

Review of Proposed Changes to Federal Funding & Financing Landscape for Public Transportation

October 25, 2021



Disclaimer

The analyses contained in this document are primarily based on data from early August 2021, including reflecting what has been proposed in the version of the Infrastructure Investment and Jobs Act (IIJA) approved by the Senate on August 10, 2021. As the IIJA goes through the legislative process in the U.S. House and policy decisions are made on related legislation, the changes to existing and new transit and other transportation as described in this document may change in a material way.



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Existing landscape of Federal funding for transportation



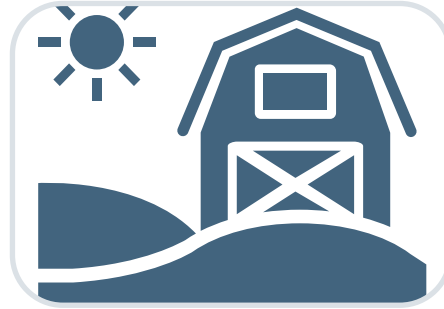
Last major update to Federal funding for transportation was FAST Act in 2016

- Fixing America's Surface Transportation (FAST) Act, Public Law (P.L.) 114-94
- When passed, was 15th full authorization, disregarding short term extension of Federal transit program since Urban Mass Transit Act of 1964
- Covered FY2016 – FY2020; short-term extension for FY2021
- **Expired September 30, 2021; short term extension of one month passed by President Biden.**

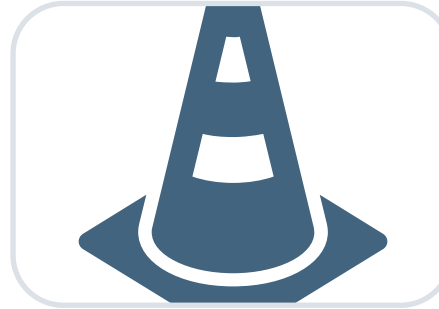
The FAST Act (re) authorized public transportation funding programs administered through FTA



Urbanized Area
Formula Grants (49 US
§5307 and §5336)



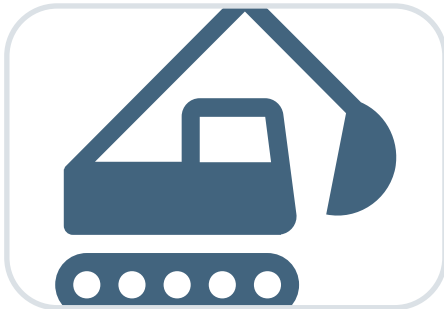
Rural Area Formula
Grants (49 USC §5311)



State of Good Repair
Grants (49 USC §5337)



Bus and Bus Facilities
Formula & Competitive
Grants (49
USC§5339abc)



Capital Investment
Grants (49 U.S. Code
§5309)



Seniors and Individuals
with Disabilities Grants
(49 USC §5310)

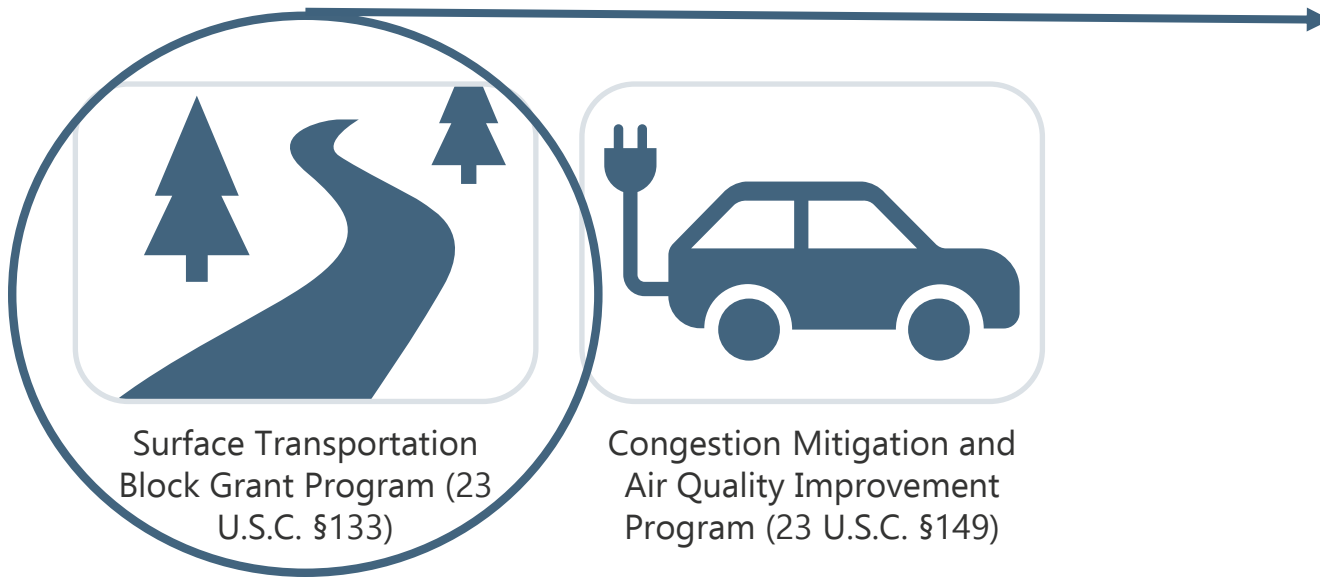


Pilot Program for Transit
Oriented Development
(TOD) Planning (Sec
20005b MAP Act)

Other programs:

- Accelerating Innovative Mobility
- Integrated Mobility Innovation
- Passenger Ferry Grant Program (5307)

The FAST Act also added grant funds for transit to be administered through FHWA



- Surface Transportation Block Grant (STBG) program included set-aside of funding for transportation alternatives (TA)
- Set aside funding was for transit-related investments
 - Pedestrian and bicycle facilities, recreational trails, safe routes to school projects, etc. were eligible
 - These were funded under preceding legislation's (MAP-21) Transportation Alternative Program (TAP)

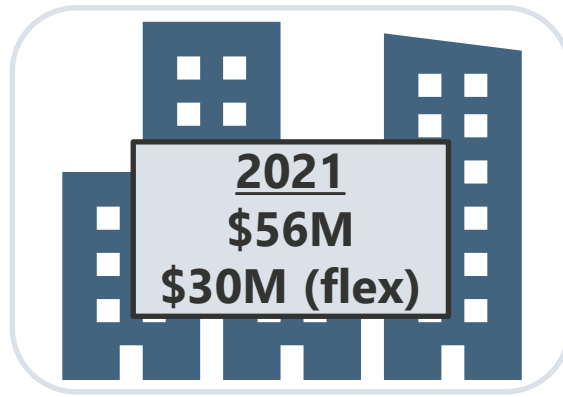
In addition to FAST Act funds, BUILD grants, now known as RAISE, provided needed transit funds



