

TTP Update

NTTC

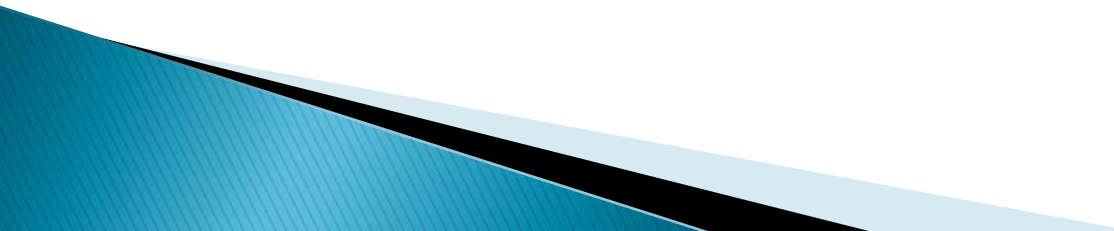
Anaheim, CA

Cindi Ptak

FHWA, Tribal Transportation Program

October 6, 2016

Topics

- ▶ FAST Act – Year 2
 - ▶ End of Year Reporting
 - ▶ Safety Reports
 - ▶ FY16 TTP Safety Funds
 - ▶ 25 CFR 170
 - ▶ Tribal Transportation Self-Governance Program
 - ▶ Other Programs
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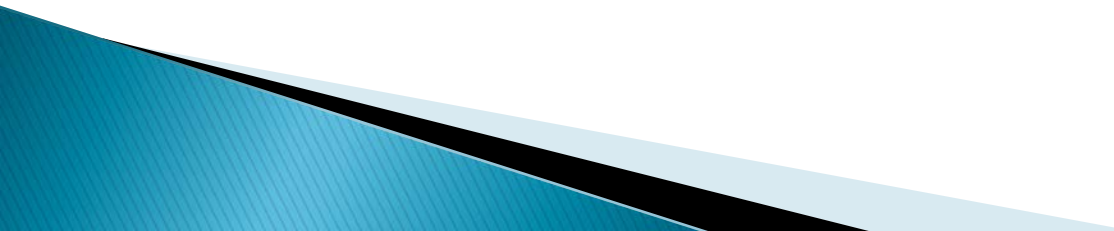
FAST Act Overview

- ▶ Fixing America's Surface Transportation Act
- ▶ 5 year Highway Bill (FY16 – FY20)
- ▶ Tribal Transportation Program (TTP) Funding
 - FY16 – \$465 Million
 - FY17 – \$475 Million (Continuing Resolution)
 - FY18 – \$485 Million
 - FY19 – \$495 Million
 - FY20 – \$505 Million
 - **TOTAL – \$2.425 Billion over 5 years**

End of Year TTP Reporting

- ▶ 23 USC 201(c)(6)(C) – TRIBAL DATA COLLECTION
 - Any entity (Tribe, BIA, FHWA, etc.) that carries out a project under TTP during a fiscal year shall submit data to the Secretaries of DOT and DOI so that a report can be generated by December 31 of each year. The submitted data will:
 - Contain the names of all projects and activities carried out and include;
 - A description of each;
 - The current status;
 - The obligations and expenditures; and
 - The number of jobs created and the number of jobs retained

End of Year TTP Reporting

- ▶ FHWA and BIADOT have developed an on-line reporting mechanism thru OMB-MAX.
 - ▶ FHWA Tribes used it for their mid-year reporting and provide feedback.
 - ▶ System ready for data submittal on Oct. 1
 - ▶ A reference to this reporting requirement is now in all TTP Agreements.
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Safety Report 1

- ▶ **REPORT TO CONGRESS ON TRIBAL GOVERNMENT TRANSPORTATION SAFETY DATA**
 - Due December 2016
 - Describes the quality of transportation safety data being collected by States, counties, and Indian tribes. Offers recommendations for improvement and potential funding sources.
 - Written by FHWA – Adam Larsen and others
 - Currently in the FHWA review process

Safety Report 2

- ▶ **Report to Congress – Study ON BUREAU OF INDIAN AFFAIRS ROAD SAFETY.**
 - Report due **December 2017**
 - Developed after consultation with the Secretary of the Interior, the Attorney General, States, and Indian tribes.
 - Study must identify and evaluate options for improving safety on public roads on Indian reservations.
 - Being developed with full coordination of the Tribal Transportation SMS Steering Committee

