

FTA

FEDERAL TRANSIT ADMINISTRATION

FTA Presentation

Statewide Planning Partners' Meeting

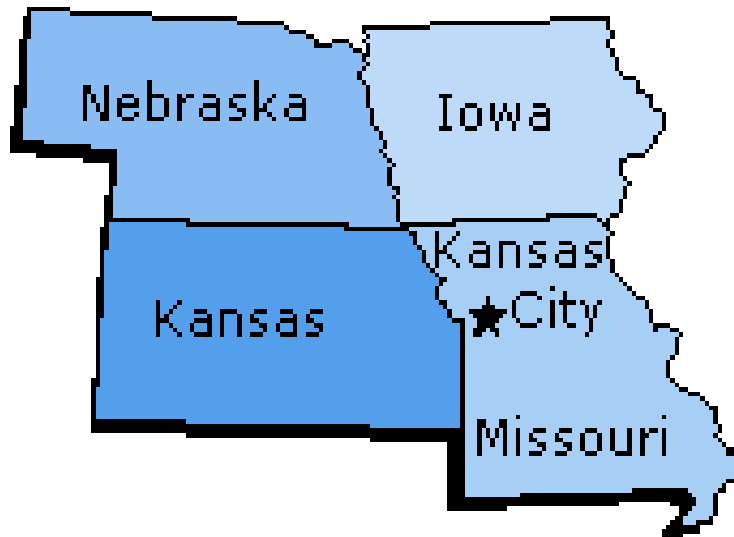
Transit 101

February 8, 2019



U.S. Department of Transportation
Federal Transit Administration

Region VII



Four State Region in the “Heart of America”

Missouri
Iowa
Nebraska
Kansas

Region VII Office – Kansas City, Missouri

Region VII Mission Statement: Provide excellent customer service that equitably benefits public transportation in Region VII.

Region 7 Vision Statement: To lead the implementation of FTA programs supporting world class public transportation

FTA Region VII TEAM

- Mokhtee Ahmad, Regional Administrator
- Mark Bechtel, Deputy Regional Administrator
- Cathy Monroe, Planning Director
- Jeremiah Schuler, Transportation Program Specialist
- Logan Daniels, Transportation Program Specialist
- Shannon Graves, Transportation Program Specialist
- Beth Held, Environmental Specialist



Public Transportation Industry Profile

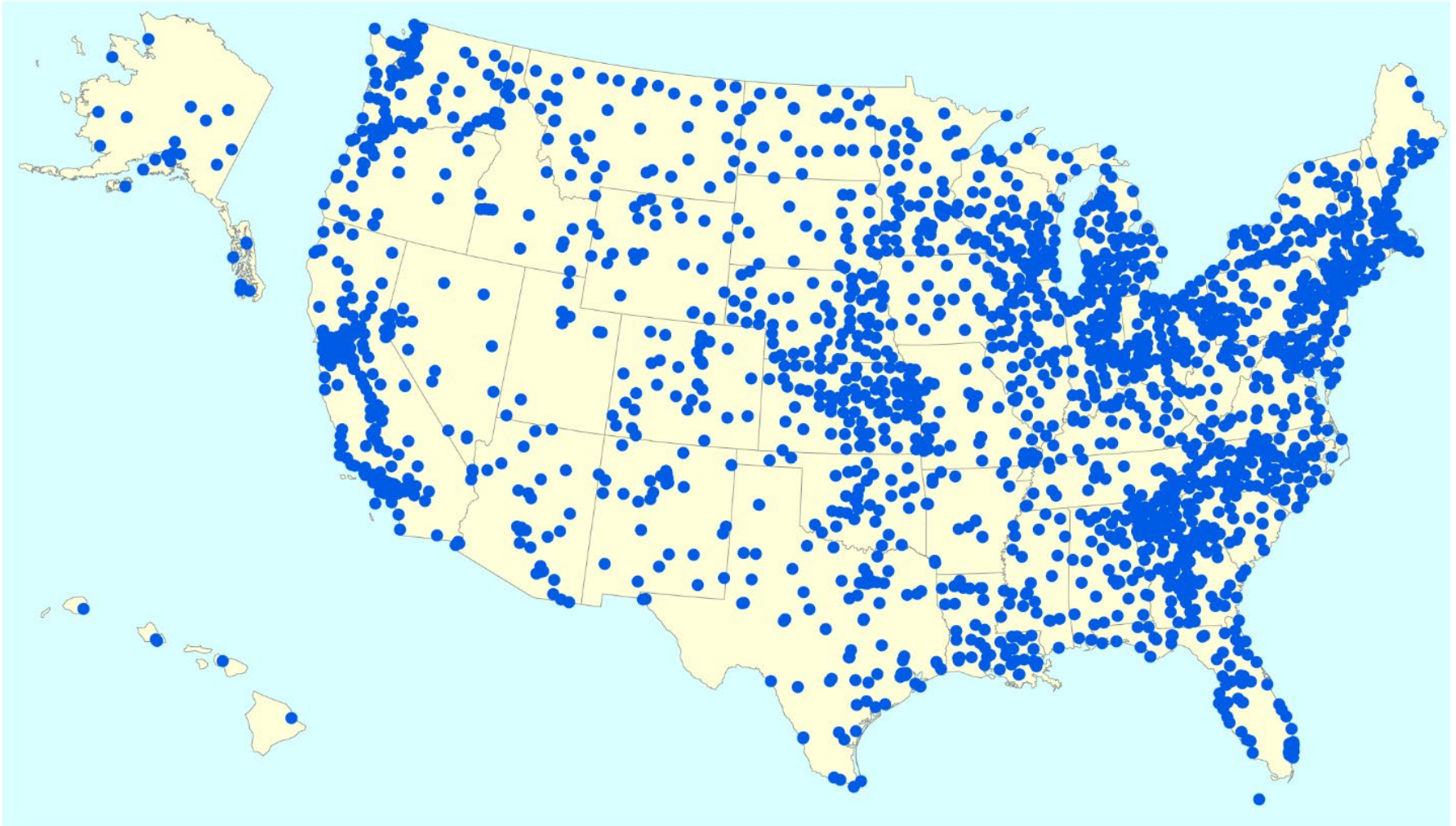
FTA - Provides **\$12 billion** annually to transit providers
Over 10 billion trips to public transportation customers
Supporting access to jobs, education and health care

