



REGIONAL TRANSPORTATION COMMISSION

Metropolitan Planning • Public Transportation & Operations • Engineering & Construction

Metropolitan Planning Organization of Washoe County, Nevada

MEETING DATE: May 21, 2021

AGENDA ITEM 7.2

From: Bill Thomas, Executive Director

Monthly update/messages from RTC Executive Director Bill Thomas on federal matters related to the RTC – *no action will be taken on this item.*

ATTACHMENT

- A. Written report prepared by Cardinal Infrastructure and Thompson Coburn

**Federal Update for the Regional Transportation Commission of Washoe County
Prepared by Cardinal Infrastructure and Thompson Coburn
May 21, 2021 Board of Commissioners Meeting
Prepared May 14, 2021**

TRAVEL Act

RTC endorsed the Transportation Resources Adding Vital Economic Longevity (TRAVEL) Act, recently introduced by Senator Cortez Masto. According to the Senator's press release, "This legislation was developed with the U.S. Travel Association and Nevada stakeholders to meaningfully support various high-priority transportation challenges like the Interstate 15 and 80 corridors, the loop at Lake Tahoe, and the construction of Interstate 11."

The TRAVEL Act has the potential to benefit the Reno-Sparks area as well as the Lake Tahoe Basin in Northern Nevada by bringing much needed resources for transportation projects that facilitate the movement of both freight and tourists.

Member Designated Projects

RTC submitted member designated project funding requests to Congressman Amodei for the Arlington Avenue Bridges and Hydrogen Fuel Cell Bus projects. For each project RTC requested congressional funding in the amount of \$6 million. Congressman Amodei approved and submitted the requests to the House Transportation and Infrastructure Committee for consideration in the surface transportation reauthorization bill.

Nomination Hearing

The Senate Banking Committee held its nomination hearing of Nuria Fernandez to serve as Federal Transit Administrator. In Acting Administrator Fernandez's written testimony, she noted public transit's response to COVID and the opportunities ahead, by way of the American Jobs Plan, to make significant investments in transportation and infrastructure. She wrote, "I look forward to welcoming new technology and building upon FTA's decades of delivering reliable and equitable transportation."

Senator Cortez Masto asked the Acting Administrator about utilizing Capital Investment Grant project cost savings for the RTC's 4th Street and Virginia Street projects. Fernandez said, "I know they have already retained their share of the cost savings...If confirmed, I will commit to carefully considering such requests from the project sponsors."

Senator Cortez Masto also noted the need for flexibility to enhance coordination between MPOs, local land use agencies, and housing stakeholders, to work towards better housing and employment centers - bringing higher density housing into existing transit corridors. Fernandez expressed support for co-locating housing with transit. She noted the partnership with the U.S Department of Housing and Urban Development to "ensure that public transportation and affordable housing are integrated."

Ranking Member Toomey (R-PA), in his opening remarks, noted the considerable and superfluous funding to public transit made by Congress over the past year, and the partisan American Rescue Act, saying, "These systems are by definition local. They serve a city or maybe a metropolitan area. Should the local jurisdictions and states where these systems reside have any responsibility to pay for these systems? Evidently not, according to my colleagues."

Chairman Brown (D-OH) noted his interest in electric and hydrogen bus workforce development. Acting Administrator Fernandez expressed support for retraining and upskilling the workforce to ensure they are able to perform maintenance and manufacturing of related zero emission bus technologies, supporting recruitment and retention of this workforce.

State and Local Relief

The U.S. Department of Treasury released its interim final rule on the Coronavirus State and Local Fiscal Recovery Funds, established by the American Rescue Plan Act. For transportation and infrastructure projects in particular, the Fund will permit the following:

1. The Interim Final Rule permits the transfer of Fiscal Recovery Funds to other constituent units of government, including "a public benefit corporation involved in the transportation of passengers or cargo, or a special-purpose unit of State or local government."

The Interim Final Rule states that funds may be transferred to those not specifically identified in the statute; "to other constituent units of government (e.g., a county is able to transfer Fiscal Recovery Funds to a city, town, or school district within it) or to private entities."

2. The Coronavirus State and Local Fiscal Recovery Funds restricts the use of funds to costs incurred by December 31, 2024 for specific purposes, including to respond to workers performing essential work by providing premium pay to eligible state, local or tribal employees or by providing grants to eligible employers that have eligible workers. The interim final rule defines essential work, as reflected in the bill, and provides a list of industries recognized as essential critical infrastructure sectors - including transportation.
3. The Interim Final Rule establishes that costs associated with "COVID-19 response and prevention" encompasses "[e]mergency medical response expenses, including emergency medical transportation, related to COVID-19."

Separate from these funds is the Coronavirus Capital Projects Fund. The Capital Project Fund provides \$100 million to each State; remaining funds are distributed based on population, proportion of individuals in rural areas, and lower-income communities. According to the update posted today: "Treasury will begin to accept applications for review in the summer of 2021 and will issue guidance before that date."

