

Transportation Improvement Program (TIP)

Guidebook for Project Sponsors

Introduction

The TIP Guidebook was developed to assist GBNRTC member agencies and non-member project sponsors in defining the Transportation Improvements Program (TIP) terminology and processes.

The GBNRTC updates this Guidebook with each new TIP to reflect changes in federal authorizing legislation, Planning Emphasis Areas and funding programs.

This edition of the TIP Guidebook includes many improvements, including:

- Candidate project evaluation has been expanded to include analysis of project linkage to LRTP/MTP goals, federal planning goals and Performance Based Planning and Programming (which includes Transportation Performance Management)
- Enhanced visualization Geographic Information Systems (GIS) tools were incorporated assist project sponsors in answering project evaluation questions for the submissions
- Detailed TIP development schedule listing all major tasks
- Expanded discussion of available project funding programs including project eligibility
 - Core funding programs
 - Federal discretionary grants
 - State funding programs

New member agencies to the Planning and Coordinating Council (PCC) and/or Transportation Projects Subcommittee (TPS) may use this Guidebook to understand how to develop, program and modify projects. Existing PCC and TPS members may use this Guidebook as a reference document. A companion document, 'Current System Conditions' is also available to assist in project development.

For more information, and to download TIP documents, please go to: <http://www.gbnrtc.org/tip>.

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GBNRTC Origins, Membership and Organization

The Federal-Aid Highway Act of 1962 created the federal requirement for urban transportation planning largely in response to the construction of the Interstate Highway System and the planning of routes through and around urban areas. The Act required, as a condition attached to federal transportation financial assistance, that transportation projects in urbanized areas of 50,000 or more in population, as determined by the U.S. Census, designate a Metropolitan Planning Organization (MPO) to carry out the metropolitan transportation planning process.

Under the federal law, MPOs are designated by each state's governor. The GBNRTC was designated by Governor Malcolm Wilson in 1974 as the MPO for Erie and Niagara Counties. The GBNRTC shares responsibility with the New York State Department of Transportation (NYSDOT) for developing comprehensive, cooperative, and continuing transportation plans and programs that ensure an integrated multimodal transportation system serving and supporting metropolitan community development and the social goals of the Greater Buffalo-Niagara region.

An urbanized area with a population over 200,000 is called a Transportation Management Area (TMA). MPO's in a TMA have a stronger voice in setting priorities for implementing projects listed in the TIP and are responsible for additional planning products. The planning processes of MPOs in TMAs also must be certified by the Secretary of DOT as being in compliance with federal requirements.

New York State MPO Planning Areas and Locations

The GBNRTC is focused on devising solutions to regional transportation problems. This often includes addressing land use, air quality, access to employment opportunities, energy and environment, economic development, technologic change, freight/commerce and housing. To do this, the GBNRTC develops three major products:

1. 20+ year regional transportation plan, known as the Metropolitan Transportation Plan (MTP/LRTP)
2. 2-year listing of planning activities known as the Unified Planning Work Program (UPWP)
3. 5-year program of projects, known as the Transportation Improvement Program (TIP)

The GBNRTC is currently governed by seven (7) member agencies. These include the City of Buffalo, City of Niagara Falls, County of Erie, County of Niagara, NYS Thruway Authority, the Niagara Frontier Transportation Authority and NYS Department of Transportation (NYSDOT).

An organizational Memorandum of Understanding (MOU) to formally affirm the transportation planning process and to set forth the MPO responsibilities of the Council and its members, in accordance with the most current federal and state regulations, is reaffirmed or revised on an annual basis by the Planning and Coordinating Committee (PCC). Resolution 2023-24 last reaffirmed the MOU on November 13, 2023.

The GBNRTC organizational structure consists of three levels:

- Policy Committee (POLICY) - Provides a forum for cooperative decision making in regard to transportation planning and programming for the Buffalo-Niagara Region. The GBNRTC Policy Committee meets at least two times per year
- Planning and Coordinating Committee (PCC) - Coordinates and guides the regional transportation planning process in accordance with the guidance set by the Policy Committee. The GBNRTC PCC meets the first Wednesday of each month
- Subcommittees - Provides technical advice and recommends appropriate courses of action to the PCC on current and emerging transportation planning issues, goals, plans, priorities and programs - The Transportation Projects Subcommittee is the subcommittee that works closely with the TIP

GBNRTC governance also includes three (3) Regional Strategic Stakeholders to provide the opportunity for greater participation of interested organizations or governments in the development of transportation plans and programs:

- Seneca Nation of Indians
- Buffalo-Niagara Partnership
- Empire State Development Corp

Regional Strategic Stakeholders review and provide comments and recommendations on such GBNRTC documents as the Long-Range Plan and the Transportation Improvement Program. Stakeholders isolate and bring forward key issues requiring GBNRTC consideration as it relates to GBNRTC policy and the development of GBNRTC plans and projects.

A dedicated full-time staff of transportation planning professionals serve the seven GBNRTC member agencies. This staff is primarily responsible for completing the tasks defined in the Unified Planning Work Program (UPWP) including developing, managing and implementing the region's Transportation Improvement Program (TIP) and Metropolitan Transportation Plan (MTP/LRTP). Staff may also conduct local and area-wide transportation studies upon request.

GBNRTC and NYSDOT Region 5 staff work closely together to program transportation projects in Erie and Niagara Counties, including the densely settled urban areas in the Buffalo Metropolitan Planning Area (MPA).

NYSDOT Region 5 is also responsible for programming transportation projects in Chautauqua and Cattaraugus Counties which are located to the south of the GBNRTC's designated planning area. Because of this, transportation projects for Chautauqua and Cattaraugus Counties are not included in the GBNRTC TIP but are listed in the Statewide Transportation Improvement Program (STIP).

All MPOs must demonstrate that they are following all federal regulations and requirements. On-site certifications of the GBNRTC planning process takes place approximately every four (4) years by the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA). The GBNRTC last underwent federal recertification in June of 2024. An initial debrief concluded that the GBNRTC TIP process is following all defined federal rules and requirements.

What is the TIP?

The Transportation Improvement Program (TIP) is a staged and financially constrained multi-year program of local/state highway, multimodal and transit projects.

All transportation projects must be listed in the TIP to be eligible for federal and state funding, federal and state permits, and review of Environmental Impact Reports and Environmental Impact Statements.

The GBNRTC TIP is consistent with all federal guidance and regulations, including:

- Incorporates a Comprehensive, Cooperative, and Continuing (3C) process for initiatives to be eligible for Federal transportation funding
- Covers a period of at least four years
- Is developed in cooperation with the state and public transit providers
- Identifies the timing and funding of all capital and non-capital surface transportation projects, bicycle and pedestrian facilities and other transportation enhancements, Federal Lands Highway projects, and safety projects included in the State's Strategic Highway Safety Plan
- Is fiscally constrained
- Includes non-federal funded projects deemed to be 'regionally significant'
- Reflects the priorities and direction of the region and its state and federal partners in the transportation planning process
- Supports federally defined planning factors and Transportation Program Management (TPM) goals
- Consistency with the current Metropolitan (Long-Range) Transportation Plan (MTP/LRP)
- Undergoes public review including at least one public meeting

- Consistent with the air quality goals established by a State Implementation Plan (SIP)

The GBNRTC's TIP is developed by a team led by staff from the Greater Buffalo-Niagara Regional Transportation Council (GBNRTC) and New York State Department of Transportation (Region 5).

The Statewide Transportation Improvement Program (STIP) is a four-year listing of all projects (and their phases) in New York for which federal funding is proposed to be used. The STIP begins as a compilation of all MPO TIPs that are adopted every four years by NY Metropolitan Planning Organizations and evolves into a comprehensive list of all highway and transit projects that propose to use Federal funds. Amendments to the STIP can be made by MPOs and Regions for the subsequent State and Federal review and possible approval.

TIP Federal Requirements

The TIP is the complementary capital-programming component of the Long-Range/Metropolitan Transportation Plan consisting of all federally funded roadways, transit and major transportation projects being considered within the region over the next five (5) years. Inclusion in the TIP is a prerequisite to federal funding approval for projects programmed from funding sources directly under the GBNRTC responsibility.

The TIP represents a regional consensus on which priority transportation projects are essential to the Buffalo-Niagara region during a five (5) year period given current financial targets. Projects included in the program move the region towards implementing the current Long-Range/Metropolitan Transportation Plan, meeting short-range needs, and providing for the maintenance of the existing transportation system.

Federal requirements for a Transportation Improvement Program (TIP) are contained in 23 CFR 450.324, .326, .328, and .330. 23 CFR 450.324 requires the MPO to develop a TIP in cooperation with the state and any affected public transit operator(s) and specifically requires the following:

- Updating and approving the TIP on a cycle (at least every four years) compatible with development of the Statewide Transportation Improvement Program (STIP).
- Transportation conformity determination by FHWA and FTA in nonattainment and maintenance areas.
- Opportunities for the public to comment and at least one formal public meeting during the TIP development process.
- Financially constraint including a financial plan identifying projects that can be implemented using current revenue sources and projects requiring proposed additional sources.
- Inclusion of all transportation projects, including bicycle and pedestrian facilities, proposed for funding, including Federal Lands highway projects, but excluding safety projects funded under 23 USC 402, emergency relief projects, and planning and research activities not funded with National Highway System (NHS), Surface Transportation Program (STP) or minimum guarantee funds; all regionally significant transportation projects for which FHWA or FTA approval is required and, for informational purposes, all regionally significant projects to be funded from non-Federal sources; only projects that are consistent with the MTP.
- In designated nonattainment and maintenance areas, classifications must be consistent with the exempt project classifications contained in the U.S. Environmental Protection Agency (EPA) conformity requirements. (40 CFR part 51).
- In designated nonattainment and maintenance areas, the TIP shall describe progress in implementing required TCMs and include a list of all projects found to conform in a previous TIP and which are now part of the base case in determining conformity.

TIP projects must support federally defines planning factors listed under 23 USC 134:

- Support the economic vitality of the metropolitan area, especially by enabling global competitiveness, productivity, and efficiency;
- Increase the safety of the transportation system for motorized and non-motorized users;
- Increase the security of the transportation system for motorized and non-motorized users;
- Increase the accessibility and mobility of people and for freight;
- Protect and enhance the environment, promote energy conservation, improve the quality of life, and promote consistency between transportation improvements and State and local planned growth and economic development patterns;
- Enhance the integration and connectivity of the transportation system, across and between modes, for people and freight;
- Promote efficient system management and operation;
- Emphasize the preservation of the existing transportation system;
- Improve the resiliency and reliability of the transportation system and reduce or mitigate storm water impacts of surface transportation (new for FAST Act)
- Enhance travel and tourism (New for FAST Act)

On December 4, 2015, the Fixing America's Surface Transportation Act, or 'FAST Act,' was signed into law. It is the first law enacted in over ten years that provides long-term funding certainty for surface transportation, meaning states and

local governments can move forward with critical transportation projects, like new highways and transit lines, with the confidence that they will have a federal partner over the long term.

The FAST Act provides five years of highway program authorizations. It transfers enough resources into the Highway Trust Fund -\$51.9 billion into the Highway Account and \$18.1 billion into the Mass Transit Account- to fund the full five years of program authorizations

The FAST ACT requires the following additional areas must also be considered in the development of a TIP:

- Improve resiliency and reliability of the transportation system and reduce or mitigate storm water impacts of surface transportation.
- Enhance travel and tourism.
- Support intercity transportation facilities, including intercity busses.
- Performance measures and targets that will be used to measure system performance and progress in achieving the performance targets.
- Efforts to engage and include all sectors and users of the transportation network in the planning process.

NYSDOT 'Forward Four' Asset Management Strategy

The primary focus of the New York State Department of Transportation's (NYSDOT's) and the New York State Thruway Authority's (NYSTA's) asset management efforts is the preservation and safety of the existing infrastructure. The State's objective is to manage the highway system as effectively as possible in an environment that encourages updating infrastructure that is nearing the end of its service life with available funding that is significantly lower than the system's needs. To ensure that good decisions are made in its efforts to preserve and enhance the safety and condition of the transportation system, the NYSDOT has adopted four guiding principles known as 'Forward Four'.

- Preservation First
- System not Projects
- Maximize Return on Investment
- Make it Sustainable

1. Maintenance First

- Expected financial resources are not sufficient to support a 'build new' or 'worst first' approach. Therefore, NYSDOT has chosen to adopt a 'preserve what we have' approach. The Maintenance First strategy starts with Asset Management principles and data driven decision-making. The highest priority is to preserve the functionality and safety of the existing highway system. It is important to recognize that a Maintenance First strategy is a long-term strategy. The Agency must have patience to hold the course.

2. System not Projects

- To meet the needs of the entire system, NYSDOT requires a system-wide, program-driven approach instead of individual project solutions. Traditionally, a focus on projects led to high levels of investment that improved a relatively small portion of the highway and bridge infrastructure. This resulted in small sections being in excellent condition while the overall system deteriorated.
- NYSDOT's current system-oriented strategy considers how to stretch available capital and maintenance resources to get the best overall conditions across the system. That means when the Agency considers an individual project, it must be examined in the context of the larger transportation system: Who does this asset serve? Is it in a corridor that is essential to move people or goods? Where does it fit within Regional and State priorities? Inherent in these decisions is the need to identify better ways to manage and operate the transportation system to use the capacity of the current system most effectively. System improvement projects that promote economic development, livability, and system connectivity must also be strategically advanced to provide the greatest benefit to the users of the system.

3. Maximize Return on Investments

- Even with the recent increase in Federal Aid, funding for transportation has been and will continue to be significantly less than the amount required to address all the State's recognized needs. Decades of insufficient investments have resulted in declining system conditions and a growing backlog of needs required to bring the system to a state of good repair.
- Given the limited available resources, it is essential that a strategy be established to invest in a way that produces the greatest possible return on investment. The objective is to develop an approach that encourages good decision-making and allocation of funds in a manner that not only preserves the most important assets but also meets the needs of those who rely on the transportation system.
- This has led NYSDOT to implement whole life management principles (explained in chapter 5), which emphasize investments in appropriate treatments, at appropriate times, and at appropriate locations. Highway construction is timed appropriately within the 'window of opportunity' for the selected treatment while maintaining safety standards. Focused rehabilitation work will be performed, fixing only those elements in need of repair when it is determined that significant life can be bought with limited investment. Project scopes are constrained to include what is required to achieve the full remaining life of the asset while providing for a safe, accessible, resilient, and equitable highway system. Bridges and highways will be replaced when replacement provides the best return on investment. Mobility enhancement and modernization projects will be included when it makes strategic and economic sense.

4. Make It Sustainable

- NYSDOT has adopted an investment strategy that allows development of a sustainable program that maximizes the return on investment, extends the life of the assets, and provides users of the system with a safe, reliable, balanced, and environmentally sound transportation system. This sustainable approach to programming considers the relative and cumulative value of the assets as they benefit the public, economy, and environment. NYSDOT's decision-making process looks broadly at the benefits of the work done with each Comprehensive

Program to preserve the existing transportation system and support opportunities for innovation, economic growth, and development. This is done in a fiscally responsible manner by considering life-cycle cost as well as fiscal cycles.

