



## Northern Virginia Regional Commission

### M495 Regional Policy Steering Committee Minutes for the M495 Potomac Fast Ferry #1 Meeting - Kickoff

June 5, 2017 1:00 PM – 3:30 PM

#### **Welcome & Self-Introductions:**

Meeting began at 1:05 pm with introductions around the room and on the telephone. Chairman Frank Principi introduced the lead consultant, Tim Payne of Nelson Nygaard, who walked the group through his presentation about the study.

#### **Major Project Elements:**

Tim introduced the major project elements that he was hired to assist NVRC in completing. These include:

- Infrastructure Gap Analysis – focused on potential terminal sites
- Inclusion in WMCOG Metropolitan Transportation Plan, including TIP/STIP and regional travel demand model
- NEPA documentation to FTA to make determination on class of action
- FTA Grant amendment including project description, schedule, and budget
- Outreach – website, workshops, technical committee, steering committee
- Project Schedule

#### **Role of the Policy Steering Committee**

Supervisor Principi, explained the role of the Steering (or Policy) Committee. This committee will serve as the decision making authority on this project and will be tasked with approving grant deliverables from Nelson Nygaard and NVRC.

#### **Coordination with FTA – Lead agency for NEPA action**

Tim explained how the steering committee and NVRC will coordinate with the FTA, the agency that VDOT/NVRC received an award for the Ferry Boat Program for capital infrastructure.

- Background: Under section 1121 of MAP-21, Congress revised section 147 of title 23 U.S.C. to create a new formula based program for the construction of ferry boat and ferry terminal facilities. MAP-21 created a passenger ferry discretionary program under the Federal Transit Administration (FTA). VDOT/NVRC applied to the Ferry Boat Program (FBP) and received notice that VDOT/NVRC was granted \$3.380 million (see Grant Notice and Division Administrators Memorandum). When Congress actually appropriated the total amount to all grantees was less than half of what was awarded the amount of \$1,266,744 and the match is \$253,348.80 for a total of \$1,520,092.80 for FY 2014.
  - The FTA determines the “class of action” for the NEPA process
  - Class of Action could be a categorical exclusion, or a full EIS or EA
  - To unlock FTA grant funds:



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- Identify eligible grantee (this is a critical step in the process, nothing else can, or will, happen until this occurs. VDOT will not lead the project, NVRC is not an eligible recipient. There are options open, but no FTA eligible agency has yet self-identified to be the lead for this project).
- Prepare NEPA documentation
- ❖ **Action item:** determine the specific regulations on grant funding for landside development on private land. What are the conditions for lead agency control of the land to be eligible to spend FTA grant funds?
- ❖ **Action item:** Determine lead agency/eligible grantee for FTA funds to put at the top of the application.

### **Public Outreach** - Public Awareness & Education

The website will feature historical documents for the public to view, as well as meeting notes & agendas. Site will also feature a virtual open house, recreating the open house experience for those who are unable to attend the in-person events. To save everyone's time, the steering committee meetings will be timed with open houses.

### **Project Schedule – Steering Committee Meeting – dates and agenda**

Schedule and Locations) The concept is to locate steering committee meetings in locations more adjacent to ferry terminals:

- Meeting #2: June 29 (MGM )
  - MGM Corporate Regional Offices located at:
  - 120 Waterfront Street Suite 500
  - National Harbor, MD 20745

**\*\*There is special entrance required on the elevators to the office, please phone 301-749-7500 (press 3) or 301-971-5112 or 5114 upon arrival\*\***

**\*\*If driving, please park at the Fleet Street Parking garage located on the corner of Fleet Street & Potomac Passage, so we can validate your parking ticket.**

- Meeting #3: July 24 (looking for DC location)
- Meeting #4: Sept 21 (perhaps Occoquan Marina or Belmont Bay)
- Meeting #5: Oct 23 (perhaps Capital Riverfront)
- Meeting #6: Nov 13 (asked The Wharf for location)

### **Technical**

Terminal sites being evaluated, include:

- Woodbridge, VA – Belmont Bay and Occoquan Marina
- National Harbor, MD
- Joint Base Anacostia/Bolling, DC
- Diamond Teague Park - Navy Yard/Ballpark, in DC



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- ❖ Action Item: Add The Yards, The Wharf, and Washington Harbor to the list of terminal sites for evaluation.

Critical to involve NPS in steering committee

- ❖ Action Item: contact Tammy Stidham from NPS, DDOT rep will provide contact information

### Vessel Considerations

- Won't be determining specific vessel for use, but rather developing a "design envelope" for the features desired in a potential vessel.
- We need enough information to proceed with the ferry planning, however, we do not need to identify a specific make and model
- Terminal facility development will narrow down choices for vessels and serve as a limiting factor for many types of vessels
- Shore side developments tend to be more controversial than considerations regarding the actual vessel

### Other Matters of Interest

FTA emphasized that:

- Some engineering will be required before unlocking FTA funds
- FTA has history working with NPS on NEPA and it is critical that they become involved soon
- Connectedness to other transit modes is key to development of this project
- If National Harbor is to be a terminal site, it was determined that Peterson Co. be contacted and attend meetings as both Gaylord and MGM experience parking shortage for their employees and guests.
- Other agencies noted missing:
  - Army Corp of Engineers
  - Maryland Department of Environment
  - Maryland Natural Resources
  - Maryland Historical Trust
  - Critical Area Commission
  - Fish and Wildlife

A committee member rendered the opinion that a public subsidy will be necessary for operational expenses for this project, particularly at start up.

