



STAFF REPORT
Board Meeting of April 19, 2023

AGENDA ITEM: 4-E

PREPARED BY: Evelyn Espinosa, Senior Regional Planner

SUBJECT:

Infrastructure and Jobs Act Amendment to 49 U.S.C 5305 (f) – Increased Federal Share under the Metropolitan Planning Program and State Planning and Research Program

Enclosure: Yes

Action: Information and Discussion Only

SUMMARY:

The Infrastructure Investment and Jobs Act, also known as the Bipartisan Infrastructure Law (BIL) (Pub. L. 117-58), amended 49 U.S.C 5305 (f) to require a Federal share of not less than 90 percent for activities under the Metropolitan Planning Program (MPP) and the State Planning and Research Program (SPRP) authorized at 49 U.S.C 5305 that support planning activities that assist parts of urbanized or rural areas with a lower population density or a lower average income in relation to surrounding areas. The increased Federal share would apply only to 49 U.S.C 5305 planning funds.

Eligibility

Eligible recipients include States, authorities of the States, metropolitan planning organizations (MPOs), and local governmental authorities that undertake the transportation planning activity in parts of urban or rural areas with a lower population density or a lower average income compared to:

- (i) The applicable urbanized area;
- (ii) The applicable rural area;
- (iii) An adjoining urbanized area; or
- (iv) An adjoining rural area.

Eligible recipients can request increased Federal share up to 100 percent in conjunction with their grant application submitted to the appropriate Federal Transit Administration (FTA) regional office in accordance with FTA Circular 8100.1D: Program Guidance for Metropolitan Planning and State Planning and Research Program Grants. To facilitate the application process, FTA posted a toolkit on its [website](#).

When seeking an increased Federal share under 49 U.S.C 5305 (f)(2), recipients must demonstrate that the planning activity assists part of an urbanized area or rural area with

lower population density or lower average income compared to the applicable or adjoining urbanized area or the applicable adjoining rural area.

Demonstrating Eligibility

To demonstrate eligibility, the recipient must provide one of two types of demographic information for both the activity's area and its applicable or adjoining rural or urbanized area: average income or population density. A recipient may use any verifiable data resource and mapping product to demonstrate eligibility for the higher federal share. One publicly available tool that applicants can use is the Environmental Protection Agency's Environmental Justice Screening and Mapping Tool, [EJScreen](#). For instructions on how to use EJScreen to prove eligibility, visit this [webpage](#).

Eligible Activities

Eligible activities under MPP and SPRP grants include the development of transportation plans and programs the planning, engineering, designing, and evaluation of a public transportation projects; and technical studies relating to public transportation planning to increase mobility through expanded access to reliable public transportation in areas with a lower population density or a lower average income than surrounding areas. The proposed planning activity must be included in the current Unified Planning Work Program or the Statewide Planning Work Program, as appropriate.

Contact Information

For more information, please contact Mr. Fleming El-Amin, Director, Office of Planning at (202) 493-0316 or Fleming.El-Amin@dot.gov.

Attached to this staff report is the Dear Colleague letter with all the pertinent information.

FISCAL IMPACT:

No fiscal impact to the approved 2022-23 Overall Work Program and Budget.