

For Federal Fiscal Years October 1, 2013 - September 30, 2017

STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM

STIP

DRAFT SUMMARY



New York State Department of Transportation
Andrew M. Cuomo, Governor ■ Joan McDonald, Commissioner

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I. INTRODUCTION

The Statewide Transportation Improvement Program, otherwise known as “the STIP” or “the Program,” is the federally required, four-year, statewide multimodal program or list of transportation projects proposed for federal transportation funding. New York State has the responsibility to develop a STIP for all areas of the State consistent with federal requirements. This responsibility has been delegated to the New York State Department of Transportation (NYSDOT). This STIP covers the four-year period beginning October 1, 2013, and ending September 30, 2017, and constitutes an update of the previous transportation program. This document includes a brief narrative describing the transportation Program and summarizing the comprehensive planning process to develop the Program, several appendices providing federally required documentation and the multimodal transportation project listing. The NYS STIP submission includes this narrative, its appendices and the eSTIP, the electronic Program database.

The requirement for a STIP for all areas of the State originally was established under the federal Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991 and was re-established in 2012 in the [Moving Ahead for Progress in the 21st Century \(MAP-21\) \(Public Law 112-141\)](#).¹ MAP-21 funds surface transportation programs at more than \$105 billion for federal fiscal years 2013 and 2014. It is the first surface transportation authorization enacted after nine short-term extensions of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) (Public Law 109-59²) that expired in 2009. MAP-21 stipulates that all capital and noncapital transportation projects proposed for funding under Title 23 (highways) and Title 49 (transit) of the U.S. Code and all regionally significant transportation projects requiring an action by the Federal Highway Administration (FHWA) or the Federal Transit Administration (FTA) must be on the STIP to be eligible for funding.

In general, the STIP is developed by including the State’s current 13 Metropolitan Planning Organizations’ (MPOs’) Transportation Improvement Programs (TIPs) in their entirety (as required by MAP-21) and by including the nonmetropolitan projects, developed in consultation with affected nonmetropolitan transportation officials and in cooperation with local governments, from NYSDOT’s highway, bridge and multimodal capital program. Note that as a result of the 2010 Census, a 14th MPO in Watertown is being established. Federal guidance states, *Until an MPO is officially designated and “a Metropolitan Transportation Plan and TIP are approved by the new MPO, an interim program of projects should continue to be programmed annually in the STIP for all projects to be funded under the Federal Transit Act and Title 23. This interim program of projects should be separately identified in the STIP.”*³ In Watertown, an interim program of highway projects has been approved by local officials and NYSDOT and is separately identified in the STIP. Only

¹ See: <http://www.gpo.gov/fdsys/pkg/PLAW-112publ141/pdf/PLAW-112publ141.pdf>

² See: <http://www.gpo.gov/fdsys/pkg/PLAW-109publ59/pdf/PLAW-109publ59.pdf>

³ See: http://www.fhwa.dot.gov/planning/census_issues/urbanized_areas_and_mpo_tma/fag/page03.cfm#When_must_new

transportation projects and phases that use federal aid or projects of regional significance are required to be included in the STIP.

Summary tables of the fiscal resource estimates and cost estimates for the Program are at the end of this narrative. Appendices provide required documentation to support certification of the statewide and metropolitan planning processes.

II. PROGRAM DEVELOPMENT

A. Program Development Process

This STIP was developed by the New York State Department of Transportation (NYSDOT), comprised of a [Main Office](#)⁴ and [11 Regional Offices](#)⁵ (shown in Appendix F), in consultation with local officials in nonmetropolitan areas and in cooperation with metropolitan planning organizations in urbanized areas. There are [13 Metropolitan Planning Organizations \(MPOs\)](#)⁶ (soon to be 14) in New York State (shown in Appendix G). NYSDOT coordinates and consults with the MPOs in the urbanized areas to advance the State's vision in developing and updating this Program. The STIP begins as a compilation of regional Transportation Improvement Programs (TIPs) that generally are adopted every two or three years by MPOs and evolves into a comprehensive list of all highway and transit projects that propose to use federal funds.



To do this, guidance⁷ had been given to the NYSDOT Regions and the MPOs for developing the STIP. The MPOs also received information on NYSDOT's internal Program Update process and its areas of emphasis. Planning targets, or estimates of future federal and state funding, were provided to each NYSDOT Region and the MPOs to use for planning purposes. Planning targets reflect estimates of obligation authority for funding provided in the new surface transportation authorization bill (MAP-21). These planning targets do not represent a guarantee of federal and/or state funds.

Metropolitan Planning Areas. In metropolitan areas, the development of the TIP is a cooperative process among the State, local governments and local transportation providers and is coordinated by the respective MPO. The process begins with a solicitation of projects from the area agencies that are eligible to sponsor Federal-aid transportation projects. Estimated available Federal-aid funding for planning purposes is compared to existing project commitments to determine the amount of funding available for new projects. Resources that are reasonably expected to be available and needed to operate and to maintain public transportation and Federal-aid highways have been included in these comparisons.

In developing the TIP, candidate projects are evaluated based on a number of factors but, most importantly, projects must be consistent with an MPO's metropolitan transportation (long-range) plan goals. These program goals are developed in the areas of system

⁴ See: <https://www.dot.ny.gov/regional-offices/main-office>

⁵ See: <https://www.dot.ny.gov/regional-offices/main-office/all-reg>

⁶ See: http://nysmpos.org/wordpress/?page_id=952

⁷ Two documents: 1 - *TIP/STIP Policy Guidance and Instructions*, September 2012,

2 - *TIP/STIP Guidance Part 2 – Technical Guidance for Process & Procedures*, February 2013.

preservation, personal mobility, safety, transportation systems management and operation, economic development, freight mobility, environmental protection and quality of life. Projects to be included in the TIP are then scored and selected for funding based on the evaluations, the project's eligibility for Federal-aid funds and the availability of those funds. The MPOs also must address issues of equity and project scheduling in their final decisions. The draft TIP undergoes a public review and air-quality conformity determinations are undertaken in nonattainment areas. Formal approval of the TIP by MPO members follows.

Nonmetropolitan or Rural Areas. In the rural, nonmetropolitan areas of the State, the NYSDOT Regional Offices solicit project proposals from their rural constituents. The [NYSDOT Regions](#)⁸ (see Appendix F for locations) use approaches that are most appropriate for them to accomplish the overall goal of involving local elected officials in the planning process and of selecting projects cooperatively to include in the Program. [Federal regulations](#)⁹ require states to have a documented process addressing the role of rural or nonmetropolitan local officials in the statewide transportation planning process and to solicit comments on its documented process at least once every five years. The "[2011 NYSDOT Procedures for Consultation with Public Officials in Rural Areas](#)"¹⁰ documents NYSDOT's process and summarizes the approaches Regions use to implement the procedures.¹¹

These approaches include formal and informal processes, such as structured communication and project-level involvement; cooperative project selection decision-making; continuously updated informational mailing lists; locally developed Initial Project Proposals (IPPs); coordinated long-range plan development; involvement of transportation advisory committees and local ad-hoc committees; and general cooperative involvement among the levels of government on transportation issues within the geographic areas. Regional Local Project Liaisons continue to assist local officials who are administering Federal-aid projects by answering their questions and providing guidance as needed. Local officials are strongly encouraged to ensure that appropriate input is solicited from their legislative bodies and the public regarding short-term plans and specific projects. The STIP project listings are available to help. The STIP update process has extensive contacts with counties to solicit new federal projects.

Regional staff can advise or participate as requested at county and local meetings that involve local public officials, including the Region's county highway officials. The Region can conduct public outreach through public information meetings, planning board meetings or some other open forum to increase awareness of capital projects and corridor studies. Having local officials at county-sponsored public participation meetings allows them to receive public input.

The Regions provide support for local transportation program development. MAP-21

⁸ See: <https://www.dot.ny.gov/regional-offices>

⁹ See: <http://www.gpo.gov/fdsys/browse/collection.action?collectionCode=FR>

¹⁰ See: https://www.dot.ny.gov/divisions/policy-and-strategy/planning-bureau/MPO_program_update_guide/repository/ruralconsult2006a1.pdf

¹¹ See: <https://www.dot.ny.gov/divisions/policy-and-strategy/planning-bureau>

created a new Transportation Alternatives Program (TAP) “to provide for a variety of alternative transportation projects. The TAP replaces funding for pre-MAP-21 programs such as Transportation Enhancements Program (TEP), Recreational Trails, Safe Routes to School, and several other discretionary programs.”¹² In May of 2013, NYSDOT conducted a Transportation Enhancements Program (TEP) solicitation for the remaining SAFETEA-LU TEP monies. To facilitate the application and delivery process, training on Federal-aid projects also has been provided. The Regions also provided support, outreach and continual exchange of information for TEP, the [Consolidated Local Street and Highway Improvement Program \(CHIPS\)](#)¹³, the Municipal Streets and Highways Program (commonly referred to as the Marchiselli Program) and the Multimodal Program.

In addition, a NYSDOT [guidebook](#)¹⁴ assists local officials in completing their applications for Federal-aid [projects on the STIP](#)¹⁵.

SPR Planning and Research Collaboration. NYSDOT gives funding support and is a participating member in each of the six New York State Association of Metropolitan Planning Organizations (NYSAMPO) Working Groups. These groups provide topical forums and facilitate communication and information-sharing on transportation topics and issues among MPOs, NYSDOT, FHWA and FTA staff. In addition, NYSDOT and the MPOs work jointly on a Data and Planning Collaboration effort to identify common data sources and planning issues to support the planning process and to ensure all resources are used efficiently.

B. Program Approach

NYSDOT Commissioner Joan McDonald said NYSDOT is “committed to aligning and integrating planning, engineering, operations and MPO efforts in support of a sustainable society.”¹⁶ In 2011, Commissioner McDonald launched the Department’s new Capital Asset Management-Capital Investment (CAM-CI) approach. This innovative approach focuses on preservation, looking at New York’s transportation system in a sustainable way. The program has been recognized as a national model, receiving the 2012 American Association of State Highway Transportation Officials (AASHTO) President’s award for Administration.

Program Context. This Program was developed in the context of the provisions and requirements of MAP-21 and focuses on the Department’s “forward four” guiding principles: preservation first; system not projects; maximize return on investments; make it sustainable.

¹² See: <http://www.fhwa.dot.gov/map21/tap.cfm>

¹³ See: <https://www.dot.ny.gov/portal/page/portal/programs/chips>

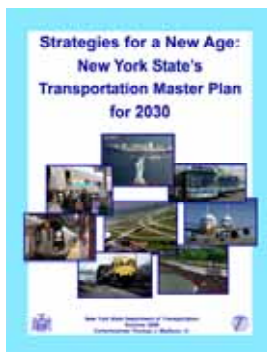
¹⁴ *Procedures for Locally Administered Federal Aid Projects (PLAFAP)*; See: <https://www.dot.ny.gov/divisions/operating/opdm/local-programs-bureau/locally-administered-federal-aid-projects>

¹⁵ See: <https://www.dot.ny.gov/portal/page/portal/programs/stip/stip-project-rpt>

¹⁶ McDonald, Joan. “Planning in Uncertain Times,” NYMTC Annual Meeting. New York University Kimmel Center, New York City. 10 March 2011.

The Department's [multimodal transportation infrastructure preservation and strategic investment blueprint](#)¹⁷:

- Fully integrates asset management-based preservation strategies to guide the capital programming and project planning process for all modes.
- Ensures that the appropriate investments are made at the right time in the life cycle of an asset to ensure the best use of available resources.
- Maximizes the vehicle travel on good pavement that can be attained within available resources and readily identifies project choices for varying funding levels.
- Employs innovative program delivery and project procurement processes, such as Design-Build that was authorized by the State Legislature in 2011, to complete projects faster and more cost-effectively.
- Leverages traditional and new public-private partnerships to support infrastructure renewal, generate billions in new construction and create thousands of new jobs to facilitate economic growth.
- Provides flexibility to address emergencies and unforeseen circumstances.¹⁸



Long-Range Statewide Master Plan. This Program is also consistent with the State's long-range statewide transportation plan and with the long-range transportation plans and transportation improvement programs in the State's metropolitan areas. It includes multimodal investments and projects that improve the integration of the State's transportation system (including intermodal facilities). This Program focuses heavily on system preservation and asset management. These are "core" investments in the existing transportation system needed to address State of Good Repair. This overall approach is embodied in the State's long-range statewide transportation plan, ["Strategies for a New Age: New York State's Transportation Master Plan for 2030."](#)¹⁹ This Plan, a product of extensive public outreach, articulates a long-term, intermodal vision of the State's future transportation system and provides policy-level guidance to achieve that vision.

The Plan and this Program recognize that there are important needs — infrastructure repairs and expansions — that, while partially funded in this Program, require resources beyond our current financial means. These are listed as "Major Projects." Examples include regionally significant projects, such as [completion of Interstate 86](#)²⁰, and projects such as the [Kosciuszko Bridge](#)²¹ replacement in New York City, [completion of Route 347 on Long Island](#)²², the [New NY Bridge](#)²³ (formerly the Tappan Zee Hudson River Crossing Project),

¹⁷ See: http://www.esd.ny.gov/PublicMeetings_Notices/NYWorks/10092012_DOT_TwoYearCapitalPlan.pdf

¹⁸ See: http://www.esd.ny.gov/PublicMeetings_Notices/NYWorks/10092012_DOT_TwoYearCapitalPlan.pdf

¹⁹ See: <https://www.dot.ny.gov/portal/page/portal/main/transportation-plan/repository/masterplan-111406.pdf>

²⁰ See: <https://www.dot.ny.gov/regional-offices/multi/i-86>

²¹ See: <https://www.dot.ny.gov/kbridge>

²² See: <http://www.governor.ny.gov/press/06032013-route-347-smithtown-design-build-project>

²³ See: <http://www.newnybridge.com/>

[Buffalo Outer Harbor Bridge](#)²⁴, the [I-81 Viaduct in Syracuse](#)²⁵ and the [Dunn Memorial Bridge Rehabilitation](#)²⁶.

In addition, there are other State-initiated efforts that affect the statewide planning process, supporting additional stakeholder outreach and more efficient project delivery:

- **[Regional Economic Development Councils \(REDCs\)](#)**²⁷ Launched by Governor Cuomo in 2011, 10 Councils leverage strategic State and private investments to facilitate economic development opportunities. The Councils are community-based and their members come from the private sector, academic institutions, local governments and State agencies. NYSDOT works with the 10 Councils to support infrastructure investments that demonstrate significant potential for job creation and investment. To advance this initiative, enacted State budgets authorized three rounds of competitive solicitations to coordinate grant opportunities from State agencies. These have included funding for multimodal transportation infrastructure projects, funding for flexible economic development capital funding and funding for transformative economic development and infrastructure initiatives.
- **[NY Works Program](#)**²⁸ Governor Andrew M. Cuomo established the NY Works Task Force to rebuild New York's infrastructure and to create jobs by bringing together leading finance, labor, planning and transportation professionals to coordinate a statewide infrastructure and capital investment plan. The NY Works program provided NYSDOT with an opportunity to accelerate the delivery of hundreds of additional bridge and pavement projects statewide.

The Infrastructure Investment Act enacted in December 2011 has given NYSDOT tools that enable more effective and efficient ways to deliver important infrastructure projects. The Department now can produce work, including direct and indirect job creation, on the street faster and more effectively while considering ways to mitigate the impacts of construction on the public and our economy.



