



# BIA Transportation Update

May 14, 2024

National Road Maintenance Symposium

Rapid City, SD

# Topics

- ▶ National Tribal Transportation Facility Inventory
- ▶ BIA - TPA Road Maintenance
  - ▶ Funding
  - ▶ Deferred Maintenance
- ▶ Tribal Transportation Program
  - ▶ Funding
- ▶ Bridge Program
  - ▶ Funding
  - ▶ 23 CFR Part 661 - NPRM/Final Rule
- ▶ Other Funding Sources



# National Tribal Transportation Facility Inventory

## ▶ Owner Mileages

▶ BIA~	29,200	(Paved ~ 7K)
▶ Tribal~	20,100	(Paved ~ 1K)
▶ State~	24,000	
▶ Urban~	3,220	
▶ County~	68,710	
▶ Other Federal~	5,370	
▶ Other~	3,600	



# BIA Road Maintenance Funding

- ▶ Road Maintenance Funding (FY2024): FY24 DOI Approps Enacted, 3/9/2024
- ▶ Funding under CRs (1-3) have been distributed to the Regions at FY2023 levels
  - ▶ **FY2024 Anticipated amount: \$39,190,000 \* No set-asides (Native Act/School Bus funding)**
  - ▶ BIA Road Maintenance Program (FY24): ~40% or **\$15.7 M (Distributed to-date)**
    - ▶ CR#1 - \$5,132,907
    - ▶ CR#2 - \$6,868,798
    - ▶ CR#3 - \$3,743,997

Road Maintenance - Funding table for last 5 years, x \$1000

FY2019 Enacted	FY2020 Enacted	FY2021 Enacted	FY2022 Enacted	FY2023 Enacted	FY2024
35,823	36,063	36,796	37,400	39,190	<b>39,190</b>



# BIA - TPA: Road Maintenance

- ▶ “Deferred Maintenance” Reporting
  - ▶ Assessment of Road Conditions, Needs Report (\$400M)
  - ▶ Based on “Level of Service” rating: 1 thru 5
  - ▶ DOI Administrative required reporting
    - ▶ Due at the End of each quarter
- ▶ GPRA - Government Performance Results Act
- ▶ IA - Performance Management System
  - ▶ ROADS:      2024 Target: 13%      2023 Actual: 13%
  - ▶ BRIDGES:    2024 Target: 71%      2023 Actual: 72%



# BIA Road Maintenance (TPA) - FY 2023

		# Tribes	Direct Service	Title I (93-638)	Title IV (OSG)	Distribution Percentage	2023 Distribution
A	Great Plains	15	4	11		13.58%	\$5,180,543
B	So. Plains	6		6		1.95%	\$74,283
C	Rocky Mtn	7	1	5	1	9.56%	\$3,646,486
E	Alaska					0.00%	
F	Midwest	33		22	11	6.01%	\$2,290,976
G	Eastern Ok.					0.00%	
H	Western	42	7.5	28.5	6	16.11%	\$6,146,912
J	Pacific	66	32	28	4	2.69%	\$1,027,410
K300	BIADOT/Emergency					1.50%	\$570,741
M	Southwest	25	7	12	6	8.19%	\$3,124,197
N	Navajo	1	1			23.21%	\$8,855,261
P	Northwest	13	2	8	3	12.40%	\$4,729,978
S	Eastern	20	1	18	1	4.81%	\$1,835,832
		<b>228</b>	<b>55.5</b>	<b>138.5</b>	<b>32</b>	<b>100.00%</b>	<b>\$38,151,140</b>



# BIA - TPA: Road Maintenance

- ▶ **FY2024 “Deferred Maintenance” Tribes Reporting**
  - ▶ **Q1**
    - ▶ 4 regions, 34 Tribes (C-1, F-13, H-19, N-1)
    - ▶ 12,418 miles - 43% of Total BIA Mileage
  - ▶ **Q2**
    - ▶ 5 Regions, 67 Tribes (B-6, C-2, F-17, H-41, N-1)
    - ▶ 13,727 miles - 47% of Total BIA Mileage