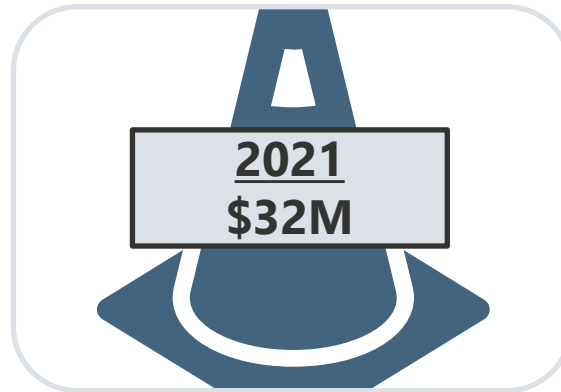
- Emerged with **2009 American Reinvestment and Recovery Act (ARRA)**; appropriated annually thereafter
- Initially called TIGER, then BUILD; name under Biden administration is **Rebuilding American Infrastructure with Sustainability and Equity (RAISE)** grants
- RAISE grants discretionary/competitive grants to invest in road, rail, transit, and port projects that promise to achieve national objectives

Miami-Dade County has taken advantage of FTA formula programs...

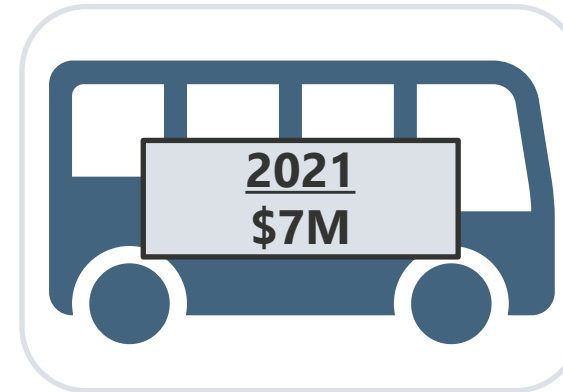
- As urbanized area with population of over 1 million (M), Miami-Dade County (County) receives large share of formula programs, e.g., the County received **around \$125M in formula funds in 2021:**



Urbanized Area
Formula Grants (49
US §5307 and §5336)



State of Good Repair
Grants (49 USC
§5337)



Bus and Bus Facilities
Formula (49
USC§5339a)

...as well as \$142M in competitive grant programs for the SMART Plan...

SMART PLAN

East-West Corridor

- \$960K TOD 20005(b) (2016)

Beach Corridor


- \$900K TOD 20005(b) (2020)

South Dade Transitway Corridor

- \$29.5M from American Rescue Plan (ARP)*
- \$100M from CIG "small starts" (2020)
- \$9.5M for park and ride improvements SW 168St and Transitway from RAISE/BUILD (2018)
- \$1.04M TOD 20005(b) (2019)

Total Federal Funding: \$140.04

Competitive Federal funds for SMART Plan:

	ARP	\$29.5M
	CIG "Small Starts"	\$100M
	TOD PP 20005b	\$2.9M
	RAISE/BUILD	\$9.5M

*Not an ongoing program. This is Covid-related funding.

...and \$44M in competitive grant programs for other projects

THE UNDERLINE



RAISE/BUILD
\$22.3M (2019)

LOW/NO EMISSION BUSES



Bus 5339b,c

- \$2.4M (2016)
- \$3.6M (2017)
- \$11M (2018)
- \$4.75M (2020)



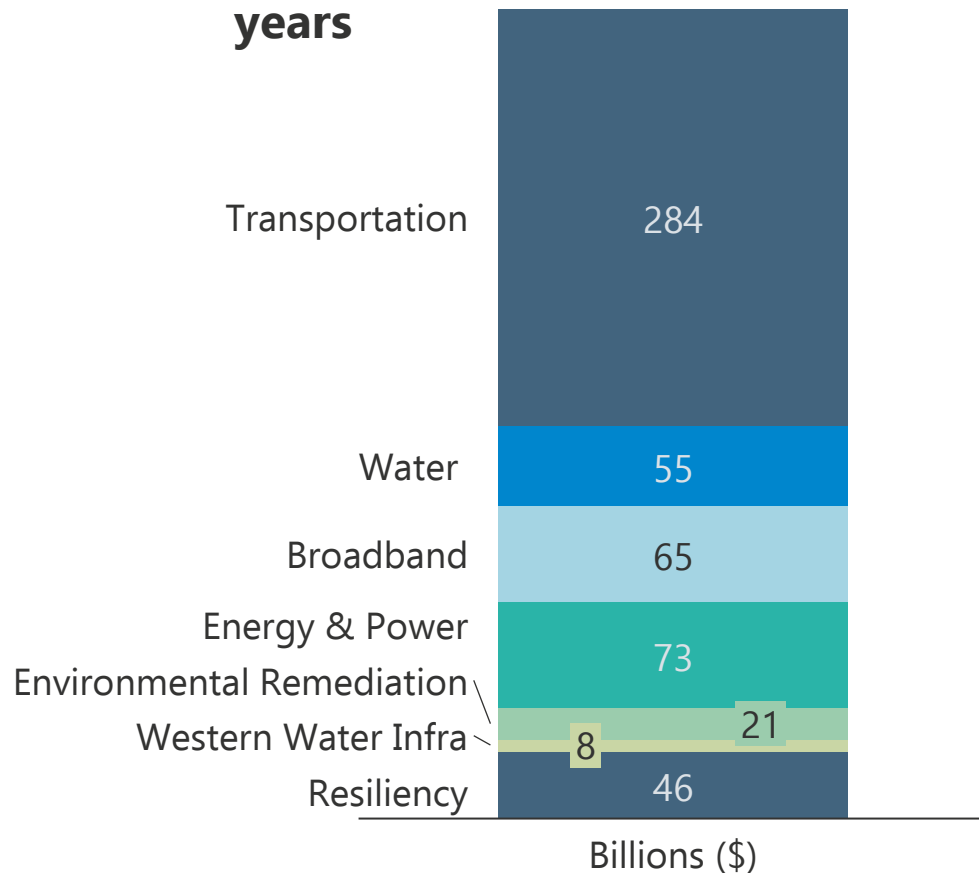
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Overview and Status of Infrastructure Investment and Jobs Act 2021