The Act allowed NYSDOT to utilize newer procurement methods, such as design-build, pre-qualification of contractors and best value, in addition to the traditional design-bid-build to deliver its capital program. Many NY Works

²⁴ See: <https://www.dot.ny.gov/regional-offices/region5/projects/outer-harbor>

²⁵ See: <http://thei81challenge.org/>

²⁶ See: <https://www.dot.ny.gov/dunnbridge>

²⁷ See: <http://www.governor.ny.gov/regional-economic-development-councils>

²⁸ See: <http://nyworkstaskforce.ny.gov/>

projects have been consolidated under bundled regional contracts – a more efficient delivery method.

Comprehensive Program Update Focus. STIP development efforts usually start with a comprehensive program update. Strategies reflected in NYSDOT's capital program update are in the guidance for the TIP/STIP update. The 2014-2017/18 TIP/STIP update is the first update cycle that will reflect the State's "forward four" guiding principles. Investments are focused on asset management and infrastructure preservation strategies using sound engineering principles to guide investments for all modes. NYSDOT's Two-Year \$3.3 billion SFY 2013-14/2014-15 capital program was developed using the following principles to meet the transportation system customers' needs:

- 1) Preservation First – To ensure the State's transportation system can continue to support future commerce, personal travel demands and to address emergencies and unforeseen circumstances, this program places the highest priority on preserving the existing infrastructure through a focus on preventive, corrective and demand work using Asset Management principles and data-driven decision-making.



- 2) System Not Projects – While annual program investments in transportation infrastructure involve many individual projects, each must contribute to an efficient multimodal transportation system. Critical transportation corridors in the State (including long-distance and local corridors and encompassing all transportation assets) must remain functional and must provide uninterrupted connectivity for system users. To do this requires effectively leveraging operational strategies and investments, including technology solutions. The program's focus is on preservation but, where warranted, system renewal, replacement and enhancement projects that promote economic development, livability and system connectivity will be advanced.
- 3) Maximize Return on Investment – This approach emphasizes proper management of assets with appropriate treatments, at appropriate times and at the appropriate locations to produce the greatest possible return on investment.
- 4) Make It Sustainable – Sustainability requires consideration of economic, social and environmental factors. A sustainable approach to programming considers the relative and cumulative value of transportation assets as they benefit the public, economy and environment. A sustainable program also incorporates strategies to minimize transportation system disruptions resulting from routine incidents, planned events and nonroutine events, such as natural disasters or security-related events.

A common theme integrated into these four principles and inherent in all of the Department's investment decisions is stewardship of safety for the traveling public. In general, all actions should satisfy the following hierarchy of priorities: Maintain safety, preserve the existing system, enhance safety, renew the system and address needs to enhance the system.

Planning targets for FHWA funds were distributed to the NYSDOT Regions according to allocable and nonallocable categories. Allocable target components were based on each Region's relative preservation and capital need as determined by bridge and pavement condition models and included funds from National Highway Performance Program (NHPP), Surface Transportation Program (STP) and State Dedicated Fund (SDF) sources, with the exception of STP Off-System Bridges. Half of available Highway Safety Improvement Program (HSIP) funds were distributed according to existing planning target formulas and the other half were managed centrally as discussed later in the document. Congestion-Mitigation/Air Quality (CMAQ) funds were distributed according to existing planning target formulas through the duration of MAP-21. CMAQ funds, post-MAP-21, were distributed only to those areas remaining in nonattainment after October 1, 2014.

Nonallocable target components involved funds managed centrally by the Main Office for statewide capital purposes, namely, larger capital infrastructure projects. Funds in this component include a portion of NHPP, STP and SDF funds excluding STP Off-System Bridges. Other nonallocable components included remaining TEP funds from SAFETEA-LU for project solicitations in 2013 and TAP funds for a likely project solicitation in 2014.

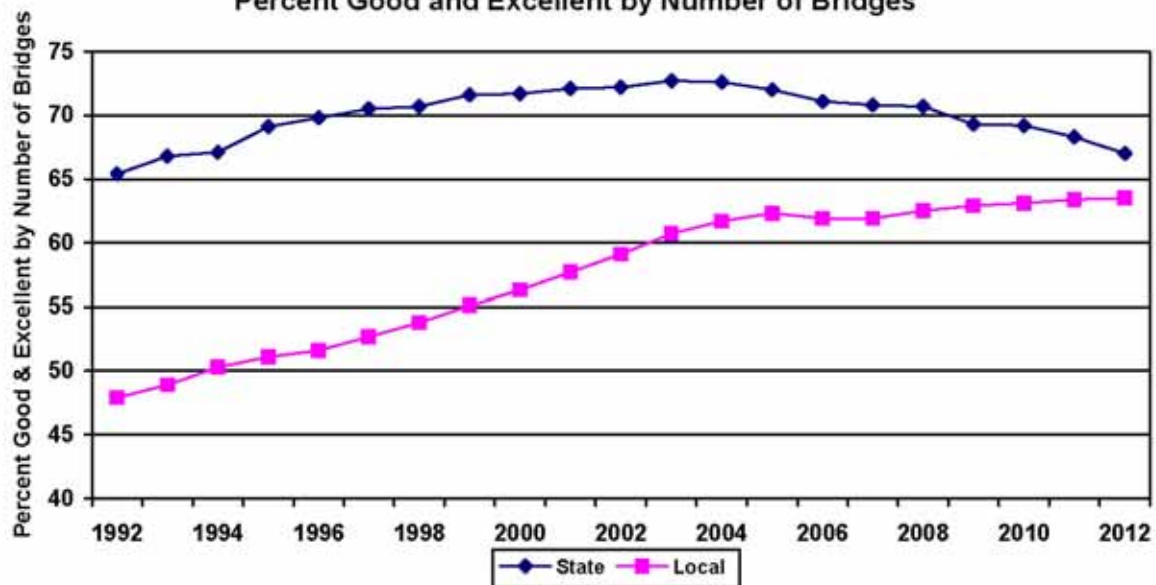
Planning targets for FTA funds were provided to the Regions on December 14, 2012.

In developing this Program, sound asset management principles and data were used to preserve existing transportation facilities and to ensure that appropriate strategies are pursued to maximize the useful life of facilities. In developing the statewide program, all multimodal transportation assets are considered, including bridges, pavements, bicycle and pedestrian facilities, transit and passenger rail.

In terms of bridges, the graphs below show the current trends in bridges. With constrained resources, the State is beginning to see some decline in both the number of bridges in good and excellent condition, while local bridges in good and excellent condition, which have been steadily improving are also beginning to experience declines. The State recognizes the need to maintain the condition of bridges in good condition, as emphasized in the current program, and also recognizes the need to address critical bridge replacement needs, which has been assisted by the funding available through the NY Works program. As bridges age, however, resources will also need to be applied to address a growing backlog of bridge investment needs.

Statewide Highway Bridge Condition Trends

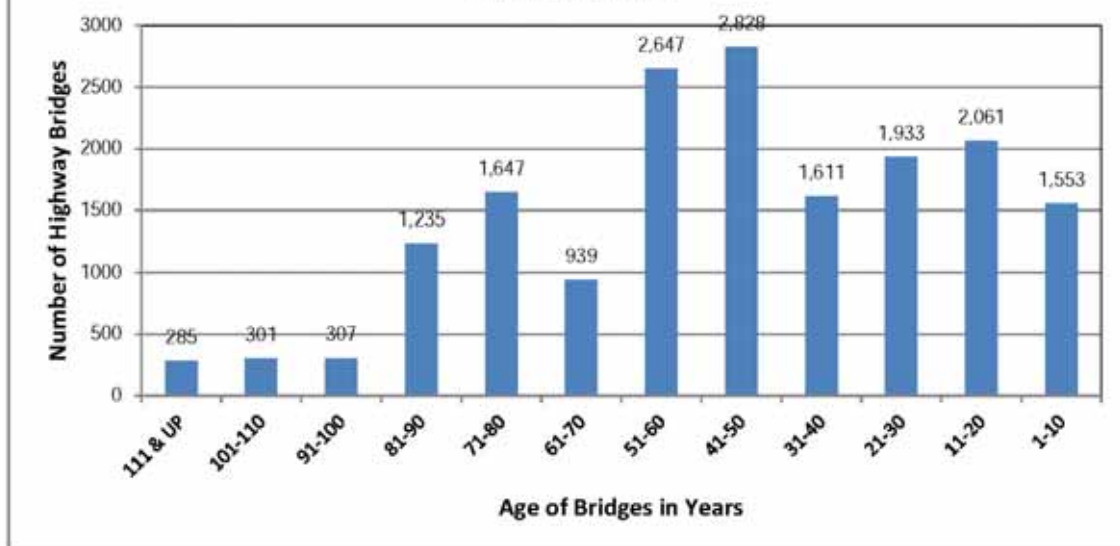
Percent Good and Excellent by Number of Bridges



Data Source: Annual Official Bridge Condition Reports
 Prepared by: NYSDOT, Office of Policy, Planning & Performance

Number of NYS Highway Bridges by Age

Data Source: April 2013 Official Bridge Data
 Excludes closed bridges



Another key part of the core program includes the investments necessary to maximize the useful life of existing pavements and to manage these assets in the most cost-effective manner. Preventive maintenance treatments are the least expensive and can treat many lane miles of pavements for the money spent. These treatments are similar in function to seal-coating a driveway. They help the pavement last longer.²⁹

In 2010, about \$360 million was spent on pavements. This represents about 31 percent of all project contract dollars spent by NYSDOT. The money spent in fiscal year 2010-11 is reflected in the paving accomplishments that contribute to the 2011 pavement conditions.³⁰

The pavement portion of the Program includes several categories of treatments, ranging from preventive maintenance to rehabilitation and complete reconstruction.

The NY Works Program replaced pavement at 172 sites across New York State, including approximately 2,157 miles of state roadways, as part of \$229.9 million in contracts. Governor Andrew M. Cuomo announced on February 6, 2013, the completion of all highway-paving projects funded under the NY Works program on time and within budget less than nine months since he signed the 2012-2013 Budget that allowed funding for these projects to proceed.³¹

Challenges and Risks in Program Development. New York's transportation infrastructure, much of which was built before or during the Eisenhower Interstate Era, is among some of the oldest and most heavily utilized in the nation. It also is subject to some of the harshest weather conditions. The ability of people and goods to move through the State depends on a well-functioning transportation system. The repair, rehabilitation, efficient operations and strategic replacement of existing transportation infrastructure are required for safety and mobility and for the State to remain economically competitive. While the Statewide Capital Plan will enhance New York State's ability to rebuild and to modernize our public infrastructure, generating more jobs and a stronger economy in our State,³² additional resources will be required to continue to support the system.

At the federal level, the federal Highway Trust Fund has required more than \$55.7 billion in general fund transfers since federal fiscal year 2008 to maintain current spending. This issue must be addressed as MAP-21 reaches the end of its authorization in 2014. The Highway Trust will be unable to support existing investments by 2015 without additional revenues. Because MAP-21 only has a two-year authorization and restructured programs, many challenges and risks in reviewing needs and estimating planning targets beyond FFY 2014, have emerged, including:

(1) The elimination of a dedicated federal program to address the rehabilitation and replacement of state and local bridges.

²⁹ Pavement Report 2008, NYSDOT, Pavement Management Unit, Office of Technical Services, Engineering Division, page 3.

³⁰ NYSDOT, Office of Technical Services – Engineering Division, *Pavement Report 2011*, page 2.

³¹ See: <http://www.governor.ny.gov/press/02062013-completion-of-NY-Works>

³² See: <http://nyworkstaskforce.ny.gov/Statewide-Capital-Plan.pdf>

MAP-21's restructuring of core highway programs eliminated the Highway Bridge Program (which had replaced Highway Bridge Replacement and Rehabilitation (HBRR) program). HBP was the primary category of federal aid used by states and local governments to rehabilitate and to replace bridges off the National Highway System (NHS). Funding for these structures now must compete with other transportation needs under the Surface Transportation Program (STP). However, the combined amount of funding available to address these structures is significantly less under MAP-21 compared to prior surface transportation authorization bills.

(2) The reduction in the total funding available to address highway and bridge needs (state and local) that are not considered part of the National Highway System (NHS).

The National Highway System (NHS), as defined by the Federal Highway Administration (FHWA), includes the Interstate Highway System and other roads important to the nation's economy, defense and mobility. Under MAP-21, funding eligibility for highway and bridge work is now included in both the National Highway Performance Program (NHPP) and STP programs. Highways and bridges on the NHS can be funded through NHPP. Local bridges on the Federal-aid system, which are not considered part of the NHS, are now eligible for funding on the STP. In addition, local bridges off the Federal-aid system remain eligible for funding from a special set-aside under the STP program. While the change in categorical program eligibility does not preclude the use of federal funding for local bridges, the total federal funds available for programming on the local system has declined from approximately 64 percent to 32 percent because of the MAP-21 program structure changes.

(3) The depletion of the federal Highway Trust Fund (HTF) by the end of federal fiscal year 2014.

MAP-21 provided only a two-year authorization period in place of the traditional six-year authorization period. MAP-21's authorization period was truncated intentionally to address the funding available. Underscoring this point is USDOT's June 13, 2013, testimony on infrastructure before the U.S. Senate Committee on Appropriations. According to USDOT, *"By the end of federal fiscal year 2014, the Highway Trust Fund (HTF) will be nearly depleted and Congress will have transferred nearly \$54 billion in General Funds into the HTF"* to meet surface transportation program commitments. To put the current HTF crisis into perspective, an additional \$85 billion in General Funds (above and beyond revenues available from the HTF) is required just to keep surface transportation programs at current levels over the next six-year period.

C. Program Requirements

Operations and maintenance of the transportation network: Achieving the objectives described in this document depends on adequate financial resources at the federal and state level and, in some cases, investment from local government and private infrastructure owners. Amid the current recession and great uncertainty in federal and state financial resources, this Program begins to address the current transportation challenges to stabilize

conditions and help provide for future needs. The current fiscal constraints will affect the pace at which these objectives can be achieved.

New York State conducts annual and multiyear planning and budgeting that identify costs and dedicated resources for maintenance and operation of the transportation system, including Federal-aid highways and public transportation systems.



New York's maintenance and operations investments are established in several recurring programs, described below, that have been incorporated as regular components of the transportation planning and budgeting process. The programs are funded principally from statutorily dedicated revenue sources that are projected to provide approximately \$3.6 billion per year between State Fiscal Years 2013-14 through 2017-18 for balanced operating, maintenance and capital programs. New York State still has a long way to go before meeting the longer-term needs of its extensive and aging infrastructure. In these uncertain times, New York State is doing its best to balance maintenance and capital programs, but a gap remains, as it does with several other states.

NYSDOT is implementing a fundamental shift in the way NYSDOT develops, programs and funds transportation infrastructure investments. Investments are now focused on asset management and infrastructure preservation strategies. NYSDOT also has implemented new strategies to carefully select investments that go beyond preservation. NYSDOT's overall asset management strategy is to invest in the infrastructure with the right treatment, at the right time in the life cycle of the investment and in a location that considers the overall travel system.

State highway and bridge maintenance and operations: The State budgets approximately \$583 million annually for preventive, corrective and demand maintenance on approximately 40,000 lane-miles of State highways and 7,500 State bridges. Specific activities include pavement and bridge maintenance; drainage improvement; guide rail repair; pavement marking; sign and signal maintenance; snow and ice control; and numerous other maintenance activities.