Response: Noted, but achieving a viable funding plan to operate service is not in the scope of work for this project. This project is focused on developing terminals and working with the FTA to amend the project description in the grant and define the "class of action" for NEPA.



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**U.S. Department of Transportation**  
Office of the Secretary of Transportation

1200 New Jersey Ave., S.E.  
Washington, DC 20590

### GRANT ADVANCE NOTICE

Date: **05/27/2014**

**NOTICE TO CONGRESS OF DOT DISCRETIONARY GRANT AWARDS:** This notification is provided to the Committee pursuant to one of the following requirements governing the public announcement of a Department of Transportation discretionary grant, letter of intent, or Federal Transit Administration full funding grant agreement:

(1) Currently applicable General Provision of the Appropriations Act or Continuing Resolution governing Department of Transportation appropriations, containing a prohibition on the use of funds made available unless the Secretary notifies the House and Senate Committees on Appropriation not less than three full business days before any discretionary grant award, letter of intent, or full funding grant agreement totaling \$1,000,000 or more is announced by the Department or its modal administrations (A) any discretionary grant program of the Federal Highway Administration including the emergency relief program; (B) the Airport Improvement Program of the Federal Aviation Administration; (C) any grant from the Federal Railroad Administration; or (D) and program of the Federal Transit Administration other than formula grants and fixed guideway modernization programs.

(2) Section 159(b) of the Wendell H. Ford Aviation Investment and Reform Act for the 21st Century (AIR-21).

(3) Section 5334(k) of title 49, United States Code.

Notice: THIS GRANT CANNOT BE RELEASED UNTIL THREE FULL BUSINESS DAYS HAVE PASSED AFTER THE DATE SHOWN ABOVE

Title: **FY13&14 Discretionary Passenger Ferry Grant Program - 5307(h)**

Grant Amount: **\$ 3,380,000.00**

Description:

This project was selected on a competitive basis through the FY 2013 & 2014 Discretionary Passenger Ferry Grant Program. Funds will support improvements to the condition of public ferry systems by providing financial assistance for capital projects. A completed grant application must be submitted through an FTA Regional office before funds can be awarded.

Congressional members affected:

**Gerry Connolly**  
**James Moran**

Senators affected:

**Mark Warner**  
**Tim Kaine**

Should you have any questions, please contact the Office of Governmental Affairs (202)366-4573.




U.S. Department  
of Transportation  
Federal Highway  
Administration

# Memorandum

Subject: **ACTION:** Ferry Boat Program (FBP)  
2014 Full Year Distribution of funds

Date: May 27, 2014

In Reply  
Refer to: HIPA-10

From:   
Thomas D. Everett  
Director, Office of Program Administration

To: Division Administrators

In section 1121 of MAP-21, Congress revised section 147 of title 23 U.S.C. to create a new formula based program for the construction of ferry boat and ferry terminal facilities. MAP-21 also created a passenger ferry discretionary program under the Federal Transit Administration (FTA). Please direct potential applicants for FTA's new ferry program to the information available at <http://www.fta.dot.gov/map21>.

The Federal Highway Administration (FHWA) Administrator has approved the full year distribution of the Ferry Boat Program (FBP) funds to ferry boat operators that have been determined to be preliminarily eligible based on the 2010 National Census of Ferry Operators. Please notify your State departments of transportation (DOT's) that they may now request allocation of these funds for projects ready to be authorized.

The Department of Transportation Appropriations Act, 2014 (P.L. 113-76) provided appropriations for the program through September 30, 2014. It also included obligation authority limited to 94.9 percent of authorized funds. Under the provisions of Section 1102(f) of MAP-21, Redistribution of Certain Authorized Funds, only the amount of funds for which obligation limitation is provided will be made available and the remaining funds will be distributed to the States. As a result, a total of \$63,583,000 in FBP funds is available for FY 2014.

The attached table (Attachment 1) shows the distribution of funds by State and ferry service. The funds may only be used by the specified ferry service in the amount identified. The ferry service may develop a project for a publicly owned or operated or majority publicly owned ferry boat or ferry terminal facility. If the service is a private operation that demonstrates they are under the control of a public entity, they should work with the public entity that owns or operates the boat or facility to develop a project to meet Federal requirements. The available funding will be tracked at <http://www.fhwa.dot.gov/specialfunding/fbp/>.