While NYSDOT strongly encourages local municipalities to follow similar asset management principles, it is understood that local governments generally wish to use federal-aid for larger system renewal projects and use their own funds for preventive and corrective maintenance projects.

NYSDOT Local Projects Liaisons

"Project Sponsor" means the agency or other entity that provides funding for the project and administers any construction or construction engineering/inspection activities for the project.

NYSDOT provides the local project sponsor member agency (Buffalo, Niagara Falls, Erie County or Niagara County) with a Local Projects Liaison. The liaison assists local member agencies in many ways, including:

- Assist local members with all TIP actions and associated paperwork including adding, modifying and deleting projects.
- Submit required paperwork to GBNRTC staff so that TIP actions are on the TPS/PCC agenda.
- Maintain up-to-date project information on status and funding.
- Ensure that all NYSDOT/FHWA requirements are met for each project phase.
- Make sure that project funds are obligated on time for each project phase.
- Ensure that state/local agreements are completed.
- Apply to FHWA for time extensions if needed.
- Visit project site to confirm that all work was completed properly.
- Process payment reimbursement requests submitted by project sponsors.

Miscellaneous projects are projects that do not have a GBNRTC member agency sponsoring them. These include towns, villages, smaller cities and state agencies other than NYSDOT. Each of these projects also has a NYSDOT project manager assigned to them who acts in a similar fashion as a local project liaison.

TIP Finance

Financial Plan

Financial plans for the MPOs' TIPs are required per 23 CFR 450.326(j). Each MPO TIP must include a financial plan that demonstrates how the approved TIP can be implemented, indicates resources from public and private sources that are reasonably expected to be made available to carry out the TIP, and recommends any additional financing strategies for needed projects and programs. In developing the TIP, the MPO, State(s), and public transportation operator(s) shall cooperatively develop estimates of funds that are reasonably expected to be available to support TIP implementation in accordance with § 450.314(a). Only projects for which construction or operating funds can reasonably be expected to be available may be included. In the case of new funding sources, strategies for ensuring their availability shall be identified. In developing the financial plan, the MPO shall take into account all projects and strategies funded under title 23 U.S.C., title 49 U.S.C. Chapter 53, and other Federal funds; and regionally significant projects that are not federally funded. For purposes of transportation operations and maintenance, the financial plan shall contain system-level

estimates of costs and revenue sources that are reasonably expected to be available to adequately operate and maintain Federal-aid highways (as defined by 23 U.S.C. 101(a)(6)) and public transportation (as defined by title 49 U.S.C. Chapter 53). In addition, for illustrative purposes, the financial plan may include additional projects that would be included in the TIP if reasonable additional resources beyond those identified in the financial plan were to become available. Revenue and cost estimates for the TIP must use an inflation rate(s) to reflect 'year of expenditure dollars,' based on reasonable financial principles and information, developed cooperatively by the MPO, State(s), and public transportation operator(s).

The TIP financial plan must demonstrate fiscal constraint, which can be as simple as providing a fiscal constraint table. For consistency and ease of federal review, NYSDOT asks that every MPO use the format for the fiscal constraint table that will be provided in the TIP/STIP Guidance document. NYSDOT Main Office will review fiscal constraint tables for sufficiency before the TIP goes out for public review.

- The NYSDOT Regional Planning and Programming Manager (RPPM) is the contact for the MPO on the FHWA planning target estimates to be used.
- FTA/Transit planning targets will be distributed separately by the NYSDOT Public Transportation Bureau.

Project Costs

Federal regulation 23 CFR 450.326(g) requires that inclusion of the estimated total project cost be included in the TIP/STIP. The TIP/STIP total project must also include project costs that are programmed prior or beyond the TIP/STIP period.

Please see the help document that appears for this field in eSTIP. Additional help can be obtained from your NYSDOT Regional Office(s) for additional guidance on project cost and contingency estimating. Be aware that projects with an estimated total cost of \$100M or more (cost in "year of expenditure" dollars) require an annual Financial Plan and all contingencies should be sufficiently detailed and managed.

Fiscal Constraint

MPO TIPs and the Statewide Transportation Plan (STIP) shall be financially constrained by year using estimates of current and/or reasonably available revenues. Fiscal constraint tables must reflect unmatched federal amounts. The MPO and its respective NYSDOT Region(s) must discuss any proposed deviation from fiscal constraint with NYSDOT Main Office well before submission deadline and any program public reviews, approvals or votes. NYSDOT Main Office will either approve the deviation or work with the Region/MPO to resolve the deviation.

FHWA continues to review STIP performance. FHWA's national goal is to see 75% of the construction phases programmed for obligation in a Federal Fiscal Year obligated by the end of that Federal Fiscal Year. NYSDOT will be enforcing fiscal constraint, and Regions and MPOs will not be permitted to program Federal-aid in excess of their planning targets by FFY. MPOs and Regions should be aware that not all transactions (e.g., close-outs and modifications) run through the TIP/STIP. MPOs need to work with the Regions to use the Financial Management Information Systems (FMIS) reports to reconcile obligations on an annual basis. This step is done outside of the eSTIP.

- 23 CFR 450.104 provides the Federal definition for Financially constrained or Fiscal constraint which means that the metropolitan transportation plan, TIP, and STIP includes sufficient financial information for demonstrating that projects in the metropolitan transportation plan, TIP, and STIP can be implemented using committed, available, or reasonably available revenue sources, with reasonable assurance that the federally supported transportation system is being adequately operated and maintained. For the TIP and the

STIP, financial constraint/fiscal constraint applies to each program year. Additionally, projects in air quality nonattainment and maintenance areas can be included in the first 2 years of the TIP and STIP only if funds are 'available' or 'committed.' Fiscal constraint for FHWA is defined as establishing a TIP/STIP such that the amount of total funding programmed in each year of the TIP/STIP does not exceed the estimated committed, available, or reasonably available revenue sources including the Federal-aid fund types represented as total planning targets in this state for each of the TIP/STIP years. Any fiscally constrained fund type can be over-programmed in a year provided:

- The total of all fiscally constrained funding programmed in that year does not exceed the planning targets (implies a columnar total)
- The total amount of fiscally constrained fund type that is programmed in the 4-year STIP period does not exceed the amount of that

- Regional totals (TIPs and rural program) must be fiscally constrained by year and fund type for the STIP period.
- Note for TIPs: MPOs DO NOT have five (5) years to balance programming versus planning target by fund type. These must be balanced over the 4-year STIP period. To do otherwise, will not guarantee fund type fiscal constraint of the STIP initially or over its life.
- FHWA, FTA and NYSDOT consider TIP years beyond the first four (4) as only informational.
- Fiscal Constraint for FTA: Refer to transit planning target estimates which will project apportionments through 2024. Appropriations bills are annually enacted, and apportionments and allocations are published by the FTA in the Federal Register. In order to maintain and document fiscal constraint, the FTA funds that are programmed on the TIP/STIP for a year need to be consistent with the amounts shown in the Federal Register for that year. Carryover balances of unobligated FTA transit funds should be reflected in the TIP fiscal constraint table as applicable. The Notice of Funding Availability (NOFA) limitations for FTA 5324 Emergency Relief should be followed.
- All NYSDOT Regions, MPOs and transit Designated Recipients are expected to follow the regulations for fiscal constraint.

Public Participation and Consultation

MPOs must have developed public participation plans 'in consultation with all interested parties' for both the plan and the TIP. [23 CFR 450.316] Non-attainment area TMAs must provide for at least one formal public meeting (23 CFR 450.326(b)) during the TIP development process.

MPOs shall publish or otherwise make available for public review transportation plans and TIPs including, to the maximum extent practicable, in electronically accessible formats using means such as the World Wide Web

As part of TIP and transportation plan development, MPOs shall employ visualization techniques prior to the adoption of metropolitan transportation plans and metropolitan TIPs (23 CFR 450.316). The MPO's website needs to visibly portray the MPO as an independent entity or organization rather than a subunit of the host agency.

The GBNRTC is committed to transparency and to meaningfully engaging the region's residents throughout the transportation planning and program development process, and strives to provide clear and complete information in an appropriate and timely manner. Active participation by a range of stakeholders improves the understanding of different viewpoints, different needs and concerns, and helps to identify common goals.

The GBNRTC's Public Participation Plan was approved by the Policy Committee on 11/13/23 via Resolution 2023-22.

The Plan provides a framework for GBNRTC staff and member agencies to guide participation processes in transportation planning projects and programs. The Plan identifies ways to continuously improve participation and engagement efforts to better involve a range of stakeholders-particularly residents who have been traditionally underserved and underrepresented, such as minority and low-income populations, and those with limited English proficiency-a growing part of the region's population who may not typically be brought into the planning process. The plan can be downloaded from the GBNRTC website (www.gbnrtc.org) or by calling

the GBNRTC offices during regular business hours.

All TIP amendments require a 30-day public review period. During this period, all comments that are received are acknowledged and forwarded to the project sponsor. The project sponsor then has an opportunity to reply to the comment. A record of all project correspondence is included in the final project Resolution. Administrative modifications do not require a public review period.

Public review can be initiated at TPS or PCC.

Tribal Nations Involvement

For those MPOs (such as the GBNRTC) that include Indian Tribal Lands, the MPO shall appropriately involve the Indian/Native Nations government(s) in the development of the TIP. Note that Tribal Nations receive apportioned funding directly from FHWA Federal Lands to develop a Tribal Transportation Program (TTP). The Tribal Transportation Program Office sends FHWA-NY a list of tribal nation projects within state boundaries which NYSDOT can elect to place on the STIP. Note the TTP may likely be completed off-STIP cycle and will be added to the STIP when these programs are made available. Tribal Transit Programs will be added to the STIP through the NYSDOT Public Transportation Bureau.

Illustrative Projects

To maintain their respective TIPs in fiscal constraint and to show projects that meet local transportation needs, MPOs and Regions are allowed to include additional projects in their Plan, and as appropriate, in the TIP for inclusion in the STIP, for information as 'illustrative projects'. [23 CFR 450. 326]

- Illustrative project means an additional transportation project that may (but is not required to) be included in a financial plan for a metropolitan transportation plan, TIP, or STIP if reasonable additional resources were to become available. [23 CFR 450.104] If a project is proposed to be included in the STIP's financial plan for illustrative purposes, sufficient information would be required to describe the project, excepting the resources. [§ 23 CFR 450.218] Illustrative Project total cost estimates can be a range.
- Illustrative projects are indicated in eSTIP by clicking on the so named box on the bottom of the screen (in DRAFT Edit screen, or in the case of the Current STIP-- the Edit module.
- Changes to illustrative projects do not require amendments.

Illustrative projects will be included in the 2026-2030 TIP. These projects may (or may not) be implemented during the course of the TIP should planning targets be increased (additional funds to region) or new funding sources become available (such as competitive grants, federal earmarks, special allocations from Governor, etc.). Illustrative projects may be modified (scope, cost, limits, etc.) by their sponsor at any time.

Regionally Significant Projects

The TIP shall contain all regionally significant projects requiring an action by the FHWA or the FTA whether or not the projects contain federal funding.

For public information and conformity purposes, the TIP shall include all regionally significant and intermodal projects proposed to be funded with federal funds other than those administered by the FHWA or the FTA, as well as all regionally significant or intermodal projects to be funded with non-federal funds.

Air Quality

Transportation sources contribute to four of the six criteria pollutants for which EPA has established standards to protect public health and/or safety. The pollutants are: ozone (O3), carbon monoxide (CO), particulate matter (PM10 and PM2.5), and nitrogen dioxide (NO2). For Western New York, the concentration of ground level ozone has been an ongoing issue.

Clean Air Act (CAA) section 176(c) (42 U.S.C. 7506(c)) requires that federally funded or approved highway and transit activities are consistent with ('conform to') the purpose of the State Implementation Plan (SIP). Conformity to the purpose of the SIP means that transportation activities will not cause or contribute to new air quality violations, worsen existing violations, or delay timely attainment of the relevant NAAQS or any interim milestones. 42 U.S.C. 7506(c)(1). EPA's transportation conformity rules establish the criteria and procedures for determining whether metropolitan transportation plans, transportation improvement programs (TIPs), and federally supported highway and transit projects conform to the SIP. 40 CFR Parts 51.390 and 93.

Per the South Coast II court decision, beginning February 16, 2019, a transportation conformity determination for the 1997 ozone NAAQS is required in 1997 ozone NAAQS nonattainment and maintenance areas, including the BuffaloNiagara Falls, NY area. This conformity determination report will be updated to address transportation conformity for the 2026-2030 GBNRTC TIP.

GBNRTC staff is responsible for completing the following transportation (air quality) conformity tasks:

- Recommend project exemption status/codes to ICG
- Assign final exemption codes to projects after ICG consultation/concurrence
- Amend Transportation Conformity Document with new TIP projects
- Approve amended Transportation Conformity Document

Projects that do not have regional emissions impacts are classified as exempt from the requirement to determine air quality conformity. Each of these projects are assigned an exemption code as described below.

Transportation Conformity Exemption Codes

A. Safety

1. Railroad/highway crossing.
2. Projects that correct, improve, or eliminate a hazardous location or feature.
3. Safer non-Federal-aid system roads.
4. Shoulder improvements.
5. Increasing sight distance.
6. Highway Safety Improvement Program implementation.

7. Traffic control devices and operating assistance other than signalization projects.
8. Railroad/highway crossing warning devices.
9. Guardrails, median barriers, crash cushions.
10. Pavement resurfacing and/or rehabilitation.
11. Pavement marking.
12. Emergency relief (23 U.S.C. 125).
13. Fencing.
14. Skid treatments.
15. Safety roadside rest areas.
16. Adding medians.
17. Truck climbing lanes outside the urbanized area.
18. Lighting improvements.
19. Widening narrow pavements or reconstructing bridges (no additional travel lanes).
20. Emergency truck pullovers.

B. Mass Transit

1. Operating assistance to transit agencies.
2. Purchase of support vehicles.
3. Rehabilitation of transit vehicles 1.
4. Purchase of office, shop, and operating equipment for existing facilities.
5. Purchase of operating equipment for vehicles (e.g., radios, fareboxes, lifts, etc.).
6. Construction or renovation of power, signal, and communications systems.
7. Construction of small passenger shelters and information kiosks.
8. Reconstruction or renovation of transit buildings and structures (e.g., rail or bus buildings, storage and maintenance facilities, stations, terminals, and ancillary structures).
9. Rehabilitation or reconstruction of track structures, track, and trackbed in existing rights-of-way.
10. Purchase of new buses and rail cars to replace existing vehicles or for minor expansions of the fleet 1.
11. Construction of new bus or rail storage/maintenance facilities categorically excluded in 23 CFR part 771.

C. Air Quality and Other

1. Continuation of ride-sharing and van-pooling promotion activities at current levels.
2. Bicycle and pedestrian facilities.
3. Planning and technical studies.
4. Grants for training and research programs.
5. Planning activities conducted pursuant to titles 23 and 49 U.S.C.
6. Federal-aid systems revisions.
7. Engineering to assess social, economic, and environmental effects of the proposed action or alternatives to that action.
8. Noise attenuation.
9. Emergency or hardship advance land acquisitions (23 CFR 710.503).
10. Acquisition of scenic easements.
11. Plantings, landscaping, etc.
12. Sign removal.
13. Directional and informational signs.
14. Transportation enhancement activities (except rehabilitation and operation of historic transportation buildings, structures, or facilities).
15. Repair of damage caused by natural disasters, civil unrest, or terrorist acts, except projects involving substantial functional, locational or capacity changes.