Transit system operation and maintenance: More than \$4.7 billion³³ in annual State-operating aid is provided to public transportation systems statewide. New York State's support for public transportation is unparalleled and is more than the annual level of investment of 46 other states combined³⁴. The aid is apportioned based on an annual performance and financial assessment of systems, taking into account service levels, fare

³³ See: <http://www.budget.ny.gov/pubs/archive/fy1112archive/eBudget1112/fy1112littlebook/Transportation.pdf>

³⁴ American Association of State Highway and Transportation Officials, Survey of State Funding for Public Transportation: Final Report 2012; FY2010 Data. 2012. See: Table 1-2. State Funding of Public Transit by Select Years., Page 1-2: https://bookstore.transportation.org/item_details.aspx?ID=1946.

levels and system preservation/maintenance requirements. In addition to State-operating aid, local government entities contribute nearly \$1 billion annually to maintenance and operation of public transportation systems.

Local highway and bridge capital maintenance: Local transportation capital maintenance is addressed through the State's [Consolidated Local Street and Highway Improvement Program \(CHIPS\)](#).³⁵ CHIPS was established by the Legislature in 1981 to assist localities in financing the construction, reconstruction or improvement of highways, bridges, highway-railroad crossings and other facilities that are not on the State highway system. CHIPS funds are allocated to municipalities on a formula basis. The applicable rules for the program are contained in Section 10-c of the Highway Law. The Statewide CHIPS appropriation for highway capital projects in SFY 13-14 was \$438 million.³⁶

Fiscal constraint: Federal rules and regulations require MPO TIPs and the STIP to be fiscally constrained by Federal Fiscal Year (FFY). Fiscal constraint means that the funds programmed are not more than the resources or funds “reasonably” expected to be available. Fiscal constraint for FHWA is defined as establishing a TIP/STIP such that the amount of total FHWA fiscally constrained funding programmed in each year of the TIP/STIP does not exceed the total planning targets for each of the TIP/STIP years. Any fiscally constrained fund type can be over-programmed in a year provided:

1. The total of all fiscally constrained funding programmed in that year does not exceed the apportionments (implies a columnar total by year of over-fund types must be under-programmed to compensate).
2. The total amount of fiscally constrained fund type that is programmed in the four-year STIP period does not exceed the amount of that fund's apportionment during the four-year STIP period. Rows (fund types) and columns (years) cannot be over-programmed.

Regional totals (TIPs and rural program) must be fiscally constrained by year and fund type for the STIP period.

For FTA-funded projects, future-year TIP planning target estimates are based on historical rates of the previous transportation funding authorizations. Appropriations bills are enacted annually; apportionments and allocations are published by the FTA in the Federal Register. To maintain and to document fiscal constraint, the FTA funds that are programmed on the TIP/STIP for a year need to be consistent with the amounts shown in the Federal Register for that year.

The basis of these estimates was the historical Obligation Authority (OA) limit for the federal funds estimates. **Table 2** shows the estimated annual available Federal-aid funds and program amounts and are at the end of this summary on page 47.

Table 3, also at the end of this summary, contains the required information for demonstrating the fiscal constraint of the New York STIP. While the STIP must be fiscally

³⁵ See: <https://www.dot.ny.gov/portal/page/portal/programs/chips>

³⁶ See: http://www.governor.ny.gov/press/03252013cuomo_438mil_road_and_bridge

constrained by year, some funding categories may be excluded if states choose to do so. New York State has chosen to exclude the following categories:

1. State planning and research projects (SPR, except those funded with NHPP/NHS or STP funds);
2. Metropolitan Planning Projects (PL funds);
3. Transit Planning Grants funded under Sections 5303 or 5304 of the Federal Transit Act;
4. Safety projects funded under Section 402 of MAP-21 (primarily education and enforcement activities) and;
5. Emergency relief projects (except those involving functional, location or capacity changes).

Consequently, the fiscal constraint table (Table 3) contains only financial data for the following fund sources: NHPP, CMAQ, STP, HSIP, HSIP Rail and Sections 5307/5340, 5309, 5310, 5311, 5316 and 5317 (shown only for the remaining funds in JARC/NF).

Highway fiscal constraint: Table 3 exhibits funds available for highway programs estimated for the MAP-21 period per FHWA and FTA guidance, resulting in the assumed funding levels for future years. The strategy for the STIP is to be under-programmed, as the outer years' funding is still uncertain. Additional projects and phases are expected to be programmed as funding becomes available. Table 3 Part A shows an over-programming in STP in the first two years due to transitioning to MAP-21 fund sources. NYSDOT may request a transfer of funds from NHPP to STP as allowed in federal guidance so that the bridge needs, particularly for bridge projects that were underway with SAFETEA-LU HBRR funds, can be met. NYSDOT utilizes Advance Construction to manage the timing of funds obligation, effectively allowing balancing of resources over a multiyear period. In addition, NYSDOT will manage unobligated balances to administer the timing of funds obligation in individual aid categories.

Transit fiscal constraint: The estimates, reflected in Table 4, represent NYSDOT's best estimate of funding apportioned for New York State transit operators and the FTA State-Administered programs. For Sections 5307/5340, 5310, 5311, estimates of available resources are constrained to zero growth for the FFY 2014 year based on FFY 2013 allocation and the remaining years (15, 16 & 17) are zero growth based on the fiscal condition of the trust fund. Since MAP-21 changed the distribution of Section 5310, there are several MPOs that have estimated Section 5310 block projects over the STIP period. NYSDOT only programmed the rural portion for the statewide number. This brings the total available for Section 5310 under the amount expected. However, NYSDOT is aware of the difference and will work with the MPOs to bring the total amount up to the available amounts.

The Section 5309 program has changed in MAP-21. The New Starts program is programmed only in the NYMTC MPO area. The estimates, reflected in Table 4, represent NYSDOT's best estimate of the FTA payout schedule for two New Start projects during the time period that falls within the NYMTC TIP/STIP. Currently, the Federal Transit Administration (FTA) has entered into a full funding grant agreement

with the Metropolitan Transportation Authority (MTA) for the Long Island Rail Road East Side Access (LIRR-ESA) New Start project. In addition, FTA has executed a Full Funding Grant Agreement (FFGA) for the MTA's Second Avenue Subway (SAS-MOS-1) project. The commitment of funds is still subject to appropriation of funds by Congress. As such, these estimates may be different from what actually will be appropriated by Congress.

The remaining Section 5309 funds on the STIP are carryover funds from discretionary programs or from the State of Good Repair and Livability programs. These amounts represent the unobligated balances published in the federal notices and are not subject to fiscal constraint.

MAP-21 changed the rail modernization program in Section 5337 that is a formula program for the MTA and NFTA in New York. These resources are constrained to a zero growth for the FFY 2014 based on FFY 2013 and the remaining years (15, 16 & 17) are zero growth based on the fiscal conditions of the trust fund and the lack of an authorization beyond 2014. Another new program is the Section 5339 program that is a formula for bus and facilities for urban and rural systems. The estimate again is based on FFY 2013 funds with zero growth for the remaining years. This fund is currently under-programmed on the STIP because the agencies are working to understand the program, how to decide when to add it to Section 5307 and when to make it a stand-alone program

Designated recipients of FTA funding are not authorized to obligate/expend federal funds in the absence of an annual appropriation authority. As such, the federal transit program and the projects contained within the TIP/STIP essentially are constrained to the level of annual funding apportioned/allocated as part of the Transportation Appropriations Act.

For Section 5316 and Section 5317, both were repealed with MAP-21. However, there are some carryover funds that will be programmed in 2014 that, will by their nature, be constrained by the available funds. In addition, the STIP contains blocked amounts in the statewide category. The Section 5311 funds are placed as a block as well as the 5329 Safety oversight program. The S5324 Emergency relief program was not added to the STIP at this time based on the February 6, 2013, Federal Register notice. However, as resiliency projects are added to the program and considered by FTA, The transit agencies, the MPOs and NYSDOT will work to ensure the fiscally constrained available funds are added to the STIP.

Table 2 lists the funds available by year for the Section 5307 program based on the two years of MAP-21 and the assumption that the funding will remain stable after that point. Due to the late announcement of FFY 2013 full-year appropriation, there are significant amounts of the FFY 2013 and, in some cases, FFY 2011 and FFY 2012 funds being carried into this STIP for programming. These funds are being shown together with the FFY 2014 amounts as estimated funds available in FFY 2014 Under SAFETEA-LU legislation, the requirement was for Section 5307 funds to be obligated within one (appropriation year) plus three years. This allowed for the DR to assemble sufficient capital funds to put together major purchases for capital projects including buses and facilities. Under MAP-21, this timeline will be extended to one plus five years.

Year of Expenditure (YOE) Dollars. NYSDOT provided guidance on how to estimate inflation in the NYSDOT Program Update Instructions. Some transportation operators have chosen to use their own estimates and these are documented.

Total Project Cost (TPC). Federal regulation 23 CFR 450.324(i) requires including the estimated total project cost in the STIP. Each project listed in the STIP is identified by a PIN (Project Identification Number). While most projects have only one PIN, many complicated or very large projects will have multiple PINs created to properly phase the construction. For these projects, the total project cost indicated includes all the related PINs necessary to complete the project.

Unlike the total four-year STIP summary cost that is included in the STIP project listings for each PIN, the STIP total project cost (TPC) must include any project costs that are programmed or planned in future years out beyond the STIP period. This is explained in the "How to Read the STIP Project List" in Appendix J.

In many cases, the total project cost estimate will include a range of dollars of all PINs that address the same location (e.g., all costs associated with the replacement of a major bridge, regardless of PIN number, and regardless of whether the entire project is scheduled within the time frame of the STIP).

It is important to point out, therefore, that the total project cost estimate is intended as a guide for reviewers to understand the complete scope of the project but the cost is not necessarily associated with the fiscal constraint of the STIP because future proposed phases beyond the years covered in the STIP are included, consistent with regulations.

Major Projects. Projects with an estimated total cost of \$500 million or more (in "year of expenditure" dollars) have additional federal requirements, including an annual Financial Plan that details all project management contingencies.³⁷

Title VI and Environmental Justice. NYSDOT's Office of Civil Rights (OCR) has the responsibility to ensure that programs, projects and services administered by NYSDOT are in compliance with Title VI of the Civil Rights Act of 1964, as amended. Nondiscrimination provisions apply to all federally and non-federally assisted programs and activities of Federal-aid recipients, subrecipients and contractors. Discrimination complaint procedures have been developed for the processing and disposition of complaints received by NYSDOT regarding its programs, projects and services.

The planning, public involvement process and project development and selection processes are areas that require Title VI, Environmental Justice and Limited English Proficiency compliance as part of the Civil Rights Act of 1964, as amended. NYSDOT's *"Public Involvement Manual for Transportation Planning"* is part of the Title VI Plan and discussed

³⁷ <http://www.fhwa.dot.gov/programadmin/progadfact.cfm>

further in section III. E. The aforementioned activities feature, but are not limited to, ensuring public involvement includes all segments of the community. A joint effort by NYSDOT, other implementing agencies, interested groups, individuals and community-based organizations is necessary to be proactive and to eliminate disparate impacts as they are identified. The interaction techniques used in this process include: task forces; technical advisory committees; focus groups; presentations at community board meetings; use of media (newspapers, radio, TV); public access channels; newsletters; computer bulletin boards; and the Internet. This concerted effort will be ongoing to ensure that the disadvantaged and those traditionally underserved are involved in selecting transportation projects.

The development of the metropolitan transportation plans by the MPOs and the planning phase of project development by NYSDOT involve the identification and evaluation/analysis of the socioeconomic and environmental impacts of these plans, programs and recommendations. The types of impacts analyzed may include the effect on residential areas and on a neighborhood's (i.e., ethnic) character and stability; the effect of an improvement on minority businesses and residences and those of other special groups and interests; and the effect on employment (gains and losses) for minorities, women and other groups. In addition, the MPO planning process must compare the minority and/or low-income populated areas to other income areas to ensure equitable transportation services and access in the metropolitan areas.

NYSDOT, under a federal requirement, must complete its Annual Accomplishments Report and Update by October 1 each year. It includes the submission of NYSDOT's Disadvantaged Business Enterprises (DBE) Plan and the updated Title VI Plan; Title VI Assurances for each MPO and each grant recipient of the Section 5310 and 5311 programs; data and other reports that are used to monitor right-of-way acquisitions, negotiations, appraisals, relocations and property management to ensure that minority and low-income populations were not affected adversely. Additionally, the Report must demonstrate that the protected population groups obtained access to meetings and public hearings and as a community participated in the process.

NYSDOT will continue to follow the Title VI Program Accomplishments Report and Annual Work Plan that details procedures to ensure compliance with Title VI of the Civil Rights Act of 1964 and Environmental Justice Executive Order 12898 and Limited English Proficiency 13666.

In addition, we are working with the MPOs to ensure that nondiscrimination on the basis of disability under Title VI is an integral part of our planning processes and public outreach activities.

D. Other Program Components

Americans with Disabilities Act (ADA). In 2008, NYSDOT surveyed the sidewalks on all State-owned roads. It found that of the 2,900 miles of State roads that had sidewalks, 80 percent complied with ADA requirements. NYSDOT is planning to bring the remaining 580 miles of sidewalks into compliance by 2019. The costs to improve pedestrian facilities are

significant, including those for maintaining crosswalk markings; replacing pedestrian indicators with countdown signals; reconstructing existing sidewalks; constructing new sidewalks; and building ramps that are compliant with the Americans with Disabilities Act (ADA). The Core Program has funding for capital projects that include sidewalk construction and reconstruction; audible and visual pedestrian “countdown” indicators; restriping existing crosswalks at the end of their useful lives; and incorporating four-foot-wide shoulder widths, where appropriate, to accommodate bicycle lanes. At the proposed levels of investment within the STIP’s time period, NYSDOT expects to construct or to improve about 2,900 street crossings; to reconstruct or to replace 120 miles of sidewalk; and to improve 100 miles of existing on-street bike lanes. Bicycle and pedestrian facilities and programs, such as NYSDOT’s Safe Seniors program, are important transportation actions that can improve livability and the quality of life in our communities.



NYSDOT has posted its [Draft Transition Plan](#)³⁸ for the Americans with Disabilities Act on its website for public review and has made significant progress toward implementation of its ADA Transition Plan.

Additionally, NYSDOT has been working with its MPOs to ensure that projects to address deficiencies identified in programs and plans are resolved through the planning process. To this end, nondiscrimination on the basis of disability under Title VI is an integral part of our planning processes and public outreach activities.

In addition, the New York State Most Integrated Setting Coordinating Council (MISCC) *“member agencies and their stakeholders work collaboratively to provide services and supports to enable people, regardless of their disability, to live in the most integrated setting. The issues of housing, employment, and transportation are important to all New Yorkers, but especially to New Yorkers with disabilities because they are the means by which an individual can live in the most integrated settings possible.”*³⁹ This council developed a comprehensive statewide plan to ensure that people of all ages with physical and mental disabilities receive care and services in the most integrated settings appropriate to their individual needs. The MISCC Plan covered the two-year period of 2010-2012 and identifies baseline data and creates measurable, agency-specific housing, employment, transportation and long-term care goals that will assist New Yorkers with disabilities to live in the most integrated settings.⁴⁰ One of several committees to support this council’s work, the MISCC Transportation Committee that is chaired by NYSDOT, meets to discuss issues, concerns and strategies to improve mobility alternatives for individuals with disabilities. The Committee identified human service transportation, the coordination of these services and accessible pedestrian access as priorities that require the attention of MISCC.