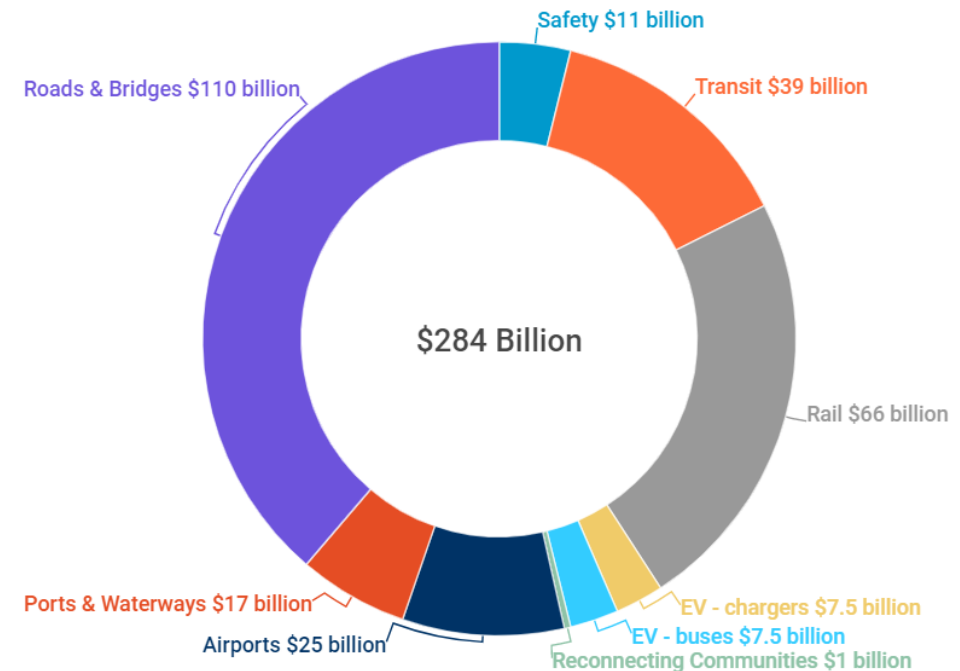


\$1 trillion (T) Infrastructure Investment and Jobs Act (IIJA) of 2021 proposes \$550B of new spending

- Proposes \$550 billion (B) in new spending for infrastructure over next 5 years



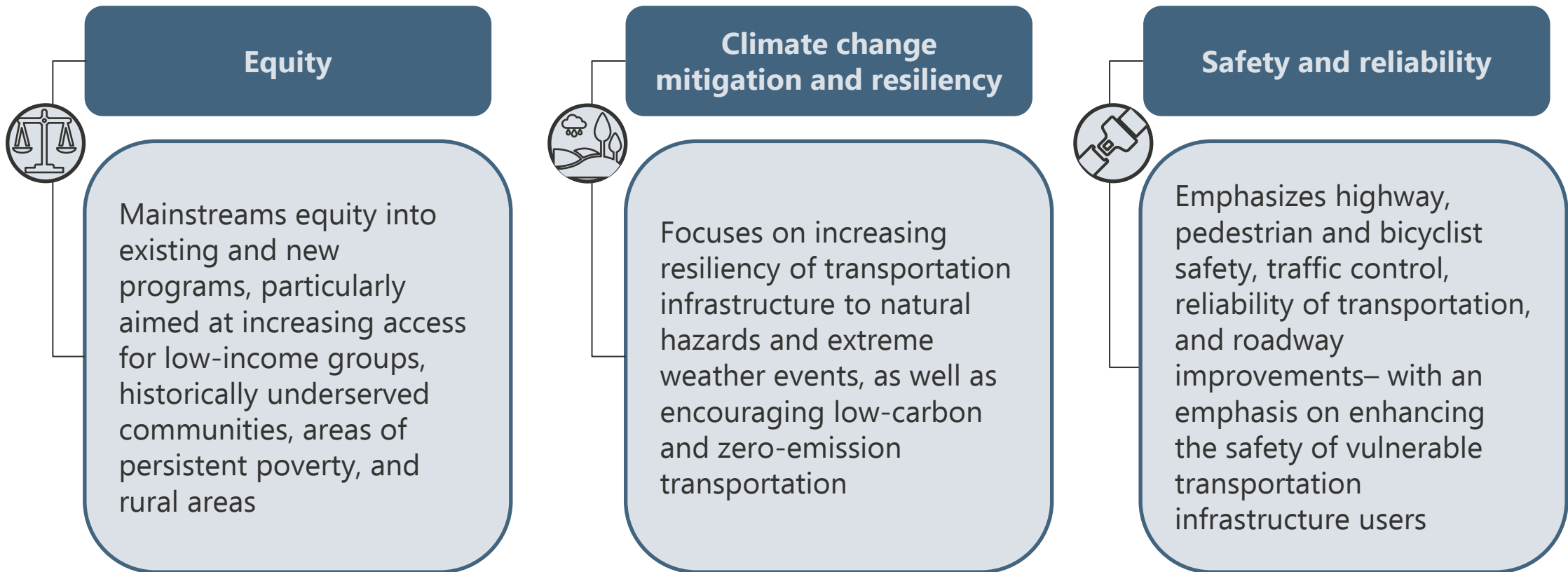
- \$284B in new spending for transport, incl. supplemental appropriations from the Treasury for FY2022-2026