D. 'Hot-Spot' Analysis

1. Intersection channelization projects.
2. Intersection signalization projects at individual intersections.
3. Interchange reconfiguration projects.
4. Changes in vertical and horizontal alignment.
5. Truck size and weight inspection stations.
6. Bus terminals and transfer points.

Other

J1. Block of Funds, no projects K1. Exempt/not regionally significant through interagency consultation and does not have a code listed above, for example, park-and-ride lot less than 100 spaces. K2. Project is subject to general conformity - and is not subject to the regional emissions analysis requirements under transportation conformity.

Projects that have the potential to impact air quality, such as adding/removing lanes or capacity, are classified as 'nonexempt'. At this time, GBNRTC is not required to perform air quality analysis of any 'non-exempt' projects.

Project sponsors should note that adding a new 'non-exempt' project to a 'live' TIP will trigger a new round of transportation conformity determination. This process

(ICG consultation, public notice and Policy Committee approval) usually takes 2-3 months to complete and will delay the approval of these projects until the process is complete.

Metropolitan (Long Range) Transportation Plan Linkage

Federal regulations require that the TIP shall include, to the maximum extent practicable, a description of the anticipated effect of the TIP toward achieving the performance targets identified in the metropolitan transportation plan, linking investment priorities to those performance targets (23 CFR § 450.326(d)).

The GBNRTC recognizes that transportation system benefits will be realized through a transportation planning process that is objectives-driven and performance-based. To achieve this, the GBNRTC continues to work toward creating clearer linkages between the MTP and the TIP.

Moving Forward 2050 is the GBNRTC's current Metropolitan Transportation Plan (MTP). The plan is a framework to develop projects, and to put these into action through regional partnerships and innovative funding.

The MTP includes four (4) main goals for the region, including:

1. Use transportation investments to strengthen communities and focus growth where the region already has infrastructure, create economic development, and support workforce access.
2. Look at ways to improve mobility using technology, to reduce Green House Gasses (GHG), and to protect and enhance our natural environment.
3. Program projects that connect us with a variety of convenient options to promote opportunity, health and safety for all.
4. Bolster a globally competitive economy with shared prosperity by encouraging efficient use of our resources and collaborating to make smart, forward-looking decisions that harness changes in the future.

The vision for regional transportation (where we want to be in 2050) is broken into four 'vision' categories:

1. The economy will be globally competitive with shared prosperity that spreads economic opportunities and benefits to all residents in the region.
2. Our communities will be brimming with opportunities, providing residents with various lifestyle choices and attracting new, diverse residents, businesses and investments from all over the world.
3. The environment will be ecologically healthy and easily accessible so that all residents and visitors have abundant opportunities to enjoy our region's world class waterways and open spaces.
4. The region will be making transformative changes to the way we plan, fund and implement the region's transportation investments through harnessing technological advances, making data-driven decisions and utilizing creative and diverse partnerships and funding sources.

The Moving Forward 2050 MTP/LRP Update was approved on 5/5/23 via Resolution 2023-12. It is available for digital download from the GBNRTC web site (www.gbnrtc.org) or by contacting the GBNRTC offices during normal business hours.

Performance-Based Planning and Programming (PBPP)

Over the past two decades, transportation agencies have increasingly been applying 'performance management' - a strategic approach that uses performance data to support decisions to help achieve desired performance outcomes. Performance management is credited with improving project and program delivery, informing investment decisionmaking, focusing staff on leadership priorities, and providing greater transparency and accountability to the public.

Pursuant to MAP-21 (and carried through into the FAST Act), MPOs must employ a transportation performance management approach in carrying out their federally-required planning and programming activities. Chapter 23 part 150(b) of the United States Code [23USC §150(b)].

Performance-based planning and programming (PBPP) is a strategic, data-driven approach that enables efficient allocation of resources, maximize return on investments, and achieve desired performance outcomes while increasing accountability and transparency to the public. Implementation of PBPP is done within the Transportation Performance Management (TPM) framework.

Six Elements of TPM

1. National Goals
2. Measures
3. Targets
4. Plans
5. Reports
6. Accountability and Transparency

Beginning in 2016, seven (7) national performance measure goals were defined in MAP-21 for the federal-aid highway 23 U.S.C. 150(b):

- Safty
 - To acheieve a significant reduction in traffic fatalities and injuries on all public roads.
- Infrastructure Condition
 - To maintain the highway infrastructure asset system in a state of good repair.
- Congestion Reduction
 - To acheieve a significant reduction in cogestion on the international highway system.
- System Reliability
 - To implementation the efficiency of the surface transporation system.
- Freight Movement and Econoic Vitality
 - To imporove the national freight network, strengthen the ability of rural communication to access national and international trade markets, and support regional economic development.
- Enviromental Sustainability
 - To enhance the performance of the transportation system while protecting and enhacing the natural environment.
- Reduced project delivery delays
 - To reduce project cost, for more jobs, and the economy, and expidite the movement of people and goods by accelerating project completion through eliminating delays in the project development and delivery process, including reducing regulator burdens and improving agencies work practices.

Performance measures for six out of the seven goals were established through rulemaking. For each established TPM rule, MPOs have the option of defining their own PM targets or adopting defined statewide targets

- GBNRTC currently adopts the defined NYSDOT & NFTA PM targets
- PCC reviews and recommends all PM targets via resolution to the Policy Committee

All GBNRTC PM resolutions state that the MPO 'will program projects that will contribute to meeting these defined PM rules/targets'. The latest approved GBNRTC PM Target resolutions include:

- HSIP and Highway Safety (Resolution 2023-21)
- Transit Safety (Resolution 2023-8)
- Transit Asset Management (Resolution 2023-7)
- Pavement Condition (Resolution 2023-6)
- Bridge Condition (Resolution 2023-6)
- National Highway System (NHS) Performance (Resolution 2023-6)
- Freight Performance (Resolution 2023-6)

Although GBNRTC is currently adopting statewide targets, it is working toward establishing regional PM targets for the future. This effort will require additional data, computer modeling capabilities and analysis that is not currently available to the staff.

For more information on PBPP/TPM goals, rulemaking and target resolutions, please visit the GBNRTC website: <https://www.gbnrtc.org/transportation-performance-management>

Federal Planning Factors

23 CFR § 450.306(b) states that the metropolitan transportation planning process shall also provide for consideration and implementation of projects, strategies, and services that will address the following ten (10) federal planning factors:

1. Support the economic vitality of the metropolitan area, especially by enabling global competitiveness, productivity, and efficiency;
2. Increase the safety of the transportation system for motorized and non-motorized users;
3. Increase the security of the transportation system for motorized and non-motorized users;
4. Increase accessibility and mobility of people and freight;
5. Protect and enhance the environment, promote energy conservation, improve the quality of life, and promote consistency between transportation improvements and State and local planned growth and economic development patterns;
6. Enhance the integration and connectivity of the transportation system, across and between modes, for people and freight;
7. Promote efficient system management and operation;
8. Emphasize the preservation of the existing transportation system;
9. Improve the resiliency and reliability of the transportation system and reduce or mitigate stormwater impacts of surface transportation; and
10. Enhance travel and tourism.

Transportation Equity

Equity can empower individuals in traditionally-underserved and disadvantaged communities and is an integral part of the transportation planning process.

The USDOT Equity Action Plan encourages proactive equity screenings as part of the STIP and TIP development processes to incorporate community vision and need in project selection and design. Considering equity early and through methods such as public participation, data collection, and analysis improves the likelihood that the planning process will adequately be able to respond to the needs of the community it serves. Early consideration of equity may also improve project delivery by preventing costly and time-consuming delays that could arise from previously unrecognized conflicts as projects move from planning to implementation.

TIP Development

The TIP represents a regional consensus on which priority transportation projects are essential to the Buffalo-Niagara region during the next five (5) years given current financial targets.

Federal requirements for a TIP (CFR 450.324) requires the MPO to develop a TIP in cooperation with the state and any affected public transit operator(s) and specifically requires the following:

- Updating and approving the TIP on a four-year cycle (every three years for the GBNRTC) compatible with development of the Statewide Transportation Improvement Program (STIP).
- Conformity determination by FHWA and FTA in nonattainment and maintenance areas.
- A reasonable opportunity for the public to comment and, in nonattainment Transportation Management Areas (TMAs), an opportunity for at least one formal public meeting during the TIP development process.
- Financially constrained and includes a financial plan identifying projects that can be implemented using current revenue sources and projects requiring proposed additional sources.
- Includes all transportation projects, including bicycle and pedestrian facilities, proposed for funding, including Federal Lands highway projects, but excluding safety projects funded under 23 USC 402, emergency relief projects, and planning and research activities not funded with National Highway System (NHS), Surface Transportation Program (STP) or minimum guarantee funds; all regionally significant transportation projects for which FHWA or FTA approval is required and, for informational purposes, all regionally significant projects to be funded from non-Federal sources; only projects that are consistent with the MTP.
- In nonattainment and maintenance areas, classifications must be consistent with the exempt project classifications contained in the U.S. Environmental Protection Agency (EPA) conformity requirements. (40 CFR part 51)
- In nonattainment and maintenance areas, the TIP shall describe progress in implementing required TCMs and include a list of all projects found to conform in a previous TIP and which are now part of the base case in determining conformity.

NYSDOT provides financial targets for planning purposes only. These planning targets do not represent a commitment of funding on behalf of the Federal Highway Administration (FHWA) or the State. Fund balances (both positive and negative) from the previous STIP period 'rollover' into the new STIP period. Simply put: Programming \$ = Planning Target + Rollover. Overspending during the previous STIP period (a negative rollover) reduces the amount that can be programmed during the new STIP period. Under spending during the previous STIP period increases the amount that can be programmed.

About eighteen months prior to the new TIP's release, the GBNRTC staff begins to meet with member agencies at the monthly Transportation Programs Subcommittee (TPS) meetings and agree on a completion schedule that included four major work tasks needed to complete the new TIP. These include:

TIP Development Tasks and Schedule

Sub-Activity /Milestone _	
APRIL - SEPTEMBER (5 Months)	Distribute System Conditions Report /Interactive map (4/1) Call for new projects at TPS (4/17) MPO staff develop project evaluation categories and scoring (May) Receive TIP Guidance and Funding targets from NYSDOT MO staff

	Develop draft fiscally constrained project listing Sub-Activity / Milestone _	Develop final project listing	Begin entering projects into eSTIP listing
		Complete fiscal constraint tables per FHWA/FTA requirements Initiate Draft TIP 30-day Public Review Conduct TIP Public Meeting Respond to all comments	
TIP /STIP Approvals APRIL 24 ~ OCTOBER 24 (6 Months)		Final document printed and posted to Internet TIP incorporated into STIP STIP goes out for public review NYSDOT Main Office STIP approval FHWA and FTA approval	

Project Development

The GBNRTC shares responsibility with the New York State Department of Transportation (NYSDOT) and the Niagara frontier Transportation Authority (NFTA) for cooperatively developing transportation plans and programs that ensure an integrated multimodal transportation system serves and supports metropolitan community development and the social goals of the Greater Buffalo-Niagara region.

The GBNRTC typically undergoes a defined project selection process to select road and bridge projects:

- Review of current federal and state guidelines and legislation
- Identify and prioritize any project that had been moved off of previous TIP(s) and make sure they are included (if still valid/needed/wanted by sponsor) and fully funded
- Consideration of recommendations from other long and short-term regional plans
- Maintain focus on asset management and system preservation
- Needs identification involving a review of data sources, visualization techniques, and priority rankings
- Needs assessment focusing on program prioritization and performance management
- Solicit project proposals from member agencies
- Project proposals presented to TPS
- TIP-MTP linkage analysis performed
- TPS develops final financially constrained project listing - overall program must always be in compliance with defined funding targets
- TPS recommends fiscally constrained project listing to PCC

Highway System Analysis

A Highway System Conditions report was prepared for GBNRTC members at the beginning of the TIP project development phase.

This report includes extensive data on highway system condition information for the following items:

- Fair and Poor Bridge Conditions
- Fair and Poor Pavement Conditions
- Highway Death and Serious Injury Locations (5-year)
- High Congestion Areas
- Regional Bicycle Plan Recommended Projects
- Climate Impact Reduction Strategies

Transit System Analysis

When the Niagara Frontier Transportation Authority (NFTA - the region's transit agency) assembles its program of projects through its annual budget and financial planning process, their Grants and Government Affairs staff works with the GBNRTC to ensure the new or existing TIP/STIP documents are aligned or modified to reflect the NFTA's capital budget and financial plan. All TIP/STIP Amendments and Administrative Modifications maintain fiscal constraint.

As required by Section 1299-s of the Public Authorities Law (PAL), the NFTA internally prepares a five-year Capital Plan (the Plan). The Plan sets goals and objectives for capital spending, identifies projects that will maintain system infrastructure and/or enhance the system, and itemizes estimated costs and funding sources for each project. The capital projects outlined in the Plan are supported by revenue assumptions that either flow through the operating budget as direct capital (i.e. NFTA local funds), or are supported by specific granting agencies and their respective funding programs (i.e. FTA, NYSDOT, NYSDTF, or Erie County). All capital projects included in the NFTA's Capital Plan supported by direct capital or specific granting agencies are based on grant agreements or estimates of future revenues based on historical receipts.

Capital projects included in the Plan that contribute to the maintenance of the system are originally determined at the division-level of each business center. Here, NFTA management and staff continually evaluate system conditions to identify needed preventive or corrective maintenance projects. Such evaluations include on-going asset inspections, state-of-good-repair studies, and asset condition reporting to assess the asset's working condition, performance, level of maintenance, and age relative to FTA's Useful Life Policies (FTA C 5010.1D). The asset condition reporting system uses an FTA-suggested criteria that assigns a condition score on a scale ranging from 5 (excellent condition) to 0 (non-operable). Capital assets that have a condition rating of 2.5 or less, are deemed to present a safety issue, or are subject to regulatory mandate are subsequently prioritized and targeted for rehabilitation or replacement. These projects often include facility upgrades, equipment and vehicle replacements, and other transit infrastructure and safety projects.

In addition to the preventive maintenance projects described above, NFTA division-level management and staff continually work to identify and implement new and innovative capital projects to enhance the transit system. Potential projects are evaluated against available funding sources and their ability to increase ridership and revenues, improve the

fiscal stability of the NFTA, and advance the NFTA's overall mission to enhance the quality of life of residents and visitors across Western New York. If a potential project meets these objectives and is supported by an identified funding source, it may be included in the Capital Plan. Examples of such projects include planning feasibility studies, fare collection system upgrades, and transit signal priority projects to name a few. Often, funding for these projects come from external grant sources that represent new funding to the region, therefore maintaining fiscal constraint.