Transit Systems - **900 FTA grantees**: states and transit agencies
3,000 Recipients of FTA funds through the states
≈ 4,000 Total U.S. Public Transit Providers

Transit Assets - **\$850 billion**
130,000 – transit vehicles (e.g. buses, rail cars, ferries)
13,000 miles – rail track and Bus Rapid Transit guideway
Other – transit stations, maintenance facilities

Transit Workforce - 400,000 U.S. Public Transportation Workforce
246,000 Vehicle operations
64,000 Vehicle maintenance
42,000 Administration
39,000 Non-vehicle maintenance

3,000+ U.S. Public Transportation Providers



Region VII Overview

- **Number of Active Grants as of June 1, 2017: 297 Active Grants**
- **Number of Grantees : 56**
 - [5 Metropolitan Planning organizations + 13 large urban transit systems + 21 small urban systems + 4 State Departments of Transportation + 6 Tribes + 5 Over the Road Bus Systems + 2 Transit Districts].
- **Rural Public Transportation:**
 - FY 2018 - Section 5311 and 5340 Apportionments to Region 7: \$52.3 million
Number of transit systems providing rural public transportation in Region 7: 188 systems
- **Urban Public Transportation:**
 - FY 2018 - Section 5307 and 5340 Urbanized Area Apportionments: \$108.9 million
Number of Transit systems providing urban public transportation in Region 7: 34 systems
- **Number of Grants awarded in FY2017: 120**
- **Total Dollars Awarded in 2017: \$276 million**
- **Number of Grants closed in FY2017: 79**

Region VII Overview

- **Large Urbanized Areas (over 200,000): Total: (8)**

Missouri: * Kansas City Springfield * St. Louis

Iowa/ Illinois: Des Moines * Quad Cities – Bettendorf, Davenport, Moline, and Rock Island

Nebraska Lincoln * Omaha

Kansas: Wichita

- **Small Urbanized Areas (50,000 to 200,000): Total (15)**

Missouri: * Cape Girardeau Columbia Jefferson City Joplin * St. Joseph

Iowa/ Illinois: Ames Cedar Rapids * Dubuque Iowa City * Sioux City Waterloo

Nebraska: Grand Island

Kansas: Lawrence Manhattan Topeka

- **Department of Transportation: Total (5)**

Missouri **Iowa** **Nebraska** **Kansas**

Illinois (border cities- Moline, Rock Island, Madison County, E. Dubuque)