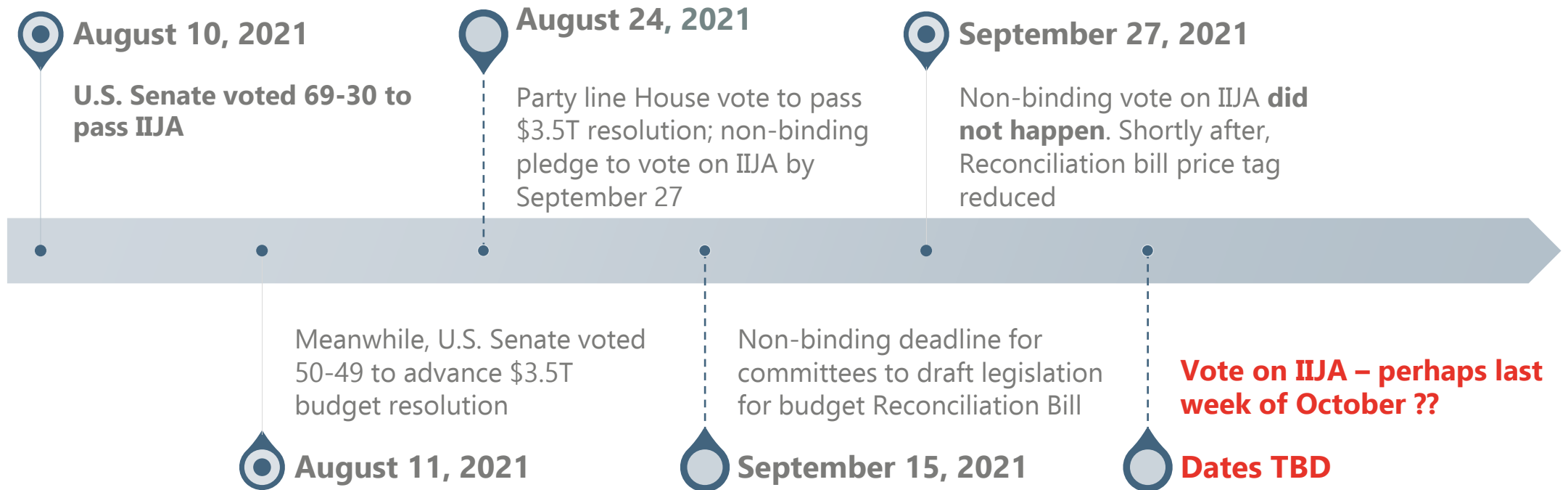
Source: National Association of Counties (2021)



Cross-cutting themes in the IJA include climate change mitigation, resiliency, equity, and safety



IJA cleared Senate in August, future depends on “Build Back Better” (BBB) Act, under debate



The Dual Track Strategy:

- Many priorities (e.g., education, climate, parent leave) did not make IJA and are being proposed in BBB Act.
- Democrats want to pass the BBB Act through legislative tool called “Budget Reconciliation”. Procedurally, this is an update to the budget and can pass with a simple majority (51%)
- Many House Democrats will not vote on IJA without voting on BBB Act. Details of the BBB Act are under debate.



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Summary of proposed changes to existing transportation funding and financing programs in Senate-approved IIJA






Proposed changes to existing funding programs under FTA (1/2)

Program	Proposed Changes	Proposed IIJA Authorization	Percentage Change relative to FAST Act
Capital Investment Grants (CIG) Programs (49 U.S. Code §5309)	<ul style="list-style-type: none"> Adjusts Small Starts thresholds for capital costs from \$300M to \$400M and increases federal share from \$100M to \$150M Core Capacity eligibility is modified from 5 to 10 years to demonstrate capacity needs Establishes process for bundling of projects 	\$15B [supplemental appropriations: \$8B]	30.4% increase [100% increase with supplemental appropriations]
State of Good Repair (49 U.S. Code §5337)	<ul style="list-style-type: none"> Enables Secretary to provide grants under this program to assist State and local governmental authorities in financing capital projects for replacement of rail rolling stock 	\$18.39B [supplemental appropriations: \$4.75B]	40.8% increase [78% increase with supplemental appropriations]
Enhanced Mobility of Seniors and Individuals with Disabilities (49 U.S. Code §5310)	N/A	\$1.9B [supplemental appropriations: \$2B]	35.7% increase [178.6% increase with supplemental appropriations]



Proposed changes to existing funding programs under FTA (2/2)

Program	Proposed Changes	Proposed IIJA Authorization	Percentage Change relative to FAST Act
 Urbanized Area Formula (49 U.S. Code §5307)	<ul style="list-style-type: none"> Requires grant recipients to include in their comprehensive agency safety plan a risk reduction program for transit operations Recipients are required to allocate at least 0.75% of funds to safety-related projects 	\$33.54B	41% increase
Formula Bus and Bus Facilities (49 U.S. Code §5339a)	Increases minimum allotment for States and territories from \$1.75M to \$4M	\$3.161B	43% increase
  Competitive Bus and Bus Facilities (49 U.S. Code §5339b & c)	<p>Competitive 5339(b):</p> <ul style="list-style-type: none"> Increases set-aside for rural projects to 15% <p>Low or No 5339(c):</p> <ul style="list-style-type: none"> At least 25% to be directed to programs related to <i>lower</i>-emission buses and vehicles (e.g. CNG) Requires submission of zero-emission fleet transition plan Requires recipients to use minimum of 5% of award to fund workforce development training 	<p>Competitive: \$2.34B</p> <p>Low-or No Emission Grants: \$374.6M + [supplemental appropriations: \$5.25B]</p>	<p>Competitive: 56% increase</p> <p>Low-or No Emission Grants: 36% increase <u>[1945% increase with supplemental appropriations]</u></p>
Pilot Program for TOD (Sec 20005b)	<ul style="list-style-type: none"> Can be for "site specific" planning (as well as comprehensive planning) for TOD. 	\$68.9M	38% increase

This is a very large jump!

Proposed changes to Rebuilding American Infrastructure with Sustainability and Equity (RAISE) program (fka BUILD, TIGER)





Program	Proposed Changes	Proposed IIJA Authorization	Percentage Change in Funding
RAISE Grants	<ul style="list-style-type: none"> IIJA authorizes RAISE grant program, making it first time this becomes authorized program, and ensuring its continued funding <u>Eligible projects</u>: Include highway or bridge projects, passenger or freight rail projects, port infrastructure projects, and other surface transportation projects. <u>Maximum grant amount</u>: \$25M 	\$7.5B over five years equally split between rural and urban areas	101% increase per year relative to BUILD/TIGER *

*Percentage change calculated using average funding per year for BUILD/TIGER between 2009 and 2020.



Proposed changes to existing funding programs under FHWA

Program	Proposed Changes	Proposed IJA Authorization	Percentage Change relative to FAST Act
 Surface Transportation Block Grants (23 U.S.C. §133)	<ul style="list-style-type: none"> Extends eligibility to include electric vehicle charging infrastructure and vehicle-to-grid infrastructure, among others <p>Transportation Alternatives (TA) Program:</p> <ul style="list-style-type: none"> Increases funding set aside to \$7.2B Changes minimum percentage sub-allocated based on population from 50% to 59% Allows States to elect to use up to 5% of TA funds on technical and application assistance 	\$72B	24% increase
 Congestion Mitigation and Air Quality Improvement Program (23 U.S.C. §149)	<ul style="list-style-type: none"> Extends eligibility to include micromobility and purchase of medium or heavy-duty zero emission vehicles Allows States to spend up to 10% of CMAQ funds on specific lock and dam modernization or rehabilitation projects, among others 	\$13.2B	10% increase