Once the business center divisions submit their system maintenance and enhancement capital project proposals, NFTA's Executive Management (Executive Director, Chief Financial Officer, and Manager of Financial Planning and Analysis) meet with business center directors to finalize the Capital Plan and submit it to the NFTA Board of Directors for approval. Once approved, these projects are included in both the NFTA's Capital Plan and subsequently added to the TIP/STIP.

System Conditions Report

At the start of each TIP update cycle, a 'Systems Conditions Report' is prepared to assist members with initial project development. The report provides current asset condition information to member agencies (City of Buffalo, City of Niagara Falls, Erie County, Niagara County, Niagara Frontier Transportation Authority (NFTA), New York State Department of Transportation (NYSDOT) and New York State Thruway Authority (NYSTA) for use in the development of candidate projects for the FFY 2026-2030 Transportation Improvement Program (TIP). Information provided in this report includes:

- FFY 26-27 TIP Carryover Projects
- Regional Priority Projects
- Pavement - Fair/Poor Pavement Condition
- Bridge - Fair/Poor Conditions
- Safety - Fatality and Serious Injury Locations/Vulnerable Road User Areas
- Congestion/Delay Areas - LOTTR/TTTR Network
- Regional Bicycle Plan Proposed Facilities
- Freight/Goods Movement Recommended Projects
- Environment - Reducing Climate Impacts from Transportation
- Transit - Bus and LRRT Lines
- Transportation Equity - Communities of Concern

Data used in this report is based on the latest available information at the time of publication. Members are encouraged to use this guide as a starting point and to use any additional information available to them to assist in their TIP project development.

Project Candidate Evaluation Criteria

Beginning with the 2023-2027 TIP, the GBNRTC has evaluated and scored project submissions. This was initially done to assist with the TIP-MTP linkage.

For the 2026-2030 TIP, the GBNRTC MPO evaluation will be expanded and based on the following seven categories:

1. 2050 Metropolitan Transportation Plan (MTP) Linkage - Under federal regulations (CFR 23 450.326(a)), the TIP must advance MTP projects and reflect MTP investment priorities.
 - Community opportunities providing residents with various lifestyle choices and attracting new, diverse residents, businesses and investments
 - A competitive economy with shared prosperity that spreads economic opportunities and benefits to all residents
 - Environmental health, access and sustainability for all residents
 - Innovative decision-making for planning, funding and implementing transportation improvements
2. Federal Transportation Program Management (TPM) Goal Linkage - MPOs must employ a transportation performance management approach in carrying out their federally-required planning and programming activities (CFR 23 part 150(b))
 - Safety
 - Capital Assets Condition
 - Congestion Reduction
 - System Reliability
 - Freight Movement and Economic Vitality
 - Environmental Sustainability
 - Reduced Project Delivery Delays
3. Federal Planning Goals - The metropolitan transportation planning process shall be continuous, cooperative, and comprehensive, and provide for consideration and implementation of projects, strategies, and services that will address the following ten factors in 23 CFR § 450.306(b):
 - Support the economic vitality of the metropolitan area, especially by enabling global competitiveness, productivity, and efficiency
 - Increase the safety of the transportation system for motorized and non-motorized users
 - Increase the security of the transportation system for motorized and non-motorized users
 - Increase accessibility and mobility of people and freight
 - Protect and enhance the environment, promote energy conservation, improve the quality of life, and promote consistency between transportation improvements and state and local planned growth and economic development patterns
 - Enhance the integration and connectivity of the transportation system, across and between modes, for people and freight
 - Promote efficient system management and operation
 - Emphasize preservation of the existing transportation system
 - Improve the resiliency and reliability of the transportation system and reduce or mitigate stormwater impacts of surface transportation
 - Enhance travel and tourism

An interactive online GIS map with associated info (including system conditions) was developed to assist members in populating the fields of the form. The web link to the interactive online map is included in the form, but can also be accessed directly at: <https://arcg.is/1D1XbS0>.

Project Submission and Evaluation

Google Forms will be used for members to submit their project proposals.

A form must be completed for each project candidate. The form was designed to auto-send a copy of each response to the entered email of the person filling it out. The form also allows users to edit/change submitted answers.

Project candidate form contains 4 sections (38 questions total). The online project submission form was created using Google Forms and is available at: <https://forms.gle/get1GyCK8a2osLDY9>.

Answers provided to the form questions will be stored in a database and will be used to generate evaluation scores and ranking. Members were provided with an opportunity to discuss and provide feedback to project evaluation questions/scoring early in process.

Below is a listing of all questions asked on the Project Candidate Form

General Project Information (16 questions):

1. Email Provide a valid email address
2. Who is the project sponsor (member agency)?

3. Was this project listed in the FFY 23-27 TIP as "Illustrative"?
4. If this is a carryover project, what is the current PIN?
5. Is this project located in a urban or rural area?
6. Which county is the project located in?
7. Which municipality (town, village or city) is the project located in?
8. Project geographic location
9. What is the proposed let date?
10. What is the project name?
11. Please provide a detailed description of the project including the primary deficiencies/issues this project addresses
12. Does this project increase capacity and/or the number of lanes?
13. What are the project limits (from/to)?
14. What is the primary work type?
15. Any additional work elements in project?
16. Functional Classification:
17. Enter latest traffic count (AADT):

Projects Costs by Phase (7 questions):

18. Enter Preliminary Design Cost (\$M)
19. Enter Detailed Design Cost (\$M)
20. Enter ROW Incidental Cost (\$M)
21. Enter ROW Acquisition Cost (\$M)
22. Enter Construction Cost (\$M)
23. Enter Construction Inspection Cost (\$M)
24. Enter MISC Cost (\$M)

Project Evaluation Questions and Scoring Breakdown by Answer (14):

25. What is the latest NBI Bridge Condition? (Max 12 points)

- N/A or "Good" - 0
- Non-NHS "Fair" - 3
- NHS "Fair" - 6
- Non-NHS "Poor" - 8
- NHS "Poor" - 12

26. What is the latest pavement condition? (Max 12 points)

- N/A or "Good" - 0
- Non-NHS "Fair" - 3
- NHS "Fair" - 6
- Non-NHS "Poor" - 8
- NHS "Poor" - 12

27. Does this project include any of the following innovative elements? (Max 6 points)

- No - 0
- Innovative Funding +2
- Innovative Technology +2
- Innovative Delivery +2

28. Did the project area experience any fatal or serious injuries for the last 5 years? (Max 6 points)

- No - 0
- No, but project contains safety improvements or is located in a Vulnerable Road User (VRU) area - 2
- Yes, but project does not contain safety improvements - 3
- Yes, and project does contain safety improvements - 6

29. Are any recommendations from the GBNRTC Regional Bicycle Master Plan included in the project? (Max 7 points)

- No - 0
- No, but has other Bike Improvements - 2
- Yes, but project does not include the full recommended RBMP tier treatment - 4
- Yes, Tier 1, 2 or 3 as Recommended - 7

30. What is truck percentage (%) of AADT? (Max 6 points)

- N/A or less than 2% - 0
- 2% to less than 5% - 1
- 5% to less than 10% - 3
- 10% to less than 15% - 4.5
- Greater than 15% - 6

31. Is the project located in on a segment/intersection with a Level of Travel Time Reliability (LOTTR) greater than or equal to 1.5? (Max 6 points)

- No/NA - 0

- Yes, and is located on a LOTTR >=1.5 segment - 6

32. Is the project located in on a segment/intersection with a Truck Travel Time Reliability (TTTR) greater than or equal to 2.5? (Max 6 points)

- No/NA - 0
- Yes, and is located on a TTTR >=2.5 segment - 6

33. Does the project advance environmental sustainability? (Max 6 points)

- Renewable energy (Clean Fleets, Charging Infrastructure) +3
- Green Infrastructure (Bioswale, Permeable Pavement, Rain Garden, Etc.) - +3

34. Does the project make improvements the public transit system? (Max 6 points)

- No - 0
- No, but project is located on a transit line - 2
- Yes, project makes improvements to existing public transportation system - 6

35. Enter the number of Community of Concern population groups over regional thresholds in project census tract (Max 9 points)

- 1 point per regional COC group threshold exceeded

36. Does the project include ADA components? (Max 6 points)

- No, project does not include any ADA elements - 0
- Yes, project contains some components necessary for ADA compliance - 1
- Yes, project includes all components necessary for ADA compliance - 3
- Yes, project includes components that will exceed ADA compliance - 6

37. Will the project impact regional economic growth in any of the following ways? (Max 6 points)

- None - 0
- Reduced Delays/Improved Efficiency +1.5
- Increased Reliability +1.5
- Increased Job, education or healthcare access +1.5
- Increased access to regional tourism destinations +1.5

38. Does the project increase connectivity in any of the following ways? (Max 6 points)

- None - 0
- Integrated transportation and land use planning +1.5
- Reduced distances between key destinations +1.5
- Improved local pedestrian and bicycle infrastructure +1.5
- Improved incident response, public transportation signal prioritization, and/or congestion management +1.5

Fiscal Constraint and Project Selection

Fiscal constraint for FHWA is defined as establishing a TIP/STIP such that the amount of total FHWA fiscally constrained funding programmed in each year of the TIP/STIP does not exceed the total planning targets for each of the TIP/STIP years. As required by the Federal Highway Administration (FHWA)/Federal Transit Administration (FTA) Division Office, each MPO TIP must include a fiscal constraint table. These are needed so the federal agencies can be assured that fiscal constraint is demonstrated.

NYSDOT regional planning targets for core FHWA programs will be distributed near the end of the project development process. While NYSDOT Region 5 planning targets includes funding for four counties (Erie, Niagara, Chautauqua and Cattaraugus), the MPO planning area only includes Erie and Niagara Counties. Thus, all of the Region 5 planning targets will not be programmed in the MPO area. Fiscal constraint tables by fund source will be developed for NYSDOT Region5. This table will be further broken down into MPO and Non-MPO suballocation tables per federal requirements.

For FTA, planning target estimates project future apportionments through end of the TIP/STIP period. Appropriations bills are annually enacted, and apportionments and allocations are published by the FTA in the Federal Register. Because of this, FTA projects need to be realigned with published amounts each year through the TIP modification process.

Once MPO-area planning targets are determined, the process for developing a fiscally constraint TIP candidate project listing begins and consists of several steps:

- An overall submission list is created that includes sponsor prioritization as well as GBNRTC project evaluation scores.
- Project sponsors are given the opportunity to present their projects to the Transportation Projects Subcommittee (TPS).
- Selected project totals must not exceed MPO area allocations in order to maintain fiscal constraint
 - Projects may be modified (scope and/or cost) based on available funding
 - Members may reprioritize their project listings based on available funding
- TPS members cooperate to create a final constrained project listing and recommends listing to Planning and Coordination Committee (PCC) for approval
- PCC initiates a 30-day public review
- PCC approves constrained project listing
- NYSDOT R5 and GBNRTC staff enter projects into draft TIP/STIP electronically via eSTIP application.

Transportation Conformity

The Final EPA South Coast II Transportation Conformity Guidance indicates that MPOs impacted by the South Coast Air Quality Management District v. EPA court decision (A/GFTC, CDTCT, DCTC, GBNRTC, GTC and WJCTC) must address conformity requirements for TIP updates and for LRTPs as applicable beginning February 16, 2019. Toward that end, these MPOs should classify all projects for the TIP update by exempt/non-exempt status and engage with the Interagency Consultative Group (ICG) on concurrence when full project lists are available.

After ICG concurs with all suggested project exemption status/codes, an updated Transportation Conformity document will be prepared by GBNRTC staff. This document must be approved by the GBNRTC Policy Committee prior to approving the TIP update.

Public Participation

The GBNRTC has developed a Public Participation Plan (PPP) in consultation with all interested parties. The PPP covers a full range of opportunities for members of the public to engage in the transportation decision-making in the region, from in-person and virtual MPO meetings, social media, and other engagement events and activities. The PPP states the principles and policies that the GBNRTC has committed to for all public participation activities. This document details various opportunities and engagement approaches, including virtual formats, for public participation in the GBNRTC's planning process.

THE GBNRTC PPP was updated in 2023 and takes into account an increased focus on environmental justice and equity in transportation planning as well as recent advances in the deployment of virtual meeting technology and online platforms. The updated PPP is an opportunity to provide guidance to ensure that all residents benefit from transportation investments and have a voice in the metropolitan planning process.

For the TIP development process, numerous public Participations will be employed, including:

- Use of email blasts, GBNRTC web site and GBNRTC social media channels to keep the public informed about the TIP development process including availability of draft documents and the announcement of public comment periods and public meetings
- Publication of draft TIP in no-cost, accessible, electronic (Adobe PDF) format as well as having hard copy available for viewing during GBNRTC office hours
- Use of visualization in Plans and Metropolitan TIP Development including maps, charts, PowerPoint slides and interactive Geographic Information Systems (GIS)
- Opportunity for interested state and regional agencies to consult and comment on the TIP
- Provide direct notice and appropriately involve the Indian/Native Nations government(s) in the development of the TIP
- Targeted engagement with stakeholders in Rural Areas

Inter-Agency Consultation

Participation from a range of stakeholders is important in the transportation planning process. Transportation is vital to our quality of life, and transportation projects can have significant effects on different groups of stakeholders.

For the 2023-2027 TIP, the GBNRTC conducted interagency consultation with 21 federal, state, local, and tribal agencies responsible for land use management, natural resources, environmental protection, conservation, and historic preservation. For the 2026-2030 TIP, this list will be expanded to 25 to include three regional housing agencies:

- 1. Buffalo Niagara Waterkeeper
- 2. Buffalo Sewer Authority
- 3. City of Buffalo Strategic Planning
- 4. Empire State Development
- 5. Erie County Department of Environment and Planning
- 6. National Park Service
- 7. New York State Department of Health
- 8. Niagara County Center for Economic Development
- 9. NYS Historic Preservation Office
- 10. NYS Office of Parks, Recreation, and Historic Preservation
- 11. Preservation Buffalo Niagara
- 12. Seneca Nation of Indians
- 13. Tonawanda Seneca Nation
- 14. Tuscarora Nation
- 15. U.S. Army Corps of Engineers
- 16. University at Buffalo (UB) - Historic Preservation
- 17. US Department of Agriculture/Natural Resource Conservation Service
- 18. US Fish and Wildlife Service
- 19. NYS DEC
- 20. NYS Department of Agriculture
- 21. USEPA
- 22. U.S. Department of Housing and Urban Development
- 23. Belmont Housing Resources for WNY, Inc.
- 24. Local Initiatives Support Corporation (LISC) NY

These agencies will be contacted via email during the 30-day public review period. The TIP process and draft TIP will be explained and made available for comment. GBNRTC staff also offers to meet with any of the agencies to discuss the TIP and TIP process.

TIP Approval

The final stage in the TIP development process is approval, which consists of numerous steps:

- The draft Conformity document and TIP are presented at GBNRTC PCC and is recommended to the GBNRTC Policy Committee for approval
- The draft Conformity document and TIP are approved by the GBNRTC Policy Committee
- The approved TIP is electronically transferred to NYSDOT (Albany) and included in the draft STIP
- Draft STIP undergoes a 30-day public review
- Draft STIP is approved by NYSDOT
- TIP/STIP is approved by FHWA and FTA

Once approved, the TIP update will become live on October 1, 2025.