* **Multi State Urbanized Areas (8)** – Kansas City MO-KS, St. Louis MO-IL, Quad Cities IA-IL, Omaha NE-IA, St. Joseph, MO-KS, Cape Girardeau MO-IL, Dubuque IA-IL-WI, and Sioux City IA-NE-SD

Region VII Overview

- **Federally Recognized Tribes: Total (8)**
 - Sac and Fox Nation of Missouri in Kansas and Nebraska
 - Sac and Fox Tribe of Mississippi in Iowa- Tama, Iowa
 - Omaha Tribe of Nebraska
 - Ponca Tribe of Nebraska
 - Santee Sioux Tribe of Nebraska
 - Winnebago Tribe of Nebraska
 - Prairie Band of Potawatomi Nation (Kansas)
 - Kickapoo Tribe in Kansas Inc.
 - (8 recognized tribes that have received FTA grants – currently all except Sac and Fox of Mississippi and Kickapoo have active grants)
- **FTA Region VII Metropolitan Planning Organizations with Active Grants: Total (5)**
 - Bi-State Regional Commission (BSRC): Quad Cities IA-IL Metro
 - East West Gateway Council of Governments (EWGCOG): St Louis MO-IL Metro
 - Metropolitan Area Planning Agency (MAPA): Omaha IA-NE Metro
 - Mid-America Regional Council (MARC): Kansas City KS-MO Metro
 - Wichita Area Metropolitan Planning Organization (WAMPO): Wichita KS Metro

Organization Updates

Agency Leadership

- Elaine Chao
- K Jane Williams
- Matt Welbes

Changes to Region VII Staffing

- Cathy Monroe – Planning Director
- Jeremiah Shuler – Transportation Program Specialist AKA Grant Manager
- Morgan Hecht – Regional Civil Rights Officer (VII & VIII)
- Teresa Phelps – Regional Counsel

PLANNING FOR TRANSIT

Formula Funding Programs

Metropolitan Planning Program (5303)

Statewide Planning Program (5304)

Safety Oversight

The National Public Transportation Safety Plan

The Safety Certification Training Program

Public Transportation Agency Safety Plan- Requires each transit agency to detail what it will do to ensure the safety of its system

FUNDING PROGRAMS

Transit Assistance Grants

Urbanized Area Formula Program (5307) — purchase of rolling stock, equipment, track or facilities, operating assistance

Rural Formula Program (5311) - provides capital, planning, operating assistance to states to support rural areas < 50,000

Formula-Based State of Good Repair program (5337) - projects to modernize or improve existing fixed guideway systems

Bus and Bus Facilities (5339) - capital funding to replace, rehab and purchase buses and related equipment, rehab bus facilities

Discretionary Capital Investment Grants (CIG) – New Starts, Small Starts, Core Capacity

Office of Planning and Program Development Updates

“Great Planning Results in Great Projects”

Facility Planning Process Reminders – If You Want to Apply for Fed
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- Feasibility- Planning Basis Study
- Real Estate Acquisition for Facility
- Primary Contact FTA Region VII – Cathy Monroe, Planning Director: 816-329-3929 / Email: Cathy.Monroe@DOT.GOV

Environmental Updates & Reminders

- What is NEPA?
- NEPA Responsibilities
- Environmental Review
- Primary Contact FTA Region VII – Beth Held, Environmental Specialist: 816-329-3934 / Email: Beth.Held@DOT.GOV

Planning for Proposed Transit Facility Info Sheet

INFORMATION SHEET – PROPOSED TRANSIT FACILITIES FTA REGION VII

Per FTA Circular 9300.1B – Capital Investment Guidance for Capital Facilities and Formula Grant Programs at: http://www.fta.dot.gov/documents/Final_C_9300_1_Bpub.pdf, there must be a planning basis for a proposed transit facility project.

The circular defines transit facilities as:

1. facilities that support transit operations, such as maintenance garages and administrative buildings and,
2. facilities that support passenger amenities, such as bus terminals, stations, shelters, and park-and-ride lots as well as intermodal facilities that include both transit and intercity bus services.

The Planning Basis information needs to be attached to the Project Documents section for your FTA grant in TrAMS. Here are some recommendations for what should be attached:

- Brief agency description and discussion of agency's transportation services
- Need statement for the proposed facility project (see below)
- Project scope description which includes all uses with sq. ft. estimates (see below)
- State if a facility expansion is included in project scope
- Discuss if project includes mixed use and/or joint development components
- Estimated useful life of the proposed facility
- Site Selection Methodology – Include known environmental/historic impacts (fatal flaws), Title VI (Equity Analysis) and cost variables
- Provide site map of the proposed project
- Confirmation that proposed project is included in TPWP, STIP and LRTP
- Project cost estimate - Federal and other funding sources
- Project schedule – final design, contract awards, construction, and open for service
- Statement that FTA requirements have been satisfied.