Proposed changes to key infrastructure financing programs

Program	Proposed Changes	Proposed IJA Authorization	Percentage Change relative to FAST Act
Transportation Infrastructure Finance and Innovation Act (TIFIA) program	<ul style="list-style-type: none"> Extends period during which contingent commitments under master credit agreement must result in financial close to 5 years Extends eligibility to: (i) projects to improve public infrastructure located near transit facilities; (ii) projects for economic development; and (iii) airport projects Adds new criteria to streamlined application process for public agency borrowers <u>Public-Private Partnerships</u>: Adds requirement for public party to have conducted value-for-money analysis or similar comparative analysis 	\$1.25B	-11%
Railroad Rehabilitation and Improvement Financing (RRIF)	<ul style="list-style-type: none"> Codified under Ch. 224, title 49, U.S. Code Eligibility for landside port infrastructure Makes TOD projects a permanent eligibility Codifies the RRIF Express program \$50M per year to subsidize credit risk premiums (up to \$20M per loan), and requires these be refunded upon repayment 	\$250M	-

Of note:
TIFIA now eligible for public infrastructure near transit facilities; RRIF eligible for transit-oriented-development





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**New programs, as proposed
by Senate-approved IJA 2021**



Summary of larger new programs proposed (1/2)

Program	Type	Key Features	Proposed IIJA FY2022-FY2026
Bridge Investment Program	Competitive and Formula	<p><u>Purpose:</u> Competitive program to assist local, State, Federal, and tribal entities in rehabilitating or replacing bridges on National Bridge Inventory. Formula program aims at supporting bridge repair backlog</p> <p><u>Min. Award:</u> \$50M for large projects and \$2.5M for any other eligible type of project</p>	<p>\$3.27B</p> <p>[supplemental appropriations: \$27.5B formula and \$9.2B competitive]</p>
 Carbon Reduction Program	Formula	<p><u>Purpose:</u> Aimed at reducing transportation emissions</p> <p><u>Eligible projects:</u> Projects to establish or operate traffic monitoring, management, and control facility or program; public transportation projects; projects including construction, planning, and design of on-road and off-road trail facilities for non-motorized forms of transport; among others</p>	\$6.42B
 Promoting Resilient Operations for Transformative, Efficient, and Cost-saving Transportation (PROTECT) Grant Program	Formula and Competitive	<p><u>Purpose:</u> Establishes grants for resilience improvements at State and local levels. In addition to formula funding distributed to States, program includes competitive grants counties can apply for, including: (i) Planning Grants, (ii) Resilience Improvement Grants, (iii) Community Resilience and Evacuation Route Grants, and (iv) At-Risk Coastal Infrastructure Grants</p> <p><u>Federal Share:</u> Ranges between 80 and 100 percent</p>	\$8.7B including \$7.3B formula and \$1.4B competitive

Summary of larger new programs proposed (2/2)

Program	Type	Key Features	Proposed IIJA FY2022-FY2026
 Charging and Fueling Infrastructure Grants	Competitive	<p><u>Purpose:</u> Grant program for Alternative Fuel Corridors, and set-aside grant program for Community Grants aimed at deploying publicly accessible electric vehicle charging infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, and natural gas fueling infrastructure along designated alternative fuel corridors or in other locations accessible to all relevant drivers.</p> <p><u>Funding Allocation:</u> 50% of total program funds will be made available per fiscal year for Community Grants, prioritizing rural areas, and low-and-moderate income neighborhoods.</p> <p><u>Federal share:</u> Up to 80%</p>	\$2.5B



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Possible Implications for Miami-Dade County Transportation Funding



Short story: expect an increase across funding programs




- All formula programs to receive an increase in funding
- All competitive programs to receive an increase in funding
- Two new programs may provide additional sources of funds for transit:
 - Carbon Reduction Program (formula), and
 - Promoting Resilient Operations for Transformative, Efficient, and Cost-saving Transportation (PROTECT) grant program (formula and competitive)

Increased funding across formula programs will result in County funding increases (1/2)

	Program	Funding increase for program at Federal level, per IJA	Potential implications for annual funding levels* (where possible, using FY2021 funding as baseline)
	Urbanized Area Formula (5307)	41%	FY21: \$56M With IJA increase: \$79M
	SOG (5337)	41% [78% w/ supplemental]	FY21: \$32M With IJA increase: \$45M With IJA increase (incl supplemental): \$57M
	Seniors, Disabled (5310)	36% [179% w/ supplemental]	More \$\$ [no baseline data]




** Where "with IJA increase" is noted, the number assumes that the amount Miami-Dade County will receive will be roughly the same as increasing current funding levels (i.e. FY2021) by the same level as seen to the funding program at the Federal level. These numbers assume that the growth at the Federal level is a good proxy for the growth to be expected in Miami-Dade. They are approximate estimates.*

Increased funding across formula programs will result in County funding increases (2/2)

	Program	Funding increase for program at Federal level, per IJA	Potential implications for annual funding levels* (where possible, using FY2021 funding as baseline)
	Bus/Bus Facilities Formula (5339a)	44%	FY21: \$7M With IJA increase: \$10M
	STBG (23 U.S.C. §133)	24% [71% for TAP]	More \$\$ for Transportation Alternatives Program due to increase in funds, but also due to change in formula that puts more emphasis on population levels
	CMAQ	10%	More \$\$; funds can now be used for micromobility which opens up new transit opportunities

** Where “with IJA increase” is noted, the number assumes that the amount Miami-Dade County will receive will be roughly the same as increasing current funding levels (i.e. FY2021) by the same level as seen to the funding program at the Federal level. These numbers assume that the growth at the Federal level is a good proxy for the growth to be expected in Miami-Dade. They are approximate estimates.*

Increased funding for competitive programs means more opportunities to compete for funding

	Program	Funding increase for program, per IJA	Implications for MDC Transit
	Capital Investment Grants (5309)	40% [100% with supplemental]	More funding available = more opportunity to compete for funding; new provision to allow for project bundling. Small starts capital threshold increased to \$400M. Local match remains the same
	Bus/Bus Facilities Competitive (5339b&c)	56% [for 5339c it is 36%; and 1,945% with supplemental appropriation]	More funding available = more opportunity to compete for funding; in particular, if program 5339c for low/no emissions buses receives supplemental appropriation, then <i>much</i> more money available to transition to no/low emission bus fleets
	RAISE (aka BUILD, TIGER) grants	101%* (over previous funding levels)	More funding available = more opportunity to compete for funding. More program certainty as program authorized over 5 years vs. requiring annual appropriations.



