moorpark area outside of the two cities. These funds are used for VISTA.

<sup>4</sup>Includes \$1,674,321 prior year carryover for Camarillo UZA.

2012/13 POP EXPENSES							
	Metrolink 5309 Funds <sup>5</sup>	Metrolink 5307 Funds <sup>5</sup>	VISTA 5307 Funds	Countywide Planning <sup>6</sup>	ADA <sup>7</sup>	Local Bus/Capital	TOTAL
<b>Oxnard/Ventura UZA<sup>7</sup></b>	<b>\$ 1,568,469</b>	<b>\$ 1,897,286</b>	<b>\$ 1,190,810</b>	<b>\$ 978,159</b>	<b>\$ 972,918</b>	<b>\$ 2,569,941</b>	<b>\$ 9,177,582</b>
Gold Coast	\$ -	\$ -	\$ -	\$ 978,159	\$ 972,918	\$ 2,569,941	\$ 4,521,017
SCRRA/VISTA	\$ 482,016	\$ 574,119	\$ 921,818	\$ -	\$ -	\$ -	\$ 1,977,953
Simi Valley	\$ 604,042	\$ 735,578	\$ 61,374	\$ -	\$ -	\$ -	\$ 1,400,994
Camarillo	\$ 482,411	\$ 587,589	\$ 71,115	\$ -	\$ -	\$ -	\$ 1,141,115
Thousand Oaks/Moorpark	\$ -	\$ -	\$ 136,503	\$ -	\$ -	\$ -	\$ 136,503
<b>Thousand Oaks/Moorpark UZA</b>	<b>\$ 864,535</b>	<b>\$ 869,714</b>	<b>\$ 873,733</b>	<b>\$ 334,010</b>	<b>\$ 100,000</b>	<b>\$ 942,609</b>	<b>\$ 3,984,600</b>
Thousand Oaks Transit	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 392,854	\$ 392,854
Thousand Oaks/Moorpark	\$ 864,535	\$ 869,714	\$ -	\$ 334,010	\$ 100,000	\$ 549,755	\$ 2,718,013
County Unincorporated <sup>7</sup>	\$ -	\$ -	\$ 873,733	\$ -	\$ -		\$ 873,733
<b>Simi Valley UZA</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 257,285</b>	<b>\$ -</b>	<b>\$ 2,051,706</b>	<b>\$ 2,308,990</b>
<b>Camarillo UZA</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 135,548</b>	<b>\$ 50,000</b>	<b>\$ 2,537,394</b>	<b>\$ 2,722,941</b>
<b>Rural Area</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>TOTAL FTA Costs</b>	<b><u>\$2,433,004</u></b>	<b><u>\$ 2,767,000</u></b>	<b><u>\$ 2,064,543</u></b>	<b><u>\$ 1,705,000</u></b>	<b><u>\$1,122,918</u></b>	<b><u>\$ 8,101,648</u></b>	<b><u>\$18,194,113</u></b>
<b>Available Revenue</b>							<b>\$18,194,113</b>
<b>Surplus (Shortfall)</b>							<b><u>\$ -</u></b>

<sup>5</sup>Section 5307 and 5309 monies are combined to fund Metrolink services.

<sup>6</sup>Countywide Planning cost is distributed based on population.

<sup>7</sup>Simi Valley ADA cap is included in the statewide small urban apportionment.

<sup>8</sup>County Unincorporated includes revenue for portion of TO/Moorpark area outside of the two cities. These funds are used for VISTA.

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Item #7

May 10, 2012

**MEMO TO: TRANSIT OPERATORS COMMITTEE  
TRANSPORTATION TECHNICAL ADVISORY COMMITTEE**

**FROM: PETER DE HAAN, PROGRAMMING DIRECTOR**

**SUBJECT: FEDERAL TRANSPORTATION AUTHORIZATION STATUS**

**RECOMMENDATION:**

- Receive and file.

