

Freight Strategy and Policy Office Preliminary Analysis of SAFTEA-LU Draft

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Title I – Subtitle A – Authorization of Programs

1113 – Surface Transportation Program (STP) – STP eligibility is expanded to include advanced truck stop electrification systems. These are systems that deliver heat, air-conditioning, electrification, and/ or communications to heavy duty vehicles.

- *Department of Ecology, Freight Office, and Environment Office to evaluate what actions/ technologies have the most benefit, what grants/ funding are available, and if WSDOT should submit. Regroup January 2006. Private sector (WTA) should be involved.*
- *Could be a source to match funds for a grant. Will need to know if STP funds available, if it would be a good use of funds, and how to obtain.*

Title I – Subtitle B – Congestion Relief

1201 – Real- Time Systems Management Information Program – Establishes a new program to provide the capability in all states to monitor, in real time, the traffic and travel conditions on major highways and to share that information to mitigate congestion and improve the operation of the highway system. No separate funds provided but states may use their NHS, CMAQ, and STP funds for this purpose. Within 2 years, the USDOT is to establish data exchange formats to ensure that the data provided by highway and transit monitoring systems can be readily exchanged.

- *No anticipated near-term activities by the freight Office. Maintenance and Operations should lead.*
- *Freight Office may want to review when data exchange standards are enacted. A common format will facilitate nationwide availability of information.*

Title I – Subtitle C – Mobility and Efficiency

1301 – Projects of National and Regional Significance – New program that provides funding for high cost transportation infrastructure projects with national and regional significance. Benefits could include improving economic productivity, facilitating international trade, relieving congestion, and improving safety. USDOT will establish competitive grant application selection criteria in regulations (2/10/06) and only states can apply. Provides \$1.8 billion from '05-'09 for 25 designated projects. The legislation requires that these projects be multi modal.

- *13. Alaska Way Viaduct and Seawall Replacement. \$100,000,000; 25. Replacement of the Alaskan Way Viaduct and Seawall in Seattle \$120,000,000. Freight Office interested in project, but not involved in funding specifics.*
- *Program funds freight related projects. Freight Office may review criteria established because it could guide future funding opportunities.*

1302 – National Corridor Infrastructure Improvement Program – Discretionary funding for construction of designated highway projects in corridors of national significance. Goal is to promote economic growth and international or interregional trade. A State must submit application and the match is 20%. Provides \$1.95 billion from '05-'09 for 33 designated projects, no projects in Washington.

- *No funding for Washington. Freight Office, may want to monitor for impact or lessons learned.*
- *Program funds freight related projects. Should a shift in funding allocations occur, Freight Office would want to be involved in application.*

1303 – Coordinated Border Infrastructure Program – New program for border projects is now split from the previous Borders and Corridors Program. Funding is distributed to border states for improvements to the transportation system within 100 miles of border. Projects in Canada and Mexico are now eligible and funds can be transferred to GSA. Provides \$833 million over 5 years. Formula distribution based on: 20% by commercial truck volume; 30% by personal vehicle/ bus volume; 25% by freight volume by weight; 25% by number of ports of entry. Funding is allocated to State DOTs.

- *Not earmarked and funds freight related projects. Freight Office may be slightly involved.*
- *Washington needs to determine how to distribute funds in state. 2006 allocation available on October 1, 2005. Urgency to determine how to distribute funds and administer so that counties can move forward with projects.*
- *IMTC estimates that 75.5% of state allocation will go to Whatcom County (based on formula). IMTC has prioritized list of projects for use of funds, many are important to freight. Freight Office should continue input and coordination with IMTC.*

1304 – High Priority Corridors on the National Highway System – For NHS designations some wording is changed, corridors are added, and eligibility from ISTEA remains the same. Projects on NHS can obtain funds through appropriation from the General Fund, requires subsequent legislation.