The State of New York continues to fulfill its commitment to people with disabilities, through the inclusion of a supportive housing initiative and funding for supported housing in the

³⁸ See: <https://www.dot.ny.gov/programs/adamanagement/ada-transition-plan>

³⁹ See: http://www.opwdd.ny.gov/opwdd_community_connections/miscc

⁴⁰ See: <http://www.opwdd.ny.gov/node/784>

State Fiscal Year 2012-13 Executive Budget. The State implemented an initiative called *New York Makes Work Pay*⁴¹ to improve opportunities for individuals with disabilities to participate in the mainstream workforce. Through the FTA Section 5317 New Freedom program, human service agencies are improving mobility options for supported employment opportunities for individuals with disabilities. In late 2012, Governor Cuomo issued Executive Order 84⁴² establishing the Olmstead Plan Development and Implementation Cabinet (the "Cabinet") to provide guidance and advice to the Governor in developing recommendations for the Olmstead Plan on behalf of all of New York's children and adults with disabilities and its implementation and coordination, The Cabinet shall consult with the MISCC and other relevant entities and stakeholders concerned with development and implementation of the Olmstead Plan. The Cabinet implemented outreach through listening sessions across the State, webcasts and comments on the Web⁴³ along with discussion with the MISCC Committee and State Agencies. The Cabinet will submit a final report to the Governor with its recommendations concerning establishment, implementation and coordination of the Olmstead Plan.

Bicycle and pedestrian projects are important components of a community's "livability" – having choices other than driving. NYSDOT's bicycle and pedestrian policy "promotes pedestrian and bicycle travel for all persons on the state transportation system," with emphasis on safety, connectivity and sustainable and "livable" communities.⁴⁴ Our local partners also have invested significantly in bicycle, pedestrian, connectivity and context-sensitive improvements that can be implemented as elements of a capital project.



New York's investments are consistent with USDOT's March 2010 policy *"to incorporate safe and convenient walking and bicycling facilities into transportation projects. Every transportation agency, including DOT, has the responsibility to improve conditions and opportunities for walking and bicycling and to integrate walking and bicycling into their transportation systems. Because of the numerous individual and community benefits that walking and bicycling provide — including health, safety, environmental, transportation, and quality of life — transportation agencies are encouraged to go beyond minimum standards to provide safe and convenient facilities for these modes."*⁴⁵ Additionally, NYSDOT adopted a Pedestrian and Bicycle Policy in April 2010⁴⁶.

Looking forward, we anticipate an ongoing need and intend to continue this emphasis on incorporating these kinds of integrated, multimodal investments in our core projects.

⁴¹ See: <http://ilr-edi-r1.ilr.cornell.edu/nymakesworkpay/>

⁴² See: <http://www.governor.ny.gov/executiveorder/84>

⁴³ See: <http://www.governor.ny.gov/olmsteadplan>

⁴⁴ Acting Commissioner Stan Gee's speech to Governor's Smart Growth Cabinet, April 28, 2010.

⁴⁵ See: http://www.fhwa.dot.gov/environment/bikeped/policy_accom.htm.

⁴⁶ See: https://www.dot.ny.gov/display/programs/bicycle/maps/app_repository/Ped_Bike_Policy.pdf

NYSDOT recently completed a comprehensive update of its website: <https://www.dot.ny.gov/modal/bike>. The website includes information on bicycle safety and education, commuting and tourism and bicycle planning.

Coordinated Human Services-Public Transportation Planning. NYSDOT has been working with the MPOs, local officials, other state agencies and their representatives and transportation providers on developing Coordinated Human Services-Public Transportation Plans to ensure that these plans are developed where necessary and to ensure compliance with federal guidance. These plans have laid the foundation for programming FTA funds; updated plans over the next STIP program will continue to guide the use of these funds. [Plans](#)⁴⁷ have been developed for most rural counties and each MPO area. The most recent list of plans is on the NYSDOT website. [MPOs](#)⁴⁸ also may have them on their [respective websites](#). With the passage of MAP-21, NYSDOT is working with MPOs to determine the designated recipient(s) for the program as part of the transition.

ITS. The statewide planning process (to the extent practicable) supports the development of applicable regional intelligent transportation systems (ITS) architectures, as defined in [23 CFR part 940](#)⁴⁹. NYSDOT is a leader in advancing the development of the required regional ITS architectures in NYS, both in partnership with local MPOs, or as the architecture lead, with MPOs as stakeholders. Architectures have been developed and are being maintained for the following areas: Albany-Schenectady-Troy, Binghamton, Mohawk Valley/Utica (in 2010), Buffalo-Niagara Falls, Elmira, Ithaca, Long Island, Lower Hudson Valley, New York City, Rochester and Syracuse. Additionally, a Statewide Architecture was updated in 2009 that provides a road map for system integration statewide, including those areas not covered within the metropolitan Regional Architectures. After a review of the Glens Falls area, it was determined that Glens Falls is sufficiently covered under the Statewide Architecture.



Drivers First Initiative.⁵⁰ The 'Drivers First' initiative is a new approach by NYSDOT to prioritize the convenience of motorists and to ensure that disruptions are as minimal as possible to drivers at highway and bridge projects across the state. The vision is to review and analyze current best practices used regionally and to determine how to implement these best practices, given regional budget, legal and traffic volume differences, while not compromising safety. NYSDOT will utilize expanded communications options already available to provide up-to-date roadwork and



⁴⁷ See: <https://www.dot.ny.gov/divisions/policy-and-strategy/public-transportation/federal-transit-funding/jarcmain/ajrc-program/aj-rcg-program>

⁴⁸ See: <http://www.nysmpos.org/locations.html>

⁴⁹ See: <http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&sid=492fe3798b5bccb85ccafbe8e3f479ad&rgn=div5&view=text&node=23:1.0.1.11.50&idno=23>

⁵⁰ See: <http://www.governor.ny.gov/press/09272012Drivers-First>

travel time information that will enable travelers to make informed decisions on departure time, alternate routes and mode choices.

511NY⁵¹ – ***Get Connected to Go***. 511NY is the free, official, one-stop, all-encompassing telephone, Web service and e-notification system offering information on transportation services (highway, ride-sharing, buses, trains, ferries, bicycling and more) and traffic and travel conditions (highway construction, winter road conditions and incident information) throughout New York State. This information is available 24 hours a day, seven days a week.

In 2010, **511NY** surpassed two major milestones with more than 1 million web visits and 1 million phone inquiries. Also in 2010, **511NY** received the Bright Ideas Designation from the Harvard Ash Center for Democratic Governance and Innovation and was a National Association of State Chief Information Officers (NASCIO) 2010 Recognition Awards finalist. Additionally, **511NY** was recently chosen to be a part of a video sponsored by Transportation Climate Initiative (TCI) – a multistate effort highlighting various projects throughout the Northeast and Mid-Atlantic supporting climate change.

Safety. The principles and criteria used to program safety funds in the STIP reflect the State's safety priorities that are documented in New York State's Strategic Highway Safety Plan (**SHSP**)⁵². The SHSP must be prepared by every state pursuant to MAP-21 requirements to spend federal safety funds.

The SHSP was developed through a collaborative process involving public- and private-sector safety partners at the federal, state, and local levels. The plan incorporates both behavioral and infrastructure strategies to reduce crashes and their severity through application of engineering, enforcement and education principles and emergency medical services protocols.

Statewide Transportation Corridor Studies. Statewide regulations for the STIP for transportation planning studies and project development [§450.212] note that a state(s), MPO(s), or public transportation operator(s) may undertake a multimodal, systems-level corridor or subarea planning study as part of the statewide transportation planning process. Of studies conducted around the state, the following are examples of Corridor Studies:

- **High-Speed Rail Empire Corridor Study**⁵³: This project will examine and recommend ways of introducing higher passenger train speeds on the Empire Corridor and ways to improve reliability, travel times, service frequency and passenger amenities. The High-Speed Rail Empire Corridor Project will improve passenger rail service along the corridor. In so doing it will attract additional passengers and be more competitive with other intercity transportation modes.

⁵¹ See: <http://www.511ny.org/>

⁵² See: <https://www.dot.ny.gov/divisions/operating/oss/highway/strategic-plan>

⁵³ See: <https://www.dot.ny.gov/empire-corridor>

- **I-81 Corridor Study**⁵⁴: The official I-81 corridor decision-making process begins with the I-81 Corridor Study that is being led by NYSDOT with support from the SMTC and oversight from the Federal Highway Administration (FHWA). The study's purpose is to consider the infrastructure needs in the larger context of the community it serves and the environment in which it operates. The results of the corridor study will be carried forward into the next phase of the development, NEPA scoping, which will continue to build upon the findings of this study.
- **Port Authority of New York and New Jersey's Regional Goods Movement Plan**⁵⁵: NYSDOT is a participant in the Port Authority of New York and New Jersey's (PANYNJ) Regional Goods Movement Plan. The study "seeks to develop a comprehensive long-term regional goods movement plan for the New York/New Jersey region that establishes a framework and action plan for the identification and prioritization of freight strategies and projects within a 30-year planning horizon."⁵⁶

Some of these, while they are subarea corridor studies, have significant implications for application to other parts of the region or a significant impact on a statewide travel corridor.

Significant public involvement activities were conducted to provide reasonable opportunity to comment during the transportation planning process and provided for the involvement of interested state, local, Tribal and Federal agencies. One study is being carried out by a bi-State Authority.

E. Resiliency Efforts

Emergency Preparedness Commissions.⁵⁷ In response to major storms Hurricane Irene and Sandy and Tropical Storm Lee that hit New York State in 2011 and 2012, Governor Andrew M. Cuomo established three commissions that undertook a comprehensive review and made specific recommendations about New York State's emergency preparedness and response capabilities and how to improve the strength and resilience of infrastructure to better withstand major weather incidents.⁵⁸ "The three commissions will help prepare and equip New York State for future natural disasters:



1. **NYS 2100 Commission** was tasked with finding ways to improve the resilience and strength of the state's infrastructure amid natural disasters and other emergencies.

⁵⁴ See: <http://thei81challenge.org/>

⁵⁵ See: <http://www.panynj.gov/about/studies-reports.html>

⁵⁶ See: <http://www.panynj.gov/about/studies-reports.html>

⁵⁷ See: <http://www.governor.ny.gov/EmergencyPreparednessCommissions>

⁵⁸ See: <http://www.governor.ny.gov/press/11152012-Emergency-Preparedness>

2. **NYS Respond Commission** was tasked with finding ways to ensure that New York State is ready to respond to future weather-related disasters. The Commission will examine and make recommendations to improve the planning, training and resource commitment that must occur before the next major weather event for the appropriate deployment of people and resources during and after the emergency or disaster.
3. **NYS Ready Commission** was tasked with finding ways to ensure critical systems and services are prepared for future natural disasters and other emergencies.”⁵⁹

FHWA Climate Change Vulnerability Assessment Pilots.⁶⁰

“FHWA is partnering with State Departments of Transportation (DOTs), Metropolitan Planning Organizations (MPOs) and Federal Land Management Agencies (FLMAs) to pilot approaches to conduct climate change and extreme weather vulnerability assessments of transportation infrastructure and to analyze options for adapting and improving resiliency. This pilot program is jointly sponsored by the FHWA Office of Environment, Planning and Realty and the Office of Infrastructure.”⁶¹



New York State is participating in this pilot program in a study that “will look at the New York portion of the Lake Champlain Basin in northern New York. Working with the Nature Conservancy, which recently predicted climate change impacts to the basin through 2100, NYSDOT will: identify and prioritize culverts and road segments that are most vulnerable to changing precipitation; develop engineering-based design options; create an economic tool to evaluate the full benefits and costs of adaptation options (including costs to non-DOT entities); and incorporate climate vulnerability assessments into existing NYSDOT standards, guidelines and tools. The pilot project is expected to be completed in October 2014.”⁶²

FHWA NY-NJ-CT Vulnerability Assessment. In addition to the FHWA Climate Change Vulnerability Assessment Pilots, FHWA is sponsoring a vulnerability assessment that is separate from the national pilot program. The purpose of this study is to assess the current vulnerabilities and effects of Hurricane Sandy and, to some



⁵⁹ See: <http://www.governor.ny.gov/press/11152012-Emergency-Preparedness>

⁶⁰ See:

https://www.fhwa.dot.gov/environment/climate_change/adaptation/ongoing_and_current_research/vulnerability_assessment_pilots/

⁶¹ See:

https://www.fhwa.dot.gov/environment/climate_change/adaptation/ongoing_and_current_research/vulnerability_assessment_pilots/

⁶² See:

https://www.fhwa.dot.gov/environment/climate_change/adaptation/ongoing_and_current_research/vulnerability_assessment_pilots/2013-2014_pilots/index.cfm

extent, the 2011 weather events in the greater New York region. Partnering with the three respective state DOTs and the Metropolitan Transportation Authority (MTA), are four Metropolitan Planning Organizations in the region:

- New Jersey - New Jersey Transportation Planning Authority (NJTPA);
- New York - New York Metropolitan Transportation Council (NYMTC);
- Connecticut - South Western Regional Planning Authority (SWRPA); and
- Connecticut - the Greater Bridgeport Regional Council (BBRC).

The study will assess future vulnerabilities, will include an engineering analysis of several transportation assets and will estimate the economic costs of sea level rise (SLR), storm surge and groundwater flooding and the benefits of resiliency options and adaptation strategies for critical infrastructure in the planning areas of the four MPOs.

F. State Initiatives

Implementation of the Smart Growth Infrastructure Policy Act.⁶³ “The New York State Smart Growth Public Infrastructure Policy Act ([SGPIPA](#))⁶⁴ was signed into law in August 2010 and took effect the following month as an amendment to Environmental Conservation Law. The Act is intended to minimize the unnecessary cost of sprawl development and requires State infrastructure agencies, including NYSDOT, to ensure public infrastructure projects undergo a consistency evaluation and attestation using the 10 Smart Growth [criteria](#)⁶⁵ specified in the Act. This review ensures projects are consistent with the relevant criteria to the extent practicable. The Act also requires the NYSDOT Commissioner to establish an internal advisory committee to provide direction on compliance with the Act as it applies to NYSDOT policies, programs and projects and to ensure the requirement to solicit input from and consult with various representatives of affected communities has been met.

