

FAST ACT NATIONALLY SIGNIFICANT FREIGHT PROGRAM TO DIRECT BILLIONS TO PRIORITY CORRIDORS

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Earlier this month, U.S. Secretary of Transportation Anthony Foxx distributed a letter and fact sheet to transportation stakeholders regarding the newly established Nationally Significant Freight and Highway Projects (NSFHP) program. This first-of-its-kind program was created by the recently enacted multi-year surface transportation bill, the Fixing America's Surface Transportation Act of 2015 (the "FAST Act") (P.L. 114-94). The NSFHP program provides financial assistance — grants or credit assistance — made available through a competitive process to nationally and regionally significant freight and highway projects nationwide. A Notice of Funding Opportunity with more details is expected to be released by the end of February. As there is expected to be a fast-moving application and selection process, interested stakeholders should prepare now to be best positioned for success.

The NSFHP program was designed to support road, rail, and multimodal freight projects and to increase commerce across the country. The FAST Act provides \$4.5 billion over five years in competitive funding for NSFHP, with \$800 million available in FY 2016. The U.S. Department of Transportation (USDOT) is committed to making awards to freight projects under this program by the end of the fiscal year (September 2016), so interested parties should expect the process to move quickly.

According to the supporting documents provided by USDOT, the NSFHP program is specifically designed to promote a menu of goals, including improved safety, movement of freight and people, improving commerce between modes of freight transportation, strengthening national security through improved roadways, and mitigating the impact of freight movement on communities. A grant under the NSFHP may not exceed 60 percent of the total eligible project costs. An additional 20 percent of project costs may be funded with other federal assistance, bringing the total federal participation in a project to a maximum of 80 percent, with other exemptions available.

There are a wide variety of eligible projects, including surface transportation projects such as highways, bridges, and interstate projects and freight projects such as intermodal or freight rail projects, ports, and projects designed to "facilitate direct interchange, transfer, or access into or out of (a) facility." Other restrictions and eligibility criteria will apply to the award selection process — please see the attached [letter](#) for complete information on the [program](#) and opportunities.

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