5.1

Appendix A: Transit Funding Program Fact Sheets





Capital Investment Grants (CIG) Programs – Competitive

49 U.S. Code §5309



Purpose

CIG fund **transit capital investments**, including heavy rail, commuter rail, light rail, streetcars, bus rapid transit, and ferries



Program Categories

Funds allocated on project-by-project basis according to the following criteria: mobility improvements, environmental benefits, cost-effectiveness, economic development, land use, and congestion relief

There are three categories of CIG programs:

- **New Starts Program**
- **Core Capacity Program**
- **Small Starts Program**



Proposed Changes

- Establishes process for future and immediate bundling of projects (replaces “Program of Interrelated Projects” eligibility)

Funding: \$15B

[+ supplemental appropriations: \$8B]

30% increase over FAST Act

[100% increase with supplemental appropriations]



CIG - New Starts Program

49 U.S. Code §5309



Purpose

Supports fixed guideway projects with anticipated total capital cost of **\$300M or more** or **seeking \$100M or more** in CIG funding



Key Program Features

- Eligible Activities: Design and construction of new fixed-guideways or extensions to fixed guideways
- Eligible Recipients: State and local government agencies, including transit agencies
- Funding Share: Maximum CIG program share of 60% of total project cost and maximum Federal contribution of 80%



Proposed Changes

- N/A



CIG - Core Capacity Program

49 U.S. Code §5309



Purpose

Supports corridor-based investments in existing fixed guideway system that **improves capacity not less than 10%** in corridor that is **at capacity today or will be in five years**



Key Program Features

- Eligible Activities: Design and construction of corridor-based investment in existing fixed guideway system that improves capacity not less than 10% in corridor that is at capacity today or will be in five years
- Eligible Recipients: State and local government agencies, including transit agencies
- Funding Share: Maximum CIG program share of 80% of total project cost and maximum Federal contribution of 80%



Proposed Changes

- Core Capacity eligibility is modified from 5-year time-period to 10 years to demonstrate capacity needs



CIG - Small Starts Program

49 U.S. Code §5309



Purpose

Fixed guideway projects or corridor-based BRT with anticipated total capital cost of **less than \$300M** and seeking **less than \$100M** in CIG funding



Key Program Features

- Eligible Activities: Design and construction of new fixed-guideways or extensions to fixed guideways, as well as design and construction of corridor-based bus rapid transit projects
- Eligible Recipients: State and local government agencies, including transit agencies
- Funding Share: Maximum CIG program share of 80% of total project cost and maximum Federal contribution of 80%



Proposed Changes

- Adjusts Small Starts thresholds for capital costs from \$300M to \$400M and increases federal share from \$100M to \$150M



Urbanized Area - Formula

49 U.S. Code §5307



Purpose

Geared towards urbanized areas (UZAs), which are defined as areas with population of 50,000 or more as designated by Bureau of Census



Key Program Features

- Eligible Recipients: Public bodies with legal authority to receive and dispense Federal funds
- Eligible Activities: Planning, engineering, design and evaluation of transit projects; capital investments in bus and bus-related activities; capital investments in new and existing fixed guideway systems, among others
- Federal Share: Up to 80% of net project cost



Proposed Changes

- Requires Urbanized Area formula grant recipients to include in their comprehensive agency safety plan risk reduction program for transit operations
- Recipients are required to allocate at least 0.75% of funds to safety-related projects



Funding: \$33.54B

41% increase over FAST Act



State of Good Repair – Formula

49 U.S. Code §5337



Purpose

Financial assistance for maintenance, replacement, and rehabilitation of capital assets, along with development and implementation of transit asset management plans



Key Program Features

- Eligible Recipients: State and local government authorities in UZAs with rail fixed guideway and high intensity motorbus systems that have been in operation for at least 7 years
- Eligible Activities: Projects that maintain, rehabilitate, and replace capital assets, as well as projects that implement transit asset management plans
- Federal Share: Up to 80% of net project cost



Proposed Changes

- Enables Secretary to provide grants under this program to assist State and local governmental authorities in financing capital projects for replacement of rail rolling stock

Funding: \$18.39B

[+ supplemental appropriations: \$4.75B]

41% increase over FAST Act

[78% increase with supplemental appropriations]



Enhanced Mobility of Seniors and Individuals with Disabilities – Formula

49 U.S. Code §5310



Purpose

Improve mobility for seniors and disabled individuals by removing barriers to transportation service and expanding mobility options



Key Program Features

- Eligible Recipients: Apportioned to direct recipients, including states for rural and small UZAs; State and local government entities that operate public transportation services
- Eligible Activities: 55% allocated to “traditional projects”, including buses and vans; wheelchair lifts, ramps, and securement devices; transit-related information technology systems; among others. 45% remaining is allocated to “non-traditional” projects
- Federal Share: Up to 80% for capital projects and 50% for operating assistance



Proposed Changes

- N/A



Funding: \$1.9B

[+ supplemental appropriations: \$2B]

36% increase over FAST Act

[179% increase with supplemental appropriations]



Rural Area – Formula

49 U.S. Code §5311



Purpose

Capital, planning, and operating assistance to States and Federally-recognized Indian tribes to support public transportation in rural areas with populations less than 50,000



Key Program Features

- Eligible Recipients: States, Indian tribes or Alaskan Native villages, groups or communities identified by Bureau of Indian Affairs (BIA)
- Eligible Activities: Capital, operating, planning, and job access and reverse commute (JARC) project expenses, and acquisition of public transportation services are eligible for funds
- Federal Share: Up to 80% for capital projects and 50% for operating assistance



Proposed Changes

- Established fixed percentages for specific Public Transportation Assistance programs (i.e., Appalachian Development)



Funding: \$4.6B

44% increase over FAST Act



Bus and Bus Facilities – Formula

49 U.S. Code §5339a



Purpose

Makes Federal resources available to States to replace, rehabilitate and purchase buses and related equipment and to construct bus-related facilities



Key Program Features

- Eligible Recipients: Designated recipients that operate fixed route bus service or that allocate funding to fixed route bus operators; and State or local governmental entities that operate fixed route bus service
- Eligible Activities: Capital projects to replace, rehabilitate and purchase buses, vans, and related equipment, and to construct bus-related facilities, including technological changes or innovations to modify low or no emission vehicles or facilities
- Federal Share: Up to 80% of net project cost



Proposed Changes

Increases minimum allotment for States and territories from \$1.75M to \$4M

Funding Formula: \$3.16B

44% increase over FAST Act



Bus and Bus Facilities – Competitive

49 U.S. Code §5339b & c



Purpose

Replace, rehabilitate, and purchase buses and related equipment and to construct bus-related facilities. Includes competitive sub-program (5339c) **supporting low and zero-emission vehicles**



Key Program Features

- Eligible Recipients: Designated recipients that operate fixed route bus service or allocate funding to fixed route bus operators; and State or local governments operating fixed routes.
- Eligible Activities: Capital projects to replace, rehabilitate and purchase buses, vans, and related equipment, and to construct bus-related facilities, incl. technological changes or innovations to modify low or no emission vehicles or facilities
- Federal Share: Up to 80% of net project cost



Proposed Changes

Increases set-aside for rural projects to 15%.