NYSDOT has been applying Smart Growth principles within projects for a number of years. To ensure compliance with specific requirements of the new Act, NYSDOT recently completed a comprehensive, agencywide, phased implementation effort to integrate the elements of the Act (i.e., the consistency evaluation) into the existing, federally required transportation project development process. As appropriate, distinct processes were created respective to the different types of transportation projects NYSDOT oversees. NYSDOT’s approach includes the use of a [Smart Growth Screening Tool](#)⁶⁶ to help assess a project’s consistency and alignment with relevant Smart Growth criteria. A [Guidance document](#)⁶⁷ also was developed for NYSDOT employees in the oversight of SGPIPA. It

⁶³ See: <https://www.dot.ny.gov/programs/smart-planning/smartgrowth-law>

⁶⁴ See: <http://public.leginfo.state.ny.us/LAWSSEAF.cgi?QUERYTYPE=LAWS+&QUERYDATA=@SLENV0A6+&LIST=LAW+&BROWSER=BROWSER+&TOKEN=06349431+&TARGET=VIEW>

⁶⁵ See: [http://public.leginfo.state.ny.us/LAWSSEAF.cgi?QUERYTYPE=LAWS+&QUERYDATA=\\$\\$ENV6-0107\\$\\$@TXENV06-0107+&LIST=LAW+&BROWSER=BROWSER+&TOKEN=06349431+&TARGET=VIEW](http://public.leginfo.state.ny.us/LAWSSEAF.cgi?QUERYTYPE=LAWS+&QUERYDATA=$$ENV6-0107$$@TXENV06-0107+&LIST=LAW+&BROWSER=BROWSER+&TOKEN=06349431+&TARGET=VIEW)

⁶⁶ See: <https://www.dot.ny.gov/programs/smart-planning/repository/SG%20SCREENING%20TOOL.DOC>

⁶⁷ See: <https://www.dot.ny.gov/programs/smart-planning/repository/SG%20Screening%20Tool%20Guidance.DOC>

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includes a discussion of the broader context and basic tenets of the Act, a conceptual overview of Smart Growth and step-by-step guidance on how to use the Smart Growth Screening Tool.”⁶⁸ To facilitate use of this tool, all of this information is found on NYSDOT’s [Smart Planning](#) website.⁶⁹

[Complete Streets](#).⁷⁰ Governor Andrew M. Cuomo signed the Complete Streets Act ([Chapter 398, Laws of New York](#)⁷¹) on August 15, 2011, requiring state, county and local agencies to consider the convenience and mobility of all users when developing transportation projects that receive state and federal funding. The law applies to projects that are undertaken by NYSDOT or to local projects that receive both federal and state funding and are subject to NYSDOT oversight. Complete Street roadway design features include sidewalks, lane-striping, bicycle lanes, paved shoulders suitable for use by bicyclists, signage, crosswalks, pedestrian control signals, bus pull-outs, curb cuts, raised crosswalks, ramps and traffic-calming measures.⁷²

Compliance with the [State Energy Plan](#).⁷³ In 2009, a [law](#)⁷⁴ was passed that statutorily establishes the State Energy Planning Board and calls on that Board to launch an energy planning process and complete the [New York State Energy Plan \(SEP\)](#)⁷⁵ every four years. The goal of the planning process is to map the State’s energy future by showing how the State can ensure adequate supplies of power, reduce demand through new technologies and energy efficiency, preserve the environment, reduce dependence on imported gas and oil, stimulate economic growth and preserve the individual welfare of New York citizens and energy users. As outlined in statute, the State Energy Plan will focus on reliably meeting projected future energy demands, while balancing economic development, climate change, environmental quality, health, safety and welfare, transportation and consumer energy cost objectives. The next SEP is due in 2013 and thus the planning process is well underway with forecasts, white papers and policy documents in development.

In the interim, New York State State’s 2009 SEP (required by [Executive Order](#)⁷⁶ and adopted in December 2009) is currently in effect. The SEP requires the transportation sector to continue to increase energy efficiency and reduce emissions of criteria pollutants and greenhouse gasses (GHGs). The current SEP includes NYSDOT’s commitment to Smart Growth and GHG emission reductions as key principles of Transportation Improvement Programs and the Transportation Plan. In preparing their individual programs, NYSDOT regional offices and the MPOs received guidance to comply with SEP requirements. The guidance provides information on addressing transportation-related

⁶⁸ See: <https://www.dot.ny.gov/programs/smart-planning/smartgrowth-law>

⁶⁹ See: <https://www.dot.ny.gov/programs/smart-planning>

⁷⁰ See: <https://www.dot.ny.gov/programs/completestreets>

⁷¹ See: <http://open.nysenate.gov/legislation/bill/s5411a-2011>

⁷² See: <https://www.dot.ny.gov/programs/completestreets>

⁷³ See: <http://www.nysenergyplan.com/stateenergyplan.html>

⁷⁴ See:

<http://public.leginfo.state.ny.us/LAWSSEAF.cgi?QUERYTYPE=LAWS+&QUERYDATA=@SLENG0A6+&LIST=LAW+&BR OWSER=EXPLORER+&TOKEN=57833938+&TARGET=VIEW>

⁷⁵ See: <http://www.nysenergyplan.com/stateenergyplan.html>

⁷⁶ See: <http://www.governor.ny.gov/executiveorder/2>

recommendations in the SEP and an assessment of the impact of adopting the Program, including a quantitative Build/No-Build analysis of energy consumption and GHG emissions. The results of the analyses show that the individual programs, and therefore the STIP as well, generally meet the requirements of the SEP. The results are available from the MPOs or the Environmental Science Bureau of NYSDOT. On a cumulative basis, the results show close to an 11 percent reduction in energy use and GHG emissions compared to doing nothing at all. In addition, the STIP is consistent with current SEP goals by promoting energy-efficient alternatives, Smart Growth development and other SEP goals. In addition, NYSDOT continues to encourage land-use planning activities that reduce vehicle trips. As stated above, the 2013 State Energy Plan development is well underway and will culminate in additional recommendations to address energy issues affecting the transportation system.

Cleaner, Greener Communities Program.⁷⁷ “Governor Andrew Cuomo’s Cleaner, Greener Communities Program funds sustainability development and smart growth practices at the regional level. Planning teams are using the experience of public and private experts in many fields and community residents to remove barriers and to create integrated sustainability plans. These plans will help guide statewide investments and regional decision-making on land use, housing, transportation, infrastructure, energy and environmental practices. They also will help regions identify and implement projects that provide the greatest opportunity to reduce greenhouse gas emissions, save energy and deploy renewable energy options. The planning teams will align their strategies with the work of their Regional Economic Development Councils (REDCs), ensuring collaboration to improve the quality of life in our neighborhoods, making our communities more prosperous and making our state more economically vibrant.

NYSERDA is providing Cleaner, Greener Communities funding to New York’s 10 regions through a two-phase competitive grant process. NYSDOT is working with NYSERDA’s greenhouse gas emission group and reviewing transportation projects.”⁷⁸

New York State Electric Truck Voucher Incentive Program⁷⁹. NYSDOT partnered with NYSDERA to offer this CMAQ-funded program that helps private companies, public entities and nonprofit entities operating vehicles within New York State purchase new electric-battery-powered medium and heavy-duty (Class 3-8) trucks with a gross vehicle weight of 10,000 pounds or more. The incentive program is administered by NYSERDA. It will provide vouchers of up to \$20,000 per eligible vehicle purchased after all other incentives have been deducted, to offset all or some of the incremental cost of an electric medium and heavy-duty vehicle as compared to a conventionally powered model. Because the program is initially being funded with CMAQ dollars, the vehicles with these vouchers must be domiciled and primarily operated in nonattainment and maintenance counties in New York State. The intent of the program was to foster the development, production and use of electric trucks in New York State; to demonstrate emerging technologies, such as advanced electric drives and battery storage systems on trucks; and to expand mitigation of diesel

⁷⁷ See: <http://www.nyserda.ny.gov/About/Cleaner-Greener-Communities.aspx>

⁷⁸ See: <http://www.nyserda.ny.gov/Statewide-Initiatives/Cleaner-Greener-Communities.aspx>

⁷⁹ See: <https://truck-vip.ny.gov/>

emissions on in-use medium and heavy-duty fleets by utilizing zero-emission electric-drive technologies. The first year of the program was funded with \$10 million in CMAQ and participating MPOs in nonattainment or maintenance areas added this project to their TIP for informational purposes. The recent ChargeNY⁸⁰ program will provide additional incentives for alternatively powered vehicles.

⁸⁰ Cuomo, Andrew M. "New York Rising." New York State Governor's State of the State Address. Convention Center, Albany. 9 Jan. 2013. See:

<http://www.governor.ny.gov/sites/default/themes/governor/sos2013/2013SOSBook.pdf>

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III. CERTIFICATION REQUIREMENTS

As part of the STIP, New York State certifies that the transportation planning process is being carried out following the requirements as mandated under the applicable federal rules and regulations. As part of this planning process, each MPO developed a program of transportation improvement projects called a “TIP” covering a period of five years, consistent with its metropolitan transportation (long-range) plan, and that is formally adopted as part of the metropolitan planning process. Each MPO Transportation Improvement Program (TIP) has been included without change in the STIP. This STIP is consistent with established transportation plans that have addressed MAP-21 compliance requirement guidance. In addition, each MPO updated or amended its current metropolitan transportation plan or developed action plans to be compliant with MAP-21.

Federal law and regulations state that a number of items are required for STIP approval. These requirements are listed below (A through J coinciding with the appropriate section in the Appendix), along with an indication of how the requirement is met for this STIP:

A. Certification of the Statewide Transportation Planning Process

As part of the STIP submittal, each state must certify to the FHWA and FTA that the transportation planning process is being carried out in accordance with all applicable requirements of federal legislation, especially that pertaining to transportation planning:

- 1) *23 U.S.C. 134 and 135, 49 U.S.C. 5303 and 5304, 23 CFR Part 450 and 49 CFR Part 613;*
- 2) *Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d-1) and 49 CFR part 21;*
- 3) *49 U.S.C. 5332, prohibiting discrimination on the basis of race, color, creed, national origin, sex, or age in employment or business opportunity;*
- 4) *Section 1101(b) of MAP-21 (Pub. L. 112-141) and 49 CFR Part 26 regarding the involvement of disadvantaged business enterprises in USDOT funded projects;*
- 5) *23 CFR part 230, regarding implementation of an equal employment opportunity program on Federal and Federal-aid highway construction contracts;*
- 6) *The provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) and 49 CFR parts 27, 37, and 38;*
- 7) *In States containing nonattainment and maintenance areas, sections 174 and 176 (c) and (d) of the Clean Air Act as amended (42 U.S.C. 7504, 7506 (c) and (d)) and 40 CFR part 93;*
- 8) *The Older Americans Act, as amended (42 U.S.C. 6101), prohibiting discrimination on the basis of age in programs or activities receiving Federal financial assistance;*
- 9) *Section 324 of title 23 U.S.C., regarding the prohibition of discrimination based on gender; and*
- 10) *Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and 49 CFR part 27 regarding discrimination against individuals with disabilities.*

The certification for this STIP is contained in Appendix A of this document.

B. Certification of the Metropolitan Transportation Planning Process

The STIP is developed in cooperation with the MPOs of New York State. Federal regulations require the State and Metropolitan Planning Organizations certify to FHWA and FTA at least every four years as part of the STIP submittal that the planning process in the metropolitan area is addressing the major issues facing the area and is being conducted in accordance with all applicable requirements of U.S. Code Section 134 of Title 23, Section 5303 of the Federal Transit Act, and other federal legislation pertaining to transportation planning. Copies of these certifications are included in Appendix B. In addition, copies of the resolutions approving the MPOs' TIP are included in Appendix C.

C. Certification of Air-Quality Conformity



For those MPOs where air-quality nonattainment or maintenance areas have been designated within the MPO's metropolitan planning area, its plans and programs are subject to transportation/air-quality conformity requirements. The Clean Air Act Amendments (CAAA) of 1990 requires demonstration that transportation plans, programs and projects conform to the purpose of State Air Quality Implementation and/or Maintenance Plans to attain and to maintain the National Ambient Air Quality Standards (NAAQS). This requirement applies only to those areas designated as nonattainment or maintenance areas regarding the NAAQS. As of August 2013, these counties are Chautauqua County, Onondaga County, Orange County, Westchester County, Rockland County, Nassau County, Suffolk County, Bronx County, Queens County, Kings County, Richmond County and New York County.

When the nonattainment or maintenance areas are within MPO metropolitan area boundaries, the conformity determinations for the Transportation Improvement Program (TIP) and Metropolitan Transportation Plan (long-range plan) are addressed by the MPO. Outside MPO boundaries, NYSDOT conducts the conformity determinations.

Projects in non-attainment and maintenance areas, which must be included in the STIP and have been determined to have more than a *de minimis* effect on air quality, cannot be advanced unless there is a program and plan level conformity determination for that affected area. Conformity determinations are performed separately and independently for each nonattainment and maintenance area. As such, projects in areas with the necessary conformity determinations can be advanced regardless of the conformity status of other areas.

On May 21, 2012, the EPA promulgated the 2008 8-Hour Ozone NAAQS and, effective July 20, 2012, classified the counties of Bronx, Chautauqua, Kings, Nassau, New York, Queens, Richmond, Rockland, Suffolk, and Westchester as marginal nonattainment for the 2008 ozone standard.

Under the new 2008 8-Hour Ozone NAAQS, NYMTC and Chautauqua County are required to do a conformity determination for ozone by July 20, 2013. For this STIP, the Chautauqua

County conformity determination that was approved by the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA), in consultation with the United States Environmental Protection Agency (USEPA) and the New York State Department of Environmental Conservation (NYSDEC) on October 24, 2011, is still valid. NYMTC's conformity determination for the 2008 ozone standard is anticipated to be approved by FHWA and FTA by July 20, 2013.

Additionally, the EPA revoked the Transportation Conformity requirements for the 1997 8-Hour Ozone NAAQS to be effective on July 20, 2013. As a result, the GBNRTC, GTC, CDTC, A/GFTC, Poughkeepsie-Dutchess County Transportation Council (PDCTC) and Orange County Transportation Council (OCTC) will not make a transportation/air-quality conformity determination for ozone as required for previous STIP updates

NYMTC will still be required to do conformity determinations for fine particulate matter (PM_{2.5}), coarse particulate matter (PM₁₀), carbon monoxide (CO) and ozone. OCTC will still be required to do a conformity determination for PM_{2.5}. SMTC will still be required to do a conformity determination for CO.

Interagency consultation is required to complete the conformity determination process. In New York State, the Interagency Consultation Group (ICG) includes representatives from USDOT (Federal Highway and Transit Administrations); U.S. Environmental Protection Agency (USEPA) Region 2; New York State Department of Environmental Conservation (NYSDEC) and NYSDOT Environmental Science Bureau (ESB); and the MPOs. The group provides multiagency guidance and concurrence on the assumptions and methodologies in the application of Travel Demand Models and emissions models used by the MPOs and in the rural areas, the results of which formed the basis of the regional emissions analysis. In general terms, the model outputs are used to forecast the amount of air pollution created when the projects in the MTPs and TIPs are expected to be operational. The process for consultation is documented in NYSDEC regulations.

For this STIP, each TIP and rural portion of the Program in a nonattainment or maintenance area has or is in the process of having its conformity determination approved by FHWA and FTA, in consultation with USEPA and NYSDEC. Copies of these draft analyses are available in the TIP documents or from NYSDOT's ESB. Copies of the approval letters for the conformity analyses are included in Appendix D.

D. Description of the project selection process for nonmetropolitan areas

In nonmetropolitan areas, transportation projects undertaken on the National Highway System, under the bridge program in title 23 U.S.C. and under Sections 5310, 5311, 5316, and 5317 of title 49 U.S.C. Chapter 53, shall be selected from the approved STIP by the State in cooperation with the affected nonmetropolitan local officials with responsibility for transportation. Federal Lands Highway Program projects shall be selected from the approved STIP in accordance with the procedures developed pursuant to 23 U.S.C. 204.

NYSDOT's process, "[*2011 NYSDOT Procedures for Consultation with Public Officials in Rural Areas*](#)"⁸¹ used to select projects for the nonmetropolitan areas, is described in Section II.