Important Note: Please notify FTA Region VII staff prior to any real estate acquisition/leasing actions, including property appraisals.

Need Statement: Explain why the proposed facility is needed. Discuss what transportation problem will be addressed. Explain how implementing the proposed project will affect current and future transit operations. If the current facility is to be replaced, what are the future plans for the current facility? Will the facility continue to be used for public transit? Will disposition of current facility occur? If FTA funds were used in the construction of the current facility which is being replaced, describe plans to satisfy federal interest.

Project Description: Describe proposed project and discuss its eligible transit use components. Include all general uses and functions. (Be advised that non-transit components of the project are not eligible for FTA funding.) Discuss all proposed uses of the facility. Planning for future expansion is acceptable and encouraged.

FTA ENVIRONMENTAL REVIEW PROCESS





Doing NEPA is not nearly this intense.....

What Is NEPA?

- The primary law governing the FTA's environmental protection process is the National Environmental Policy Act (NEPA) of 1969.
- NEPA establishes protection of the environment as a national priority and mandates that environmental impacts be considered before any federal action likely to affect the environment is undertaken.

NEPA Provides an Umbrella for All Environmental Requirements ...



NEPA

- **Title VI of Civil Rights Act of 1964**
- **Executive Order 12898 (Environmental Justice)**
- **Section 4(f) of USDOT Act (49 USC 303)**
- **Section 6(f) of the Land and Water Conservation Fund Act (36 CFR 59.3)**
- **Clean Air Act**
- **Safe Water Drinking Act**
- **Farmland Protection Policy Act**
- **National Flood Insurance Act**
- **Resource Conservation and Recovery Act of 1976**
- **Comprehensive Environmental Response (RCRA)**
- **Compensation and Liability Act (CERCLA)**
- **Executive Order 11990 (wetlands)**
- **Magnuson-Stevens Fishery Conservation and Management Act (16 USC 1801)**
- **National Historic Preservation Act (Sec 106)**
- **Executive Order 11988 (Floodplains)**
- **Executive Order 13690 (Federal Flood Risk Mgmt)**
- **Endangered Species Act of 1973**
- **Marine Protection Research and Sanctuaries Act of 1972**
- **Fish and Wildlife Coordination Act**
- **Wilderness Act**
- **Coastal Zone Management Act of 1972**
- **Coastal Barrier Resources Act**
- **National Trails System Act**
- **Executive Order 13112 (Invasive Species)**
- **Archaeological and Historic Preservation Act**
- **Archaeological Resources Protection Act**
- **AND MORE...**

What Is NEPA? Cont'd

- FTA's implementing regulations are found under 23 C.F.R Part 771, Environmental Impact and Related Procedures
 - It defines the roles and responsibilities of FTA and its grant applicants in preparing documents and managing the environmental review process within the various project development phases
- 23 C.F.R § 771.118, FTA Categorical Exclusions
 - It defines FTA's class of actions that are determined to be categorically excluded (CEs) under NEPA and found to not cause significant environmental impacts

The National Historic Preservation Act

- **Regulation: 36 CFR part 800**
- *Regulations promulgated by Advisory Council on Historic Preservation (ACHP)*
- Referred to as “Section 106”
- *Requires Federal agencies to take into account the effects of their undertakings on historic properties and afford the [ACHP] a reasonable opportunity to comment on such undertakings.*



Union Station, Kansas City, MO

Section 4(f)

- Regulation: 23 CFR part 774 (FHWA and FTA)

FTA **may not approve the use of** Section 4(f) property unless a determination is made that:

- There is **no feasible and prudent avoidance alternative**, as defined in § 774.17, to the use of land from the property; and the action includes **all possible planning**, as defined in § 774.17, **to minimize harm to the property** resulting from such use; or
- FTA determines that the use of the property will have a **de minimis impact** on the property.

