

2019 NFTA Federal, New York State and Local Legislative Program

January 2019

INFORMATION: The 2019 legislative program has been prepared to support the Authority's mission and annual goals and objectives of the Authority's strategic business units. The program has been developed with input from the authority's management team, our contracted federal lobbying partners, and Masiello, Martucci, Calabrese, and Associates, who has been retained by the Authority to lobby New York State and local governments.

The Authority works closely with many individuals, organizations, and coalitions to implement its annual legislative program. In particular, the Authority works with the professional organizations that represent the public transit and aviation industry at the federal level – the American Public Transportation Association (APTA) and American Association of Airport Executives (AAAE)/Airports Council International North America (ACI-NA) – and in New York State – the New York Public Transit Association (NYPTA) and New York Aviation Management Association (NYAMA) respectively – to advance the interests of these industries and the Authority.

The NFTA's 2019 Federal and State Legislative Program priority goals and objectives are categorized by the following advocacy topics – transit, aviation, and policy priorities.

2019 Federal Legislative Program

Transit Priorities

Sustainable Funding for the Highway Trust Fund

Objective

- index federal fuel taxes for inflation or dedicate a new, sustainable revenue mechanism to restore the solvency of the Highway Trust Fund

Strategy/Tactics

- provide supporting statements, information and demonstration of need to APTA and the WNY Congressional Delegation
- work with Congressman Higgins and his role on the Ways and Means Committee to support highway trust fund proposals that come out of committee

Status Update

- the House Ways and Means and Transportation Committees continue to discuss funding measures

NFTA Project Funding through a New Federal Infrastructure Program

Objectives

- ensure dedicated transit funding as part of a new federal infrastructure program
- reach out to the WNY Congressional Delegation to secure funding and financing for capital projects

Strategy/Tactics

- work with Congressman Higgins to secure dedicated funding for DL&W as part of any new federal infrastructure program
- work with Congressional Delegation to add funding to the Capital Investment Grant program through any new federal infrastructure program

Status Update

- Holland & Knight and Kim Minkel discussed dedicated funding for DL&W from any federal infrastructure program with Congressman Higgins in March 2019
- Darren Kempner provided Congressman Higgins local staff with up-to-date information on the DL&W project in March 2019

Obtain Full Appropriation of FAST Act Authorized Levels for Transit

Objectives

- urge Congress to fully appropriate 2020 federal fiscal year (FFY) funds at or above FAST Act authorized levels

Strategy/Tactics

- work with APTA, the WNY Congressional Delegation, and key members of the Senate and House Appropriations Committees and their staff to ensure they understand NFTA's backlog of state of good repair projects and the need to increase funding to address this backlog and to meet the growing demand for enhanced service in the region

Status Update

- FFY 2020 deliberations have just begun with release of the President's Budget
- the last several rounds of transit formula allocations have been full FAST Act funding despite the President's proposals to decrease transit funding

FAST Act Reauthorization

Objectives

- with the FAST Act set to expire in 2020, discussions should begin on new legislation that provides long-term certainty for transportation infrastructure funding

Strategy/Tactics

- work with APTA, the WNY Congressional Delegation, and key members of the Senate and House Transportation Committees to ensure transit funding priorities, including sustained funding for formula and Capital Investment Grants programs, funding for transit-oriented development planning, discretionary grants for transit, and continued BUILD program funding, are included as part of new long-term funding legislation

Status Update

- discussions on FAST Act Reauthorization have begun in the House Transportation & Infrastructure Committee

Continue to Align the Amherst-Buffalo Metro Rail Extension Project with FTA Capital Investment Grant (CIG) Funding Requirements

Objectives

- advocate for increased funding for the FTA's CIG Program
- meet all the requirements for entry into Project Development under the FTA's CIG Program

Strategy/Tactics

- evaluate the project against CIG program criteria
- secure funding to improve the project's scoring criteria
- work with state and local partners to improve the project's scoring

Status Update

- a draft memo has been prepared by the project's environmental process consultants
- NFTA staff are evaluating the results and revising the memo with consultants
- An additional \$780,000 in FTA TOD planning funds have been secured with work starting this summer
- Initial key stakeholders meetings have been held regarding improving the scoring criteria
- a key development project in the City that can serve as an example for future projects that would help improve the scoring criteria is facing the threat of a lawsuit because of its stance on transportation matters, however, the City and key stakeholders are strongly supportive of the project

Secure Federal Funding for the DL&W Station Project

Objectives

- secure funding through the FFY 2019 BUILD Discretionary Program to support the DL&W Station Project
- advocate for increased funding for the BUILD or similar type transportation programs