E. Description of the public participation and consultation process for review of the draft STIP

Public participation. MAP-21 requires an opportunity for early and continuous involvement in developing the STIP; NYSDOT has updated its procedures reflecting new techniques and technologies in use, including the Web and visualization techniques. The manual underwent public review in February 2010. NYSDOT's public involvement procedures are documented in [*NYSDOT's "Public Involvement Manual for Transportation Planning"*](#).⁸² This manual was updated to ensure and to document NYSDOT's procedural compliance with federal transportation planning provisions respective to public involvement. It serves two purposes – it is a guide to the public on how to participate in transportation planning activities and it clarifies for NYSDOT staff how our planning process will meet current federal planning requirements for public involvement. For example, there is more emphasis on visualization tools and strategies to engage everyone, including the traditionally underserved populations.

New York State's MPOs embrace public participation as key to their program participation process and have a continuing, cooperative and comprehensive working relationship with diverse individuals and groups. Each MPO has documented procedures for public participation and involvement. Public participation at the MPO level follows the formal process adopted by each individual MPO. With more than 91 percent of New York's population living within counties in the MPO areas, many citizens can be involved in this formal process to formulate the STIP. Each MPO has a public participation and involvement process.

Consultation. MAP-21 requires consultation with nonmetropolitan local officials and Tribal governments in developing the long-range statewide transportation plan and STIP, and that MPOs and State DOTs shall consult with local/State land-use management, natural resource, historic and other agencies in developing transportation plans.

In consultation with FHWA and FTA, NYSDOT reached out to several federal and state resource agencies to identify appropriate agency contacts and to discuss federal statewide and metropolitan planning consultation requirements. NYSDOT conducted introductory phone calls with these agencies and discussed how best to proceed with meaningful interactions. Agency contacts were asked if they would be willing to review, for consultation purposes, the State Transportation Master Plan, the existing STIP and the relevant chapters of the NYSAMPOs' Metropolitan Transportation Plans. They were asked if they would be

⁸¹ See: https://www.dot.ny.gov/divisions/policy-and-strategy/planning-bureau/MPO_program_update_guide/repository/ruralconsult2006a1.pdf.

⁸² See: https://www.dot.ny.gov/divisions/policy-and-strategy/planning-bureau/MPO_program_update_guide/repository/Planning%20PIFinal-Manua12%201218.pdf

willing to review the draft STIP when it becomes available and if they had any statewide or regional plans they could share. Each agency contact was sent a follow-up e-mail with web links to the Master Plan, the STIP and to the NYSAMPO website. An attachment reiterating the purpose of the call and the federal consultation requirements was provided. The draft FFY 2013-17 STIP was provided to these resource agencies during the public review process. Any comments received from these review agencies will be documented and addressed as part of the consultation process for this STIP update.

Consultation with the New York Tribal or Native Nations specifically on tribal safety issues also was initiated. According to the Summit Report, “The New York Native Nations Transportation Safety Summit held from March 21-22, 2012 brought together the full range of interested parties to discuss transportation safety issues and to begin developing coordinated strategies toward the ultimate goal of reducing crash-related injuries and deaths within Native American communities.”⁸³

“The Summit identified key safety challenges facing Native Nations, the resources (human, technical, material, and financial) available to address them, and stimulated multidisciplinary collaboration among safety stakeholders. It was carried out through the collaborative efforts of representatives from the Oneida Nation Police, Seneca Nation of Indians Transportation Division, Onondaga County Sheriff’s Office-Traffic Safety Program, St. Regis Mohawk Injury Prevention Program, Bureau of Indian Affairs (BIA), Michigan Tech Tribal Technical Assistance Program (TTAP), SUNY Ulster, Governor’s Traffic Safety Committee (GTSC), New York State Department of Transportation (NYSDOT), New York State Police, National Highway Traffic Safety Administration (NHTSA), Federal Highway Administration (FHWA)-Federal Lands, and FHWA-New York Division.”⁸⁴

In rural areas, where the remaining federal transportation funding is spent, the consultation and coordination that historically has taken place between NYSDOT regional staff and local officials will continue. In the rural, nonmetropolitan areas, the Regions make a concerted effort, as described in our rural consultation process, “[2011 NYSDOT Procedures for Consultation with Public Officials in Rural Areas](#)”⁸⁵, to reach out to local officials to ascertain their transportation needs; this rural consultation process is described further in Section II, Program Development. The Regions also reach out, as appropriate, to local Indian Tribal Nations.

NYSDOT continued its existing consultation process with the Tribal governments in New York State, primarily through the Regional offices. A special outreach letter was developed to transmit the draft STIP to the Tribal Nations. Additionally, several MPOs contacted the Tribal governments in their metropolitan areas through their routine TIP outreach and

⁸³ U. S. Department of Transportation Federal Highway Administration. New York Native Nations Transportation Safety Summit: Summit Report, Pub#: FHWA-FLH-13-003. Verona: Prepared by Cambridge Systematics, Inc., 2012.

⁸⁴ U. S. Department of Transportation Federal Highway Administration. New York Native Nations Transportation Safety Summit: Summit Report, Pub#: FHWA-FLH-13-003. Verona: Prepared by Cambridge Systematics, Inc., 2012.

⁸⁵ See: https://www.dot.ny.gov/divisions/policy-and-strategy/planning-bureau/MPO_program_update_guide/repository/ruralconsult2006a1.pdf.

mailing processes. MAP-21 Tribal Transportation Programs' projects will be amended into the STIP as these become available from FHWA and Federal Lands.

STIP Public Review. The detailed process used for public review of the STIP is as follows: NYSDOT made the draft STIP available to the public for the required 30-day review and comment period. The availability of the draft STIP for public review was announced through a NYSDOT press release sent to more than 1,100 media outlets across New York State on July 26, 2013. In addition, both the summary and the project listings are published on NYSDOT's external website. During the public review period for the draft STIP, NYSDOT will receive comments. After public review, the details of each comment or question and NYSDOT's responses will found in Appendix K.

To request a copy of the STIP: STIP@dot.ny.gov

The Project List and the STIP Summary Report can be viewed or downloaded at:

[Statewide Transportation Improvement Program](https://www.dot.ny.gov/programs/stip)
(<https://www.dot.ny.gov/programs/stip>)

Complete copies of this STIP also may be examined at each [NYSDOT Regional Office](#)⁸⁶ and at each [MPO Central Staff Office](#)⁸⁷ during normal business hours. The addresses of these offices are provided in [Appendix F and G](#). Send requests for a printed copy of the STIP to:

New York State Department of Transportation
Policy & Planning Division
Office of Policy, Planning & Performance
50 Wolf Road, 6th Floor
Albany, NY 12232
Telephone: (518) 457-2320

NYSDOT is an environmentally conscious agency and will provide a CD upon request.

F. Statement that the STIP is based on the long-range statewide transportation plan

This Program is consistent with New York's long-range statewide transportation plan and with the long-range transportation plans and transportation improvement programs in its metropolitan areas. Projects selected for the STIP are required to be consistent with the long-range statewide transportation plan required by federal regulations. In 2006, NYSDOT updated the Master Plan, *Strategies for a New Age: New York State's Transportation Master Plan for 2030*. This Plan articulates a vision for New York's future transportation system as a seamless system in which travelers can shift conveniently among modes and operators to complete trips that meet their individual and business needs. The Plan outlines policy guidance and strategies to achieve this vision.

⁸⁶ See: <https://www.dot.ny.gov/regional-offices>

⁸⁷ See: http://nysmpos.org/wordpress/?page_id=952

The Plan is not just for NYSDOT but for the entire statewide transportation system. This plan openly recognizes the complementary and integrated role that every transportation mode plays in promoting New York's vitality. Additionally, the plan acknowledges the central importance of transportation in fostering New York's competitive position within the regional, national and global economies. Above all else, this plan is predicated on first identifying and then taking steps to meet the service expectations of the transportation system's many and diverse customers.

This acknowledges that New York's transportation system for the 21st century must be planned, managed and operated in a far more integrated way than before. Amid anticipated financial and funding constraints at both the state and federal levels, NYSDOT and its partners will be required to prioritize investments more effectively for all modes and to collect the best available data to measure and to evaluate the impacts of these investments on the system and its customers. To focus these priorities, New York State will designate major transportation corridors and select investments that will best serve the primary customers of these corridors. The projects contained in this STIP generally follow the intent stated in the statewide long-range plan.

For metropolitan areas, federal regulations require that the TIPs be consistent with the metropolitan transportation plans developed for each urban area. Each of the [13 MPOs](#)⁸⁸ has adopted long-range transportation plans for their respective metropolitan areas. The TIP is considered to be the short-range element of the metropolitan transportation plan. The projects selected by the MPO for the TIP reflect the goals, objectives and strategies of its plan. Nonattainment areas are required to update their long-range plans every four years. Attainment areas are required to update their plans every five years. Table 1 indicates the most current approval date for each of these plans. In approving the TIPs and the self-certifications, the MPO and the State attest that the TIP is consistent with the metropolitan transportation (long-range) plan.

G. Statement that the TIPs are included in the STIP in their entirety

Federal regulations require that the TIPs be included in the STIP in their entirety. The MPOs were closely involved in the development of New York's STIP. The MPOs were given a draft copy of their portions of the STIP to review to ensure their entire TIP was included. As part of the review effort, the MPOs were asked to provide a statement that they had an opportunity to review the STIP and that, to the best of their knowledge, their TIP is included in its entirety. Copies of those statements are included in [Appendix E](#).

H. Demonstration of Fiscal Constraint

The STIP is required to be fiscally balanced by Federal-aid fund source and Federal Fiscal Year. [Section II](#) describes how this condition is met for this STIP. Project costs and

⁸⁸ See: http://nysmpos.org/wordpress/?page_id=952

revenues in the STIP are expressed in Year of Expenditure dollars per the December 11, 2007, federal requirement, for all areas.

I. List of Transportation Projects with the Necessary Data for the Next Four Federal Fiscal Years

The STIP includes this Summary and a separate section titled “STIP Project Listing.” This section lists all project phases for which federal funding is to be obligated in federal fiscal years 2014, 2015, 2016 and 2017. An explanation of the data content is in Appendix J and is in “How to Read the STIP.”

The STIP Project Listing information is presented by NYSDOT Regions. Within each Region, project phases are listed in Project Identification Number (PIN) sequence. The listing includes all Federal-aid funded project phases. Detailed instructions on “Project Descriptions” prepared by the FHWA-NY Division were provided as part of the instructions to the NYSDOT Regional Offices and to the MPOs. The information for each project in the “STIP Project Listing” includes:

- I. Project Identification Number (PIN)
- II. Project description
- III. Phase of work
- IV. Fund sources for each phase - Federal and non-Federal sources
- V. Cost by fund source, Federal amount and non-Federal sources
- VI. Total cost of the phase of work
- VII. Federal Fiscal Year of obligation for the phase of work
- VIII. County where the project is located
- IX. Responsible agency
- X. MPO or NYSDOT Region
- XI. Air Quality nonexempt status

TABLE 1

TABLE 1
NYS MPOs' METROPOLITAN TRANSPORTATION PLAN APPROVAL DATES

MPO NAME	MPO LOCATION	APPROVAL DATE	Expected Date of Next Plan Update
Adirondack - Glens Falls Transportation Council (AGFTC)	Glens Falls	January 2010	December 2013
Binghamton Metropolitan Transportation Study (BMTS)	Binghamton	October 2010	September 2015
Capital District Transportation Committee (CDTC)	Albany	October 2011	December 2015
Elmira - Chemung Transportation Council (ECTC)	Elmira	December 2009	December 2014
Genesee Transportation Council (GTC)	Rochester	June 2011	June 2015
Greater Buffalo - Niagara Regional Transportation Council (GBNRTC)	Buffalo - Niagara Falls	June 2011	May 2014
Herkimer - Oneida Counties Transportation Study (HOCTS)	Utica	January 2010	December 2014
Ithaca - Tompkins County Transportation Council (ITCTC)	Ithaca	December 2009	December 2014
Orange County Transportation Council (OCTC)	Newburgh, Inc. Middletown	December 2011	December 2015 #
New York Metropolitan Transportation Council (NYMTC)	New York Metropolitan Area	October 2009	October 2013 #
Poughkeepsie - Dutchess County Transportation Council (PDCTC)	Poughkeepsie	December 2011	December 2016 #
Syracuse Metropolitan Transportation Council (SMTC)	Syracuse	June 2011	March 2016
Ulster County Transportation Council (UCTC)	Kingston	September 2010	September 2015 #

With the next expected update to occur by December 2015, it has been recommended "UCTC should try to harmonize its next Plan horizon date with the other two MPOs", OCTC and PDCTC. As of July 20, 2013, PDCTC is no longer in an ozone non-attainment area.

IV. PROGRAM FUNDING SOURCES

The New York State Transportation Improvement Program is funded through a variety of funding sources: Federal, State, State Authorities and Local. Non-Federal sources may provide the required match to the Program or fund regionally significant, non-Federally funded projects or other projects included for information to support maintenance and operations. In this STIP, it was projected that about \$6.4 billion in highway and \$6.5 billion in transit Federal-aid will be available to New York State for highway and transit projects over the next four years.



Within MAP-21, Congress established the funding levels each state is to receive from each of the highway funding programs in the Highway Trust Fund. These amounts are referred to as authorizations. Each year, Congress adopts a new Federal Budget and establishes an apportionment, or allocation, of what the states may spend from the authorization. In addition, Congress sets an "Obligation Authority" (OA) limit that represents the rate at which the apportionment may be used. In some years, the Obligation Authority for highway funds has been averaging more than 90 percent of the apportionment, while in others it has been more than 100 percent.

At the end of this section, Table 2 depicts the level of federal highway and transit funding for the major funding programs that New York State estimates will be available for transportation during Federal Fiscal Years 2014 through 2017.