# Tribal Transportation Program (TTP), 23 CFR Part 170, Subpart G, Road Maintenance

- ▶ Authority 23 U.S.C. 202(a)(8)
  - ▶ TTP funds can be used within are limited to the following, whichever is greater:
    - ▶ 25% of TTP funds or
    - ▶ \$500,000
- ▶ Funds can be used only to maintain facilities on the NTTFI
- ▶ BIA retains primary responsibility including annual funding request responsibility for the BIA road maintenance programs
- ▶ TTP funds made available for Maintenance are supplementary to, and not in lieu of, any obligation of funds by the BIA for road maintenance programs





# FY2024 Tribal Transportation Program (TTP) Funding

- ▶ FY2024 Appropriations signed by President on March 9, 2024. Public Law No. 118-42. (Covers both USDOT and USDO I)
- ▶ Full year appropriation is enacted. Authorized amount for FY2024 from Surface Transportation Reauthorization Act of 2021 or “STRA-21”; “IIJA” or “BIL” is:  
FY24: **\$602,460,000 \***
- ▶ **Additional \$150,000,000 for the TTP (23 USC 202) (in addition to \$602 M)**
  - ▶ Using formula found in 23 USC 202(b), except no set-asides will be considered (including (C), Supplemental Funding, 23 USC 202(b)(3)(C))
- ▶ 11 Earmarks for tribal transportation projects (FY2024 Community Project Funding)



\* Subject to an obligation limitation reduction, which at this time is not known



# Tribal Transportation Program (under BIL)

## FUNDING

▶ FY22 - \$578,460,000 (Contract Authority)

▶ FY23 - \$589,960,000 (Contract Authority)

▶ FY24 - \$602,460,000 (Contract Authority)

▶ + \$150,000,000 Appropriations Increase

▶ FY25 - \$612,960,000 (Contract Authority)

▶ FY26 - \$627,960,000 (Contract Authority)

**Total: \$3,011,800,000 + \$150,000,000**



# FY2024 Tribal Transportation Program (TTP) Funding

- ▶ Anticipating funding to be released from Treasury
- ▶ BIADOT completed draft “Tribal Shares” formula run
  - ▶ Obligation Limitation is still unknown
  - ▶ Formula runs for \$602M and \$150M
- ▶ Currently at FHWA-OTT Program Office for review and concurrence



# Tribal Transportation Facility Bridge Program

## FUNDING

- ▶ Bridge Formula Program (BFP)
  - ▶ \$165 M/year (General Fund) - FY22 thru FY26
  
- ▶ Bridge Investment Program (BIP)
  - ▶ \$20 M/year (General Fund) - FY22 thru FY26
  
- ▶ Bridge Investment Program (BIP)
  - ▶ FY22 \$16 M (Highway Trust Fund)
  - ▶ FY23 \$18 M (Highway Trust Fund)
  - ▶ FY24 \$20 M (Highway Trust Fund)
  - ▶ FY25 \$22 M (Highway Trust Fund)
  - ▶ FY26 \$24 M (Highway Trust Fund)



# Tribal Transportation Facility Bridge Program

TTF Bridges in Poor Condition - 2020 NBI data

OWNER AGENCY	TOTAL # of BRIDGES	# in POOR CONDITION	ESTIMATED COST
BIA	1,021	90	\$120,000,000
Tribal	120	25	\$46,000,000
County	4,246	637	\$300,000,000
State	1,883	79	\$121,000,000
City or Municipality	349	42	\$58,000,000
TOTAL	7,619	873	\$645,000,000



# 23 CFR Part 661 - NPRM/Final Rule

- ▶ NPRM - Publication in the Federal Register - 4/3/2023
- ▶ NPRM - Comment deadline - 6/2/2023
- ▶ NPRM - Comments from 13 tribes, ITA, and Tribal consultant
- ▶ Draft Final Rule at FHWA Program Offices for concurrence
- ▶ Final Rule in Federal Register - Spring / Summer 2024



# Other Funding Sources

- ▶ Tribal Transportation Program Safety Fund
  - ▶ 4% Set Aside (\$21 M)
- ▶ TTP High Priority Projects Program
  - ▶ \$9.0 M Set Aside
- ▶ Emergency Relief for Federally Owned Roads
- ▶ BIA Indian Highway Safety Program



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