Low or No 5339(c):

- Requires at least 25% be directed to programs related to lower-emission buses and vehicles.
- Requires submission of zero-emission fleet transition plan.



Funding Competitive: \$2.34B
56% increase over FAST Act

***Low-or No Emission Grants: \$374.6M**
[+supplemental appropriations: \$5.25B]
36% increase over FAST Act
[1945% increase with supplemental appropriations]

Pilot Program for Transit-Oriented Development



Purpose

Funding for TOD planning associated with an eligible transit project for which the project sponsor will seek funding through FTA's CIG Program.



Key Program Features

- Eligible Projects : new fixed guideway or core capacity improvement project which will seek funding from CIG Program.
- Federal Share: Up to 80% in urban areas and up to 100 percent in rural areas



Proposed Changes

Amends Section 20005(B) of MAP-21 (49 U.S.C. 5303 note; Public Law 112-141) on the Transit-Oriented Development Pilot Program by inserting the word "site-specific" across the section.

Funding: \$68.9M over FY22-26

[38% Increase over FAST Act]



Surface Transportation - Block Grants

23 U.S.C. §133



Purpose

Aimed at preserving and improving conditions of Federal-aid highways, bridge and tunnel projects on public roads, pedestrian and bicycle infrastructure, and transit capital projects



Key Program Features

- States must set-aside share of STBG apportionment for **Transportation Alternatives (TA) program**
- TA program** includes variety of smaller-scale transportation projects, such as pedestrian and bicycle facilities, recreational trails, safe routes to school projects, community improvements, and environmental mitigation related to stormwater and habitat connectivity



Proposed Changes

- Extends eligibility to include electric vehicle charging infrastructure and vehicle-to-grid infrastructure, among others
- TA Program:** (i) Increases funding set aside to \$7.2B; (ii) changes minimum percentage TA funding sub-allocated based on population to 59%; (iii) allows State to elect to use up to 5% of TA funds on technical and application assistance



Funding: \$72B
24% increase over FAST Act

[Funding for TA program increased by 71% relative to FY2016 – FY2020 authorizations]

Florida FY2022 – FY2026
apportionment: \$3.6B*
24% increase over FAST Act

*Estimated FY2022 – FY2026 program apportionment under Surface Transportation Reauthorization Act of 2021 (before post-apportionment set-asides, penalties, and/or sequestration)



Congestion Mitigation and Air Quality Improvement Program (CMAQ) – Block Grant

23 U.S.C. §149



Purpose

Each State receives lump sum (“block grant”) which it can flexibly allocate to “transportation projects and programs to help meet the requirements of the Clean Air Act.”



Key Program Features

- Eligible Activities: Transit projects can qualify so long as there is demonstrated likelihood that it will “contribute to attainment or maintenance of national ambient air quality standard”, such as electric vehicles hydrogen buses, etc.



Proposed Changes

- Micromobility and purchase of medium-or heavy-duty zero emission vehicles now eligible
- States can spend up to 10% of CMAQ funds on specific lock and dam modernization or rehabilitation projects, among others.



Funding: \$13.2B

**10% increase over
FAST Act**

**Florida F 2022 – FY2026
apportionment: \$77M***

*10% increase over FAST
Act*

*Estimated FY2022 – FY2026 program apportionment under Surface Transportation Reauthorization Act of 2021 (before post-apportionment set-asides, penalties, and/or sequestration)

Rebuilding American Infrastructure with Sustainability and Equity (RAISE) program



Purpose

Multimodal, merit-based, competitive discretionary grant program for surface transportation infrastructure



Key Program Features

Eligible Projects include (i) surface transportation capital projects, and (ii) activities related to planning of eligible surface transportation capital projects

- Disbursement Method: Reimbursements
- Allocation: Equitable amount of funding awarded to projects in urban and rural areas
- Federal Share: Up to 80% in urban areas and up to 100 percent in rural areas
- Minimum Award: \$5M for projects in urban areas, \$1M for projects in rural areas, and no minimum for planning grants



Proposed Changes

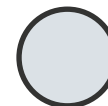
IIJA **authorizes RAISE grant program**, making it first time this becomes authorized program, and ensuring its continued funding

- Eligible projects: Include highway or bridge projects, passenger or freight rail projects, port infrastructure projects, and other surface transportation projects.
- Maximum grant amount: \$25M

Funding: \$7.5B over five years equally split between rural and urban areas

[101% increase per year relative to BUILD/TIGER] *

*Percentage change calculated using average funding per year for BUILD/TIGER between 2009 and 2020.





5.2

Appendix B: Federal Financing Programs Fact Sheets



Transportation Infrastructure Finance and Innovation Act (TIFIA)



Purpose

TIFIA provides long-term, low-interest loans and other types of credit assistance for qualified projects at regional and national levels.



Key Program Features

Features: (i) Low interest rate, (ii) interest does not accrue until proceeds are drawn, (iii) flexible amortization (up to 35-year repayment period, deferrable for 5 years after substantial project completion), (iv) no pre-payment penalty

Three types of financing:

- Secured (direct) loan
- Loan guarantee
- Standby line of credit



Proposed Changes

- Extends period during which contingent commitments under master credit agreement must result in financial close to 5 years
- Extends eligibility to: (i) projects to improve public infrastructure located near transit facilities; (ii) projects for economic development; and (iii) airport projects
- Adds new criteria to streamlined application process for public agency borrowers
- Public-Private Partnerships: Adds requirement for public party to have conducted **value-for-money analysis** or similar comparative analysis

Funding: \$1.25B

-11%



Railroad Rehabilitation and Improvement (RRIF)



Purpose

Provides direct Federal loans and loan guarantees for railroad capital improvements



Key Program Features

Features: (i) Low interest rate; (ii) interest does not accrue until proceeds are drawn; (iii) flexible amortization (up to 35-year repayment period deferrable for 5 years after substantial project completion); (iv) no pre-payment penalty

Eligible Activities: Acquiring, improving or rehabilitating intermodal or rail equipment or facilities, financing for transit-oriented development, among others