TIP Modification

The TIP is a dynamic document. TIP projects may need to be modified for one or more of the following reasons:

- Addition of new projects to the TIP
- Deletion of existing projects from the TIP
- Cost or scope changes
- Funding source changes
- Scheduling changes
- Additions or deletions to a phase or the entire project

TIP Change Process and Procedures

Once a project becomes an official part of the TIP/STIP, any subsequent changes must comply with the accepted 'Guidelines for Potential TIP Actions' approved on 5/5/23.

The Transportation Projects Subcommittee (TPS), an administrative subcommittee established by the GBNRTC, is charged with addressing any and all issues pertaining to the development, maintenance and monitoring of the region's Transportation Improvement Program (TIP). The TPS subsequently developed and approved a rigorous set of guidelines that provide an administrative framework to consistently guide subcommittee proceedings. With these guidelines the TPS manages all of the projects in the TIP and addresses funding shortfalls and changing levels of federal, state, and local funding. Strategies are often developed to advance projects when another is delayed. In addition, GBNRTC staff regularly convene local project meetings with NYSDOT and municipal representatives to review the status of every project in the program and set action items as appropriate to facility project deliveries according to published schedules. The TPS relies on consensus building and formal documentation of all subcommittee actions and posts such on the GBNRTC website. Monthly TPS meetings are open to the public.

All project changes must be reported at TPS. Any required documentation must be submitted by the project sponsor or NYSDOT local project liaison to the GBNRTC no later than one week before the monthly TPS meeting.

Change controls govern the procedures required to make changes to the TIP. Changes generally fall into one of three primary actions:

- 1. Regional Planning and Program Manager - Only for minor cost increases or fund transfers into another existing project phase (\$150K or under). This change is approved by the NYSDOT Regional Planning and Program Manager and only requires a completed change form. All RPPM changes must be reported at the next TPS and PCC meeting.
- 2. Administrative Modification - These are used for moderate changes in cost, scope, fund source or scheduling or a merger/separation of existing project(s). This change is approved by either PCC or Policy, depending on the change type and requires a completed change form and map (if scope is not changed significantly). Administrative Modifications that must be approved by PCC must first be recommended by TPS. Administrative Modifications do not require public review or a resolution.
- 3. Amendment - These are used for major project changes, project additions (new projects) and deletions and scope changes. Amendments require a 20 day (non-transit) or 30-days (transit) public review period which may be initiated by either TPS or PCC. All amendment requests must include a copy of the public notice, any public comments received, an Initial Project Proposal (IPP) form (for new projects), a cover letter and a map in the

resolution. Public notices are published via the GBNRTC web site, email blasts and social media. Any public comments received are distributed to member agencies for review before final approval. All relevant paperwork is required to be part of the public notice.

Approved Change Controls for TIP Actions (5-5-23)

	Responsible Approval Body Type of Change and Required Paperwork	Responsible Approval Body Type of Change and Required Paperwork	Responsible Approval Body Type of Change and Required Paperwork	Responsible Approval Body Type of Change and Required Paperwork	Responsible Approval Body Type of Change and Required Paperwork
				PCc	POLICY
	Administrative Modification (AdModh	Administrative Modification (AdModh	Administrative Modification (AdModh	Amendment	Amendment
	IIP Change Form	IIP Change Form	IIP Change Form	Resolution	Resolution
Cost or Scope: Existing Project Phases					
		INFO'			
	Recommend	Approve	INFO		
	Recommend	Recommend	Approve		
		Recommend	Approve		
		Recomwend		@pprove	
Fund Source Change:					

ExistinE Projects	Responsible Approval Body Type of Change and Required Paperwork	Responsible Approval Body Type of Change and Required Paperwork	Responsible Approval Body Type of Change and Required Paperwork	Responsible Approval Body Type of Change and Required Paperwork	Responsible Approval Body Type of Change and Required Paperwork
	Recommend	Approve	INFO		
	Approve	INFO			
		Recommend	Approve		
I, Schedule Change: Existing Project					
	Recommend	Approve	INFO		
Phaseto another Federal Fiscal Year (FFY)	Approve	INFO			
IV, Addition or Deletion: Phase or Project					
	Recommend	Approve	INFO		
	Recommend		INFO		
	Recommend	Approve	INFO		
(d) Addition cfa rew federally funded project		Recommend		Approve	
		Recommend		Approve	
		Reconmend		Approve	
		Recommend		Recommend	Hpprove
		Recommend		Recommend	Approve

- ot need 20

As it is highly unusual for an approved project to be completed without at least one minor modification to dates, funding, fund sources, phases or scope. The GBNRTC allows these changes to be made in the form of an Administrative Modification (minor changes) or an Amendment (significant changes).

Below is the change form that is required for all medium and large project changes. GBNRTC regularly provides the most up-to-date project change form to member agencies via electronic distribution. The form is also always available on the GBNRTC web site (www.gbnrtc.org) or by contacting the GBNRTC office during normal business hours. RPPM (small) changes do not require paperwork and only need eSTIP approvals.

GBNRTC TIP Project Change (Modification) Form

Transportation Improvement Program (TIP) Project Change Form

PINIs):

Titles):

Click for Drop-Down

Requesting Agency:

Submitted BY:_

Description of Requested Action [Fill in belowk

Project is identified in current IIP:

Project is identified in current SIIP:

Other

No

No

Yes

Yes

Exempt from Regional AQ Conformity:

Yes

No

AQ Exemption Codels)

Change Details	Current Info	Requested Info	Current Info	Requested Info	Comment
PIN:					
Let Date:					
Phase:					
Funding Source:					
Federal Share:					
State Share:					
Local Share:					
Total:					

Demonstration of Fiscal Constraint [Fill in below]

Completed by MPO

Action Processed as

IIP Action Control

Administrative Modification

Amendment

IVd New fed funded project outside region targets

Public Review Period:

Not Required

Start Date:

Required Approval Actions

Completed

No Actions

No Actions

Notes:

Approved by

Title

Click to Select

Date

Date:

Assigned #

End Date:

Comments

Date

The process for making small (minor) project changes is the following:

- Change forms are typically filled out by the project sponsor and/or NYSDOT Local Projects Liaison and then submitted to the GBNRTC a week before the monthly TPS meeting.
- The change form is reviewed by GBNRTC staff for completeness and accuracy
- The change form is presented at the next TPS meeting and voted on for recommendation or approval (depending on the type of change).
- Changes are made to the STIP/TIP via eSTIP ballots and approvals.

Local members (Buffalo, Niagara Falls, Erie County, Niagara County) should always consult with their NYSDOT Local Project Liaison when a project change is anticipated.

When proposing any cost increase or decrease, fiscal constraint must always be maintained.

For projects that increase their cost after initial approval:

- Federal share (plus match) may be transferred from another of the sponsor's approved TIP projects or the project sponsor may increase the no-federal share to provide the offset. When doing this, make sure that the donor project has sufficient funds remaining to complete the project.
- Increased local share may be used to offset any project cost increases.
- A combination of additional matched federal funds and additional local funds may be used to offset cost increases.

For projects that lower their cost after initial approval:

- Any federal funds no longer needed due to cost decrease will be returned to the regional allocation. These leftover federal funds do not belong to the original project sponsor and TPS must decide and agree on how those funds will be reallocated.
- Any reduced local/state funding (match and overmatch) does not return to the regional allocation.

TIP Amendments

Major TIP changes require a TIP Amendment.

Projects may be added to the TIP for many reasons. These include:

- The TIP runs for five years but is updated after year three. This usually leaves the last three years of the new TIP open for additional projects. All projects that are added to a new TIP must have undergone the GBNRTC's project development process.
- New regional projects may be added at any time after a TIP is developed as long as fiscal constraint is achieved. This means that there must be donor project(s) already on the TIP from that project sponsor that contain funding that can be transferred to create the new project.
- New funding may become available to the region that is separate from the regional allocations (planning targets). Examples of this include TAP/CMAQ, BUILD, INFRA, BRIDGE-NY, and federal earmarks.
- Regional allocations may increase.
- New projects may be broken out of established funding blocks as long as they are consistent with the scope of the funding block (preventative maintenance, paving, safety, ITS, etc)

While rare, it is sometimes necessary for a project sponsor to delete a project. Some of the reasons a project may be deleted include:

- Regional allocations may be decreased and projects may need to be reduced to meet revised regional funding allocations.
- The project may no longer be wanted/needed by the sponsor.
- All funding from the project may be needed to fund cost increases on another project or a new project.
- Project may be rescinded if delayed too long.

Finally, an amendment is required for any significant scope change to an existing TIP project. A significant scope change is defined as a substantial alteration to the project termini, type or original project intent.

The process of requesting a TIP Amendment requires completion of the following steps:

- Initial Project Proposal Form - A completed NYSDOT IPP form which must be submitted to the GBNRTC a week before the amendment is introduced at the monthly TPS meeting.
- Map - A clear geographic map of the project area(s) must be submitted to GBNRTC. This may be generated in GIS software or an online mapping service such as Google Maps.
- TPS Presentation and Public Notice - Presentation of the project (new, deleted or significantly modified) at the next TPS meeting where a motion for public review (30 days) may be made. All public notices received will be acknowledged and distributed to the project sponsor for a detailed response. All public comments and responses will also be attached to the amendment resolution. GBNRTC staff will generate and post the public notice as long as the completed change form and IPP are provided by the project sponsor.
- Project Approval - Amendments must be presented at PCC or Policy Committee to be voted on for approval (determined by the approved TIP Change Controls).
- eSTIP - Project changes are made to the STIP/TIP via the eSTIP database by NYSDOT R5 (highway) or GBNRTC staff (transit).

All project changes must be approved by the appropriate responsible body (Regional Planning and Program Manager, TPS, PCC, Policy Committee) base on the type of change. The most recent change guidelines are provided on the following page.

Statewide Transportation Improvement Program (STIP)

Each state is required under 49 U.S.C. 5304(g) to develop a statewide transportation improvement program (STIP) covering a period of at least four years. The STIP is a staged, multi-year, statewide intermodal program of transportation projects, consistent with the statewide transportation plan and planning processes as well as metropolitan plans, transportation improvement programs (TIPs), and planning processes.

The STIP must be developed in cooperation with the metropolitan planning organizations (MPOs), public transit providers, and any Regional Transportation Planning Organizations (RTPO) in the state, and must be compatible with the TIPs for the state's metropolitan areas.

The most recent STIP for New York State was formally approved on December 23, 2022.

Electronic STIP (eSTIP)

In cooperation with NYSDOT, staff from FHWA's New York Division Office (FHWA-NY) created an electronic Statewide Transportation Improvement Program (eSTIP) for the State of New York. eSTIP has significantly enhanced the efficiency of TIP and STIP development as well as the approval and amendment processes for New

York's MPOs, NYSDOT, FTA, and FHWA-NY.

The eSTIP program has a web-based interface and allows authorized users to browse and modify STIP data through the internet. State and Federal officials use eSTIP to review and approve STIP amendments by simply clicking on the interface—thereby greatly reducing paperwork and processing times. By maintaining one database used by MPOs, State, and Federal authorities, the STIP is now in compliance with federal regulations requiring consistency with TIP and STIP documents. It also records the unobligated project/phase level information necessary to re-demonstrate fiscal constraint to the FHWA for each TIP or rural amendment.

For all approved highway-related project changes, NYSDOT Region 5 staff enter all project information into eSTIP. GBNRTC staff are then given the responsibility of approving the changes before they are sent to NYSDOT Main office and FHWA for final approval.

For all approved transit project changes, GBNRTC staff enter all project information into eSTIP. GBNRTC staff are then given the responsibility of approving the changes before they are sent to NYSDOT Main office (Transit) and the Federal Transit Administration (FTA) for final approval.

Project sponsors may apply to receive 'read only' access to eSTIP. This will allow them to look up and track projects and run reports. However, they will not have authority to make any changes to the STIP. To request any level of access to the eSTIP online database, eSTIP Access Request Form must be completed and submitted. The form and instructions are available on the NYSDOT website at <https://www.nysdot.gov/programs/stip>.

Funding Programs and Project Eligibility

The following is a brief description of the federal programs that may be used to fund TIP projects.

- When submitting project proposals for a new/updated TIP, members do not need to specify a specific federal funding source. This will be done by NYSDOT Region 5 based on published core program regional planning targets and eligibility requirements.
- When reallocating regionally allocated federal funds, the project eligibility requirements of the target federal fund source must be met.
- NY retains a portion of each region's core program regional targets to be used for statewide allocations. These 'statewide allocated' funds are typically used to fund larger projects that would not normally fit into a regional TIP.

Federal Highway Administration (FHWA) Funding Programs

National Highway Performance Program (NHPP)

The purposes of the National Highway Performance Program (NHPP) are:

- 1. To provide support for the condition and performance of the National Highway System (NHS);
- 2. To provide support for the construction of new facilities on the NHS; and
- 3. To ensure that investments of Federal-aid funds in highway construction are directed to support progress toward the achievement of performance targets established in a state's asset management plan for the NHS.

The FAST Act directs FHWA to apportion funding as a lump sum for each State then divide that total among apportioned programs. Within this process, a State's NHPP apportionment is calculated based on a percentage specified in law. 2% of a State's NHPP funding is to be set aside for State Planning & Research (SPR).

The following activities are listed as eligible for NHPP funding as stated in 23 U.S.C. 119(d):

- a. Construction, reconstruction, resurfacing, restoration, rehabilitation, preservation, or operational improvement of segments of the NHS. The terms "Construction"; and "Operational improvement"; are defined in 23 U.S.C. 101(a).
- b. Construction, replacement (including replacement with fill material), rehabilitation, preservation, and protection (including scour countermeasures, seismic retrofits, impact protection measures, security countermeasures, and protection against extreme events) of bridges on the NHS.
- c. Construction, replacement (including replacement with fill material), rehabilitation, preservation, and protection (including impact protection measures, security countermeasures, and protection against extreme events) of tunnels on the NHS.
- d. Inspection and evaluation, as described in 23 U.S.C. 144, of bridges and tunnels on the NHS, and inspection and evaluation of other highway infrastructure assets on the NHS. This includes, but is not limited to, signs, retaining walls, and drainage structures.
- e. Training of bridge and tunnel inspectors, as described in 23 U.S.C. 144.
- f. Construction, rehabilitation, or replacement of existing ferry boats and ferry boat facilities, including approaches that connect road segments of the NHS. Eligible ferry approaches are described in 23 U.S.C. 129(b). Eligible ferry boats and facilities are described in 23 U.S.C. 129(c).
- g. Construction, reconstruction, resurfacing, restoration, rehabilitation, and preservation of, and operational improvements for, a Federal-aid highway not on the NHS, and construction of a transit project eligible for assistance under chapter 53 of Title 49, U.S.C., if:
- i. The highway project or transit project is in the same corridor as, and in proximity to, a fully accesscontrolled highway on the NHS;
- ii. The construction or improvements will reduce delays or produce travel time savings on the fully accesscontrolled highway described in clause (i) and improve regional traffic flow; and
- iii. The construction or improvements are more cost-effective, as determined by benefit-cost analysis, than an improvement to the fully access-controlled highway on the NHS.
- h. Bicycle transportation and pedestrian walkways in accordance with 23 U.S.C. 217. The project or activity must be associated with an NHS facility.
- i. Highway safety improvements on the NHS. The term "Safety improvement project" is defined in 23 U.S.C. 101(a).
- j. Capital and operating costs for traffic and traveler information monitoring, management, and control facilities and programs. The project or activity must be associated with an NHS facility.
- k. Development and implementation of a state asset management plan for the NHS, including data collection, maintenance, and integration and the cost associated with obtaining, updating, and licensing software and equipment required for risk-based asset management and performance-based management.
- l. Infrastructure-based intelligent transportation systems capital improvements, including the installation of vehicle-to-infrastructure communication equipment. The project or activity must be associated with an NHS facility.
- m. Environmental restoration and pollution abatement in accordance with 23 U.S.C. 328. The project must be associated with an NHS facility.
- n. Control of noxious weeds and aquatic noxious weeds and establishment of native species in accordance with 23 U.S.C. 329. The project or activity must be

associated with an NHS facility.