**BACKGROUND:**

The House has passed HR 4348, a second 90-day extension of the surface transportation authorization, to extend the program to September 30<sup>th</sup>. The bill allows the House to move into conference committee negotiations with the Senate over S 1813, moving Ahead for Progress in the 21<sup>st</sup> Century (MAP-21), the two-year bill recently passed by that house. HR 4348 includes a controversial provision to mandate construction of the Keystone oil pipeline from Canada to the southern U.S. The Administration has issued a statement threatening to veto the House bill due to the pipeline provision. The conference committee members have been appointed, with Senator Boxer as the Chair. The Committee includes one other California, Congressman Henry Waxman.

Attached is a matrix prepared by SCAG comparing these House and Senate bills.

	H.R. 4348 - an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund	Moving Ahead for Progress in the 21st Century S. 1813 Senate EPW Committee	Comments
General			
Duration	90 days (end of Federal FY – September 30, 2012)	2 Years	
Funding		\$109 billion	
Return to states (CA currently 92%)	92%	95% (Estimated CA apportionments FY 2012 - \$3,765,401,521; FY 2013 - 3,829,179,495.	
Funding level	Status quo (from SAFETEA-LU)	Status quo plus CPI	
Highways			
Highway Program	Status quo (from SAFETEA-LU)	Section 1106 (Page 50) Consolidates National Highway System, Interstate Maintenance & Highway Bridge Program into National Highway Performance Program (NHPP)	
Bridges	Status quo (from SAFETEA-LU)	Section 1111 (Page 86) Requires states to spend a certain amount of funding on repair of bridges and interstate pavement if they fall below minimum standards established by USDOT.	
Bridge Repair*	Status quo (from SAFETEA-LU)	Adopted into Senate managers' amendment package (Franken-Blunt 1543). Provides funding and flexibility to states to repair and rehabilitate the 180,000 federal-aid bridges that are not on the National Highway System (NHS). These bridges would become eligible for a 40% share of the highway program funds (National Highway Performance Program) that aren't currently required for repairing the National Highway System.	
Bridge Repair*	Status quo (from SAFETEA-LU)	Blunt-Casey Amendment 1540 passed on 3/13/12; would authorize a 15% set aside for off-system bridges that are also not on the National Highway system, with Secretary authority to reduce if he deems justified for specific projects.	
Surface Transportation Program (STP)	Status quo (from SAFETEA-LU)	Section 1108 (Page 74) Replaces STP with Transportation Mobility Program (TMP) giving states and regions flexible dollars to invest in highways, transit projects, freight rail projects, bike/ped projects, travel demand management, etc. Reduces % for sub allocation from 62.5% in California to 50%	

		but increases overall program funding.
Highway Safety Improvement Program (HSIP)	Status quo (from SAFETEA-LU)	Section 1112 (Page 101) Sets aside 8% of HSIP funds for data collection on crashes and creating database for safety issues on all public roads. States must develop strategic highway safety plan within one year using process approved by USDOT; states are required to also develop performance targets on fatalities and serious injuries.
Federal Programs Transfer to States*	Status quo (from SAFETEA-LU)	DeMint Amendment 1756 failed; would have transferred most responsibility for surface transportation to states and remove many regulatory requirements; would continue to fund Interstate maintenance, transportation research, and safety; would end all dedicated funding for transit programs.
Equity Bonus		
Return to State provision	92% as under SAFETEA-LU	(Page 43) Minimum return on state percentage shares of Highway Account tax payments is <u>95%</u> (up from 92% under SAFETEA-LU)
CMAQ		
Congestion Mitigation and Air Quality Program	Status quo (from SAFETEA-LU)	Section 1113 (Page 128) CMAQ funds provided to states and Tier I MPOs (urban); in states w/ non-attainment areas, 50% of funds are sub allocated to Tier I MPOs based on area's status with National ambient air quality standards. Funds cannot be used to construct new travel lanes except for HOV/HOT lanes. Current provision requires that 30% of funds to local agencies be spent on retrofit of construction equipment. Reserves an amount equal to that provided in Transportation Set-Aside in FY'09 to be spent on transportation enhancements, safe routes to school, environmental mitigation, etc.
Innovative Finance		
Transportation Infrastructure Finance & Innovation (TIFIA)	Status quo (from SAFETEA-LU)	Section 3002 (Page 558) Expands TIFIA program to \$1B and modifies program from competitive application process to a rolling application process. Modifies application for TIFIA loans to make easier for public transportation agencies with dedicated revenue sources. Allows applicants to enter into master credit agreements to provide funding for a