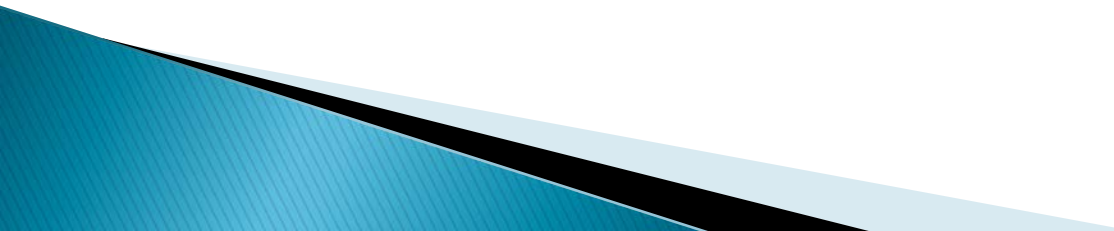
Another Report

- ▶ Included in the FY16 Appropriations Bill
- ▶ Identifies that:
 - Only 8% of 14k miles of tribal roads are paved and that 75% of the 29k miles of BIA road are gravel, earth, or primitive; and
 - Current funding levels do not meet the true needs on Indian Country thus limiting economic growth and safety improvements, as well as adding to backlog of maintenance projects
- ▶ DOT has been directed to work with DOI on the transportation infrastructure needs facing Indian Country and propose steps to make improvements.

TTP Safety Funding

- ▶ FY16 NOFO published July 18, 2016
 - Application deadline was September 16, 2016
 - 172 applications – \$40m
 - 52 new safety plans
 - 7 safety plan updates
 - 86 infrastructure improvement projects
 - 27 road safety audits or crash data improvements
 - Team met/reviewed applications last week

25 CFR 170

- ▶ Target date for publication is “September”.
 - ▶ Data collection requirements from FAST Act have been included.
 - ▶ Roll out meetings will be scheduled and may be included in the Federal Register Notice.
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TTSGP Overview and Expectations

Tribal Transportation Self-Governance Program

- ▶ Located in Section 1121 of the FAST Act (TAB 5)
- ▶ Secretary directed to establish and carry out a program to be known as the *Tribal Transportation Self-Governance Program* at USDOT.
 - Will be established under 23 USC 207
 - Eligibility is similar to FHWA Agreements
 - Demonstration of Financial and Program Management capability
 - Intended to be used for all formula funding and discretionary grants at US DOT (1-stop shop)
 - Including transfer of state funds, IE:(202(a)(9))
 - Section 1121 of the FAST Act contains a list of the contents, terms, provisions, and applicability of ISDEAA that need to be included in the program/regulations.

Tribal Transportation Self-Governance Program

▶ Timeframes

- PUBLICATION OF PROPOSED REGULATIONS.—An NPRM will be published in Federal Register by September 4, 2017.
- PUBLICATION OF FINAL RULE – by June 4, 2018
- EXTENSION OF DEADLINES.—Single extension up to 180 days if agreed to by all parties.

Tribal Transportation Self-Governance Program

▶ Timeframes

- PROMULGATION. – The Secretary initiated the procedures under subchapter III of chapter 5 of title 5 to negotiate and promulgate such regulations as are necessary to carry out this section. (Negotiated Rulemaking)
 - On Monday April 25, FHWA published a Federal Register Notice announcing the rulemaking and requesting nominees for committee members.
 - Nominations for committee membership closed on June 9, 2016.
 - A total of 33 nominations were received
 - Multiple nominations from tribes located within 10 of the 12 BIA Regions.

Tribal Transportation Self-Governance Program

▶ Committee membership

- To the maximum extent possible, FHWA considered geographical location, size, and existing transportation and self-governance experience, in selecting tribal committee representatives.
- 18 tribal representatives were named to the committee;
 - 12 primary regional tribal representatives (one from each of the 12 BIA Regions)
 - 2 tribal representatives that received backing and support from national or regional tribal organization/committees; and
 - 4 additional tribal representatives based on their experience and knowledge as well as to improve the overall diversity of the committee

Tribal Transportation Self-Governance Program

▶ Committee membership

- The Tribal representatives are all tribal members and are tribal leaders, work directly in the area of self-governance or self-determination, or are Directors or equivalent in their Tribe's transportation department, with most having direct experience in self-governance/self-determination.
- Seven additional alternate tribal representatives have also been named. An alternate will attend meetings when the primary regional representative is not able to attend.