- *Freight Office should, at some point, review NHS designations in Washington to ensure that freight activity is accurately represented.*
- *May want to review if legislation passes. Would Washington seek appropriations for projects on the NHS?*

1305 – Truck Parking Facilities – Requires USDOT to establish a pilot program, in cooperation with state, regional and local governments, to address the shortage of long-term parking for commercial motor vehicles on the NHS. Authorizes \$25 million from '06- '09. States, MPOs, and local governments are eligible for funding and must submit project applications. Priorities will be based on corridors with severe shortage of parking, input from public/ private entities, and positive effect on safety, congestion, or air quality. Solutions could be:

- constructing safety rest areas that include commercial vehicle parking;
- constructing commercial vehicle parking facilities adjacent to commercial truck stops and travel plazas;
- opening existing facilities to commercial vehicles;
- promoting the availability of publicly or privately provided commercial vehicle parking on the NHS using ITS systems and other means;
- constructing turnouts for commercial vehicles;
- making capital improvements to public commercial vehicle parking facilities to allow year-round use;
- or
- improving the geometric design of interchanges to improve access to parking facilities.
- *Freight industry, local agencies, and law enforcement have expressed high desire for additional truck parking areas in state.*
- *WSDOT Truck Parking Study (underway) provides information/ data on solutions and need. This may be useful and timely for applications.*
- *How can WSDOT work with public and private entities to secure funding from Congress? WTA and/or FMSIB?*
- *Will funding be earmarked? What is the potential for funding in Washington?*
- *WSDOT Truck Study leads, WTA, and other relevant parties should coordinate a plan and evaluate potential. Freight Office may want to be involved and/ or help initiate.*
- *Program could be synergized with Interstate Oasis (1310) or Idling Reduction Facilities (1412), which may provide additional funding if a project is identified.*

1306 – Freight Intermodal Distribution Pilot Grant Program – Establishes a capital grant program to facilitate intermodal freight transportation initiatives to relieve congestion, improve safety, and provide capital funding to address infrastructure and freight distribution needs at inland ports and intermodal freight facilities. State and local agencies are eligible. Provides \$30 million from '05- '09 for 6 designated projects; all outside of Washington. Report due 8/10/08.

- *Program earmarked outside of Washington.*
- *Freight Office may want to review the selection criteria developed, it may provide a basis for future freight programs, and the report for 'lessons learned' on projects.*

1307 – Deployment of Magnetic Levitation Transportation Projects-

- *Does not relate to freight. Remove BI.*

1308 – Delta Region Transportation Development Program. Creates a program in the 8 states of the Delta Region to support and encourage multistate transportation planning and corridor development. This is one of 3 regional programs that received funding (Appalachia- 1116, Delta- 1308, and Denali 1960). Shows increased focus on multi-state planning.

- *Does not include Washington. No actions needed.*
- *WSDOT or West Coast Corridors Coalition may want to monitor programs to learn best practices and pursue similar funding in the future.*

1309 – Extension of Public Transit Vehicle Exemption from Axle Weight Restriction –

- *Does not relate to freight. Remove BI.*

1310 – Interstate Oasis Program –Program for designating certain facilities near the Interstate System that offer significant services, including parking for heavy trucks, to travelers. Designated facilities may be eligible for future funding. USDOT will establish standards.

- *Not high priority or directly related to Freight Office activities. Freight Office will only be involved if decided by 1305 activities and Truck Parking Study team.*
- *Scenic byways and/ or facilities management should lead.*

Title I – Subtitle D – Highway Safety

1401 – Highway Safety Improvement Program – Establishes program, separately funded for the first time, for states to fund their most critical safety needs. A total of \$5.1 billion is provided for '06-'09. Of this amount, \$880 million is set aside for distribution to a Railway-Highway Crossing Program. It requires an annual report, beginning April 2006, that describes at least 5% of the most hazardous locations, progress in implementing safety projects, and effectiveness in reducing fatalities and injuries. Each state is required to conduct and maintain a survey of all public roads to identify those railroad crossings that may require separation, relocation, or protective devices. 2% of the funds are eligible for compilation and analysis of this data.

- *There should already be an inventory of railroad crossings and public roads in Washington. WSDOT Rail Office and WUTC should be consulted.*
- *WSDOT Rail Office should be lead. Freight Rail Office may provide input.*
- *Does state have eligible projects for rail- highway crossings? How will these be identified and prioritized?*
- *What is process for submitting/ allocating funds? Will WSDOT request funds or administer to local agencies?*

1412 – Idle Reduction Facilities on Interstate Rights-of-Way – Provision that allows idling reduction facilities and equipment for commercial vehicles to be placed in rest and recreation areas located on Interstate rights-of-way. The idling reduction facilities may not reduce the existing number of truck parking spaces. States may charge a fee, or permit charging of a fee, for parking spaces actively providing idling reduction measures. No funding provided.