		suite of projects at once.
Infrastructure Banks		N/A.
Tolling*		Carper Amendment 1670 withdrawn; would have extended or expanded the value pricing pilot program; interstate system reconstruction and rehabilitation pilot program. Expands ability of states to apply for authority to toll certain Federal-aid highways with proceeds available for investments in the corridor to help create alternatives in that tolled corridor.
Tolls*		Hutchinson Amendment 1568 withdrawn; would have prohibited the use of funds to approve or authorize tolls on any existing federal-aid highways, with exceptions for new tolled capacity or converting High-Occupancy Vehicle (HOV) lanes to High-Occupancy Toll (HOT) lanes. As of 2008 in the SCAG region, there are approximately 325 lane miles of toll roads with a planned increase of up to 2,500 lane miles by 2035. Would reduce the authorized slots under the Interstate System Reconstruction and Rehabilitation Program from 3 to 2.
Planning		
Metropolitan Planning Organizations	Status quo (from SAFETEA-LU)	Section 1201 (Page 245) Groups MPOs into 2 tiers; Tier I MPOs serve a metropolitan planning area with population of 1 million and above; Tier II MPOs serve an urbanized area with population of more than 200,000 up to 1 million. MPOs serving small urbanized areas with population fewer than 200,000 but more than 50,000 may request designation as a Tier II MPO with the USDOT Secretary. MPO's not so designated are dissolved & their responsibilities shall transfer to state.
MPO Planning Funding	Status quo (from SAFETEA-LU)	No longer a percent set aside of core programs, now based on a share of 2009 apportionments.
MPO Planning & Funding*	Status quo (from SAFETEA-LU)	Adopted into Senate managers amendment package (Cardin-Cochran 1549). Provides local communities and metropolitan regions with access to the Additional Activities pot of funding through a

	<p>competitive grant program that can be used for main street revitalizations, boulevard conversions, new bike facilities, or safety improvements. Large metro areas to receive some funds directly.</p>
<p>MPO Funding – Penalties*</p>	<p>Adopted into Senate managers’ amendment package (Landrieu 1630). Ensures that metropolitan areas (MPOs) aren't exposed to financial penalties if states do not meet their state requirements for fixing roads and bridges or develop a state highway safety plan.</p>
<p>Freight</p>	<p><b>Page 176 of S. 1813</b></p>
<p>Freight Policy</p>	<p>The amended bill removes the national freight infrastructure grant program, as well as the provision to create an Office of Freight Planning and Development in the Office of the Secretary at USDOT. Likewise, Senator Cantwell's amendment calling for the creation of an Office of Freight Planning and Development at US DOT, and Senator Lautenberg’s amendment calling for the creation of a competitive National Freight Infrastructure Grants program did not make it into the leadership-approved list of amendments.</p> <p>Remaining in the amended bill is Section 1115 establishing a National Freight Program consisting of a Secretary designated primary freight network, portions of the Interstate system not designated as part of the primary freight network and critical rural freight corridors. Not later than one year after enactment, the USDOT Secretary shall also designate a Primary Freight Network consisting of not more than 27,000 centerline miles of existing roadways that are most critical to freight movement. Up to 3,000 additional centerline miles critical to future movement of freight on the primary network. In designating the primary freight network, the Secretary shall now take into consideration the value of freight among the other criteria; in a State’s designation of a critical rural freight corridor, the State can now consider a road that carries a high</p>

volume of freight, as measured by the total tonnage or total value of freight, compared to other rural roads in the State.