Eligible Recipients: (i) State and local governments; (ii) government sponsored authorities; (iii) corporations, railroads, and joint ventures



Proposed Changes

- Codified under Chapter 224, title 49, United States Code
- Extend project eligibility to landside port infrastructure
- Makes "transit-oriented development projects" a permanent eligibility
- Codifies the RRIF Express program
- Providing \$50M per year to subsidize credit risk premiums (up to \$20 million per loan), and requires these be refunded upon repayment

Funding: \$250M for credit assistance under RRIF

Other relevant changes proposed

Public Transportation	National Environmental Policy Act of 1969 (NEPA)	Public-Private Partnerships (P3) in Transportation	Public Transportation Innovation (49 U.S.C. § 5312)
<ul style="list-style-type: none">• Adds eligibility for capital projects for construction of bus rapid transit corridors or dedicated bus lanes	<ul style="list-style-type: none">• Proposed changes to streamline review process by shortening time limits	<ul style="list-style-type: none">• Transparency requirements for projects with estimated cost above \$100M.• Requires public partner conduct value-for-money analysis as condition for TIFIA and RRIF loans	<ul style="list-style-type: none">• Updates requirements for Secretary's annual report• Authorizes Secretary to reduce or waive matching requirements for research projects providing "substantial public benefit"



5.3

Appendix C: Fact Sheets for Proposed New Funding Programs



Bridge Investment Program – Competitive



Purpose

Aimed at assisting local, State, Federal, and tribal entities in rehabilitating or replacing bridges on National Bridge Inventory, including culverts



Key Program Features

- Minimum Grant Amount: \$50,000,000 for large projects and \$2,500,000 for any other eligible project
- Funding Allocation: At least 50% of program funds to be allocated to large projects and \$100M to be set-aside for tribal bridge projects.
- *Program prioritizes projects that have applied for but have not yet to receive grants*

Funding: \$3.3B

[+ supplemental appropriations: \$9.2B]

Carbon Reduction Program – Formula



Purpose

Aimed at reducing transportation emissions



Key Program Features

- Eligible projects: Projects to establish or operate traffic monitoring, management, and control facility or program; public transportation projects; projects including construction, planning, and design of on-road and off-road trail facilities for non-motorized forms of transport; among others

**Florida FY2022 – FY2026
apportionment: \$320M***

Funding: \$6.42B

*Estimated FY2022 – FY2026 program apportionment under Surface Transportation Reauthorization Act of 2021 (before post-apportionment set-asides; before penalties; before sequestration).

Promoting Resilient Operations for Transformative, Efficient, and Cost-saving Transportation (PROTECT) grant program – Formula and Competitive



Purpose

Establishes grants for resiliency improvements at State and local levels



Key Program Features

- In addition to formula funding distributed to States, includes competitive grants counties can apply for, including:
 - Planning Grants
 - Resilience Improvement Grants
 - Community Resilience and Evacuation Route Grants
 - At-Risk Coastal Infrastructure Grants
- Federal Share: Ranges between 80% and 100%
- *Includes opportunities to reduce local match requirements by meeting voluntary resiliency planning requirement.*

**Florida FY2022 – FY2026
apportionment: \$364M for
formula program***

**Funding: \$8.7B, including \$7.3B for
formula and \$1.4B for competitive**

*Estimated FY2022 – FY2026 program apportionment under Surface Transportation Reauthorization Act of 2021 (before post-apportionment set-asides; before penalties; before sequestration).

Charging and Fueling Infrastructure Grants – Competitive



Purpose

Includes grant program for Alternative Fuel Corridors, and set-aside grant program for Community Grants. These programs are aimed at deploying “publicly accessible electric vehicle charging infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, and natural gas fueling infrastructure along designated alternative fuel corridors or in other locations accessible to all relevant drivers”

Funding: \$2.5B



Key Program Features

- Eligible Entities: State or local political subdivision, MPOs, unit of local government, special purpose district or public authority with transportation function
- Eligible Activities: Propane fueling infrastructure, limited to infrastructure for medium- and heavy-duty vehicles
- Funding Allocation: 50% of total program funds will be made available per fiscal year for Community Grants, prioritizing rural areas, and low-and-moderate income neighborhoods.
- Federal share: Up to 80%

Additional new programs proposed

- ▶ Low-Carbon and Zero-Emission School Buses & Ferries (\$7.5B)
- ▶ Active Transportation Infrastructure Investment Program (\$1B)
- ▶ Healthy Streets Program (\$500M)
- ▶ Strengthening Mobility and Revolutionizing Transportation (SMART) Grant Program (\$500M)
- ▶ Congestion Relief Program (\$250M)
- ▶ Reconnecting Communities Pilot Program (\$150M for planning grants and \$350M for capital construction grants)
- ▶ Stopping Threats on Pedestrians Program (\$25M)



Estimated FY22 – FY26 Florida apportionment under Surface Transportation Reauthorization Act of 2021

Program	Est. FY2022	Est. FY2023	Est. FY2024	Est. FY2025	Est. FY2026	Est. FY2022- FY2026
Surface Transportation Block Grant Program	\$690,448,875	\$704,257,853	\$718,343,009	\$732,709,870	\$747,364,065	\$3,593,123,672
CMAQ Program	\$14,815,700	\$15,112,014	\$15,414,254	\$15,722,539	\$16,036,990	\$77,101,497
Carbon Reduction Program	\$61,565,025	\$62,796,325	\$64,052,252	\$65,333,297	\$66,639,962	\$320,386,861
PROTECT Formula Program	\$70,003,844	\$71,403,921	\$72,831,999	\$74,288,639	\$75,774,412	\$364,302,815

*All estimations calculated before post-apportionment set-asides; before penalties; before sequestration

Source: https://www.epw.senate.gov/public/_cache/files/7/6/76a75cd2-8e70-42c4-8142-82ffef83c867/29CF2A3E5A597BF34CD020F96F197F4A.ta-est-fy-2022-2026-apportionments-epw-reauth-act-2021-rev-1.pdf



Bibliography

- <https://www.hklaw.com/en/insights/publications/2021/08/infrastructure-investment-and-jobs-act-summary>
- <https://www.portman.senate.gov/sites/default/files/2021-08/210807%20Bipartisan%20IIJA%20Bill%20Summary.pdf>
- <https://www.fhwa.dot.gov/fastact/factsheets/>
- <https://www.transit.dot.gov/funding/grants/fta-program-fact-sheets-under-fast-act>
- <https://www.naco.org/resources/legislative-analysis-counties-infrastructure-investment-jobs-act>

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