

# VENTURA COUNTY TRANSPORTATION COMMISSION TRANSPORTATION TECHNICAL ADVISORY COMMITTEE

Camarillo City Hall Administrative Conference Room 601 Carmen Drive Camarillo, CA

### Thursday, May 17, 2012 at 9:00 AM

Item # 1	Call to Order
Item # 2	Public Comments
Item # 3	Approval of April 19, 2012 Minutes
Item # 4	Bylaws Revision
	• Approve revised TTAC Bylaws.
Item # 5	Update on Federal Reauthorization
	Receive and file memo on status of federal transportation authorization
<b>Item # 6</b>	Harbor District Presentation
Item # 7	Future Agenda Items
	Congestion Management Program Update / Approval
	Periodic Highway Construction Updates
	Regional Transportation Funding & Planning
	Union Pacific/Public Utilities Commission Grade Crossing Policy
	Route 1 Rerouting to Rice Avenue
	VCTC Programming Procedures—Potential Revision
Item #8	Next Meeting June 21, 2012
Item #9	Adjournment

### MINUTES OF THE VCTC TRANSPORTATION TECHNICAL ADVISORY COMMITTEE

### April 19, 2012 Meeting

### Item #1 - Call to Order

Chair David Fleisch of the County called the meeting to order at 9:05am. The attached attendance sheet shows those present.

### Item #2 - Public Comments

Jay Spurgin of Thousand Oaks provided an update on the 101/23 Interchange project. They will try to get it awarded by the end of the year, with the possibility of getting 1B funding if process can be expedited.

### Item #3 - Approval of March 15, 2012 Minutes

Jay Spurgin moved to approve the minutes. Brian Yanez seconded the motion and it was passed unanimously.

### Item #4 - TTAC Bylaws

David Fleisch presented the item. Members were provided with a copy of the TTAC Bylaws in order to consider possible revisions. It was suggested that the following changes be made:

Sections II and III – Representatives should be appointed by title and have the ability to appoint alternates in writing if they are not able to attend. All representatives or their alternates should be voting members.

Section VII – Should include language pertaining to programming.

Section XI – Location of TTAC meetings should be updated.

Voting Member Agencies List should be updated to reinstate the Oxnard Harbor District. Peter will inquire with Gold Coast Transit and the California Highway Patrol to see if they are interested in being member agencies. A draft of the revisions to the bylaws will be drafted by staff to be discussed at a later meeting.

### Item #5 – Revisions to Camarillo Surface Transportation Program (STP) Funds

Peter De Haan introduced the item. Staff recommends shifting \$455, 562 in savings in STP funds from the Adolfo Road Widening project in Camarillo to the Ponderosa Drive Landscaping project. David Fleisch moved to approve the item. Brent Siemer of Simi Valley seconded and the motion passed unanimously.

### Item #6 – CMAQ, STP, and TE Project Statuses

Stephanie Young introduced the item. Staff would like updates on CMAQ, STP, and TE projects so that funds will not be at risk of lapsing, and so that the county will not lose CMAQ funds if there is a

rescission. Peter De Haan added that projects from the recent Mini Call that can reduce their local match due to cost savings may be allowed to do so if VCTC staff is given prior notice of a few months. Agencies then provided updates on the projects listed in the item attachments. Due to the obligation process, it may be infeasible to obligate projects that are not currently in the TIP before the end of the federal fiscal year.

### Item #7 - California Statewide Local Streets and Roads Needs Assessment Survey

Stephanie Young introduced the item, requesting that agencies complete the survey by May 15, 2012.

### Item #8 - Future Agenda Items

No additions, deletions, or comments were made.