House Appropriations

The House Appropriations Transportation-HUD Subcommittee held a hearing on April 15th to discuss the FY 2022 Budget Request for U.S. DOT. The Secretary was not specific on funding line items in the budget, as not to get ahead of the announcement expected in May from the White House. After outlining the top-level funding requested for appropriations, Secretary Buttigieg said "the amount requested is only part of the Administration's vision for this moment," noting the Administration's American Jobs Plan. His opening testimony focused more on the American Jobs Plan than on the FY 2022 Budget Request, though the themes permeated the discussion of both - equity, addressing climate change, and workforce development.

House Appropriations Chairwoman DeLauro brought up the idea of an infrastructure bank and public-private partnerships. Secretary Buttigieg mentioned TIFIA, RRIF, and private activity bonds, speaking to mobilizing capital alongside traditional funding.

Following a line of questioning from Subcommittee Ranking Member Diaz-Balart (R-FL), the Secretary made a commitment to remain as transparent as practicable in the grant award process, as well as a commitment to remain equitable in distribution of funds and resources between rural and urban communities.

Congressman Quigley (D-IL) said some question building and rebuilding transit as we emerge from the pandemic. Secretary said, "In no way do we believe this points to a diminished need for transit..." He spoke to climate benefits, housing developments with "an eye toward transit," and continuing to transport essential workers.

Infrastructure Proposal

A document from the U.S. Department of Transportation (U.S. DOT) was provided to Congress that provides a further breakdown of the funding dedicated to transportation in the President's American Jobs Plan, including but not limited to:

- \$25 billion - Zero emission transit vehicles
- \$55 billion - Transit State of Good Repair (maintenance of existing infrastructure)
- \$25 billion - Transit Expansion
- \$50 billion - "Fix it Right" road modernization
- \$5 billion - Transportation Alternatives
- \$8 billion - Highway Safety Improvement Program
- \$10 billion - Safe Streets for All Fund
- \$15 billion - Highways to Neighborhoods Program
- \$25 billion - Transformational Infrastructure Projects Fund
- \$5 billion - Expand BUILD program

Senate Banking

The Senate Banking Committee held a hearing on "21st Century Communities: Public Transportation Infrastructure Investment and FAST Act Reauthorization." Witnesses included:

- Darryl Haley, CEO/General Manager, Southwest Ohio Regional Transit Authority/Metro
- John Samuelsen, International President, Transport Workers Union of America AFL-CIO
- Beth Osborne, Director, Transportation for America
- Baruch Feigenbaum, Senior Managing Director, Transportation Policy, Reason Foundation
- David Ditch, Research Associate, Grover M. Hermann Center for the Federal Budget, Heritage Foundation

Mr. Samuelsen's testimony focused on workforce development and labor impacts because of advancements in technology and mobility services. He said, "Technology is also altering our transit future as we adopt and implement low- and zero-emission vehicles, micro-mobility, vehicle and system automations, and many more innovations. It is essential that our elected officials ensure these changes and innovations benefit everyone by sustaining and creating millions of good, union jobs here in our country." TWU's testimony gives a strong indication of where labor stands on these issues (reauthorization, zero-emission vehicle manufacturing, autonomous vehicles, etc.)

Referencing a recent white paper produced by TWU, Samuelsen mentioned new and emerging technologies as it relates to workforce development and readiness. Furthermore, on electrification and zero-emission vehicles, Samuelsen said, "A large coalition of labor organizations, including the TWU, is poised to issue our principles on electrification."

Comments from Senators focused on both low or zero-emission vehicles procurement, as well as the related and supporting infrastructure. Darryl Haley emphasized that it is not just the cost of the bus, but also the infrastructure (garages and route charging) that need federal funding and support.

Mr. Haley's testimony echoed APTA's talking points and priorities for reauthorization; including a bill that is \$145 billion over six years; reestablish a 40-40-20 capital investment ratio among the CIG, State of Good Repair, and Buses and Bus Facilities program; and the creation of a new Mobility Innovation and Technology Initiative.

Also, a number of comments by witnesses and Senators, including Senator Menendez (D-NJ), were on the existing 80/20 split between highway and transit funding. Beth Osborne of Transportation for America has endorsed a 50/50 split among highway and transit investments: while not endorsing it explicitly, several Democratic Senator's asked questions on this issue.

U.S. DOT Nominations

The White House submitted its nomination to Congress for Nuria Fernandez to serve as Administrator of the Federal Transit Administration. Ms. Fernandez currently serves as Deputy and Acting Administrator. A nomination was also sent for Carlos Monje to serve as Under Secretary of Transportation for Policy, and Robert Hampshire for Assistant Secretary for Research and Technology at U.S. DOT.