- *WSDOT Truck Parking Study team or facilities management should identify qualified locations in state.*
- *Any action would require thorough market analysis and industry input. Priority is low but option should be considered by freight environment analysis (see 1113).*

Title I - Subtitle E--Construction and Contract Efficiency

1502 - Highways for LIFE Pilot Program - Pilot program to foster the use of new technologies and more efficient ways of building highways. Incentives to demonstrate and promote state-of-the-art technologies, elevated performance standards, and new business practices in the highway construction process.

- *Does not relate to Freight Office. Remove BI.*

Title I – Subtitle F – Finance

1601 – Transportation Infrastructure Finance and Innovation Act (TIFIA) – Eligibility for freight facilities is clarified and expanded to include public freight rail facilities or private facilities that provide public benefit

for highway users, intermodal freight transfer facilities, access to such freight facilities, and service improvements to such facilities. Also includes capital investment for ITS. Freight projects may now involve the combining of private and public sector funds for private sector facility improvements. Projects in port terminals are limited to surface transportation infrastructure modifications necessary to facilitate direct intermodal interchange, transfer, and access into and out of the port. Minimum project size is decreased to \$50 million and smaller, related projects can be grouped. ITS project minimum is also decreased to \$15 million. The TIFIA program provides Federal credit assistance to nationally or regionally significant surface transportation projects, including highway, transit and rail. A total of \$610 million is authorized through 2009 to pay the subsidy cost of supporting Federal credit.

- *Source of funds or assistance to consider for freight projects (highway or rail). Must provide public benefit for highway users. Budget Office advice needed.*

1602 – State Infrastructure Banks (SIB) – Program is extended to all states and multistate. Provides loans and other credit assistance to public and private entities. May be used for capital projects, credit enhancements, debt instrument financing, interest rate subsidization, credit insurance, and purchase and lease agreements. Rail accounts are allowed.

- *Another source of funds to consider for freight projects. WSDOT Rail Office and Budget Office should review.*

Title I – Subtitle G – High Priority Projects

1702 – (High Priority) Project Authorizations – For 1701 program, the following are Washington projects with significant freight interest (first review):

- 116. SR 518 3rd lane construction, King County \$1,600,000
- 262. Port of Tacoma Rd.—Construct a second left turn lane for traffic from westbound Pac. Hwy E. to Port of Tacoma Rd. and I-5 \$400,000
- 279. Granite Falls Alternate Freight Route in Granite Falls \$2,834,000
- 720. The West Corridor Coalition in Washington State \$250,000
 - 5123. Plan and Improve freight and goods transport—The West Coast Corridor Coalition in Washington State \$500,000
- 744. Widen I-5 through Lewis County \$3,750,000
- 1020. Alaskan Way Viaduct and Seawall \$11,200,000
- 1173. SR 167—Right-of-way acquisition for a new freeway connecting SR 509 to SR 161 \$2,000,000
 - 5117. SR 167—Right-of-way acquisition for a new freeway connecting SR 509 to SR 161 \$7,500,000
- 1420. SR 518 corridor—Improvements to SR 518–509 interchange and addition of eastbound travel lane on a portion of the corridor \$800,000
 - 5099. SR 518 corridor—Improvements to SR 518– 509 interchange and addition of eastbound travel lane on a portion of the corridor \$4,000,000
- 1423. Conduct preliminary engineering and EIS for Columbia River Crossing in WA and OR \$7,000,000
 - 5114. Conduct preliminary engineering and EIS for Columbia River Crossing in WA and OR \$1,000,000
- 1723. Tacoma—Lincoln Avenue Grade Separation \$800,000
 - 5126. Tacoma—Lincoln Ave. Grade Separation \$1,500,000
- 1727. Kent, WA Willis Street BNSF Railroad Grade Separation Project \$400,000
 - 3242. Kent, WA Willis Street UP Railroad Grade Separation Project \$400,000
- 2117. SR 543 Interstate 5 to International Boundary Enhancement in Blaine \$3,000,000
- 2132. U.S. 395, North Spokane Corridor Improvements \$4,640,000
 - 5115. U.S. 395, North Spokane Corridor Improvements \$2,000,000
- 2500. SR 18 Widening, Maple Valley to I-5 \$6,000,000
- 2550. Continuing construction of I-90, Spokane to Idaho State Line \$2,640,000
 - 5124. Continuing construction of I-90, Spokane to Idaho State Line \$7,300,000
- 2718. International Mobility and Trade Corridor Project for Whatcom County \$1,040,000
- 2900. Development of highway-rail crossings in Spokane County, WA and Kootenai County, ID \$800,000
- 5112. Toroda Creek Road Improvements, Ferry County \$1,650,000