Item #10 - Next meeting is May 17, 2012

Item #11 – Adjournment

# ATTENDANCE LIST OF TTAC MEMBERS / ALTERNATES

Meeting Date:  $i/|\eta|/|2$ 

	Meeting Date: 7/1/1/	1 - 0		COURT WILL C	CICNATIDE
Badge #	NAME		PHONE	E-MAIL ADDRESS	
)	Ken Matsuoka	City of Camarillo	383-5672	<u>kmatsuoka@ci.camarillo.ca.us</u>	Mary Mary
-	Bill Golubics	City of Camarillo	388-5356	<u>bgolubics@ci.camarillo.ca.us</u>	
	Bert Rapp	City of Fillmore	524-1500 x231	brapp@ci.fillmore.ca.us	
	Tom Scott	City of Fillmore	524-1500 x 234	tscott@ci.fillmore.ca.us	
	Glenn Hawks	City of Ojai	640-2560	<u>hawks@ci.ojai.ca.us</u>	
	Greg Grant	City of Ojai	646-5581 x 201	grant@ci.ojai.ca.us	
	Andrea Boggs	City of Ojai	646-5581 ext 209	boggs@ci.ojai.ca.us	
290	Dave Klotzle	City of Moorpark	517-6285	dklotzle@ci.moorpark.ca.us	Met.
250	Soher Abdemalik	City of Oxnard	385-7873	soher.abdemalik@ci.oxnard.ca.us	
	Martin Erickson	City of Oxnard	385-7870	Martin.Erickson@ci.oxnard.ca.us	
610	Jason Samonte	City of Oxnard	385-7872	Jason.Samonte@ci.oxnard.ca.us	Jan / har
	Kit Nell	City of Port Hueneme	986-6500	knell@ci.port-hueneme.ca.us	
023	Andres Santamaria	City of Port Hueneme	986-6568	asantamaria@ci.port-hueneme.ca.us	A
234	Brian Yanez	City of Santa Paula	933-4212	byanez@spcity.org	12/1
	Chic Dabbs	City of Simi Valley	583-6809	CDABBS@simivalley.org	10
	David Medina	City of Simi Valley	583-6810	<u>dmedina@simivalley.goy</u>	
	Kamran Panah	City of Simi Valley	583-6886	kpanah@simivalley.org	11/1/2
150	Jay Spurgin	City of Thousand Oaks	449-2444	ispurgin@toaks.org	XXIII
-	Tom Pizza	City of Thousand Oaks	449-2430	tpizza@toaks.org	7 7
	Rick Raives	City of Ventura	654-7870	rraives@ci.ventura.ca.us	
	Tom Mericle	City of Ventura	654-7870	tmericle@ci.ventura.ca.us	
18	Ben Emami	County of Ventura	654-2087	ben.emami@ventura.org	the state of the s
212	David Fleisch	County of Ventura	654-2077	david.fleisch@ventura.org	6077V
075	Chris Birkelo	Port of Hueneme	(805)488-3677	cbirkelo@portofhueneme.org	Coloreda
WZ0	Ben Cacatian	VCAPCD	645-1428	ben@vcapcd.org	しくとしる
_	Steve Brown	Gold Coast Transit	483-3959 ext 116	sbrown@goldcoasttransit.org	

# ATTENDANCE LIST OF TTAC MEMBERS / ALTERNATES

					OF LIAC INTERNATIONAL PROPERTY.	
	Radoe #	NAME	AGENCY	PHONE	E-MAIL ADDRESS	SIGNATURE
				642-1591 x 105	kforsythe@goventura.org	7)
	STEPEN		VCTC	642-1591 x106	pdehaan@goventura.org	1/20
	,	Steve DeGeorge	VCTC		sdegeorge@goventura.org	
		Darren Kettle	VCTC	642-1591 x123	dkettle@goventura.org	
		Carlos Hernandez	COH & Assoc.	966-6452		
		Kirk Cessna	Caltrans	(213) 620-6544	Kirk Cessna@dot.ca.gov	
		Dale Benson	Caltrans	-3850	Dale Benson@dot.ca.gov	
		Nayna Shah			nayna shah@dot.ca.gov	
		Morris Zarbi	Caltrans	213-897-2969	<u>mzarbi@dot.ca.gov</u>	9 0 0
		Fred Bral	Caltrans		fredbral@dot.ca.gov	Jul 1 mil
		Robert Wong	Caltrans	213-897-0192	robert y wong@dot.ca.gov	( ) ( ) ( ) ( ) ( ) ( ) ( ) ( ) ( ) ( )
		gur	VCTC	642-1591 x108	syoung@goventura.org	) Y
5		Ray Bear Stewer	C.t. of Similalle	385-R281		<b>多</b>
5	-	DOROGHADA	12,00 r			1
	5/260	Lou Bellowance	11	385-8280	1011. Bollowersen 6101. 0 xxx 1. Ch. 11 c	120
	073	Lynthia Spirit	11	385-7871	ignthia day of a ciroxxxxx cours	Tucs . Colbanells .
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Item #4

