

**Federal Railroad Administration**  
**High-Speed Intercity Passenger Rail Program**  
**Interim Program Guidance Overview**  
**June 17, 2009**

**Summary of Guidance**

- Pursuant to the American Recovery and Reinvestment Act of 2009 (ARRA), the Department is publishing its program guidance and call for applications for its high-speed rail grant program. This publication represents a major milestone in implementing President Obama's "Vision for High-Speed Rail in America" as outlined in the strategic plan published on April 16, also in compliance with ARRA deadlines.
- This notice details the application requirements and procedures to guide eligible applicants in seeking funding for high-speed and intercity passenger rail authorized by the Passenger Rail Investment and Improvement Act of 2008 (PRIIA) and appropriated under ARRA and the Department of Transportation Appropriations Acts of 2009 and 2008.
- Consistent with the strategic plan, this guidance builds upon steps taken by Congress to lay the foundation for establishing a long-term program to plan and build a national network of interconnected passenger rail corridors. It also builds upon an unprecedented outreach to stakeholders during which nearly 1,200 individuals attended seven workshops held nationwide, or submitted written comments.
- The Federal Railroad Administration (FRA) is soliciting public comment on the interim guidance which may be filed at [www.regulations.gov](http://www.regulations.gov) (Docket Number FRA-2009-0045). While this program is not part of a formal rulemaking, FRA will consider all comments received by July 10, 2009, and will publish any resulting clarifications or revisions to the guidance in the *Federal Register* and on FRA's website ([www.fra.dot.gov](http://www.fra.dot.gov)).
- The guidance establishes multiple funding paths (or tracks) to suit and accommodate projects at various stages of development, while attempting to simplify the myriad statutory and administrative requirements to enable applicants to find the appropriate track of funding for their proposal.
- FRA is working on a highly accelerated timetable to implement the High-Speed Intercity Passenger Rail Program (HSIPR). In order to expedite review of applications and grant awards, the guidance sets forth several important deadlines:
  - Public comments and Pre-applications are due by **July 10, 2009** (FRA encourages earlier submission of pre-applications);
  - Applications for Funding Tracks 1, 3 and 4 are due **August 24, 2009**
  - Applications for Funding Track 2 are due by **October 2, 2009**

### **Pre-Applications and Application Process**

- FRA is creating a new pre-application process that will permit applicants to receive constructive and timely feedback about the most appropriate program tracks for a particular proposal.
  
- Applications will be evaluated, scored and selected based upon a wide range of criteria and critical success factors. Preference will be given to projects and programs that:
  - Improve transportation mobility, options, service, convenience, safety and efficiency;
  - Promote economic recovery and development, particularly in economically-distressed regions and communities through job creation and revitalization of industrial manufacturing capacity;
  - Yield other public benefits and return on investment, including improved energy efficiency and independence, environmental quality, and livable communities;
  - Ensure project success through effective project management, financial planning, and sustainable regional cooperation and partnerships;
  - Achieve balance among and between different types of projects, geographic regions, technological innovations, and timeliness of project completion;
  - Effectively leverage local, state, private sector and railroad resources and investments;

### **Funding Tracks**

In order to address the wide range of potential applicant goals and the varying stages of project development within statutory and program constraints, there are four funding “tracks” through which applications may be submitted.

#### **Track 1 – Projects**

This track is intended to satisfy the economic recovery goals of ARRA through construction of “ready-to-go” intercity passenger rail projects. Eligible projects include acquiring, constructing, improving, or inspecting equipment, track and structures, or a facility; expenses incidental to the acquisition or construction of them (including designing, engineering, location surveying, mapping, environmental studies, and acquiring rights-of-way); payment for capital cost of rail trackage rights; highway-rail grade crossing safety improvements; mitigating environmental impacts; communication and signalization improvements; acquiring, constructing, relocating, and rehabilitating replacement housing; and rehabilitating, remanufacturing, or overhauling rail rolling stock. Environmental and preliminary engineering activities for these projects are generally complete.

#### **Track 2 – Service Development Programs**

This track is intended to develop new high-speed and intercity passenger services, including substantial upgrades to existing services. Projects do not need to be ready-to-go and the Federal Government may commit to fund the entire program through a

Letter of Intent (LOI), and obligate funds through cooperative agreements that establish deadlines for completion of environmental, engineering, design and other work. Eligible projects are essentially the same as those listed in Track 1.

### **Track 3 – Service Planning Activities**

Funded under the FY 2009 and FY 2008 DOT Appropriations Acts, this track is aimed at helping establish a pipeline of future projects and service development programs by aiding applicants advance planning activities for future implementation, requiring a 50 percent non-Federal match.

### **Track 4 – Appropriations-Funded Projects**

This track provides an alternative for state applicants offering at least a 50 percent non-Federal share of financing through simplified grant agreement terms, and up to five years to complete projects. Eligible projects must be specifically included in a State applicant's Statewide Transportation Improvement Plan (STIP) and are similar to those under Tracks 1 and 2.

### **Eligibility**

- Eligible applicants include: states (including the District of Columbia), groups of states, interstate compacts, and public agencies established by one or more states who may apply for capital improvements grant funding that benefits all types of intercity passenger rail, including high-speed service. Amtrak is eligible to apply as an entity or in partnership with one or more state through cooperative agreements.
- FRA will not allocate funding among the three PRIIA programs in advance of receiving applications, and the Secretary of Transportation may exercise discretion over the mix of funding among them. FRA anticipates making multiple awards under each of the four tracks, and potentially through a subsequent round of solicitations after 2009.

### **Evaluating Applications**

- Proposed projects or programs will be evaluated through a rigorous analysis of benefits and costs, and based on an applicant's fulfillment of stated objectives. Among the factors to be considered in assigning a rating are:
  - improvements to intercity passenger service, as evidenced by increased ridership (measured in passenger-miles), increased on-time performance (measured in reductions in delays), reduced trip time, additional service frequency to meet anticipated or existing demand;
  - cross-modal benefits, including positive impacts on air or highway traffic congestion, capacity, or safety;
  - intermodal integration through provision of direct, efficient transfers among intercity transportation and local transit networks at train stations, including connections at airports, bus terminals, subway stations, ferry ports, and other connectors;

- promoting standardized equipment (or rolling stock), signaling, communications and power; and improving the overall state of repair and physical plant for intercity lines;
- improved freight or commuter rail operations, in relation to cost-sharing and equitable financial participation in the project's financing by freight and commuter rail carriers commensurate with the benefit expected to their operations;
- Before final award selections are made, applications will be reviewed to ensure consistency and with respect to achieving overarching national transportation priorities.
- FRA will publicly announce selected projects and funding levels. For projects that are not selected, FRA will notify the applicant and provide suggestions and guidance on revising applications for any subsequent resubmission rounds.

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