- 5113. Toroda Creek Road Improvements, Okanogan County \$850,000
- *No direct action from Freight Office on projects, other staff to ensure funding and project compliance. Freight Office will want to monitor projects for freight industry input and delivery.*
- *Freight Office to continue activity with West Coast Corridor Coalition. Do we need to administer funds? What are steps?*

Title I – Subtitle H – Environment

1808 – Addition to CMAQ-Eligible Projects – Continues Congestion Mitigation and Air Quality Improvement Program (CMAQ), at a funding level of \$8.6 billion through '09. States and MPOs are to give priority in distributing funds for projects and programs to diesel retrofits and other cost-effective emission reduction activities, and cost-effective congestion mitigation activities that provide air quality benefits. Funding formula for CMAQ is based on air quality nonattainment and maintenance areas. An evaluation and assessment of CMAQ projects and programs is required and a cumulative database describing the impacts must be maintained and disseminated. Eligibility is expanded to include projects and programs that:

- establish or operate advanced truck stop electrification systems;
- improve transportation systems management and operations that mitigate congestion and improve air quality;
- involve the purchase of integrated, interoperable emergency communications equipment;
- involve the purchase of diesel retrofits that are for motor vehicles or non-road vehicles and non-road engines used in construction projects located in ozone or particulate matter non attainment or maintenance areas and funded under 23 USC; or
- conduct outreach activities that provide assistance to diesel equipment and vehicle owners and operators regarding the purchase and installation of diesel retrofits.
 - *New manual for CMAQ distribution is being produced, Environment Office will follow-up. Currently, WSDOT administers funds through Highways and Local Programs to local agencies in qualifying areas.*
 - *EPA will publish a list of approved diesel retrofit technologies and the emission reduction effectiveness of the technologies. Freight Office will review with Environment Office and DOE as mentioned in 1113.*

Title I – Subtitle I – Miscellaneous

1925 – Community Enhancement Study – Study on the role of well-designed transportation projects in promoting economic development, protecting public health, safety, and the environment, enhancing the architectural design and planning of communities; and the positive economic, cultural, aesthetic, scenic, architectural, and environmental benefits of such projects for communities. Report due 9/20/07

- *Freight Office may want to review report. No action, remove BI.*

1934 – Transportation Improvements – Provision that provides designated funding for specific projects. A total of 466 projects identified, each with a specified amount of funding over 5 years No projects in Washington.

- *Many projects are freight related. No funding in Washington. Freight Office, may want to monitor for impact or lessons learned.*

1962 – Multimodal Facility Improvements. Provision that makes funds from the Highway Trust Fund available for multimodal facility improvements, construction, and ferry acquisition. Only applies to North Bay Ferry Service Inc in California.

- *Not Washington and does not directly relate to freight. Remove BI.*

Title IV – Motor Carrier Safety

Includes increased penalties and motor carrier safety regulations, grant funding allocations, Federal Motor Carrier Safety Administration allocations, and other relevant topics.

- *Lower priority as per Larry Ehl's directions. Freight Office will want to review in coordination with (or using analysis from) WSDOT Commercial Vehicle Services, Washington State Patrol*

Commercial Vehicle Division, Washington Trucking Association, Federal Motor Carrier Safety Administration (USDOT), University of Washington TRAC, and any other relevant stakeholders.

