# FIXING AMERICA’S SURFACE TRANSPORTATION (FAST) ACT IMPLEMENTATION WORKING GROUP MEETING NOTES – March 22, 2016

**Start Time: 3:00 pm**

**End Time: 3:55 pm**

**In-Person Attendees:** Giles Giovinazzi, Joanne McDermott, Marilee Mortenson, Mike Johnson, Jannette Ramirez, Joe Rouse, Lilibeth Green, Mitch Weiss, John Hoole, Scott Nicolson, Fardad Falakfarsa, Kiana Valentine, Chris Lee, Ray Zhang, Coco Briseno.

**Remote Attendees:** Sarkes Khachek, Mike Duman, LA County Metro, California State Association of Counties, California Transit Association, CalACT, Urban Counties Caucus, California Legislature/Transportation, Rails to Trails Conservancy, CALCOG, Lonora Graves, Cameron Oakes, LaNae Van Valen.

## ACTION ITEM:

|  |  |  |
| --- | --- | --- |
| **Responsible** | **Action Needed** | **Due Date** |
| Giles Giovinazzi | Continue the discussion on changing the 60/40 split  once counter-proposals are received. Discussion could include whether the Bridge Advisory Committee could assist with funding decisions using an internal committee process. | Wednesday,  4/6/2016 |

## INTRODUCTION:

* Giles welcomed all attendees.
* Discussed amendment to FAST Act FASTLANE Grant Notice of Funding Opportunity (NOFO) regarding extended project readiness for the grant program, including:
  + 18 months for construction; and
  + obligation requirements.
* Amended Notice of Funding Opportunity (NOFO) language and updated information available through the link:
  + http://www.dot.ca.gov/hq/transprog/map21/map21\_implementation.htm
* Safety Performance Management Final Rules (also known as “Performance Management 1”) also available through the same link.
* Can use the Working Group to collect Group’s thoughts on Safety Performance Management target setting.

## FHWA UPDATE:

* Most recent information has been posted on the FHWA webpage regarding:
  + The Amended FASTLANE NOFO.
  + Safety Performance Management Final Rules (Performance Management 1).
* FHWA will continue to post fact sheets regarding various sections of guidance and repurposing of earmarks.

Questions and discussion on FASTLANE Discretionary Grant regarding project submission: No more than three project applications per applicant can be submitted. This list is being developed working with, and using, Caltrans Districts and Metropolitan Planning Organization (MPO) information. A list should be coming out soon. Submission deadline is Friday, March 25th to provide basic project details and project descriptions. Letters of Support criteria to be released on Friday, March 25th. Cameron Oakes, Division of Transportation Planning, is the lead for the FASTLANE Grant Program.

## DISCUSSION/FEEDBACK FAST ACT IMPLEMENTATION PROGRAMMATIC APPORTIONMENT DISTRIBUTION CHART FROM MARCH 9, 2016:

Giles requested feedback or counter-proposals on the FAST Act apportionment funding chart (the “60/40 funding split table”) Caltrans circulated March 9, 2016:

* Regional agencies are still reviewing and feedback should be provided by March 28th or March 29th.
* These agencies can/should also provide feedback and information to the appropriate subgroup.
* Questions and discussion on the March 9, 2016 Caltrans 60/40 funding split table included how it was developed; whether MAP-21 issues/assumptions were included; the flexibility of the HSIP funds, and the continuation of flexibility for other funds.
* Regions may suggest various ideas regarding the flexibility of funds, but there is no alternate proposal yet.
* The funding status and funding split for the bridge program were discussed, including possible changes to funding for different classifications of bridges - locally owned, on the Federal-aid system (“on system”) and off the Federal-aid system (“off-system”). CSAC was interested in increasing federal funding for locally owned bridges in light of overall growth in National Highway Performance Program (NHPP) funding.
* Caltrans noted that MAP-21 Performance Management rulemakings and requirements could also affect how federal funding is shifted to address deficiencies on different classifications of bridges; however, most of the federal Performance Management requirements have not been finalized. Moreover, MAP-21 Performance Management requirements would generally require states to address deficiencies on the National Highway System, so to the extent that there could be federal Performance Management compliance issues that require federal National Highway Performance Program (NHPP) funding to be reallocated, it would be to address deficiencies on the National Highway System.
* The Bridge Advisory Committee could assist with funding decisions using an internal committee process; or perhaps this issue should be discussed later when federal Performance Management rules are finalized and we have a better understanding of whether California has federal compliance issues that would require altering the 60/40 split.
* This should be discussed later and once counter-proposals are received.

## SUBGROUP UPDATES:

### National Highway Performance Program (NHPP) – Fardad Falakfarsa

* White Paper completed and submitted; however, another version will be submitted.
* Recommend to continue to use Performance Measures.
* Recommend use of funds for NHS.
* Recommend use prioritized approach and maintain flexible use of funds.

**Surface Transportation Program Block Grant Program (STBG)/STBG Bridge Set Aside/Transportation**

### Alternatives – Fardad Falakfarsa

* No changes.
* Nothing received to date from the Regions.

### Congestion Mitigation and Air quality (CMAQ) - Fardad Falakfarsa

* No changes.
* Sub-allocating the entire amount.

### Metropolitan Planning – Andrew Knapp

* No updates.

### Highway Safety Improvement Program (HSIP) – Joe Rouse

* Main changes: restrictions on fund use regarding non infrastructure projects.
* $53 million for use of projects over the years.
* Question: Use these or not?
* Caltrans is mainly impacted.
* Recommendation regarding STBG Program:
  + Could be potential resource:
    - State or local share? State probably, though questions remain.
    - Concern about this change regarding the Strategic Highway Safety Plan (SHSP).
    - Asking FHWA for guidance.
    - Waiting for appropriate Final Rule from Feds regarding $53 million.
    - Final Rule did not address question regarding use of funds for non infrastructure projects.

### National Highway Freight Program (NHFP) – Joanne McDermott

* No updates.
* Paper completed and submitted will be posted after Kome reviews it.
* Discussed questions with FHWA regarding urban and rural freight corridors selection/designation.  Not specified in bill language.  California could identify corridors, and FHWA has been asked for this guidance.  However, California came out well with the miles designated to them.   A table is on FHWA’s web site.
* The deadline for this selection/designation is 180 days, but FHWA said that they don’t know if they will meet that goal since they are still waiting for MAP 21 guidance.    A lot of things are in the queue for them.  It is unclear when we will be receiving guidance form FHWA.
* The California Freight Advisory Committee was consulted when we identified the Primary Freight Network last time and we will probably run it by them. Caltrans’ Freight Office will work with its partners in this effort, and will probably use the same process used previously – working with the districts and MPOs.  The FAST Act bill has a table showing mileage regarding urban and rural corridors.

### NEPA and Environmental Review – Jennifer Heichel

* No updates

### At-Risk Preagreement Authority – John Hoole

* White paper has been submitted.
* No additional updates at this time.

### Rail and Mass Transit – Brian Travis

* No updates.

### Tribal Issues – Lonora Graves

* White paper and Recommendations submitted.
* No new updates; however suggest enter into agreements with tribes and amend language to give more consideration during consultation between the state and tribal governments.
* Broaden the authority to contract directly with tribal governments.
* Provide information to tribes and engage with tribes to stay connected as FAST Act is implemented.

## GENERAL UPDATES:

* No updates at this time.