May 17, 2012

MEMO TO: TRANSPORTATION TECHNICAL ADVISORY COMMITTEE

FROM: STEPHANIE YOUNG, PROGRAM ANALYST

SUBJECT: REVISION OF TTAC BYLAWS

### **RECOMMENDATION:**

Approve revised bylaws.

### **BACKGROUND:**

A copy of the original TTAC Bylaws was distributed to TTAC members at the March meeting along with a previous revision to the bylaws. At the April meeting, the bylaws were discussed and staff has incorporated the suggestions made at that meeting in to the attached document. Changes are shown in italics. The list of member agencies was also updated according to the April discussion.

At this time, TTAC should review this draft in order to recommend it for approval by the Commission.

### VENTURA COUNTY TRANSPORTATION COMMISSION TRANSPORTATION TECHNICAL ADVISORY COMMITTEE OPERATING RULES

### I. PURPOSE OF THE COMMITTEE

The Transportation Technical Advisory Committee (TTAC) is a duly constituted Transportation Advisory Committee formed at the direction of the Ventura County Transportation Commission (VCTC). Member agencies shall serve at the pleasure of the Commission. The VCTC is the sole policy board of the TTAC. The purpose of the Committee is to act as an advisory body to the VCTC for purposes of reviewing countywide transportation issues, preparing the local agency component of the regional transportation improvement program, and making recommendations to the VCTC regarding various transportation issues.

### II. MEMBERSHIP

The Agencies which are members of the TTAC shall be as shown on Exhibit A. Agencies shall each have one representative, and representatives may designate alternates. *Representatives must inform VCTC in writing or by e-mail of the designation of alternates.* 

### III. METHOD OF APPOINTMENT

Each agency's public works director, city engineer, transportation director or equivalent shall serve as the agency's representative to TTAC. All representatives shall serve at the pleasure of the appointing entities. At the discretion of the appointing entity, an appointment may specify either a position or an individual. The TTAC may recommend additions or deletion of member agencies shown on Exhibit A, but all changes in member Agencies are subject to confirmation by the VCTC.

### IV. TERM OF OFFICE

The term of office of membership of each agency on the TTAC shall be for an indeterminate period of time at the discretion of the VCTC.

### V. OFFICERS OF THE COMMITTEE

The officers of this committee shall be Chairperson and Vice Chairperson who shall be selected from among the representatives by majority vote at the January meeting each year and shall serve in their respective capacities at the pleasure of the Committee. If the Chairperson or Vice Chairperson resign, new officers shall be selected as soon as possible.

### VI. DUTIES OF OFFICERS

### Chairperson

The Chairperson of this Committee shall be responsible for:

- 1 The calling for meetings of this committee.
- 2 Presiding at the meetings of this committee.
- 3 Assisting with agenda preparation.
- 4 Reporting to the VCTC when called upon to do so.
- 5 Establishing subcommittees as necessary.
- 6 Other duties as he/she may be directed by the VCTC and this committee to perform.

### Vice Chairperson

The Vice Chairperson of this committee shall serve in the absence of the Chair and perform such duties as he/she may be directed by the Chair to perform.

### VII. DUTIES AND RESPONSIBILITIES OF THE COMMITTEE

It shall be the duty and responsibility of the Committee to:

- 1 Serve as the Technical Advisory Committee for the VCTC.
- 2 Share any and all pertinent information relating to the field of transportation.
- 3 Share any and all pertinent information relating to transportation programming.
- 4 Review documents and make recommendations to the VCTC regarding transportation improvement programs and projects.
- 5 Serve as a forum to discuss the technical aspects of countywide transportation issues, and formulate recommendations for consideration by VCTC.
- 6 Review the Congestion Management Program update.
- 7 Other such duties as may be requested by the VCTC.

