

# Map-21 Comments

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Below is a table of general comments asked of MDT about MAP-21.

Specific Comment	Category
Concerned about the lack of focus of MAP-21 on repairing existing road infrastructure and Bridge	Highways/Bridges/ MDT's Business Practice
What changes will there be to the safety programs, maintenance program, road improvements, and new construction programs? Is there more or less funding for each of these programs?	Highways/Bridges/ MDT's Business Practice
What is the timeline for implementing the new programs under MAP 21?	General
Does MAP-21 affect the Transit Funding?	Transit
Do not opt out of the Recreation Trail Program (RTP) grant funding.	Transportation Alternatives
How will MAP-21 affect the CTEP program funding?	Transportation Alternatives
How are you going to fund the new Transportation Alternative Program? Will funding for bicycle and pedestrian improvements continue?	Transportation Alternatives
What will be eligible under the new Transportation Alternative Program?	Transportation Alternatives
Will MDT place a greater emphasis on opportunities to reduce animal-vehicle collisions in Montana and to restore or maintain wildlife connectivity?	Wild-life

*Below are responses to the comments based on MAP-21. It is important to note that final guidance by The Federal Highway Administration (FHWA) has not been issued, so some responses are general to the Bill with more details available once final guidance has been issued.*

## Highways /Bridges/MDT Business Practice

MAP-21 Focus on roads and Bridges.

MAP-21 moves transportation's focus onto higher level roadway systems such as the National Highway System, including the interstates. With limited funding from the Highway Trust Fund, the emphasis is roadway investments with a more closely tied connection to a user-fee supported system..

MDT uses a performance planning process to develop an optimal investment plan and measure progress in moving toward strategic transportation system goals. This process ensures the right treatment at the right time to protect and preserve Montana's transportation assets. Core highway program funds have been allocated thru this investment strategy and this process will continue under MAP-21.

*What changes are to MDT's Maintenance and Construction Programs? Is funding effected?*

Changes to the construction and maintenance programs will be minimal. MDT will continue to implement its plans related to these programs but schedules may shift somewhat based on funding levels. These changes should be virtually unnoticeable by MDT's partners.

Montana's total funding apportionment under MAP 21 is at the same level as FFY 2012 apportionment provided thru SAFETEA LU. However, there is more process in the form of new performance measures and an asset management system, which will require funding out of MDT's core program to implement the national direction, resulting in an overall reduction in funding for actual infrastructure improvements.

MDT is recommending that the Transportation Commission continue the existing funding levels for the Urban Highway Program and Secondary Highway Program. These are state authorized programs that benefit local governments with funding provided from a portion of the Federal Surface Transportation Program (STP).

*What is the timeline for implementing the new programs under MAP 21?*

Programs and the requirements provided through MAP 21 are effective October 1, 2012, however implementation for some provisions may be later due to development of federal guidance, federal rules, and/or state processes that will need to occur in advance of implementation. MDT intends to move as expeditiously as possible within its ability given these constraints.

*Is funding made available for specific Montana projects in MAP 21?*

*No, Congress has minimized directing funds to specifically named projects in MAP 21.*

*What changes does MDT foresee with how MDT will do business with Tribes in Montana?*

MDT does not see significant changes in current interactions between the Tribes and MDT based on MAP 21. MDT intends to continue interactions with Tribes as being done currently. For more information on tribal specific highway programs FHWA held a MAP 21 Tribal Transportation webinar which can be accessed at the following link:

<https://connectdot.connectsolutions.com/p7wbm2vxz0t/?launcher=false&fcsContent=true&pbMode=normal>

## Transit

*Please fund Transit at the maximum extent*

Transit funds cannot be transferred into the highway program. Montana has seen an increase in Montana's transit program funding, mainly in the rural areas programs. Rural transit in Montana has increased from nine rural programs in 2005 to the current 39 rural transit programs funded directly through MDT's transit grants. Funds will continue to be allocated to these programs based on MAP 21 funding levels.

## **Transportation Alternatives**

*Recreation Trails Program:*

The Montana Department of Transportation (MDT) is not recommending that the Governor exercise the provision for opting out of this program. A memo indicating this position was transmitted to the Governor on August 9, 2012 and can be accessed at the following link:

<http://www.mdt.mt.gov/mdt/docs/map21-recreational-trails.pdf>

*Community Transportation Enhancement Program (CTEP)*

MDT plans to honor past CTEP commitments for allocations thru FFY 2012 to CTEP recipients. The CTEP program will continue as is for funding allocations received prior to October 1, 2012. Under MAP-21, CTEP as a stand-alone program no longer exists.