Secure Funding from Discretionary Federal Funding Opportunities

Objectives

- identify all relevant discretionary federal funding opportunities from agencies such as the Federal Transit Administration (FTA), Federal Highway Administration (FHWA), Environmental Protection Agency (EPA), Department of Homeland Security (DHS), and Department of Justice (DOJ)
- apply for all relevant discretionary funding opportunities
- work with our federal delegation to secure all discretionary federal funding opportunities

Aviation Priorities

Obtain Full Appropriation of FAA Authorized Levels for Aviation

Objectives

- work with Airports United, a collaborative effort between ACI-NA and AAAE, the WNY Congressional Delegation, and key members of the Senate and House Appropriations Committees and their staff to urge Congress to fully appropriate FFY 2019 funds at or above authorized levels approved under the FAA Reauthorization Act of 2019.

Modernization of the Passenger Facility Charge (PFC)

Objectives

- work with members of the WNY Congressional Delegation, key members of the Senate and House Appropriations Committees and their staff, and Airports United to advocate for an increase to the federal cap on local PFCs and index it for inflation
- demonstrate that increased PFC funding is critical to the continued safety, security, capacity, and modernization of airport facilities

Secure Funding through the FFY 2018 AIP Supplemental Appropriation

Objectives

- work with the WNY Congressional Delegation to advocate on behalf of the NFTA's applications for funding consideration to install a new passenger boarding bridge and reconfigure the aircraft apron at BNIA, as well as expand the aircraft apron at NFIA

Support the Growth and Prosperity of the Niagara Falls Air Reserve Station

Objectives

- work with the Niagara Military Affairs Council (NIMAC) and the WNY Congressional Delegation to communicate with the military, executive branch and congressional leadership the importance of the NFARS to national security and the partnership with regional aviation
- secure bi-partisan support at the federal and local level for NIMAC and NFARS funding and legislative priorities, including farmland protection and enhanced mission capabilities

Promote the Expansion of International Air Carrier Service at BNIA

Objectives

- work with WNY Congressional Delegation to resolve U.S. Customs and Border Protection (CBP) air carrier charges for staff-time related to working the Federal Inspection Service (FIS) area at BNIA
- demonstrate that expanded international air service at BNIA will attract international travelers to the region, expand the economic impact of the airport, and help generate additional revenues for the airport

Increase Federal Support for Safety and Security of Airports

Objectives

- advocate for federal funding for ongoing maintenance and replacement of baggage and other safety and security monitoring systems mandated by federal rules and regulations
- ensure full staffing of Transportation Security Administration (TSA) personnel to keep security checkpoint and other federal safety mandates operating efficiently and at full capacity

2019 State and Local Legislative Program

Transit Priorities

Ensure that New York State and Local Municipalities Continue to Fully Fund the NFTA's Transit Operating Assistance Sources

Objectives

- protect NFTA-Metro's key state and local operating assistance sources
- support state transit operating assistance funding with diverse, growing and sustainable funding sources that result in growing rather than declining revenue sources (i.e. petroleum business tax, long lines tax) and general fund infusions to fill the gap between appropriations and revenues
- work with key regional stakeholders and the newly-formed New Yorkers for Better Public Transit coalition to communicate the importance of public transit funding to jobs, economic development, and improved mobility

Secure an Increase in State Transit Operating Assistance in the 2019-20 New York State Budget

Objectives

- increase NFTA-Metro's annual state transit operating assistance appropriation by 50 percent over the next five years, starting with a 20 percent increase (approximately \$10 million) in the 2019-20 state budget over the 2018-19 state budget appropriation
- work with the WNY State Delegation, NYPTA, and the Governor's Office to secure support for increased operating assistance for the NFTA
- express that if additional STOA cannot be secured as part of the 2019-20 state budget, fare increases and reduced service will result

Maximize 2019-20 Transit Capital Funding Appropriations for NFTA-Metro

Objectives

- obtain \$104.5 million in non-MTA transit capital aid as provided in the past two state fiscal years
- demonstrate that full state transit capital funding above the level outlined in the final year of the 5-year Transportation Capital Program Memorandum of Understanding (MOU) is critical to maintaining the quality, efficiency, and performance of the Metro Bus and Rail system

Secure Dedicated State Funding for Metro Rail

Objectives

- obtain a dedicated, ongoing, annual capital line item of \$20 million in the state budget to support the capital needs of the Metro Rail system
- work with the WNY State Delegation and other state officials to raise awareness on the capital needs of the Metro Rail system, which is New York State's only other light rail transit system outside New York City and currently lacks a dedicated source of state transit capital assistance