### VIII. SECRETARY OF THE TTAC

The staff of the VCTC shall serve as the secretary of the TTAC and shall provide staff support, including preparation of the minutes of each meeting.

### IX. QUORUM

Six of the representatives appointed to this Committee shall constitute a quorum for conducting Committee activities.

### X. COMMITTEE ACTIONS

All actions on items before the TTAC shall be determined by a vote of a simple majority of the members present.

### XI. MEETINGS

Normal meetings of the TTAC, unless otherwise changed by the TTAC, shall be held the third Thursday of the month at 9:00 A.M., *Camarillo City Hall at 601 Carmen Drive in Camarillo*, at least six times per year. All meetings shall be called, noticed and conducted in the manner described in Section 54952.3 of the Government Code, also known as the "Brown Act".

### XII. AMENDMENTS TO OPERATING RULES

The TTAC may recommend, and the VCTC may approve amendments to the Operating Rules by a majority vote.

### XIII. VOTING

Each member agency has one vote. In the absence of a representative, the designated alternate may vote in the representative's place.

### XIV. POWERS

The TTAC is created by the VCTC and shall have no powers of existence separate or apart from that of the Commission.

Approved by Ventura County Transportation Commission	, 2012.
Chairperson	

Attachment -Exhibit A

### **EXHIBIT A**

## VENTURA COUNTY TRANSPORTATION COMMISSION (VCTC) TRANSPORTATION TECHNICAL ADVISORY COMMITTEE (TTAC) LIST OF VOTING MEMBER AGENCIES

- 1. Camarillo
- 2. Fillmore
- 3. Moorpark
- 4. Ojai
- 5. Oxnard
- 6. Port Hueneme
- 7. San Buenaventura
- 8. Santa Paula
- 9. Simi Valley
- 10. Thousand Oaks
- 11. The County of Ventura
- 12. Oxnard Harbor District
- 13. Gold Coast Transit
- 14. Ventura County Air Pollution Control District
- 15. Caltrans
- 16. California Highway Patrol



Item #5

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	Status quo (from SAFETEA-LU)	Section 1112 (Page 101) Sets aside 8% of HSIP funds for data collection on crashes and creating	

(HSIP)  Federal Programs Transfer to States*	Status quo (from SAFETEA-LU)	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.  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.
Faulty Banus		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 95% (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 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.
MPO Funding – Penalties*		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.
Freight		Page 176 of S. 1813

Freight Policy

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.

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 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,

		<ul> <li>identification of major freight corridors, an assessment of regulatory/ statutory/ financial barriers that impede freight system performance,</li> <li>best practices for improving performance of freight network,</li> <li>best practices to mitigate impacts of freight movement on communities,</li> <li>a process for addressing multistate projects and encouraging multi-jurisdictional collaboration, and</li> <li>strategies to improve intermodal connectivity.</li> </ul> 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)
Expedited Environmental Process (Carried over from H.R. 7 provisions)	<ul> <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</li> </ul>	<ul> <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</li> </ul>

activities, are permitted.

- 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.
- 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.
- 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.

immunity. State may terminate participation at any time.

- Sections 1306 & 1309 (Pages 354 & 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.
- Section 3013 (Page 371) Accelerated Decisionmaking. Establishes accelerated, specific decision timelines for environmental review 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.

### 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:

- 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.
- McKinley (R-WV): Amendment would insert the Coal Residuals Reuse and Management Act (H.R. 2273).
- Extend motor fuel taxes and all non-fuel excise taxes at current rates thru 09/30/2015;
- Extend the expenditure authority for the Highway Trust Fund (HTF) thru 09/30/2013;
- Transfer \$3B from the LUST Trust Fund to HTF; decrease amount of fuel tax revenue to LUST fund to match actual need;
- 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).

- 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).
- Revoke Passports of Individuals Owing More Than \$50,000 in Back Taxes. (Estimated to raise \$743M over 10 years).
- Permit the IRS to impose levy of up to 100 percent on tax delinquent Medicare service providers. (Estmated to raise \$841M over 10 years).
- Transfer to HTF certain Imported Tariffs. (Provides \$2.475B to HTF between FY 2012 thru 2014).

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, 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.

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.

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.
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.

<sup>\*</sup>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.