The freight program calls for the USDOT, in consultation with appropriate public and private stakeholders, to develop a national strategic freight plan within 3 years of enactment, to be updated every 5 years thereafter. The plan must include the following:

- an assessment of the condition and performance of the national freight network,
- identification of significant bottlenecks on 20-year forecasts of freight volumes for a 20 year period,
- identification of major freight corridors, an assessment of regulatory/ statutory/ financial barriers that impede freight system performance,
- best practices for improving performance of freight network,
- best practices to mitigate impacts of freight movement on communities,
- a process for addressing multistate projects and encouraging multi-jurisdictional collaboration, and
- strategies to improve intermodal connectivity.

States are required to develop performance targets in order to obligate funds apportioned for freight.

Freight Funding

To be distributed to states via formula funding, the aggregate amount that the state must use for freight projects must either be figured by multiplying an amount that represents 110% of the project's state fiscal year funding by the total percent of Primary Freight Network within that state divided by the sum of the Primary Freight Network miles within the State, and the total Interstate mileage within the state not a part of the Primary Freight Network; or, an amount equal to the total Apportionment of the State.

Project Acceleration	Subtitle C (Page 338 – 392)	
<p>Expedited Environmental Process (Carried over from H.R. 7 provisions)</p>	<ul style="list-style-type: none"> <li>• NEPA delegation. The bill makes permanent the ability of the Secretary to delegate NEPA authority to States, and removes the limitation that only five States may receive this authority. The bill expands this authority from applying only to highway projects to applying to highway, transit, and multimodal projects.</li> <li>• Federal/State Environmental Law Reciprocity. The bill establishes a program to allow for State environmental regulations to be used in place of NEPA or other federal environmental regulations, provided they are substantially equivalent. This applies to highway, transit, and multimodal projects.</li> <li>• Contracting Efficiency. Two phase construction contracts, for preconstruction and construction activities, are permitted.</li> <li>• Funding Threshold. The bill exempts projects from NEPA projects that are use less than \$10 million in federal funds, or that have 15 percent or less of overall project costs coming from federal funds.</li> <li>• Environmental Review Efficiencies. The bill makes a number of changes to expedite the NEPA process, including requiring concurrent reviews of permits; limitations on judicial review; integrating decisions made in the planning process into the NEPA process; allowing for programmatic, rather than project-by-project, reviews; and mandating certain deadlines for project approval.</li> <li>• Categorical Exclusions for Projects in the Right-of-Way. The bill requires the Secretary to categorically exclude from NEPA any highway projects constructed in existing right-of-way.</li> </ul>	<ul style="list-style-type: none"> <li>• Sections 1301 and 1302 (Page 342) Expands eligibility of early acquisition of property prior to completion of NEPA environmental review under circumstances provided in bill;</li> <li>• Section 1303 (Page 348) Two Phase Construction. Provides for two phase construction and permits phase I (preconstruction) to commence and proceed prior to completion of NEPA environmental review process.</li> <li>• Sections 1308 (Page 359) NEPA Delegation. Removes 'Pilot' from program title and authorizes states to assume determinations and responsibilities imposed under NEPA, subject to review by the Secretary, and a state's waiving of its sovereign immunity. State may terminate participation at any time.</li> <li>• Sections 1306 &amp; 1309 (Pages 354 &amp; 363) Categorical Exclusions. Provides for categorical exclusions of certain components of multimodal projects as provided under NEPA; as well as for projects within right of way and directs Secretary to prepare new categorical exclusions as provided.</li> <li>• Section 3013 (Page 371) Accelerated Decisionmaking. Establishes accelerated, specific decision timelines for environmental review <u>with penalty provisions for agencies failing to make decisions by the deadlines in amounts, depending upon project, of between \$10K and \$20K per week, until final decision is reached, not to exceed 1% of funds made available to the agency.</u></li> </ul>