- *Analysis from Freight Office will not include Subtitle B – Household goods transportation.*

Title IV - Subtitle A - Commercial Motor Vehicle Safety

4118 – Roadability – USDOT is to develop regulations establishing a program to ensure that intermodal equipment used to transport intermodal containers is safely and systematically maintained. Will begin by 12/10/05 and release regulations by 8/10/06.

- *Freight Office should review when regulations are published or if freight system customers express concern with regulations during rulemaking.*

4126 – Commercial Vehicle Information Systems and Networks (CVISN) Deployment – Continues program at \$100 million from '06- '09.

- *WSDOT CVISN/ WIM Office to take lead. Any funds available for state's WIM need?*
- *High trucking industry and Freight Office interest. This is a WTP Update Freight recommendation. Freight Office will support CVISN/ WIM Office as needed.*

4149 – National Intermodal System Improvement Plan – Directs the Office of Intermodalism to develop a plan to improve the national intermodal transportation system. The plan will include current and forecasted impacts, optimal roles of each mode, recommended research, emerging trends, recommended improvements for policy and financing, current policy impacts, and goals for the system. Reports due by 8/10/07 and 8/10/09.

- *Freight Office will want to review report. The plan will consider many issues that the Freight Office has been concerned about.*

Title V – Research

5204 – Training and Education –

5204 (h) - Freight Planning Capacity Building – Authorizes a new program to establish a freight planning capacity building initiative that supports enhancements in freight transportation planning. Funded at \$875,000 per year from '06- '09. USDOT to consult with MPOs, AASHTO, and other freight planning stakeholders. Includes research, training, and education in:

- identification and dissemination of best practices in freight transportation;
 - opportunities for freight transportation staff peer exchange;
 - refinement of data and analytical tools used in assessing freight transportation needs;
 - technical assistance to state and local DOTs who are reorganizing to address freight transportation issues;
 - relationship building between governmental and private entities involved in freight transportation; or
 - identification of ways to target the capacity of state and local DOTs to address freight considerations in operations, security, asset management, and environmental excellence in connection with long-range multimodal transportation planning and project implementation
- *Research Office believes WSDOT may be able to receive funds and there is no match.*
 - *Freight Office needs to prioritize eligible research, training, and/or education needed.*
 - *Research Office advice needed on process for obtaining funds.*

5207 – Surface Transportation Environment and Planning Cooperative Research Program – New research program to improve understanding of the complex relationship between surface transportation and the environment. Funded at \$67.5 million.

- *Research Office believes WSDOT will be able to submit problem statements. Freight Office may want to work with Environment Office on a problem statement.*
- *Future advice needed from Research Office and Environment Office.*

5209 – National Cooperative Freight Transportation Research Program – Establishes a program that is to be supported and carried out by the National Academy of Sciences (NAS). The NAS will select an advisory committee of freight stakeholders from the USDOT, other Federal agencies, State DOTs, local governments, nonprofit entities, academia, and the private sector. The advisory committee will

recommend a national research agenda that includes estimates of the public benefits derived from freight transportation and the uses of technology to improve freight transportation. Funded at \$15 million.

- *Does WSDOT have interest in being on committee and how would that be done?*
- *Research Office believes WSDOT will be able to submit problem statements for consideration. Freight Office may want to submit.*

5211 – Multistate Corridor Operations and Management – Relates to Interstate 95 Corridor Coalition Transportation Systems Management and Operations

- *Not directly related to freight or WSDOT. Remove BI.*

5306 – Research and Development – Continues program at a decreased funding level of \$550 million. Noted research goal for freight is to enhance intermodal use of ITS for diverse groups, including commercial motor vehicle operations.

- *Research Office believes funding will still be available to state DOTs. Freight Office may want to submit if funding is available and a useful problem statement can be identified.*
- *UW TRAC and WSDOT CVISN/ WIM Office should be consulted.*

5503 – Motor Carrier Efficiency Study – Directs FMCSA to conduct a study that identifies inefficiencies in the transportation of freight, evaluates wireless technologies to reduce inefficiencies, and validates possible solutions through field tests. Funded at \$5 million from '06- '09, with annual progress reports.