- o. Environmental mitigation efforts related to projects funded under this section, as described in 23 U.S.C. 119(g). The project or activity must be associated with an NHS facility.
- p. Construction of publicly owned intracity or intercity bus terminals servicing the NHS.

The following activities are made eligible by other subsections of 23 U.S.C. 119, as amended by Section 1106 of the FAST Act:

- q. Upon request of a State and subject to the approval of the Secretary, if Transportation Infrastructure Finance and Innovation Act (TIFIA) credit assistance is approved for an NHPP-eligible project, the State may use NHPP funds to pay the subsidy and administrative costs associated with providing Federal credit assistance for the project. (23 U.S.C. 119(h))
- r. Reconstruction, resurfacing, restoration, rehabilitation, or preservation of a bridge on a Federal-aid highway that is not on the NHS. To use this provision, States must ensure any obligations required under 119(f), NHS Bridge Condition requirements, are satisfied. The obligation requirements are discussed in Section F of this memorandum. (23 U.S.C. 119(i))
- s. A State may use funds apportioned under this section for projects intended to reduce the risk of failure of critical infrastructure in the State. In this subsection, the term "critical infrastructure"; means those facilities the incapacity or failure of which would have a debilitating impact on national or regional economic security, national or regional energy security, national or regional public health or safety, or any combination of those matters. This eligibility is limited to facilities that are eligible under 23 U.S.C. 119(j).

The following activities were made eligible by other sections of 23 U.S.C.:

- t. Workforce development, training, and education activities under 23 U.S.C. 504(e).
- u. Preferential parking for carpools associated with an NHS facility, including the addition of electric vehicle charging stations or natural gas vehicle refueling stations, as provided for in 23 U.S.C. 137(f).

Surface Transportation Block Group Program (STBGP)

The Surface Transportation Block Group Program (STBGP) provides flexible funding that may be used by States and localities for projects to preserve and improve the conditions and performance on any Federal-aid highway, bridge and tunnel projects on any public road, pedestrian and bicycle infrastructure, and transit capital projects, including intercity bus terminals.

The following eligible STBGP activities are listed in 23 U.S.C. 133(b):

1. Construction, as defined in 23 U.S.C. 101(a)(4) as amended by the BIL, of the following: a. Highways, bridges, and tunnels, including designated routes of the Appalachian Development Highway System and local access roads under 40 U.S.C. 14501; b. Ferry boats and terminal facilities: - That are eligible under 23 U.S.C. 129(c) as amended by the BIL, or - That are privately or majority-private owned, that the Secretary determines provide a substantial public transportation benefit or otherwise meet the foremost needs of the surface transportation system described in 23 U.S.C. 101(b)(3)(D). This eligibility was added by BIL. c. Transit capital projects eligible under chapter 53 of title 49, U.S.C.; d. Infrastructure-based intelligent transportation systems capital improvements, including the installation of vehicle-to-infrastructure communication equipment; e. (E) Truck parking facilities eligible under Section 1401 of MAP-21 (See 23 U.S.C. 137 note); f. (F) Border infrastructure projects eligible under Section 1303 of SAFETEA-LU (See 23 U.S.C. 101 note); and g. (G) Wildlife crossing structures. This eligibility was added by BIL.
2. Operational improvements and capital and operating costs for traffic monitoring, management, and control facilities and programs. Operational improvement is defined in 23 U.S.C. 101(a)(19).
3. Environmental measures eligible under 23 U.S.C. 119(g), 148(a)(4)(B)(xvii), 328, and 329, and transportation control measures listed in Section 108(f)(1)(A) (other than clause (xvi) of that section) of the Clean Air Act (See 42 U.S.C. 7408(f)(1)(A)).
4. Highway and transit safety infrastructure improvements and programs, including projects eligible under 23 U.S.C. 130 and installation of safety barriers and nets on bridges. Not subject to the Location of Project requirement in 23 U.S.C. 133(c).
5. Fringe and corridor parking facilities and programs in accordance with 23 U.S.C. 137 and carpool projects in accordance with 23 U.S.C. 146. Carpool project is defined in 23 U.S.C. 101(a)(3). Not subject to the Location of Project requirement in 23 U.S.C. 133(c).
6. Recreational trails projects eligible under 23 U.S.C. 206 as amended by the BIL, including maintenance and restoration of existing recreational trails, pedestrian and bicycle projects in accordance with 23 U.S.C. 217 as amended by the BIL (including modifications to comply with accessibility requirements under the Americans with Disabilities Act of 1990 (See 42 U.S.C. 12101 et seq.)), and the Safe Routes to School Program under 23 U.S.C. 208 as amended by the BIL. Not subject to the Location of Project requirement in 23 U.S.C. 133(c).
7. Planning, design, or construction of boulevards and other roadways largely in the right-of-way of former Interstate System routes or other divided highways. Not subject to the Location of Project requirement in 23 U.S.C. 133(c).
8. Development and implementation of a state asset management plan for the National Highway System (NHS) and a performance-based management program for other public roads. Not subject to the Location of Project requirement in 23 U.S.C. 133(c).
9. Protection (including painting, scour countermeasures, seismic retrofits, impact protection measures, security countermeasures, and protection against extreme events) for bridges (including approaches to bridges and
 - other elevated structures) and tunnels on public roads, and inspection and evaluation of bridges and tunnels and other highway assets. Not subject to the Location of Project requirement in 23 U.S.C. 133(c).
10. Surface transportation planning programs, highway and transit research and development and technology transfer programs, and workforce development, training, and education under chapter 5 of title 23, United States Code. Not subject to the Location of Project requirement in 23 U.S.C. 133(c).
11. Surface transportation infrastructure modifications to facilitate direct intermodal interchange, transfer, and access into and out of a port terminal. Not subject to the Location of Project requirement in 23 U.S.C. 133(c).
12. Projects and strategies designed to support congestion pricing, including electronic toll collection and travel demand management strategies and programs. Not subject to the Location of Project requirement in 23 U.S.C. 133(c).
13. Projects and strategies designed to reduce the number of wildlife-vehicle collisions, including project-related planning, design, construction, monitoring, and preventative maintenance. Preventive maintenance is defined in 23 U.S.C. 116(a). Not subject to the Location of Project requirement in 23 U.S.C. 133(c). This eligibility was added by the BIL.
14. The installation of electric vehicle charging infrastructure and vehicle-to-grid infrastructure. Not subject to the Location of Project requirement in 23 U.S.C. 133(c). This eligibility was added by the BIL.
15. The installation and deployment of current and emerging intelligent transportation technologies, including the ability of vehicles to communicate with infrastructure, buildings, and other road users. This eligibility was added by the BIL.
16. Planning and construction of projects that facilitate intermodal connections between emerging transportation technologies, such as magnetic levitation and hyperloop. This eligibility was added by the BIL.
17. Protective features, including natural infrastructure, to enhance the resilience of a transportation facility otherwise eligible for assistance under STBG. Natural infrastructure is defined in 23 U.S.C. 101(a)(17). This eligibility was added by the BIL.
18. Measures to protect a transportation facility otherwise eligible for assistance under STBG from cybersecurity threats. This eligibility was added by the BIL.
19. Upon request of a State and subject to the approval of the Secretary, if Transportation Infrastructure Finance and Innovation Act (TIFIA) credit assistance is approved for a STBG-eligible project, then the State may use STBG funds to pay the subsidy and administrative costs associated with providing Federal credit assistance for the projects.
20. The creation and operation by a State of an office to assist in the design, implementation, and oversight including conducting value for money analyses or similar comparative analyses, of public-private partnerships eligible to receive funding under title 23 and chapter 53 of title 49, United States Code, and the payment of a stipend to unsuccessful private bidders to offset their proposal development costs, if necessary to encourage robust competition in public-private partnership procurements.

21. Any type of project eligible under 23 U.S.C. 133 as in effect on the day before the FAST Act was enacted (i.e., in effect on December 3, 2015). Among these are: i. Replacement of bridges with fill material; ii. Training of bridge and tunnel inspectors; iii. Application of calcium magnesium acetate, sodium acetate/formate, or other environmentally acceptable, minimally corrosive anti-icing and deicing compositions for bridges (and approaches to bridges and other elevated structures) and tunnels; iv. Projects to accommodate other transportation modes continue to be eligible pursuant to 23 U.S.C. 142(c) if such accommodation does not adversely affect traffic safety; v. Transit capital projects eligible for assistance under chapter 53 of title 49, United States Code, including vehicles and facilities (publicly or privately owned) that are used to provide intercity passenger bus service; vi. Approach roadways to ferry terminals to provide access into and out of the ports; vii. Transportation alternatives previously described in 23 U.S.C. 101(a)(29) and in 23 U.S.C. 213 (as in effect on the day before enactment of the FAST Act); viii. Projects relating to intersections having disproportionately high accident rates, high levels of congestion (as evidenced by interrupted traffic flow at the intersection and a level of service rating of 'F' during peak travel hours, calculated in accordance with the Highway Capacity Manual), and are located on a Federal-aid highway; ix. Construction and operational improvements for any minor collector if the minor collector and the project to be carried out are in the same corridor and in proximity to an NHS route; the construction or improvements will enhance the level of service on the NHS route and improve regional traffic flow; and the construction or improvements are more cost-effective, as determined by a benefit-cost analysis, than an improvement to the NHS route; x. Workforce development, training, and education activities discussed in 23 U.S.C. 504(e); xi. Advanced truck stop electrification systems. Truck stop electrification system is defined in 23 U.S.C. 101(a)(34); xii. Installation of safety barriers and nets on bridges, hazard eliminations, and projects to mitigate hazards caused by wildlife; xiii. Electric vehicle and natural gas vehicle infrastructure in accordance with 23 U.S.C. 137; xiv. Data collection, maintenance, and integration and the costs associated with obtaining, updating, and licensing software and equipment required for risk-based asset management and performance-based management, and for similar activities related to the development and implementation of a performance-based management program for other public roads; xv. Construction of any bridge in accordance with 23 U.S.C. 144(f) that replaces any low water crossing (regardless of the length of the low water crossing); any bridge that was destroyed prior to January 1, 1965; any ferry that was in existence on January 1, 1984; or any road bridge that is rendered obsolete as a result of a Corps of Engineers flood control or channelization project and is not rebuilt with funds from the Corps of Engineers. Not subject to the Location of Project requirement in 23 U.S.C. 133(c); and xvi. Actions in accordance with the definition and conditions in 23 U.S.C. 144(g) to preserve or reduce the impact of a project on the historic integrity of a historic bridge if the load capacity and safety features of the historic bridge are adequate to serve the intended use for the life of the historic bridge. Not subject to the Location of Project requirement in 23 U.S.C. 133(c).
22. Projects to enhance travel and tourism. This eligibility was added by the BIL.

The following activities are made eligible by other sections of 23 U.S.C.:

23. Public transportation projects: (i) as described in 23 U.S.C. 142(a)(1), (a)(2), (a)(3), and (c); and (ii) meeting the requirements contained in 23 U.S.C. 142.
24. Initiatives to halt the evasion of payment of motor fuel taxes as provided for under 23 U.S.C. 143(b)(8), including expenditure limitations.
25. Workforce development.

Highway Safety Improvement Program (HSIP)

The Highway Safety Improvement Program (HSIP) is a core Federal-aid program with the purpose to achieve a significant reduction in traffic fatalities and serious injuries on all public roads, including non-State-owned roads and roads on tribal land. The HSIP requires a data-driven, strategic approach to improving highway safety on all public roads with a focus on performance.

Funds apportioned to a State to carry out the HSIP shall be obligated for highway safety improvement projects that reduce fatalities and serious injuries, consistent with the purpose of the program. (23 U.S.C. 148(b)). In addition, projects, activities, and strategies funded under the State's HSIP should support progress toward achieving the safety performance targets of the State for the performance measures described in 23 U.S.C. 150(c) and (d).

The HSIP requires a data-driven, strategic approach to improving highway safety on all public roads that focuses on performance. A highway safety improvement project is any strategy, activity or project on a public road that is consistent with the data-driven New York State Strategic Highway Safety Plan (NYSSHSP) and corrects or improves a hazardous road location or feature or addresses a highway safety problem.

Highway safety improvement projects must be identified based on crash experience, crash potential, crash rate, or other data-supported means. (23 U.S.C. 148(c)(2)(B)(iv)). The general framework for the identification and analysis of highway safety problems and countermeasure opportunities is defined in 23 U.S.C. 148(c)(2). This framework is consistent with general roadway safety management practices that States should take:

To be eligible under HSIP, a project generally must:

- Be consistent with a State's SHSP (23 U.S.C. 148(a)(4)(A));
- Correct or improve a hazardous road location or feature, or address a highway safety problem (23 U.S.C. 148(a)(4)(A)(i)-(ii));
- Be identified on the basis of crash experience, crash potential, crash rate, or other data-supported means (23 U.S.C. 148(c)(2)(B));
- Be listed under 23 U.S.C. 148(a)(4)(B) or (a)(11); and
- Comply with other title 23 requirements.

National Highway Freight Program (NHFP)

The NHFP provides funding to improve the efficient movement of freight on the National Highway Freight Network (NHFN) and support several goals, including:

- Investing in infrastructure and operational improvements that strengthen economic competitiveness, reduce congestion, reduce the cost of freight transportation, improve reliability, and increase productivity;
- Improving the safety, security, efficiency, and resiliency of freight transportation in rural and urban areas;
- Improving the state of good repair of the NHFN;
- Using innovation and advanced technology to improve NHFN safety, efficiency, and reliability;
- Improving the efficiency and productivity of the NHFN;
- Improving State flexibility to support multi-State corridor planning and address highway freight connectivity;
- Reducing the environmental impacts of freight movement on the NHFN. [23 U.S.C. 167(a) and (b)]

A map of the NHFN can be found at:

- https://ops.fhwa.dot.gov/freight/infrastructure/nfn/maps/images/nhfn_assets/National-NHFN.jpg.

Eligible NHFP projects include:

- 1. Development phase activities, including planning, feasibility analysis, revenue forecasting, environmental review, preliminary engineering and design work, and other preconstruction activities.
- 2. Construction, reconstruction, rehabilitation, acquisition of real property (including land relating to the project and improvements to land), construction contingencies, acquisition of equipment, and operational improvements directly relating to improving system performance.
- 3. Intelligent transportation systems and other technology to improve the flow of freight, including intelligent freight transportation systems.