Consolidation/ Elimination	
Programs Eliminated or Consolidated into larger program.	Consolidates existing programs as follows: Interstate Maintenance, National Highway System & Highway Bridge Program into National Highway Performance Program; Equity Bonus, AHDS, Border Infrastructure Program, Railway Highway Crossings, and STP into Transportation Mobility Program; and Transportation Enhancements, Safe Routes to Schools and Recreational Trails into CMAQ.
Other Provisions	
Amendments passed from House floor, including:	<ul style="list-style-type: none"> <li>• Rep. Boustany (R-LA): Amendment would include a guarantee that requires the total amount available for spending in the Harbor Maintenance Trust Fund be equal to the receipts as estimated by the President's budget each corresponding fiscal year.</li> <li>• McKinley (R-WV): Amendment would insert the Coal Residuals Reuse and Management Act (H.R. 2273).</li> <li>• Extend motor fuel taxes and all non-fuel excise taxes at current rates thru 09/30/2015;</li> <li>• Extend the expenditure authority for the Highway Trust Fund (HTF) thru 09/30/2013;</li> <li>• Transfer \$3B from the LUST Trust Fund to HTF; decrease amount of fuel tax revenue to LUST fund to match actual need;</li> <li>• Prohibit taxpayers from claiming the alternative mixture credit or the cellulosic biofuels credit on any returns made after 2/3/2012. (Estimated to raise \$2.786B over 10 years).</li> <li>• Require that amounts equivalent to the gas-guzzler taxes received in the Treasury be transferred to HTF. (Estimated to provide \$697M to HTF over 10 years).</li> <li>• Revoke Passports of Individuals Owing More Than \$50,000 in Back Taxes. (Estimated to raise \$743M over 10 years).</li> <li>• Permit the IRS to impose levy of up to 100 percent on tax delinquent Medicare service providers. (Estimated to raise \$841M over 10 years).</li> <li>• Transfer to HTF certain Imported Tariffs. (Provides \$2.475B to HTF between FY 2012 thru 2014).</li> </ul>
Projects of National and Regional Significance (PNRS)	Continues PNRS grant program and authorizes \$1B for FY 2013 from general fund revenues, not HTF revenues. Provides modification to allow local government and other entities to apply directly for funding. Eligible projects are surface transportation or a program of integrated surface transportation projects that facilitate intermodal interchange,

	<p>transfer and access to and from intermodal facilities (including ports), as well as public transportation projects. Applications must include data on current system performance as well as estimated system improvements resulting from completion of the project.</p> <p>Selections made by the Secretary must meet a certain number of criteria, such as:  Project would improve national surface transportation system; Project is based on engineering results; Project cannot be readily completed without funding support from this program; Project would generate national economic benefit, reduce congestion, improve safety; Project is supported by an “acceptable degree” of non-Federal financial commitments.</p> <p>Additional consideration should be given to the following criteria:  Project leverages Federal investment by encouraging non-Federal funding sources such as PPPs; Project is able to begin construction within 18 months; Project incorporates innovative financing and project delivery; Project stimulates multi-state collaboration; Project helps maintain/protect environment; Project contributes to an equitable geographic distribution of funds.</p>
HOV Facilities*	Final adopted manager’s amendment removes HOV facilities section from the bill, which included provisions related to state agency administration of alternative fuel vehicles use of HOV facilities.
Bus Grants*	Adopted manager’s amendment clarifies that bus and bus facility state of good repair grants shall be given at discretion of the Secretary, with at least 40% of grants given to rural transit systems.

\*Denotes germane amendment either adopted as part of Managers’ amendment package or by separate vote on Senate floor. Numerous other non-germane or failed amendments are not reflected on this document.