- *Freight Office may be interested in results and progress. Review annual reports.*

5504 – Center for Transportation Advancement and Regional Development – Establishes a new program to assist in the comprehensive development of rural transportation systems that are responsive to the needs of business and local communities. It will provide resources to pursue innovative strategies that expand capabilities, capacity, and effectiveness (including freight projects and intermodal transfer facilities) and assistance in developing public- private partnerships to enhance transportation systems. Additional activities listed that are not related to freight.

- *Will provide resources for RTPOs. Freight Office may want to review and communicate relevant information.*

5506 – Commercial Remote Sensing Products and Spatial Information Technologies – Establishes and carries out a program to validate commercial remote sensing products and spatial information technologies for application to national transportation infrastructure development and construction. Funded at \$31 million. Program will be carried out through a consortium of university research centers.

- *Strong relationship to the University of Washington's TRAC activities. Freight Office may want to keep informed through TRAC and Research Office.*

5512 – *Advanced Travel Forecasting Procedures Program* - Continues program for deployment of the Transportation Analysis Simulation System (TRANSIMS) as a planning tool. The model is expanded to include economic analysis, freight movement, and port studies. Funded at \$10.5 million and includes funding to state DOTs and MPOs.

- *WSDOT office that currently uses tool should be lead.*
- *Freight Office will want to obtain more information from this office. What are the caveats and uses of the tool? Does it contribute to economic analysis and freight data needs?*

5601 – Bureau of Transportation Statistics – Continues program with downsized budget, articulated accountability measures, and reestablished advisory panel. Includes a number of freight data programs, including the National Transportation Library, National Transportation Atlas Database, and Intermodal Network Database.

- *No change for Freight Office; will continue to utilize data as appropriate.*

5601 - Research and Development Grants – Allows USDOT to make grants to, or enter into cooperative agreements with, public and private entities for:

- investigation of the subjects specified in subsection (c)(5) and research and development of new methods of data collection, standardization, management, integration, dissemination, interpretation, and analysis;
 - o Notable freight-related subjects in (c)(5) include productivity in transportation sector; vehicle weights and other vehicle characteristics; demographic, economic, and other variables influencing traveling behavior, including choice of transportation mode and goods movement; transportation costs for goods movement; and transportation-related variables that influence the domestic economy and global competitiveness.
- demonstration programs to simplify data comparisons across jurisdictions;
- development of electronic clearinghouses of transportation data and related information; and
- development and improvement of methods for sharing geographic data.
 - *Many topics relate to the Freight Office's research project to develop a Washington State Freight Data System. This information should be shared with consultants (WSU).*
 - *Additional advice from Research Office needed. Freight Office may want to submit or assist relevant entity in submitting for grant.*

Title VI – Transportation Planning and Project Delivery

6001 – Transportation Planning – (Notes of relevance for freight planning). Changes must be reflected in plans after July 1, 2007. Statewide planning must, in general, be coordinated with metropolitan planning and with statewide trade and economic development planning activities. For both MPOs and states, required participation in the planning process includes freight shippers and providers of freight transportation services. In the long range plan, intermodal connectors are added as a transportation facility. Scope of planning process/ factors to consider include:

- economic vitality, especially by enabling global competitiveness, productivity and efficiency;
- increase in mobility for people and freight; and
- enhanced integration and connectivity of the transportation system for people and freight.
 - *No perceived change for Freight Office as this is planning is currently done.*
 - *In the future, Freight Office will need reliable data on intermodal connectors.*
 - *Will this change state activities regarding intermodal connectors (laws or funding)?*

TITLE VII – Hazardous Materials Transportation

- *Lower priority as per Larry Ehl's directions. Freight Office will want to review in coordination with (or using analysis from) WSDOT Commercial Vehicle Services, Hazardous Material Safety (USDOT), and other relevant parties.*

Title X – Miscellaneous Provisions

9002 – Capital Grants for Rail Line Relocation Projects – Establishes a grant program for projects that improve the route or structure of a rail line. Project must be carried out for the purpose of mitigating the adverse effects of rail traffic on safety, motor vehicle traffic flow, community quality of life, or economic development. Qualified project could also involve a lateral or vertical relocation of any portion of the rail line. The grant application must include a description of project's anticipated public and private benefits. Funded at \$1.4 billion over 4 years ('06-'09). Only states can apply and funding requires appropriation.