Tribal Transportation Self-Governance Program

▶ Committee membership

- There are 7 Federal representatives:
 - Three from FHWA;
 - One each from OST, FTA ,and FAA; and
 - One from BIA;

▶ Committee Leadership

- Tribal Co-Chairs
 - Mr. Joe Garcia (Ohkay Owingeh) and Ms. Kay Rhoads (Sac and Fox Nation)
- Designated Federal Official
 - Robert Sparrow, FHWA

Tribal Members of TTSGP Committee

Tribal Members of TTSGP Committee - PRIMARY

Joe Garcia	Ohkay Owingeh Pueblo	Michael Hostler	Hoop Valley
Kay Rhoads	Sac and Fox Nation	John Smith	Wind River Reservation
Denise Michels	Kawerak, Inc.	Edwina Butler-Wolfe	Absentee Shawnee Tribe of Oklahoma
Westley Woodruff	Poarch Band of Creek Indians	Palmer S. Mosely V	The Chickasaw Nation
David Conner	Red Lake Band of Chippewa Indians	Mickey Percy	Choctaw Nation of Oklahoma - DOI Self-Governance Workgroup
Ron His Horse is Thunder	Standing Rock Sioux Tribe	Jennifer Lynn Jack	Salt River Pima-Maricopa Indian Community
Jody Clark	Seneca Nation - USET	Gerald Hope	Sitka Tribe of Alaska
Darryl Bradley	Navajo Nation	Karen Woodard	Morongo Band of Mission Indians
Timothy Ballew II	Lummi Nation	Royce Gchachu	Zuni Pueblo

Tribal Members of TTSGP Committee

Tribal Members of TTSGP Committee - ALTERNATES

Lindsay Earls	The Cherokee Nation	Mary Beth Frank-Clark	Nez Perce
David Kelly	Oglala Sioux Tribe	Connie Thompson	Ft. Peck
Dean Branchaud	Red Lake Band of Chippewa Indians	Octavio Machado	Ak Chin Indian Community
Jonah Begay	Navajo Nation		

Federal Members of TTSGP Committee

Federal members of TTSGP	
Robert Sparrow	Designated Federal Official
Vivian Philbin	FHWA
Basharat Siddiqi	FHWA - Oklahoma
Kenneth Martin	OST
Elan Flippin	FTA
Katherine Andrus	FAA
LeRoy Gishi	BIA

Tribal Transportation Self-Governance Program

- ▶ The committee will assist in the development of a Notice of Proposed Rulemaking (NPRM) that contains the proposed regulations needed to implement the TTSGP.
 - Meetings are open to the public.
 - First two meetings took place in Sterling, VA.
 - Next three meetings will take place:
 - Meeting 3 – October 18–20, 2016, Grand Hotel and Resort, Shawnee, OK
 - Meeting 4 – November 15–17, 2016, National Indian Programs Training Center, Albuquerque, NM
 - Meeting 5 – December 6–8, 2016, Wind Creek Atmore, Atmore, AL
 - All meetings are scheduled to take place from 8 am to 5 pm.

Nationally Significant Federal Lands and Tribal Projects Program

- ▶ To provide funding to construct, reconstruct, or rehabilitate nationally significant Federal lands and tribal transportation projects. (NO DESIGN)
- ▶ Tribes are eligible applicants
 - An eligible project must be a single continuous project on a TTP facility, have completed NEPA; and an estimated cost of at least \$25,000,000.
- ▶ Funded through General Funding (not funded in FY16)

TIGER VIII

- ▶ \$500M
- ▶ Awards announced in August
- ▶ Congratulations to the Rosebud Sioux Tribe
- ▶ See: <https://www.transportation.gov/tiger>

Other Information

▶ TTP Program Reviews

- FHWA hired a contractor to assist us in carrying out TTP “Program Reviews”.
 - 6 pilot reviews conducted this year to date
 - 10 reviews anticipated next year

▶ Changing of the Guard

- Cindi Ptak – Acting TTP Director through January 31st.
- Manuel Sanchez–Acting Program Administration Manager through January 31st.
- Advertisement for Bob’s replacement posted soon

Questions?

- ▶ Contact information:

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