

Policy Analysis of Proposed DRCOG Comment Letter on Draft Build America 250 Act

Proposed DRCOG Stance	Draft DRCOG Letter Provisions	DRCOG Federal Policy Statement Applicable Language	Policy Analysis
Support	An increase in Metropolitan Planning (PL) program funding. DRCOG continues to believe PL funds should be authorized as a percentage of overall program funding rather than a fixed dollar amount specified in statute, so that MPO planning capacity keeps pace with overall program growth and federal requirements, but views the increase itself as a positive step.	Increase the amount of Metropolitan Planning funds, known as PL funds, to 3% of total formula allocations to provide the necessary funding for metropolitan planning organizations to effectively lead the metropolitan planning process.	Consistent
	A reduction in the required local match for PL funds from 20 percent to 10 percent, easing a longstanding funding burden on MPOs.	Reduce or eliminate the local match requirement for PL funds, thereby recognizing that federally mandated planning should not create an unfunded mandate for local governments.	Consistent
	A new opt-in provision allowing MPOs to become direct recipients of PL funds, including direct access to the Federal Highway Administration's Fiscal Management Information System (FMIS) for MPOs that elect direct-recipient status.	Allow metropolitan planning organizations to receive PL funds directly, with an opt-out for those metropolitan planning organizations that prefer the current state administered model.	Consistent
	Increases to Surface Transportation Block Grant (STBG) funding and an expansion of STBG project eligibility.	Increase federal transportation funding to provide sufficient resources to meet national investment needs on a sustainable basis.	Consistent
	Streamlined procedures for amending Transportation Improvement Programs (TIPs) and Statewide Transportation Improvement Programs (STIPs).	Allow both planning and capital funds to carry over into future years by aligning obligation timelines with contract authority. Providing carryover authority would enable more strategic, efficient deployment of federal resources aligned with realistic project timelines.	Generally consistent - Our federal policy statement doesn't specifically address this concept included in the draft bill, but the language is consistent with the larger goal.
	Inclusion of three GAO reviews examining how transportation funding reaches communities and how projects are selected, which could improve transparency, consultation, and project delivery going forward.	Increase the authority of metropolitan planning organizations to employ solutions at the regional level and provide regions and local governments the direct authority, flexibility and funding to create a safe and efficient transportation system.	Generally consistent - Our federal policy statement doesn't specifically address this concept included in the draft bill, but the language is consistent with the larger goal.
	Continued and, in several respects, expanded local government access to federal transportation funding generally.	- Increase federal transportation funding to provide sufficient resources to meet national investment needs on a sustainable basis. - New and increased sources of funding should be distributed through formula funding with the greatest possible share going directly to local areas to address locally and regionally identified needs.	Consistent
	Dedicated funding for bridge investment and continuation of the Safe Streets and Roads for All (SS4A) program, the latter of which is unfortunately proposed for a reduced funding level.	Incorporate the Safe Streets and Roads for All program into the Highway Safety Improvement Program formula, with guaranteed local and regional access. Preserving Safe Streets and Roads for All's flexibility and local empowerment within a more predictable formula funding structure would support more timely, predictable and targeted safety investments, guided by regional data and priorities.	Generally consistent - This draft bill concept doesn't address everything in our language, but dedicated SS4A funding itself is 100% consistent.
	Creation of a new Surface Transportation Accelerator Grant (STAG) program.	New and increased sources of funding should be distributed through formula funding with the greatest possible share going directly to local areas to address locally and regionally identified needs.	Consistent
	An increase in the Capital Investment Grants' Small Starts ("Streamlined Starts") threshold to \$1 billion, expanding eligibility for transit capital projects.	Provide dedicated sources of revenue and increased funding for the Federal Transit Administration's Capital Investment Grants Program, which funds bus rapid transit and rail new and small starts programs.	Generally consistent - These aren't exactly the same things, but consistent from the perspective of a "positive" change to the CIG program.
	NEPA streamlining provisions that would allow prior planning analyses, including those conducted through an MPO planning process, to be used to eliminate alternatives from detailed consideration in an Environmental Impact Statement.	Continue to streamline project delivery and National Environmental Policy Act processes without compromising environmental or public participation values.	Consistent
Concern	The bill's consolidated funding pilot program, which would provide lump-sum block grants to 10 states. DRCOG would want assurance that the Denver region would continue to receive its fair share of allocated funding if Colorado were selected to participate.	- Suballocate all "urban" Surface Transportation Block Grant and Carbon Reduction Program funds apportioned to a state for urbanized areas located within a metropolitan planning organization that is a transportation management area. - Update the census and other data used in federal funding formulas to reflect current population distribution and other baseline data so that fast-growing states (like Colorado) receive their fair share of federal transportation formula funding.	Generally consistent - Our federal policy statement doesn't specifically address this concept included in the draft bill, but the language is consistent with the larger goal (concern about getting our "fair share").
	Elimination of the National Electric Vehicle Infrastructure (NEVI), Carbon Reduction Program (CRP), and PROTECT formula programs. DRCOG notes that continuing eligibilities under other formula programs, which may in some respects be easier to access, could partially offset this loss.	- Increase federal transportation funding to provide sufficient resources to meet national investment needs on a sustainable basis. - New and increased sources of funding should be distributed through formula funding with the greatest possible share going directly to local areas to address locally and regionally identified needs.	Consistent
	The bill does not update the data underlying formula funding allocations, including population distribution data, an issue DRCOG has raised previously and continues to believe warrants attention for fast growing regions of the country, like ours.	Update the census and other data used in federal funding formulas to reflect current population distribution and other baseline data so that fast-growing states (like Colorado) receive their fair share of federal transportation formula funding.	Consistent
Significant Concern	Loss of advance appropriations for a variety of programs (especially transit programs), which have provided valuable funding certainty for multi-year projects.	- Maintain the use of contract authority, allowing states to advance funds for multiyear construction projects. - Allow both planning and capital funds to carry over into future years by aligning obligation timelines with contract authority. Providing carryover authority would enable more strategic, efficient deployment of federal resources aligned with realistic project timelines.	Generally consistent - These are not identical concepts, but do closely relate.
	A significant decrease in funding for the Capital Investment Grants (CIG) program.	Provide dedicated sources of revenue and increased funding for the Federal Transit Administration's Capital Investment Grants Program, which funds bus rapid transit and rail new and small starts programs.	Consistent
	A funding decrease for the SS4A program, notwithstanding the program's retention.	- Preserve funding for all travel modes, including walking, bicycling and transit, recognizing the diverse travel needs of the traveling public. - Incorporate the Safe Streets and Roads for All program into the Highway Safety Improvement Program formula, with guaranteed local and regional access. Preserving Safe Streets and Roads for All's flexibility and local empowerment within a more predictable formula funding structure would support more timely, predictable and targeted safety investments, guided by regional data and priorities.	Consistent