Secure \$6 Million for Phase 2 of the Amherst-Buffalo Metro Rail Expansion Project

Objectives

- secure \$6 million in state funding to complete preliminary engineering for the Amherst-Buffalo Metro Rail Expansion
- demonstrate the funding is needed to advance the project into the federal funding process and, with future state and local support, apply for hundreds of millions in federal capital funding to support construction of the expansion

Begin Development of a new Multi-Year State Transportation Capital Program

Objectives

- with the current 5-year Transportation Capital Program MOU set to expire in 2020 discussions should begin on a new multi-year investment plan that addresses the capital needs of upstate transit providers
- work with the WNY State Delegation, NYPTA, key members of the Senate and Assembly Transportation Committees, and other members of the Assembly and Senate leadership to champion a new multi-year plan and ensure predictable funding streams moving forward

Identify and Gain Access to Additional Sources of State and Local Funding for Transit

Objectives

- work with our elected leaders, industry partners, community stakeholders, and the public to explore potential funding mechanisms that support public transit operating and/or capital expenses
- support the introduction and passage of legislation that provides the NFTA access to additional sources of transit capital or operating assistance

Obtain Local Government Support for the Amherst-Buffalo Metro Rail Extension

Objectives

- secure \$150 million in funding commitments from local governments and the state to support the required non-federal CIG program match for the project
- coordinate with local government officials on policy changes, value-capture mechanisms, and local infrastructure projects that can support the required non-federal CIG program match for the project

Coordinate with Project Partners on DL&W Station Project Implementation

Objectives

- coordinate with the City of Buffalo and other stakeholders as the project advances through its design and construction phases
- identify a potential development partner through a Request for Proposals (RFP) process for development of the 2nd floor of the Station

Secure Funding for the Deployment of Electric Bus Technology

Objectives

- expedite the release of Volkswagen Settlement funding, as well as other federal and state discretionary funding to accelerate the adoption of battery-powered electric transit buses and installation of related vehicle charging infrastructure
- demonstrate how battery-powered electric bus technology can significantly reduce harmful vehicle emissions and achieve statewide air quality improvement goals

Secure Funding from Competitive Statewide Funding Opportunities

Objectives

- identify all relevant statewide funding opportunities to support NFTA capital projects and initiatives including through the WNY Regional Economic Development Council's Consolidated Funding Application (CFA) Process, Empire State Development (ESD), the NYS Department of

Transportation (NYSDOT), and the New York State Energy Research and Development Authority (NYSERDA)

- apply for all relevant statewide funding opportunities
- work with the WNY State Delegation and other local elected leaders to secure all statewide funding opportunities applied for

Aviation Priorities

Secure Capital Funding from the New York State Aviation Capital Grant Program

Objectives

- secure funding through the 2018 Aviation Capital Program solicitation to support the following four projects at BNIA/NFIA:
 - Buell Avenue Employee and Cell Phone/TNC Lot (BNIA) - \$1,500,000
 - Upgrade Perimeter Fencing and Security Controls (BNIA) - \$1,500,000
 - Fuel Farm Pumping System Replacement (NFIA) - \$401,758
 - Purchase Multi-Task Snow Removal Equipment (NFIA) - \$672,000
- advocate on behalf of the NFTA's applications submitted as part of the 2019 funding solicitation

Increase Capital Funding for the New York State Aviation Capital Grant Program

Objectives

- advocate for an appropriation of \$40 million in funding for the 2019 Aviation Capital Grant Program and \$6 million in state matching funds for Federal Aviation Administration (FAA) grants in the 2019-20 state budget as outlined in the 2016 Transportation Capital Program MOU
- demonstrate the program's importance to BNIA/NFIA economic development, safety, security, and efficiency of airport operations

Identify Potential Air Carrier for Renewed Buffalo-to-Albany Service

Objectives

- work to identify and secure an air carrier to provide renewed Buffalo-to-Albany air service
- help the prospective air carrier understand the market conditions and demands associated with the service route

Seneca Indian Nation Funding for the Niagara Falls International Airport

Objectives

- monitor negotiations between the Seneca Indian Nation and New York State as the casino revenue sharing matter heads to arbitration. Partial funding was previously dedicated to supporting operations at NFIA as part of the original revenue sharing agreement

2019 Policy Priorities

Monitor and Advocate for or against Proposed Federal, State, and Local Legislation that Impacts the NFTA

Objectives

- monitor and report on the introduction and movement of legislation that may impact NFTA operations, projects, or legislative priorities
- actively support or oppose legislation, as necessary