A. Federal Funds

Federal transportation funds come to New York State from two sources: Federal-aid Highway Funding (Title 23), administered through the Federal Highway Administration and Federal Transit Assistance (Title 49), administered through the Federal Transit Administration. Additional information on these programs are at:

<http://www.fhwa.dot.gov/federalaid/projects.cfm>

[Federal Transit Administration](#)⁸⁹

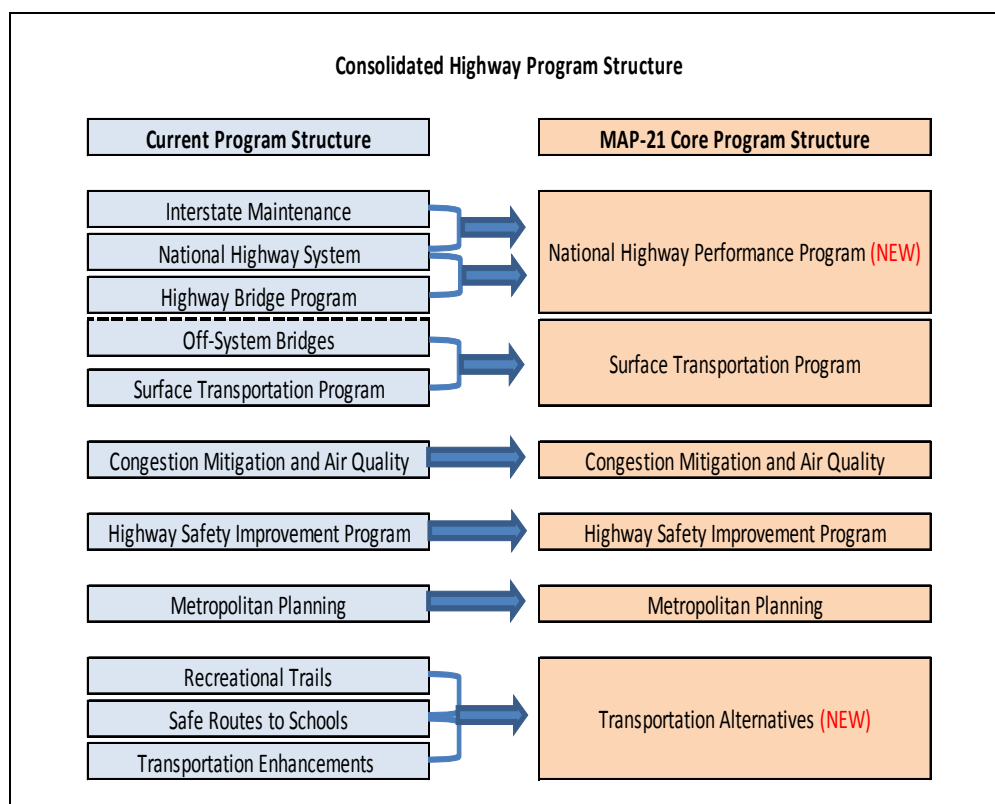
Funds for certain programs that have ended are shown in the STIP. Some funds are "blocked amounts," meaning that the estimated funding available is shown for each program in each year of the STIP and specific projects are not identified at this time. For the Recreational Trails, FTA 5316 (Jobs Access and Reverse Commute), FTA 5317 (New Freedom), FTA Section 5310 (elderly and handicapped vehicles), FTA Section 5311 (rural and small urban areas) Programs, Safe Routes to Schools, High-Risk Rural Roads, the

⁸⁹See: http://www.fta.dot.gov/index_6538.html

Transportation Enhancements Program and the Scenic Byways Program, the STIP contains remaining amounts. Since projects are selected for these programs on an annual or multiyear basis through the established processes, it is not possible to list individual project proposals within the STIP because these processes have not been completed. The solicitation process has started for the remaining amounts in TEP. When selected, these projects will be added to the STIP through the amendment process. As previously noted, these programs have ended. Solicitations for projects under the new Transportation Alternatives Program that replaced these have not yet been initiated.

B. Federal Highway Administration (FHWA) Funding

MAP-21 consolidates major existing categories of highway funding from SAFETEA-LU. The **National Highway Performance Program** includes the former Interstate Maintenance, National Highway System and most of the Highway Bridge Program. The **Surface Transportation Program (STP)** includes the former STP program and the Off-System Bridges set-aside. The **Congestion Mitigation and Air Quality Improvement (CMAQ)** Program, with some modifications, remains the same, although it is no longer funded via a formula. The new **Transportation Alternatives Program (TAP)** combines former Transportation Enhancements program (which was a percentage set-aside from STP) and the Safe Routes to School and Recreational Trails programs. It is still being determined how this TAP will be administered.



Highway Safety Improvement Program (HSIP). NYSDOT is using a hybrid approach to manage the Highway Safety Improvement Program (HSIP) that has essentially doubled in size under MAP-21. Approximately half of the funds have been provided to NYSDOT Regions according to existing planning target formulas. The remaining half is being administered centrally through initiatives managed by the Statewide Safety and System Optimization Team. The centrally managed portion allows the funds to be focused where the needs are greatest and to use the funds more efficiently in support of the Strategic Highway Safety Plan (SHSP). The purpose of this program is to facilitate the goals and strategies set forth in the Strategic Highway Safety Plan and to progress the best transportation proposals that reduce fatal and severe injury crashes, regardless of ownership, mode (pedestrians, motorcycle/bicycles, grade crossings, etc.) or geographic restriction within the statewide funds available.

NYSDOT is using approximately \$42 million from FFY 13 and \$40 million from FFY 14 in available HSIP funds for centrally managed proposals to be selected statewide. The statewide solicitations support safety specific projects that direct safety funds where they are most needed by targeting locations, corridors or areas demonstrating the highest benefit-cost ratios to reduce fatal and severe injury crashes. Funding has been awarded based on an evaluation of these projects to maximize investment in the most cost-effective safety projects. Successful proposals are consistent with the strategies and emphasis areas identified in the NYS Strategic Highway Safety Plan are included. As stated above, funding has been awarded for projects statewide that provide the highest benefit-cost ratio based on safety evaluation criteria. Recently selected projects for FFY 13 and FFY 14 will be amended into the STIP as applicable.

National Highway Performance Program (NHPP). “The NHPP provides support for the condition and performance of the National Highway System (NHS), for the construction of new facilities on the NHS, and to ensure that investments of Federal-aid funds in the highway construction are directed to support progress toward the achievement of performance targets established in a State’s asset management for the NHS.”⁹⁰ Under the NHPP, the NHS was enhanced to include the Interstate System, all principal arterials (including those not previously designated as part of the NHS) and border crossings on those routes, STRAHNET and STRAHNET connectors (network of highways important to strategic defense and connectors to major military installations).⁹¹ As a result of MAP-21’s Enhanced NHS provision, New York State’s NHS system will be proposed to be expanded. The NHPP replaces the former National Highway System, Interstate Maintenance and Highway Bridge program as noted in the above graphic. Note that the former Highway Bridge Replacement and Rehabilitation program (HBRR) was split between the NHPP program and the STP program (that component of the former HBRR program that applied to Off-System Bridges.) Funding for the NHPP can only be used on the expanded NHS. Bridges that are not on the NHS must now compete within the Surface



⁹⁰ See: <http://www.fhwa.dot.gov/map21/nhpp.cfm>

⁹¹ See: <http://www.fhwa.dot.gov/map21/nhpp.cfm>

Transportation Program (STP) described below, challenging states to address bridge needs off the NHS.

Surface Transportation Program (STP). “The STP provides flexible funding that may be used by States and localities for projects that preserve and improve the conditions and performance on any Federal-aid highway, bridge and tunnel projects on any public road, pedestrian and bicycle infrastructure, and transit capital projects, including intercity bus terminals.”⁹² Funding from this program, in general, may be spent on any road not functionally classified as a local or minor collector. However, there are a number of exceptions to this



requirement that include bridge and tunnel inspection, carpool projects and fringe/corridor parking facilities. The Transportation Enhancement Program (TEP) under STP has been replaced by the Transportation Alternatives Program (TAP) under the new provisions of MAP-21. TAP replaces the funding from pre-MAP-21 programs, including Transportation Enhancements, Recreational Trails, Safe Routes to School and several other discretionary programs, wrapping them into a single funding source. TAP funds are administered by NYSDOT. In this STIP, no set-aside was made for TAP pending the new guidance and regulations from FHWA.

Congestion Mitigation and Air Quality Program (CMAQ). This program directs funds toward transportation projects in air-quality nonattainment or maintenance areas. CMAQ projects contribute toward meeting the national ambient air-quality standards and may be spent on either highway or transit projects.⁹³

Nonallocated funding programs. The STIP may include remaining funds from SAFETEA-LU non-allocated programs such as Transportation Enhancements (TEP), Safe Routes to School, High-Risk Rural Roads, Appalachia and Border Crossing Infrastructure Programs. There are a number of discretionary programs for which the State may be showing proposed obligations for remaining funding, such as Scenic Byways, Public Lands, Ferry Boats and Terminals, Transportation Communities and System Preservation and others.

⁹² See: <http://www.fhwa.dot.gov/map21/stp.cfm>

⁹³ See: <http://www.fhwa.dot.gov/map21/cmaq.cfm>

C. Federal Transit Administration (FTA) Funding

Federal funding for the FTA transit program is provided through a combination of guaranteed trust fund revenues (80 percent) from the Mass Transit Account of the Highway Trust Fund and (20 percent) from the general treasury. Despite the guarantee, federal transit funding is still subject to the annual appropriations process and several programs have been by sequestration.

Categorical Funding Programs. Because this FFY 2014-FFY 2017 STIP extends beyond MAP-21, the fiscal constraint analysis assumes that all programs for FFY 2014 would continue at a slight increase from the full appropriations released in FFY 2013. The remaining years of the STIP assumes a stable flat level of transit funding.

Note the STIP contains only a blocked amount for each federal fiscal year for the remaining amounts under FTA 5316 (Jobs Access and Reverse Commute), FTA 5317(New Freedom), FTA Section 3038 (Over the Road Bus Accessibility), Specific projects are not identified at this time. Projects are selected from ongoing competitive processes on an annual or multiyear basis; it is not possible to list individual project proposals within the STIP at this time. When selected, projects will be added to the STIP through the amendment process.

Urbanized Areas Formula Grants/High Density and Growing States (Section 5307 /5340)

The largest of FTA's grant programs, Section 5307 provides grants to urbanized areas to support public transportation. Funding is distributed by formula based on the level of transit service provision, population and other factors. Since the SAFETEA-LU legislation, Section 5307 contains two subprograms referred to as 5340: Growing States, which allocated funds based on states that had growing populations over two decennial census periods, and High Density, which allocated funds based on states with denser populations. These two programs continue in MAP-21. Total national funding is \$4.9 billion in FFY 2013 and \$5 billion in FFY 2014. New York receives close to \$1 billion in 5307 per year. A large majority of the funds go directly to the Metropolitan Transportation Authority (MTA) while the remaining funds go to other Designated Recipients (DR) in the State. NYSDOT does not receive any 5307 funds.

The program remains largely unchanged with the MAP-21 legislation with a few exceptions, chiefly, that activities under the former Jobs Access Reverse Commute (JARC – Section 5316) program are now eligible under the urbanized area formula program. This includes operating assistance with a 50 percent local match for employment-related activities. In addition, the urbanized area formula for distributing funds now includes the number of low-income individuals as a factor. There is no floor or ceiling on the amounts that can be spent on job access and reverse commute activities. Additionally these funds are not subject to the coordinated planning process or require a solicitation to program the funds.

Table 2 lists the funds available by year for the Section 5307 program based on the two years of MAP-21 and the assumption that the funding will remain stable after that point. Due

to the late announcement of FFY 2013 full-year appropriation, there are significant amounts of the FFY 2013 and, in some cases, FFY 2011 and FFY 2012 funds being carried into this STIP for programming. These funds are being shown together with the FFY 2014 amounts as estimated funds available in FFY 2014. Under SAFETEA-LU legislation, it was required that Section 5307 funds be obligated within one (the appropriation year) plus three years. This allowed for the DR to assemble sufficient capital funds to put together major purchases for capital projects, including buses and facilities. Under MAP-21, this timeline will be extended to one plus five years.

Rural Area Formula Grants (5311)

This program provides capital, planning, and operating assistance to support public transportation in rural areas, defined as areas with fewer than 50,000 residents. MAP-21 authorized \$599.5 million in 2013 and \$607.8 million in 2014. In MAP-21, the formula has changed from 80 percent of the funds allocated based on population to 66.5 percent. The formula also has added an apportionment based on revenue vehicle miles; the formula now includes the number of low-income individuals as an additional factor. As with the 5307 program, activities under the JARC program are now eligible under the Rural Area Formula program.

MAP-21 authorizes an additional \$20 million each for FFY 13 and FFY 14 for grants to support public transportation in the Appalachian region. This program covers 16 states based on the latest percentages of available costs for completing the Appalachian Development Highway system. If New York is allocated funds in the future, they will be part of the State's 5311 program to support public transportation in the following counties: Allegany, Chautauqua, Cattaraugus, Steuben, Yates, Tompkins, Chemung, Tioga, Broome, Cortland, Chenango, Otsego, Schoharie and Sullivan. There also will be a possibility to transfer these funds from operating transit to completion of highway projects under certain circumstances.

The programming for the Section 5311 funds mainly falls outside of the urban areas. Table 2 includes a statewide program amount at the end of the document that captures the funding available for projects through the 5311 program for the four years of the STIP. There are transfers of 5311 funding to urban areas with less than 200,000 residents. The funding is captured in the 5311 line in the statewide program. For TIP/STIP programming, these funds generally are put on as a block and, except for outright transfers, only are added to an individual TIP for informational purposes.

Enhanced Mobility of Seniors and Individuals with Disabilities (5310)

This program provides formula funding to increase the mobility of seniors and persons with disabilities. Funds are apportioned based on each state's share of the targeted populations. New for MAP-21, they are now apportioned to both state (for all areas under 200,000) and large urbanized areas (more than 200,000). The former New Freedom program (5317) is folded into this program. The New Freedom program provided grants for services with persons with disabilities that went above and beyond the requirements of the Americans

with Disabilities Act (ADA). Nationally, the enhanced 5310 program has \$254.8 million for 2013 and \$258 million in 2014. New York State received approximately \$17 million in funding statewide in 2013 and, after a small increase projected for FFY 14 the amount in table 2, remains stable. Some MPOs put this funding on as a block to be programmed into individual projects at a later date.

These funds require that projects awarded be in the Coordinated Human Service and Public Transportation Plan that was part of the SAFETEA-LU legislation. There are several significant changes to the program, such as operating assistance is now an eligible expense for 5310. The program requires that 55 percent of funding be planned and spent on projects that serve seniors and individuals with disabilities where public transit is not appropriate to serve their needs. The remainder can be used to initiate projects over and above ADA requirements to improve access to public transportation for individuals with disabilities. Funding levels are determined by statistics from the American Community Survey (ACS) rolling five-year program and will be updated each year for the subsequent apportionments.



Fixed Guideway Capital Investment Grants (5309)

This program, also known as “New Starts”, awards grants on a competitive basis for major investments in new and expanded rail, bus rapid transit (BRT) and ferry systems. The authorizations levels for this program total \$1.907 billion each year of MAP-21. FY 2013 awards were announced and the two major projects in New York State continue to receive funds: the Second Avenue Subway project in Manhattan and the East Side access project bringing Long Island Rail Road (LIRR) to Grand Central Station on the east side of Manhattan. These funds are not included in the fiscal constraint calculations for the state because they are discretionary based on the FTA’s process. As funds are awarded, or Full Funding Grant Agreements (FFGA) are added for specific projects, these projects must be added to the TIP/STIP.

Transit Safety and Oversight Program (5329)

A new oversight grant program is established under MAP-21 titled Section 5329. This program provides a comprehensive framework to oversee the safety of public transportation throughout the United States as it pertains to heavy rail, light rail, buses, ferries and streetcars. The law requires, among other things, that FTA update the State Safety Oversight (SSO) program to ensure that rail transit systems are meeting basic, common-sense safety requirements. The law includes important new safety provisions for bus-only operators. All recipients of FTA funding will develop an agency safety plan and certify that the plan meets FTA requirements. Many of these requirements are already part of the Statewide Mass Transportation Operating Assistance Program (STOA) safety program under the NYS Public Transportation Safety Board (PTSB) and will be updated to reflect

any necessary changes. FTA funds are directed through the State Oversight agency (NYSDOT) and are currently based on the full 2013 appropriation.