Beginning October 1, 2012, MAP 21 establishes a new Transportation Alternatives which may be viewed as the successor to CTEP. Following is a comparison of the CTEP definition compared to the MAP 21 Transportation Alternatives definition:

<http://www.mdt.mt.gov/mdt/docs/map21-alternative-definition.pdf>

*Funding Transportation Alternatives Program*

MAP-21 more directly ties eligibilities under the Transportation Alternatives Program to improvements benefitting roadway and transportation purposes.

Although MAP 21 allows 50% of the Transportation Alternatives funding to be transferred to other programs, MDT is not currently recommending to transfer any funds from the transportation alternatives program to other funding categories. At this time MDT is recommending to fund Transportation Alternatives at levels provided in MAP-21.

Also, MDT does not recommending to transfer other program funds into the Transportation Alternatives program due to an overall decrease in funding for actual infrastructure improvements given the performance programming, asset management, sanctions and accountability provisions provided in MAP 21. However, MDT will continue to fund Transportation Alternative eligible items like bicycle and pedestrian facilities, as appropriate, within certain project scopes under other program funding like the National Highway Performance Program and Surface Transportation Program. This is an existing practice of MDT and is intended to continue.

*Eligibility of Programs under MAP-*

Eligibilities for Transportation Alternatives can be found at the following website:

[http://thomas.loc.gov/cgi-bin/cpquery/?&dbname=cp112&sid=cp112QinVc&refer=&r\\_n=hr557.112&item=&&&sel=TOC\\_316078&](http://thomas.loc.gov/cgi-bin/cpquery/?&dbname=cp112&sid=cp112QinVc&refer=&r_n=hr557.112&item=&&&sel=TOC_316078&)

Additionally, MDT is awaiting pending guidance from FHWA for the new Transportation Alternatives program.

#### *Project Selection-*

MAP 21 states that a competitive process must allow eligible entities to submit projects for funding . MDT is waiting for federal guidance to better understand the intent of this provision before proceeding with development of project selection criteria.

#### **Wildlife**

MDT has been placing more emphasis on and actively providing wildlife crossing opportunities with infrastructure improvements over the last decade. More notable examples can be seen on US 93 through the Flathead Indian Reservation and the Lolo to Hamilton Corridor, as well as near Bozeman on I-90. Historically, the crossings have been aimed at reducing wildlife-vehicle collisions, but promote connectivity as well. Recently, MDT has provided larger bridge structures at two locations on US 12 between Checkerboard and Martinsdale for the primary purpose of promoting wildlife connectivity. MDT will continue to use crash data, opportunistic animal incident reports, input from wildlife agencies such as Montana Fish Wildlife and Parks, and input from conservation groups to allow placement of wildlife crossing opportunities where appropriate and as funding allows.

#### **National Performance Measures.**

National Performance Measures are a new requirement under MAP-21. These Performance Measures are based on the following goals:

1. SAFETY - To achieve a significant reduction in traffic fatalities and serious injuries on all public roads.
2. INFRASTRUCTURE CONDITION - To maintain the highway infrastructure asset system in a state of good repair.
3. CONGESTION REDUCTION - To achieve a significant reduction in congestion on the National Highway System.
4. SYSTEM RELIABILITY - To improve the efficiency of the surface transportation system.
5. FREIGHT MOVEMENT AND ECONOMIC VITALITY - To improve the national freight network, strengthen the ability of rural communities to access national and international trade markets, and support regional economic development.
6. ENVIRONMENTAL SUSTAINABILITY - To enhance the performance of the transportation system while protecting and enhancing the natural environment.
7. REDUCED PROJECT DELIVERY DELAYS - To reduce project costs, promote jobs and the economy, and expedite the movement of people and goods by accelerating project completion through eliminating delays in the project development and delivery process, including reducing regulatory burdens and improving agencies' work practices.

FHWA has 18 months (April 2014) to establish rules and specific performance measures for each of these national goals. MDT then has 12 months (April 2015), to develop state performances targets, after which the MPO's (Great Falls, Billings, Missoula) will have an additional 180 days (Oct. 2015) to develop their performance targets. These defined rules, measures, and targets will determine what the impact of national performance measures is to Montana and local communities.