Grantee Responsibilities

- The Grantee will provide a **well defined** project description to FTA
- The Grantee will **complete** the required NEPA documentation either in-house or through a contractor
- The Grantee will **provide** FTA with complete documents for review
- The Grantee will **notify** FTA of any changes to the proposed project

Environmental Review of Bus Shelters

Elements needed for a NEPA review

- Project Description
- Photos of shelter type
- Shelter size & dimension
- Location map

Email FTA Environmental Specialist



Environmental Review of Bus Shelters

Information Sheet - NEPA Review of Bus Shelters FTA Region VII

Purpose

The purpose of this document is to present standard information for an expedited screening-level NEPA review for bus shelter projects as Categorical Exclusions (CE) pursuant to 23 C.F.R. 771.118 in the FTA Region VII states of Missouri, Iowa, Nebraska, Kansas, and parts of Illinois and South Dakota

Section I - FTA Funded Actions Requiring NEPA Review

- Shelter Construction
- Bench Installations
- Concrete ADA Accessible Pads
- Traffic Calming Configurations (e.g. Island Bus Stop/Bump-Outs)
- "Bicycle" Stations

Section II - General Procedural Guidelines

Step 1 - Identify project scope of work

- Extent of ground disturbance, including excavation depth
- Location of construction (e.g., transportation right-of-way, utility easement)
- Size and dimensions of shelter, pad, island, "Bicycle" Station
- Identification of properties fifty years or older on or adjacent to the site (Sec 106 of National Historic Preservation Act)

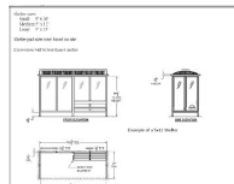
Step 2 - Contact the City Traffic Engineer for approval of proposed shelter locations

Step 3 - Contact FTA Region VII Environmental Specialist to initiate NEPA review

Step 4 - Receive NEPA review approval email from FTA Region VII

Section III - TrAMS Documentation

- 1) Project description
- 2) PDF shelter diagram illustrating size and dimensions (see below example)
- 3) PDF location map of all proposed shelters
- 4) Site photo with street-level view (if possible) and brief description (see below example)



Shelter - 8x12

Bench - 6x12

The shelter 8x12 and one 6x12 (Chippewagon) shelter at 1423 Imperial was constructed in 2012 (south side of Imperial). The 1423 Imperial & Sports building at 1346 13th (south side of Imperial) was constructed in 2005. No historic properties are on or adjacent to the subject sites. The property is bordered by 20th Street, 14th Street, and Woodland. Imperial Ave. & Sports building is adjacent to the Tax Collector building from 1912 and 1913 street. There is a 10'x10' pad on both sides of the bus and a concrete curb.

New Safety Rules

- Issuance of two Final Safety Regulations on July 19, 2018
 - Public Transportation Agency Safety Plan (PTASP) Rule
 - Public Transportation Safety and Certification Training Program
- Publication of these final rules completes the regulatory foundation of the Public Transportation Safety Program under 49 U.S.C. § 5329

Public Transportation Agency Safety Plan (PTASP)

To Whom Does the PTASP Rule Apply?

- Requires certain rail and bus operators to develop safety plans to better manage their safety risk using Safety Management Systems (SMS)
- PTASP applies to operators that provide approximately 97 percent of total U.S. transit trips taken annually
- Recipients or sub-recipients under the Urbanized Area Formula Program 49 U.S.C § 5307 that operate a public transportation system

Public Transportation Agency Safety Plan (PTASP)

The PTASP Rule Does Not Apply To:

- PTASP is NOT an one-size-fits-all rule; defers applicability for 2,000 rural (non-urban) transit systems because these operators pose a lower safety risk
- An operator of a public transportation system that only receives financial assistance under Formula Grants for Enhanced Mobility of Seniors and Individuals with Disabilities (5310) and/or Formula Grants for Rural Areas (5311)

PTASP Effective Date

The rule is effective on **July 19, 2019**. Transit agencies must develop, certify, and implement an agency safety plan by **July 20, 2020**.

Please do not wait to begin development of your agency safety plan. FTA cannot waive or extend the compliance deadline.

More Information and Follow-up Questions

- Webinars
 - FTA Events: <https://www.transit.dot.gov/about/events>
 - PTASP Website: <https://www.transit.dot.gov/PTASP>
 - PTSCTP Website: <https://www.transit.dot.gov/regulations-and-guidance/safety/safety-training>
- PTASP
 - Questions: PTASP_QA@dot.gov
 - For more information on upcoming webinars please visit: <https://www.transit.dot.gov/PTASP>
- PTSCTP
 - Questions: FTASafetyPromotion@dot.gov
- Other questions?