State of Good Repair Grants (5337)

MAP-21 establishes a new grant program to maintain the fixed guideway public transportation systems in a state of good repair. The program replaces the fixed guideway modernization program under Section 5309 from SAFETEA-LU. Funding is limited to fixed guideway systems (including rail, bus rapid transit and passenger ferries) and high-intensity bus (high-intensity bus refers to buses operating in high-occupancy vehicles (HOV) lanes). Projects are limited to replacement and rehabilitation, or capital projects required to maintain public transportation systems in a state of good repair. There is \$2.136 billion in FFY 2013 and \$2.165 billion in FFY 2014.

The distribution of funds is based on existing systems; therefore, only Buffalo, the Hudson Valley Transportation Management Area and NYMTC are awarded funds for the fixed-guideway portion of this funding source. The New York area was identified as receiving \$5.855 million in high-intensity bus funds but the formula for distribution is based on vehicle revenue miles and directional route miles as reported in the National Transit Database. These funds are announced each year and are subject to fiscal constraint. Table 2 includes funds based on the final FFY 2013 allocation as a base for 2014 and a stable fund through the FFY 2017 year.

Bus and Bus Facilities Program (5339)

A new formula grant program is established under MAP-21 titled Section 5339, replacing the previous Section 5309 discretionary Bus and Bus Facilities program. This capital program provides funding to replace, rehabilitate and purchase buses and related equipment and to construct bus-related facilities. The authorized level at the national level is \$422 million for FY 2013 and \$427 million for FY 2014. Each state is guaranteed to receive \$1.25 million as part of the nonurban portion. In addition, each urban area is allocated funds based on its share of the national allocation. Table 2 indicates the amount expected to be available to New York for the 2014-17 Federal Fiscal years.

Additional information on federal transit funding programs available in New York State is on the [NYSDOT website](#).⁹⁴

State funding: Information on [New York's Statewide Mass Transportation Operating Assistance \(STOA\)](#)⁹⁵ administered by the New York State Department of Transportation also is on NYSDOT's website.

⁹⁴ See: <https://www.dot.ny.gov/divisions/policy-and-strategy/public-transportation/funding-sources>.

⁹⁵ See: <https://www.dot.ny.gov/divisions/policy-and-strategy/public-transportation/funding-sources/STOA>.

NYSDOT distributes transportation operating assistance to approximately 130 transit operators. New York State transit systems carry nearly one-third of the nation's transit riders and provide nearly one-quarter of transit services nationwide.

NYSDOT also distributes capital assistance as part of the non-Federal match to FTA Sections 5307, 5309 and 5311 programs.⁹⁶ In addition, NYSDOT also manages and allocates the Transit State Dedicated Fund program for non-MTA systems for projects that on an annual basis exceed Federal, State and Local needs.⁹⁷

IV. PROGRAM MANAGEMENT

Projects on the STIP are selected for implementation in accordance with the provisions of 23 CFR Part B, Section 450.220 and Part C 450.330. As provided by these regulations, all parties involved in the selection process have agreed to expedited selection procedures. These allow for implementing agencies to proceed with projects in the second, third or fourth year of the approved STIP, as necessary, to fill gaps created by either cost savings or delays in first-year project schedules; to react to changes in federal funding levels; or to accommodate minor changes in priority.

With respect to fiscal constraint, the Regions' programs have been monitored monthly, with reports provided by SFY and FFY comparing programmed obligations to the planning targets. NYSDOT has met or held conference calls weekly and as needed to resolve issues and to answer questions. General questions also are answered during the bimonthly MPOs Staff Directors' meetings.

As shown in Table 2, the Draft STIP is under-programmed. Given statewide solicitations for HSIP, TAP and other funds that are not programmed, projects for these will be amended into the STIP when information on these projects is available. Note that due to timing of TIP approvals, FFY 2013 HSIP projects for Regions 8, 10 and 11 are in the draft STIP, while others upstate regions are being amended into the STIP.

⁹⁶ See: <https://www.dot.ny.gov/divisions/policy-and-strategy/public-transportation/funding-sources/omnibus>

⁹⁷ See: <https://www.dot.ny.gov/divisions/policy-and-strategy/public-transportation/funding-sources/SDF>

TABLE 2

**ESTIMATED ANNUAL AVAILABLE FEDERAL-AID FUNDS⁽¹⁾
\$Millions (Unmatched) for FFY 2014 – FFY 2017**

FUND SOURCE	FFY 2014 10/1/2013 - 9/30/2014	FFY 2015 10/1/2014 - 9/30/2015	FFY 2016 10/1/2015 - 9/30/2016	FFY 2017 10/1/2016 - 9/30/2017	Total 10/1/2013 - 9/30/2017
CMAQ	\$184.799	\$184.799	\$184.799	\$184.799	\$739.196
HSIP	\$93.608	\$93.608	\$93.608	\$93.608	\$374.432
HSIP RAIL	\$6.253	\$6.253	\$6.253	\$6.253	\$25.012
NHPP	\$908.738	\$908.738	\$908.738	\$908.738	\$3,634.952
STP	\$417.991	\$417.991	\$417.991	\$417.991	\$1,671.964
HIGHWAY TOTAL ⁽²⁾	\$1,611.39	\$1,611.39	\$1,611.39	\$1,611.39	\$6,445.56
(4)					
FTA 5307	\$1,537.068	\$768.537	\$768.540	\$768.534	\$3,842.679
FTA 5309 ⁽⁶⁾	\$0.000	\$0.000	\$0.000	\$0.000	\$0.000
FTA 5309 NS ⁽⁶⁾	\$0.000	\$0.000	\$0.000	\$0.000	\$0.000
FTA 5310	\$33.768	\$16.884	\$16.884	\$16.884	\$84.420
FTA 5311	\$42.684	\$21.342	\$21.342	\$21.342	\$106.710
FTA 5316 ⁽⁶⁾	\$2.610	\$0.000	\$0.000	\$0.000	\$2.610
FTA 5317 ⁽⁶⁾	\$1.760	\$0.000	\$0.000	\$0.000	\$1.760
FTA 5329	\$4.078	\$2.039	\$2.039	\$2.039	\$10.195
FTA 5337	\$923.842	\$461.921	\$461.921	\$461.921	\$2,309.605
FTA 5339	\$75.582	\$37.791	\$37.791	\$37.791	\$188.955
TRANSIT TOTAL ⁽³⁾	\$2,621.39	\$1,308.51	\$1,308.52	\$1,308.51	\$6,546.93

Notes:

(1) State Planning & Research, Demonstration, High Priority, Appalachia, Interstate Transfer, Special Appropriations, and Discretionary programs are not included. Also, these are FHWA "constrained" funds; for other unconstrained funds, see Table 4.

(2) All Federal-Aid funds are matched 80% federal / 20% state or local, except for Interstate Maintenance is funded at 90% federal / 10% state or local; Estimated highway funds available are from NYSDOT Statewide Total Allocations - revised July24, 2013.

(3) FTA sections 5307 and 5311 funds are matched both 50/50 and 80/20. 5309, 5339 & 5337 are all 80/20.

(4) Due to the late nature of the Full FFY 2013 Federal Register (5/13/13), the majority of FFY 13 funds will be programmed as part of this STIP.

(5) Funding under this program is partially / entirely earmarked by Congress for specific projects in annual appropriations law and / or authorization acts.

(6) FTA sections 5316 & 5317 are repealed in MAP-21, but still have residual SAFETEA-LU funds to program in 2014-17.

TABLE 3
Part A - Highway
FISCAL CONSTRAINT OF THE STIP
\$ Millions (Unmatched) for FFY 2014-2017

Fund Source	FFY 2014		FFY 2015		FFY 2016		FFY 2017		Total	
	10/1/2013 - 9/30/2014	10/1/2014 - 9/30/2015	10/1/2015 - 9/30/2016	10/1/2016 - 9/30/2017	10/1/2017 - 9/30/2018	10/1/2018 - 9/30/2019	10/1/2019 - 9/30/2020	10/1/2020 - 9/30/2021	10/1/2021 - 9/30/2022	10/1/2022 - 9/30/2023
	Funds Available	Funds Programmed	Funds Available	Funds Programmed	Funds Available	Funds Programmed	Funds Available	Funds Programmed	Funds Available	Funds Programmed
CMAQ	\$184.799	\$174.583	\$184.799	\$129.136	\$184.799	\$134.367	\$184.799	\$106.874	\$739.196	\$544.960
HSIP	\$93.608	\$87.914	\$93.608	\$56.527	\$93.608	\$36.282	\$93.608	\$42.538	\$374.432	\$223.261
HSIP RAIL	\$6.253	\$4.270	\$6.253	\$3.107	\$6.253	\$1.469	\$6.253	\$1.548	\$25.012	\$10.394
NHPP	\$908.738	\$750.666	\$908.738	\$694.664	\$908.738	\$557.725	\$908.738	\$635.631	\$3,634.952	\$2,638.686
STP	\$417.991	\$494.308	\$417.991	\$482.020	\$417.991	\$373.653	\$417.991	\$336.969	\$1,671.964	\$1,686.950
Highway										
Total	\$1,611.389	\$1,511.741	\$1,611.389	\$1,365.454	\$1,611.389	\$1,103.496	\$1,611.389	\$1,123.560	\$6,445.556	\$5,104.251

TABLE 3
Part B - Transit
FISCAL CONSTRAINT OF THE STIP
\$ Millions (Unmatched) for FFY 2014-2017 ⁽¹⁾

Fund Source	FFY 2014		FFY 2015		FFY 2016		FFY 2017		Total	
	10/1/2013 - 9/30/2014	10/1/2014 - 9/30/2014	10/1/2014 - 9/30/2015	10/1/2015 - 9/30/2015	10/1/2015 - 9/30/2016	10/1/2016 - 9/30/2016	10/1/2016 - 9/30/2017	10/1/2017 - 9/30/2017	10/1/2013 - 9/30/2017	10/1/2013 - 9/30/2017
	Funds Available	Funds Programmed	Funds Available	Funds Programmed	Funds Available	Funds Programmed	Funds Available	Funds Programmed	Funds Available	Funds Programmed
FTA 5307	\$1,537,068	\$941,694	\$768,537	\$902,783	\$768,540	\$913,459	\$768,534	\$919,831	\$3,842,679	\$3,677,767
FTA 5310	\$33,768	\$18,075	\$16,884	\$16,165	\$16,884	\$16,165	\$16,884	\$16,165	\$84,420	\$66,570
FTA 5311	\$42,684	\$23,349	\$21,342	\$22,170	\$21,342	\$21,823	\$21,342	\$22,304	\$106,710	\$89,646
FTA 5316	\$2,610	\$2,609	\$0,000	\$0,000	\$0,000	\$0,000	\$0,000	\$0,000	\$2,610	\$2,609
FTA 5317	\$1,760	\$1,755	\$0,000	\$0,013	\$0,000	\$0,000	\$0,000	\$0,000	\$1,760	\$1,768
FTA 5329	\$4,078	\$2,039	\$2,039	\$2,039	\$2,039	\$2,039	\$2,039	\$2,039	\$10,195	\$8,156
FTA 5337	\$923,842	\$438,798	\$461,921	\$472,738	\$461,921	\$472,738	\$461,921	\$472,738	\$2,309,605	\$1,857,012
FTA 5339	\$75,582	\$9,700	\$37,791	\$9,700	\$37,791	\$9,743	\$37,791	\$12,371	\$188,955	\$41,514
Transit										
Total	\$2,621,392	\$1,438,019	\$1,308,514	\$1,425,608	\$1,308,517	\$1,435,967	\$1,308,511	\$1,445,448	\$6,546,933	\$5,745,042
Not Fiscally Constrained:										
FTA 5309	\$0,000	\$23,740	\$0,000	\$0,000	\$0,000	\$0,000	\$0,000	\$0,000	\$0,000	\$23,740
FTA 5309 NS	\$0,000	\$217,975	\$0,000	\$215,000	\$0,000	\$0,000	\$0,000	\$0,000	\$0,000	\$432,975
Transit										
Grand Total	\$2,621,392	\$1,679,734	\$1,308,514	\$1,640,608	\$1,308,517	\$1,435,967	\$1,308,511	\$1,445,448	\$6,546,933	\$6,201,757

⁽¹⁾ Due to the late nature of the Full FFY 2013 Federal Register (5/13/13), the majority of FFY 13 funds will be programmed as part of this STIP.

V. THE FOUR-YEAR PROGRAM



This STIP, per MAP-21 requirements, shows a four-year multimodal program that is required to be updated a minimum of every four years. The Governor may elect to update the Program more frequently.

Table 4 summarizes the STIP by Federal-aid program and Federal Fiscal Years.

TABLE 4
Summary of Federal Funding Within Draft STIP FFY 2014 -2017 (in \$ Millions)

Fed Categories:	Federal Fiscal Year				
	2014	2015	2016	2017	Total
FHWA: Fiscally Constrained					
CMAQ	\$174.583	\$129.136	\$134.367	\$106.874	\$544.960
HSIP	\$87.914	\$56.527	\$36.282	\$42.538	\$223.261
HSIP RAIL	\$4.270	\$3.107	\$1.469	\$1.548	\$10.394
NHPP	\$750.666	\$694.664	\$557.725	\$635.631	\$2,638.686
STP Flex	\$266.484	\$200.822	\$201.418	\$182.386	\$851.110
STP LG URBAN	\$147.365	\$213.015	\$125.299	\$119.195	\$604.874
STP-OFF	\$80.459	\$68.183	\$46.936	\$35.388	\$230.966
Subtotal	\$1,511.741	\$1,365.454	\$1,103.496	\$1,123.560	\$5,104.251
FTA: Fiscally Constrained					
FTA 5307	\$941.694	\$902.783	\$913.459	\$919.831	\$3,677.767
FTA 5310	\$18.075	\$16.165	\$16.165	\$16.165	\$66.570
FTA 5311	\$23.349	\$22.170	\$21.823	\$22.304	\$89.646
FTA 5316	\$2.609	\$0.000	\$0.000	\$0.000	\$2.609
FTA 5317	\$1.755	\$0.013	\$0.000	\$0.000	\$1.768
FTA 5329	\$2.039	\$2.039	\$2.039	\$2.039	\$8.156
FTA 5337	\$438.798	\$472.738	\$472.738	\$472.738	\$1,857.012
FTA 5339	\$9.700	\$9.700	\$9.743	\$12.371	\$41.514
Subtotal	\$1,438.019	\$1,425.608	\$1,435.967	\$1,445.448	\$5,745.042
Not Fiscally Constrained:					
DISCR FA	\$80.178	\$10.441	\$2.052	\$0.000	\$92.671
FBD	\$7.568	\$0.000	\$0.000	\$0.000	\$7.568
HPP	\$171.225	\$56.432	\$16.291	\$5.693	\$249.641
OTHER FA	\$10.026	\$3.383	\$1.700	\$4.288	\$19.397
REC TRAILS	\$0.500	\$0.000	\$0.000	\$0.000	\$0.500
SAFE RT SCH	\$11.413	\$8.308	\$0.000	\$0.000	\$19.721
STP ENHANCE	\$4.605	\$4.260	\$1.700	\$0.552	\$11.117
FHWA Subtotal	\$285.515	\$82.824	\$21.743	\$10.533	\$400.615
FTA 5309	\$23.740	\$0.000	\$0.000	\$0.000	\$23.740
FTA 5309 NS	\$217.975	\$215.000	\$0.000	\$0.000	\$432.975
FTA Subtotal	\$241.715	\$215.000	\$0.000	\$0.000	\$456.715
Total:					
Total Draft STIP	\$3,476.990	\$3,088.886	\$2,561.206	\$2,579.541	\$11,706.623