- *Final regulations implementing program due by October 1, 2006. Freight Rail Office should review at that time.*
- *Funds earmarked or available?*

9003 – Rehabilitation and Improvement Financing (RRIF) – Corrects features of this program that have made it difficult to provide assistance. Program provides loans or loan guarantees for projects that enhance rail service and capacity. Purpose must be constructing a rail connection between a plant or facility and a second rail carrier, or for limited option rail freight shippers that own or operate a plant or other facility that is served by no more than a single railroad. Loan and loan guarantee authority is increased to \$35 billion. States and local governments are eligible.

- *Guidance and criteria should have been provided by USDOT on 9/9/05, not yet available. Program appears to be shortline focused.*
- *Will grants be earmarked?*

- *WSDOT Freight Rail Office may want to submit or provide assistance for local agencies with projects.*

9007 – Study of Rail Transportation and Regulation – Requires TRB to conduct a comprehensive study of the nation's railroad transportation system since the enactment of the Staggers Rail Act. Study will include performance relative to service level, quality, and rate. Funded at \$1.8 million from '06- '07.

- *Connection to WSDOT Commission Rail Study. Freight Rail Office should review report.*

Title X – Subtitle B- Other Miscellaneous Provisions

10205 – Intermodal Transportation Facility Expansion – Relates to the transfer of funds regarding intermodal transportation maritime facilities at the Port of Anchorage, Alaska to Administrator of the Maritime Administration.

- *WSDOT does not administer any such funds. Remove BI.*

10207 – Rail Rehabilitation and Bridge Repair – Authorizes funds to be appropriated from '06- '10 for rail rehabilitation and bridge repair in the State of Alabama.

- *Alabama only. Remove BI.*

10211 – Environmental Programs – Redefines treatment of the State of Oklahoma if it submits a regulatory program to the Administrator of the EPA.

- *Does not relate to freight or Washington. Remove BI.*

10212 – Rescission of Unobligated Balances – Will rescind \$8,543,000,000 of unobligated balances on September 20, 2009. Rescinded amount will be reallocated based on ratio of amount apportioned to state from '04- '09. Includes program funds for the Interstate maintenance, national highway system, bridge, congestion mitigation and air quality improvement, surface transportation (other than the STP set-aside programs), metropolitan planning, minimum guarantee, Appalachian development highway system, recreational trails, safe routes to school, freight intermodal connectors, coordinated border infrastructure, high risk rural road, and highway safety improvement programs, and each of the STP set-aside programs.

- *Project leads and/ or Budget Office should lead. Slight freight interest.*
- *Any freight related funds for WSDOT at risk? Any opportunity for additional funds?*

Title XI – Highway Reauthorization and Excise Tax Simplification

Title XI – Subtitle C – Miscellaneous Provisions

11143 – Tax-Exempt Financing of Highway Projects and Rail-Truck Transfer Facilities (Private Activity Bonds) – Expands bonding authority for private activity bonds by adding qualified highway facilities and surface freight transfer facilities to a list of other activities eligible for exempt facility bonds. The bonds enable loans for projects at a lower interest cost because the purchasers of bonds don't have to pay federal taxes on the incomes they receive. Surface transportation projects must already be receiving federal assistance under Title 23. Any facility for the transfer of freight between truck and rail must already be receiving federal assistance under Title 23 or Title 49. National cap is \$15 billion.

- *Freight Office and Freight Rail Office may want to consider as a financing option for freight related projects.*
- *Do we have any qualified projects, already receiving federal assistance?*

11146 – Tax Treatment of State Ownership of Railroad Real Estate Investment Trust – Changes treatment of taxation for railroad transportation infrastructure and terminal facilities. The state must own all of the outstanding stock of a corporation, which is a real estate investment, is a non-operating Class II railroad, and substantially all of the activities benefit the state and its citizens.

- *Rail Office and Budget Office should determine if any of WSDOT's current rail activities will be affected by the tax code change and what the impact will be.*