Office of Oversight and Program Management Updates

Procurement

- <https://www.transit.dot.gov/funding/procurement/procurement>
- Federal requirements and clauses must be included in solicitations
- Buy America requirements must be verified. Certifications are submitted and filed
- Software licenses and support – if you have a software that has been in place for years and continue to renew its license and/or support, be sure to do a market analysis, have a current contract in place, and re-compete the procurement . If you make an agency decision to keep the same vendor/software as a sole source, be sure to have a sole source justification and cost analysis.

FTA Circular 5010.1E Changes ("Revision 2" Dated July 16, 2018)

1. Chapter III. Subparagraph 3. REPORTING REQUIREMENTS c. "Federal Financial Report (FFR)" has been revised to better relay cash and accrual accounting report requirements and align language with the instructions included in Appendix B.

2. Chapter IV. Subparagraph 2. REAL PROPERTY a. "General" section has been revised to change the limit for when FTA must review and concur in appraisals and review appraisals for acquisitions and dispositions. The limit is changed from "more than \$500,000" to "more than \$1,000,000." This change was made to reduce the burden on recipients.

Civil Rights



ADA Circular

- The ADA circular, 4710.1, is intended to make the imposing body of regulations in 49 CFR Parts 27, 37, 38, 39 and facility standards more understandable and easy to use
- Includes sample forms, checklists, letters, policies, and checklists for grantees to use, such as:
 - Sample comment form
 - Sample letters for ADA paratransit eligibility
 - Sample paratransit no-show policy
 - Checklists for facility design, buses/vans, and stop announcements/route identification

Reasonable Modification

- Agencies are required to make reasonable modifications to policies, practices, and procedures to avoid discrimination and ensure that their programs are accessible to individuals with disabilities
- Example:
 - Letting a person with diabetes eat on the bus even though there is a no food or drink policy
 - Picking someone up in a different location during inclement weather



Reasonable Modification

- 3 Exceptions to Reasonable Modification
 - (1) Granting the request would fundamentally alter the nature of the entity's services, programs, or activities;
 - (2) Granting the request would create a direct threat to the health or safety of others;
 - (3) Without the requested modification, the individual with a disability is able to fully use the entity's services, programs, or activities for their intended purpose.

DBE Requirements



- DBE applies to FTA recipients receiving planning, capital and/or operating assistance who will award contracts exceeding \$250,000 in FTA funds in a Federal fiscal year (excluding vehicle purchase and internal expenses, i.e. planning).

Three Components of the DBE Requirement:

- 1) The DBE PROGRAM describes how the agency implements the program or carries out its DBE efforts.
- 2) The DBE Goal anticipates contracts with FTA funds and the availability of DBEs to perform work on FTA-assisted contracts.
- 3) Semi-annual reports track the progress on the DBE Goal.

Siting of Facilities

Facilities included in this provision include, but are not limited to, storage facilities, maintenance facilities, operations centers, etc.

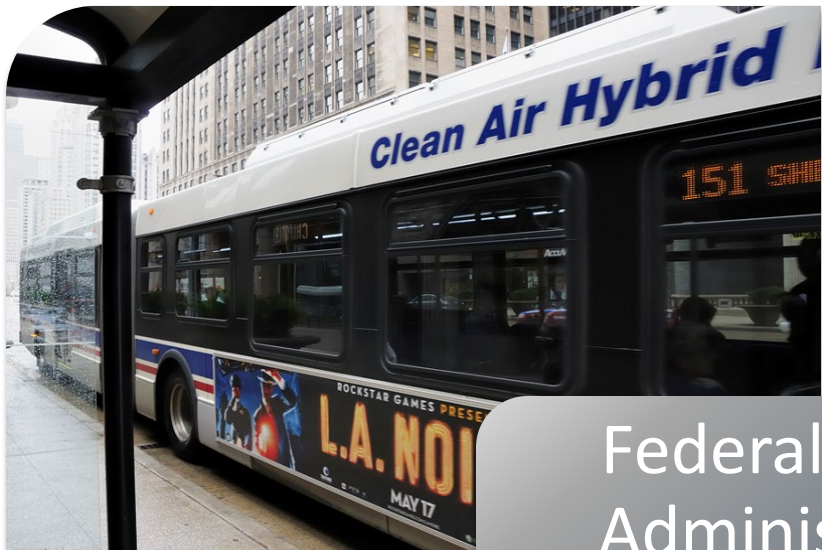
In order to comply:

- a. Complete a Title VI equity analysis
- b. Give attention to other facilities with similar impacts in the area to determine if any cumulative adverse impacts might result.



Open Discussion





Federal Transit
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www.fta.dot.gov