- 4. Efforts to reduce the environmental impacts of freight movement.
- 5. Environmental and community mitigation for freight movement.
- 6. Railway-highway grade separation.
- 7. Geometric improvements to interchanges and ramps.
- 8. Truck-only lanes.
- 9. Climbing and runaway truck lanes.
- 10. Adding or widening of shoulders.
- 11. Truck parking facilities eligible for funding under section 1401 (Jason's Law) of MAPâ€™21.
- 12. Real-time traffic, truck parking, roadway condition, and multimodal transportation information systems.
- 13. Electronic screening and credentialing systems for vehicles, including weigh-in-motion truck inspection technologies.
- 14. Traffic signal optimization, including synchronized and adaptive signals.
- 15. Work zone management and information systems.
- 16. Highway ramp metering.
- 17. Electronic cargo and border security technologies that improve truck freight movement.
- 18. Intelligent transportation systems that would increase truck freight efficiencies inside the boundaries of intermodal facilities.
- 19. Additional road capacity to address highway freight bottlenecks.
- 20. Physical separation of passenger vehicles from commercial motor freight.
- 21. Enhancement of the resiliency of critical highway infrastructure, including highway infrastructure that supports national energy security, to improve the flow of freight.
- 22. A highway or bridge project, other than a project described above, to improve the flow of freight on the NHFN.
- 23. Any other surface transportation project to improve the flow of freight into and out of an eligible intermodal freight facility. [23 U.S.C. 167(i)(5)(C)]
- 24. Diesel retrofit or alternative fuel projects under the Congestion Mitigation and Air Quality Improvement program (CMAQ) for class 8 vehicles.
- 25. Conducting analyses and data collection related to the NHFP, developing and updating freight performance targets to carry out section 167 of title 23, and reporting to the Administrator to comply with the freight performance target under section 150 of title 23. [23 U.S.C. 167(i)(6)]

Federal Transit Administration (FTA) Funding Programs

Section 5303, 5304, 5305 - Metropolitan, Statewide, and Non-metropolitan Planning Programs

These programs provide funding and procedural requirements for multimodal transportation planning in metropolitan areas and States that is cooperative, continuous, and comprehensive, resulting in long range plans and short-range programs of transportation investment priorities.

The metropolitan funds (5303) are allocated to the urban areas for planning based on a long-standing formula that has not changed.

FTA Section 5307/5340 - Urbanized Area Formula Program

The largest of FTA's grant programs, this program provides grants to urbanized areas to support public transportation. Funding is distributed by formula based on the level of transit service provision, population, and other factors. Total national funding is \$5.1 Billion in FY 2018 which includes the Growing States and High-Density States formula. The program remains largely unchanged with a few exceptions. In addition, the urbanized area formula for distributing funds now includes the number of low-income individuals as a factor. There is no floor or ceiling on the amounts that can be spent on job access and reverse commute activities. Additionally, these funds are not subject to the coordinated planning process or require a solicitation to program the funds.

Eligible activities include:

- Capital projects
- Planning
- Job access and reverse commute projects that provide transportation to jobs and employment, opportunities for welfare recipients and low-income workers
- Operating costs in areas with fewer than 200,000 in population
- Operating costs, up to certain limits, for grantees in areas with populations greater than 200,000, and which operate a maximum of 100 buses in fixed-route service during peak hours (rail fixed guideway excluded)

FTA Section 5309 - Fixed-Guideway Capital Investment Grants

Also known as 'New Starts/Small Starts,' this program awards grants on a competitive basis for major investments in new and expanded rail, bus rapid transit (BRT) and ferry systems.

Eligible activities include:

- New fixed-guideways or extensions to fixed guideways (projects that operate on a separate right-of-way exclusively for public transportation, or that include a rail or a catenary system)
- Bus rapid transit projects operating in mixed traffic that represent a substantial investment in the corridor
- Projects that improve capacity on an existing fixed-guideway system

FTA Section 5310 - Enhanced Mobility of Seniors & Individuals with Disabilities

This program provides formula funding to increase the mobility of seniors and persons with disabilities. Funds are apportioned based on each State's share of the targeted populations and in the FAST Act are apportioned to both State (for all areas under 200,000) and large urbanized areas (over 200,000). The former New Freedom program (5317) is folded into this program. The New Freedom program provided grants for services with disabilities that went above and beyond the requirements of the Americans with Disabilities Act (ADA).

Eligible activities include:

- At least 55% of program funds must be used on capital or 'traditional' 5310 projects. Examples include:
 - Buses and vans; wheelchair lifts, ramps, and securement devices; transit-related information technology systems including scheduling/routing/one-call systems; and mobility management programs.

- Acquisition of transportation services under a contract, lease, or other arrangement. Both capital and operating costs associated with contracted service are eligible capital expenses. User-side subsidies are considered one form of eligible arrangement. Funds may be requested for contracted services covering a time period of more than one year. The capital eligibility of acquisition of services as authorized in 49 U.S.C. 5310(b)(4) is limited to the Section 5310 program.
- The remaining 45% is for other 'nontraditional' projects. Under MAP-21, the program was modified to include projects eligible under the former 5317 program, described as: Capital and operating expenses for new public transportation services and alternatives beyond those required by the ADA, designed to assist individuals with disabilities and seniors. Examples include:
 - Travel training; volunteer driver programs; building an accessible path to a bus stop including curb-cuts, sidewalks, accessible pedestrian signals or other accessible features; improving signage, or way-finding technology; incremental cost of providing same day service or door-to-door service; purchasing vehicles to support new accessible taxi, rides sharing and/or vanpooling programs; and mobility management programs.
- Mobility management is eligible for 100% of 5310 funding.

FTA Section 5337 - State of Good Repair Grants

The FAST act continued a new grant program to maintain public transportation systems in a state of good repair. The program replaces the fixed guideway modernization program under Section 5309. Funding is limited to fixed guideway systems (including rail, bus rapid transit, and passenger ferries) and high intensity bus (high intensity bus refers to buses operating in high occupancy vehicles (HOV) lanes). Projects are limited to replacement and rehabilitation, or capital projects required to maintain public transportation systems in a state of good repair. These funds are announced each year and are subject to fiscal constraint.

Eligible activities include:

- Capital projects to maintain a system in a state of good repair, including projects to replace and rehabilitate: rolling stock; track; line equipment and structures; signals and communications; power equipment and substations; passenger stations and terminals; security equipment and systems; maintenance facilities and equipment; and operational support equipment, including computer hardware and software
- Transit Asset Management Plan development and implementation

FTA Section 5339 - Bus and Bus Facilities

A new formula grant program was established and continued under the FAST Act under Section 5339, replacing the previous Section 5309 discretionary Bus and Bus Facilities program. This capital program provides funding to replace, rehabilitate, and purchase buses and related equipment, and to construct bus-related facilities.

Eligible activities include:

- Capital projects to replace, rehabilitate and purchase buses, vans, and related equipment
- Construction of bus-related facilities

Federal Discretionary Grant Programs

USDOT administers competitive discretionary grant programs through its operating administrations (OAs) and the Office of the Secretary of Transportation (OST). Each OA (e.g., Federal Highway Administration, Federal Transit Administration) solicits applications through a Notice of Funding Opportunity (NOFO) and selects projects based on program eligibility, evaluation criteria, and Departmental or program priorities.

The following is a representative, but not exhaustive, list of the types of projects eligible for the non-core (NOT regionally allocated) funding programs. These programs are often competitive and require an application.

Grant opportunities are announced to members and other interested eligible parties well in advance of deadlines. GBNRTC staff is available to provide program information, asset data, necessary forms and application assistance.

Active Transportation Infrastructure Investment Program (ATIIP)

This program provides funding to construct projects to provide safe and connected active transportation facilities in active transportation networks or active transportation spines. ATIIP projects will help improve the safety, efficiency, and reliability of active transportation networks and communities; improve connectivity between active transportation modes and public transportation; enhance the resiliency of on- and off-road active transportation infrastructure; help protect the environment; and improve quality of life in disadvantaged communities through the delivery of connected active transportation networks and expanded mobility opportunities.

FHWA will award competitive grants to help communities plan, design, and construct safe and connected active transportation networks such as sidewalks, bikeways, and trails that connect destinations such as schools, workplaces, residences, businesses, recreation areas, and medical facilities within a community or metropolitan region.

Grants will also be provided for projects used for trails, pedestrian facilities, bikeways, and other routes that serve as backbones to connect two or more communities, metropolitan regions, or states.

ATIIP also provides an opportunity for eligible organizations to enhance their overall transportation network by integrating active transportation facilities with transit services, where available, to improve access to public transportation.

Two different categories of ATIIP grants are available:

- Planning and Design Grants
- Construction Grants

All Stations Accessibility Program

This funding program provides federal competitive grants to assist eligible entities in financing capital projects to upgrade the accessibility of legacy rail fixed guideway public transportation systems for people with disabilities, including those who use wheelchairs, by increasing the number of existing stations or facilities for passenger use that meet or exceed the new construction standards of Title II of the Americans with Disabilities Act of 1990.

Eligible activities include:

- Projects to repair, improve, modify, retrofit, or relocate infrastructure of legacy stations or facilities for passenger use, including load-bearing members that are an essential part of the structural frame, to meet or exceed current ADA standards for buildings and facilities
- Planning related to pursuing public transportation accessibility projects, assessments of accessibility, or assessments of planned modifications to legacy stations or facilities for passenger use
- An eligible entity may not use a grant awarded under this program to upgrade a station or facility for passenger use that is already accessible to and usable by people with disabilities, including individuals who use wheelchairs, according to standards for new construction under Title II of the Americans with Disabilities Act of 1990 (42 U.S.C. 12131 et seq.)
- Eligible activities apply only to legacy stations or facilities that are currently inaccessible

Advanced Transportation and Congestion Management Technologies Deployment (ATCMTD) Program

The FAST Act established the ATCMTD program to make competitive grants for the development of model deployment sites for large scale installation and operation of advanced transportation technologies to improve safety, efficiency, system performance, and infrastructure return on investment.

Grant recipients may use funds under this program to deploy advanced transportation and congestion management technologies, including the following:

- Advanced traveler information systems.
- Advanced transportation management technologies.
- Infrastructure maintenance, monitoring, and condition assessment.
- Advanced public transportation systems.
- Transportation system performance data collection, analysis, and dissemination systems.
- Advanced safety systems, including vehicle-to-vehicle and vehicle-to-infrastructure communications.
- Technologies associated with autonomous vehicles and other collision avoidance technologies, including systems using cellular technology.
- Integration of intelligent transportation systems with the Smart Grid and other energy distribution and charging systems.
- Electronic pricing and payment systems.
- Advanced mobility and access technologies, such as dynamic ridesharing and information systems to support human services for elderly and disabled individuals [23.U.S.C. 503(c)(4)(E)].

Better Utilizing Investments to Leverage Development (BUILD)

The Better Utilizing Investments to Leverage Development, or BUILD Transportation Discretionary Grant program, provides a unique opportunity for the USDOT to invest in road, rail, transit and port projects that promise to achieve national objectives. Previously known as Transportation Investment Generating Economic Recovery, or TIGER Discretionary Grants, Congress has dedicated nearly \$7.1 billion for ten rounds of National Infrastructure Investments to fund projects that have a significant local or regional impact.

The eligibility requirements of BUILD allow project sponsors at the State and local levels to obtain funding for multimodal, multi-jurisdictional projects that are more difficult to support through traditional USDOT programs. BUILD can fund port and freight rail projects, for example, which play a critical role in our ability to move freight, but have limited

sources of Federal funds. BUILD can provide capital funding directly to any public entity, including municipalities, counties, port authorities, tribal governments, MPOs, or others in contrast to traditional Federal programs which provide funding to very specific groups of applicants (mostly State DOTs and transit agencies). This flexibility allows BUILD and partners at the State and local levels to work directly with a host of entities that own, operate, and maintain much of our transportation infrastructure, but otherwise cannot turn to the Federal government for support.

Bridge Investment Program (BIP)

Program aims to improve bridge (and culvert) conditions, safety, efficiency, and reliability.

Eligible projects include:

- Replace, rehabilitate, preserve or protect one or more bridges on the National Bridge Inventory (NBI)
- Replace or rehabilitate culverts to improve flood control and improve habitat connectivity for aquatic species

Congestion Mitigation and Air Quality Program (CMAQ)

The FAST Act continued the CMAQ program to provide a flexible funding source to State and local governments for transportation projects and programs to help meet the requirements of the Clean Air Act. Funding is available to reduce congestion and improve air quality for areas that do not meet the National Ambient Air Quality Standards for ozone, carbon monoxide, or particulate matter (nonattainment areas) and for former nonattainment areas that are now in compliance (maintenance areas).

CMAQ Eligible Projects and Programs:

- Diesel engine retrofits and other advanced truck technologies
- Idle reduction
- Congestion reduction and traffic flow improvements
- Freight and intermodal
- Transportation control measures
- Transit improvements
- Bicycle and pedestrian facilities and programs
- Travel demand management
- Public education and outreach activities
- Transportation management associations
- Carpooling and vanpooling
- Carsharing
- Extreme low temperature cold start program
- Training

- Inspection and maintenance programs
- Alternative fuels and vehicles
- Innovative projects

Recently, the solicitation for CMAQ projects has coincided with that for the Transportation Alternatives Program (TAP) and Carbon Reduction Program (CRP - small urban and rural), taking place every two years.

Consolidated Rail Infrastructure & Safety Improvements Grant Program (CRISI)

This program funds projects that improve the safety, efficiency, and reliability of intercity passenger and freight rail.

Eligible Projects include:

- Deployment of railroad safety technology
- Capital projects, as defined in section 49 U.S.C. § 24401(2) for intercity passenger rail service, except that a project under this NOFO is not required to be in a state rail plan
- Capital projects that:
 - address congestion challenges affecting rail service
 - reduce congestion and facilitate ridership growth along heavily traveled rail corridors
 - improve short-line or regional railroad infrastructure;
- Highway-rail grade crossing improvement projects
- Rail line relocation and improvement projects
- Regional rail and corridor service development plans and environmental analyses
- Any project necessary to enhance multimodal connections or facilitate service integration between rail service and other modes
- The development and implementation of a safety program or institute
- Any research that the Secretary considers necessary to advance any particular aspect of rail related capital, operations, or safety improvements
- Workforce development and training activities, coordinated to the extent practicable with the existing local training programs supported by the Department of Transportation, the Department of Labor, and the Department of Education

Corridor Identification and Development Program

This program creates a new framework to facilitate the development of new, enhanced, and restored intercity passenger rail corridors throughout the country.

Activities that may be undertaken using this funding include

- Providing funding to public entities for the development of SDPs selected under the Program
- Facilitating and providing guidance for intercity passenger rail systems planning
- Providing funding for the development and refinement of intercity passenger rail systems planning analytical tools and models.