The listed ferry services are determined only to be preliminarily eligible for the FBP program based on the 2010 National Census of Ferry Operators and on reviews by divisions and State DOTs. When requesting an allocation of funds, divisions must confirm that they have reviewed the ferry service and have determined that the operator and the route meet eligibility requirements in 23 U.S.C. 147 and 129(c) and described in the implementing guidance. Divisions should contact this office if they determine that a ferry service is not eligible for the program. The funds identified for such service will be redistributed to the remaining eligible services based on the statutory formula.

Program guidance can be found at <http://www.fhwa.dot.gov/map21/guidance/guidefbp.cfm>. In addition, attached is "Federal-aid Highway Funding of Ferry Boats and Ferry Terminal Facilities" (Attachment 2) which gives basic information about funding ferry boat projects with Federal-aid.

If a ferry operates between more than one State, the ferry service may elect to transfer funds to the appropriate State to implement an eligible project on the ferry system. Funds may not be transferred among operators.

The maximum Federal share for a project in any State or Puerto Rico under this program is 80 percent. The maximum share in U.S. Territories is 100 percent. The sliding scale Federal share does not apply to this program. Other matching flexibilities such as donations and "soft match" may be considered. Guidance can be found at <http://www.fhwa.dot.gov/federal-aidessentials/catmod.cfm?id=13>.

When a project is ready to be obligated and the division has confirmed that the ferry service and project are eligible, please submit an allocation request to this office to make the funds available in FMIS. The request should identify the operator and the purpose for which the funds will be used and include confirmation that the ferry operation is eligible.

These funds are available until expended but are subject to August redistribution. Therefore, any funds that will not be obligated by the end of FY 2014 must be returned to this office. The funds will be available for obligation again the following fiscal year.

If there are any questions and for allocation of funds, please contact Joseph Taylor at [joseph.taylor@dot.gov](mailto:joseph.taylor@dot.gov) or (410)779-7146.

2 Attachments

NY	Sayville Ferry Service Inc.	\$48,479	
NY	Bemus Point - Stowe Ferry - Sea Lion Project Ltd.	\$3,018	
NY	South Ferry Inc.	\$969,097	
<b>NY Total</b>			\$4,438,464
OH	Jet Express Port Clinton/Sandusky/Inter-island	\$206,434	
OH	Kelleys Island Ferry Boat Lines Inc.	\$10,274	
OH	Miller Boat Line Inc. Catawba Ferries	\$511,951	
OH	Owen Sound Transportation - Sandusky to Pelee Island	\$75,051	
OH	Sonnys Boat Line Inc. Put-in-Bay - Middle Bass Ferry	\$3,436	
<b>OH Total</b>			\$807,146
OK	Central Oklahoma Transportation and Parking Authority	\$21,235	
<b>OK Total</b>			\$21,235
OR	Clackamas County Department of Transportation and Development	\$169,824	
OR	Marion County Department of Public Works	\$365,897	
<b>OR Total</b>			\$535,721
PA	Fayette County Bridge Dept.	\$70,178	
PA	Erie - Western PA Port Authority	\$22,416	
<b>PA Total</b>			\$92,594
PR	Puerto Rico Maritime Transport Authority Total	\$462,423	
<b>PR Total</b>			\$462,423
RI	Interstate Navigation Co. - Block Island Ferry	\$160,596	
<b>RI Total</b>			\$160,596
SC	Fort Sumter Tours/Spiritline Cruises	\$89,898	
SC	Georgetown County School District	\$722	
SC	J&W Corp/Beaufort County DuFuskie Island Ferry	\$19,861	
SC	SC Dept of Natural Resources Total	\$66	
<b>SC Total</b>			\$110,547
TN	Tennessee Department of Transportation Total	\$95,682	
<b>TN Total</b>			\$95,682
TX	Harris County	\$625,530	
TX	Texas Department of Transportation Total	\$5,113,072	
<b>TX Total</b>			\$5,738,602
UT	Halls Ferry	\$39,089	
<b>UT Total</b>			\$39,089
VA	Transportation District Commission of Hampton Roads	\$52,369	
VA	Virginia Department of Transportation Total	\$1,266,744	
<b>VA Total</b>			\$1,319,113
VI	Virgin Islands DPW Total	\$378,129	
<b>VI Total</b>			\$378,129
VT	Lake Champlain Transportation Co.	\$1,534,761	
<b>VT Total</b>			\$1,534,761
WA	Colville Confederated Tribes (Inchelium-Gifford Ferry)	\$253,305	
WA	King County Ferry District	\$44,881	
WA	Kitsap Transit	\$67,732	
WA	Lake Chelan Ferry (NPS)	\$162,312	
WA	Pierce County Public Works and Utilities	\$261,055	
WA	Skagit County Department of Public Works	\$270,027	
WA	Wahkiakum County	\$84,854	
WA	Washington State Ferries Washington State DOT Total	\$14,108,044	
WA	Whatcom County Public Works Department	\$314,194	
<b>WA Total</b>			\$15,566,404