Infrastructure for Rebuilding America (INFRA)

INFRA (previously known as FASTLANE) advances a grant program established in the FAST Act of 2015 and utilizes updated criteria to evaluate projects to align them with national and regional economic vitality goals and to leverage additional non-federal funding. The program seeks to increase the impact of projects by leveraging federal grant funding and incentivizing project sponsors to pursue innovative strategies, including public-private partnerships.

The INFRA program focuses on economic vitality, leverage (including private sector participation), innovation, and performance. It provides dedicated, discretionary funding for projects that address critical issues facing our nation's highways and bridges. INFRA grants will support fixing our nation's crumbling infrastructure by creating opportunities

for all levels of government and the private sector to fund infrastructure, using innovative approaches to improve the necessary processes for building significant projects, and increasing accountability for the projects that are built.

The USDOT will make awards under the INFRA program to both large and small projects. For a large project, the INFRA grant must be at least \$25 million. For a small project, the grant must be at least \$5 million. For each fiscal year of INFRA funds, 10 percent of available funds are reserved for small projects. The INFRA grant program also preserves the statutory requirement in the FAST Act to award at least 25 percent of funding for rural projects.

The solicitation for INFRA applications takes place annually.

Multimodal Projects Discretionary Grant (MPDG)

This new program combines three major discretionary grant programs into one grant opportunity:

- The National Infrastructure Project Assistance (MEGA) - Funds major projects that are too large or complex for traditional funding programs. The program will provide grants on a competitive basis to support multijurisdictional or regional projects of significance that may also cut across multiple modes of transportation.
- The Infrastructure for Rebuilding America (INFRA) - These grants advance the Administration's priorities of rebuilding America's infrastructure and creating jobs by funding highway, multimodal freight and rail projects that position America to win the 21st century. Projects will improve safety, generate economic benefits, reduce congestion, enhance resiliency, and hold the greatest promise to eliminate supply chain bottlenecks and improve critical freight movements.
- The Rural Surface Transportation Grant Program (RURAL) - Support projects to improve and expand the surface transportation infrastructure in rural areas to increase connectivity, improve the safety and reliability of the movement of people and freight, and generate regional economic growth and improve quality of life.

Eligible projects will help to grow the economy, reduce emissions, improve safety, make our transportation more sustainable and resilient, and expand transportation options in rural America and other underserved communities.

The solicitation for MPDG applications takes place annually.

Promoting Resilient Operations for Transformative, Efficient, and Cost-saving Transportation Program (PROTECT)

This program provides funding to ensure surface transportation resilience to natural hazards including climate change, sea level rise, flooding, extreme weather events, and other natural disasters through support of planning activities, resilience improvements, community resilience and evacuation routes, and at-risk coastal infrastructure.

Eligible uses include highway, transit, and certain port projects that include resilience planning, strengthening and protecting evacuation routes, enabling communities to address vulnerabilities and increasing the resilience of surface transportation infrastructure from the impacts of sea level rise, flooding, wildfires, extreme weather events, and other natural disasters.

Reconnecting Communities Pilot (RCP) Program

Supports planning, capital construction, and technical assistance to equitably and safely restore community connectivity through the removal, retrofit, mitigation, or replacement of eligible transportation infrastructure facilities that create barriers to mobility, access, or economic development.

Eligible projects (planning grants) include:

- Planning studies of current traffic patterns on the eligible facility proposed for removal, retrofit, or mitigation and the surrounding street network; transportation network capacity; alternative roadway designs or other uses for the right-of-way; impacts to the mobility of freight and people; impacts to the safety of the traveling public; cost; anticipated economic impacts and environmental impacts both human and natural.
- Public engagement activities to provide the public opportunities to provide input into a plan to remove and convert an eligible facility.
- Other transportation planning activities required in advance of a project to remove, retrofit, or mitigate an existing eligible facility to restore community connectivity, as determined by DOT.

Safe Streets and Roads for All (SS4A)

This program funds regional, local, and Tribal initiatives through grants to prevent roadway deaths and serious injuries. The program supports the National Roadway Safety Strategy and the USDOT's goal of zero deaths and serious injuries on our nation's roadways.

Eligible projects include:

- Develop or update a comprehensive safety action plan (Action Plan).
 - Leadership commitment and goal setting
 - Planning structure with oversight of the Action Plan development, implementation, and monitoring.
 - Safety analysis of the existing conditions and historical trends
 - Engagement and collaboration with the public and relevant stakeholders
 - Equity considerations
 - Policy and process changes to identify opportunities to improve how processes prioritize transportation safety.
 - Strategy and project selections that identify a comprehensive set of projects and strategies, shaped by data, the best available evidence and noteworthy practices, as well as stakeholder input and equity considerations, that will address the safety problems described in the Action Plan.
 - Progress and transparency methods
- Conduct planning, design, and development activities in support of an Action Plan.
 - Additional analysis
 - Expanded data collection and evaluation using integrated data
 - Testing Action Plan concepts before project and strategy implementation
 - Feasibility studies using quick-build strategies that inform permanent projects in the future (e.g., paint, plastic bollards)
 - Follow-up stakeholder engagement and collaboration
 - Targeted equity assessments
 - Progress report development
 - Complementary planning efforts such as speed management plans, accessibility and transition plans, racial and health equity plans, and lighting management plans
- Carry out projects and strategies identified in an Action Plan
 - Applying low-cost roadway safety treatments
 - Identifying and correcting common risks
 - Transforming a roadway corridor
 - Installing pedestrian safety enhancements and closing network gaps
 - Working with community members in an identified problem area
 - Supporting the development of bikeway networks
 - Carrying out speed management strategies
 - Creating safe routes to school and public transit services
 - Promoting the adoption of innovative technologies or strategies
 - Conducting education campaigns
 - Implementing standard and novel data collection and analysis technologies
 - Deploying advanced transportation technologies
 - Combating roadway departure crashes
 - Evaluating and improving the safety of intersections
 - Improving first responder services
 - Unifying and integrating safety data

Section 130 Railway-Highway Grade Crossing Program (Section 130)

Congress enacted Section 130 of Title 23, U.S. Code to improve the safety of public rail-highway crossings. Each year, funds are made available as a set-aside under the Highway Safety Improvement Program.

Section 130 funds can be used at any public rail-highway crossing, including public sidewalks, pathways, and public shared use paths.

The Federal Highway Administration, or FHWA, apportions Section 130 funds to each State Department of Transportation, or State DOT. Each State DOT develops its

own approach to selecting and prioritizing eligible projects NYSDOT solicits Section 130 project applications annually.

Strengthening Mobility and Revolutionizing Transportation (SMART)

Provides supplemental funding grants to rural, mid-sized, and large communities to conduct demonstration projects focused on advanced smart city or community technologies and systems in a variety of communities to improve transportation efficiency and safety.

Eligible projects include:

- Coordinated Automation
- Connected Vehicles
- Intelligent, Sensor-Based Infrastructure
- Systems Integration
- Commerce Delivery and Logistics
- Leveraging Use of Innovative Aviation Technology
- Smart Grid
- Smart Technology Traffic Signals

Transportation Alternatives Program (TAP)

The FAST Act eliminates the MAP-21 Transportation Alternatives Program (TAP) and replaces it with a set-aside of Surface Transportation Block Grant (STBG) program funding for transportation alternatives (TA). These set-aside funds include all projects and activities that were previously eligible under TAP, encompassing a variety of smaller-scale transportation projects such as pedestrian and bicycle facilities, recreational trails, safe routes to school projects, community improvements such as historic preservation and vegetation management, and environmental mitigation related to storm water and habitat connectivity.

The FAST Act requires all TA projects to be funded through a competitive process. Eligible applicants include all entities that were eligible to apply for TAP funds. The FAST Act also allows nonprofit entities responsible for the administration of local transportation safety programs to apply.

The following activities when carried out as part of any program or project authorized or funded under this title, or as an independent program or project related to surface transportation are eligible:

- Construction, planning, and design of on-road and off-road trail facilities for pedestrians, bicyclists, and other non-motorized forms of transportation, including sidewalks, bicycle infrastructure, pedestrian and bicycle signals, traffic calming techniques, lighting and other safety-related infrastructure, and transportation projects to achieve compliance with the Americans with Disabilities Act of 1990
- Construction, planning, and design of infrastructure-related projects and systems that will provide safe routes for non-drivers, including children, older adults, and individuals with disabilities to access daily needs
- Conversion and use of abandoned railroad corridors for trails for pedestrians, bicyclists, or other non-motorized transportation users.
- Construction of turnouts, overlooks, and viewing areas.
- Community improvement activities, which include but are not limited to:
 - Inventory, control, or removal of outdoor advertising;
 - Historic preservation and rehabilitation of historic transportation facilities;
 - Vegetation management practices in transportation rights-of-way to improve roadway safety, prevent against invasive species, and provide erosion control; and
 - Archaeological activities relating to impacts from implementation of a transportation project eligible under title 23.
- Any environmental mitigation activity, including pollution prevention and pollution abatement activities and mitigation
 - To address storm water management, water pollution prevention, vehicle caused wildlife mortality, connectivity among terrestrial and aquatic habitats
- Recreational Trails Program (RTP)
- Safe Routes to School Program (SRTS)
- Planning, designing, or constructing boulevards and other roadways largely in the right-of-way of former Interstate System routes or other divided highways

Recently, the solicitation for TAP projects has coincided with that for the CMAQ projects, taking place every two years.

NY Statewide Funding Programs

There are a number of transportation project funding programs available from New York State.

Consolidated Local Street and Highway Improvement Program (CHIPS)

The Consolidated Local Street and Highway Improvement Program (CHIPS) was established by the NYS Legislature in 1981. The program provides state funding to municipalities to support the construction and repair of highways, bridges, highway-railroad crossings, and other facilities that are not on the State highway system. These state funds may also be used for the local match portion of federal-aid TIP projects or to supplement federal funding for projects (provide a larger local match).

The applicable rules for the CHIPS Program are contained in Section 10-c of the State Highway Law. Apportionments to municipalities are calculated annually by the New York State Department of Transportation (NYSDOT) according to formulas specified in this section of the Law.

Upon approval of the State Budget, NYSDOT determines each municipality's final CHIPS Capital apportionment for the new State fiscal year and notifies them of the available amount via the letter for the scheduled June payment and a posting to the Capital Apportionment Balances link on the CHIPS website. The 2016-17 New York budget provided \$438 million in direct funding for the CHIPS.

In order to be eligible for CHIPS Capital reimbursement, the capital project must:

- Be undertaken by a municipality
- Be for highway-related purposes
- Have a service life of 10 years or more with normal maintenance or comply with the exceptions below
- Follow the CHIPS Guidelines

PAVE-NY

PAVE-NY was a new program included in the State Fiscal Year (SFY) 2015/16 - 2019/20 State Transportation Plan. It assists municipalities with the rehabilitation and reconstruction of local highways and roads by providing \$100 million annually through SFY 2019-20. Funds are apportioned by NYSDOT based on the ratio of funds each municipality received under the SFY 2016-17 Consolidated Local Street and Highway Improvement Program (CHIPS).

PAVE-NY is available to New York City and all cities, counties, towns and villages that report local roadway mileage to NYSDOT pursuant to the Local Highway Inventory (LHI).

Municipal project sponsors must follow locally adopted street and highway design and construction standards. The American Association of State Highway and Transportation Officials (AASHTO) standards for local streets and highways or NYSDOT highway standards may be used for the design of municipally owned roads.

Eligible project activities include the following:

- Highway Resurfacing: Placement or replacement of a pavement course(s) to enable the existing pavement to achieve its design life and to provide additional strength or to improve serviceability while not degrading safety.
- Highway Reconstruction: A major improvement to the existing roadway structure (including drainage and shoulders). This could include realignment, construction on new alignment, and major widening such as adding one or more lanes.
- The following work is eligible for reimbursement if it is part of a highway resurfacing or highway reconstruction project:
 - New signs
 - New, upgraded, or coordinated traffic signals
 - Intelligent transportation systems (ITS)
 - Traffic calming installations (speed humps, etc.)
 - Guiderail (galvanized) projects
 - Removal or relocation of roadside obstacles
- Pavement grooving

BRIDGE-NY

BRIDGE-NY is a NY State program designed to rehabilitate and replace bridges and culverts statewide. This investment in local transportation infrastructure supports the needs of the traveling public, movement of goods and regional economic competitiveness.

The BRIDGE NY program, administered by the New York State Department of Transportation (NYSDOT), is open to all municipal owners of bridges and culverts. Projects will be awarded through a competitive process and will support all phases of project development. Projects selected for funding under the BRIDGE NY Initiative will be evaluated based on the resiliency of the structure, including such factors as hydraulic vulnerability and structural resiliency; the significance and importance of the bridge including traffic volumes, detour considerations, number and types of businesses served and impacts on commerce; and the current bridge and culvert structural conditions.

The solicitation for BRIDGE-NY applications takes place every two years.

Extreme Winter Recovery (EWR)

The EWR Program provides State funds to municipalities to support the construction and repair of highways, bridges, highway-railroad crossings, and other facilities that are not on the State highway system.

Pave our Potholes (POP)

A new state funding initiative enacted in the SFY 2022-23 Budget apportions \$100 million annually to assist municipalities with the rehabilitation and reconstruction of local highways and roads.

State Touring Route Program

Funds are apportioned to cities, towns, and villages based on the total number of signed touring route miles for which such municipality has capital maintenance responsibility, as determined pursuant to the most recent local highway inventory conducted by the Highway Data Services Bureau of the NYS Department of Transportation (NYSDOT).

State Dedicated Fund (SDF) Program

The State Dedicated Fund (SDF) provides funds for capital projects. These are dedicated to improvements of the systems and providing funds for innovative capital projects.

State Operating Assistance (STOA)

State Operating Assistance (STOA) funding provides operating monies to transit agencies and authorities based on vehicle miles and passenger revenue service.

Passenger And Freight Rail Assistance Program (PFRAP)

The Passenger and Freight Rail Assistance Program (PFRAP) is a multi-year freight and passenger rail funding program passed by the State Legislature. Funds are appropriated from general state revenues annually and are available to fund freight and passenger capital improvements. There is no local match requirement for this program.

Eligible project types include any capital improvement to freight, intercity passenger or tourist rail assets with a minimum service life of 10 years or greater, including but not limited to:

- Track construction and rehabilitation
- Bridge construction and rehabilitation
- Elimination of clearance obstructions
- Yard, terminal and siding construction and rehabilitation
- Signal and train control systems
- Rolling stock acquisition and rehabilitation
- Capital projects that will reduce carbon footprint of railroad facilities

Also eligible are any capital improvement for public port facilities outside the jurisdiction of the Port Authority of New York and New Jersey with a minimum service life of 10 years or greater, including but not limited to:

- Docks, bulkheads and wharf construction and reconstruction
- Dredging
- Material handling equipment or storage facilities
- Internal roadways and rail lines
- Capital projects that will reduce carbon footprint of port facilities

All projects must comply with the New York State Smart Growth Public Infrastructure Policy Act. Notwithstanding specific eligibility criteria identified above, in accordance with Article 6 of Environmental Conservation Law, NYSDOT cannot approve, undertake, support or finance a public infrastructure project, including grants, awards, loans, or other assistance programs, unless, to the extent practicable, it is consistent with the relevant Smart Growth Public Infrastructure Criteria.