Summary of Q&A - Commuter Authority Rail Safety Improvement (CARSI) Grants Webinar conducted 9/10/2020

Notice of Funding Opportunity (NOFO) Number 693JJ320NF00005

The following represents a **summary of questions and answers** resulting from the CARSI Grants Webinar presented by the USDOT on 9/10/20.

Notes:

- Participation in this webinar is not mandatory to submit an application under the NOFO.
- In the event of any discrepancy between the information presented in this document and the NOFO written document, the NOFO written document will prevail.

1. Does the project location have to be in a rural area?
    a. No, there is no requirement that the project location be in a rural area. Per the NOFO, "Consistent with the Department's R.O.U.T.E.S. Initiative (https://www.transportation.gov/rural), the Department encourages applicants to consider how the project will address the challenges faced by rural areas." USDOT will consider if the location is in a rural area per the Department's R.O.U.T.E.S. Initiative, but it is not a requirement for award.

2. Regarding the requirement to have an NTSB investigation and report, they typically don't investigate grade crossing incidents and we have not had a major incident (such as a derailment or train/train collision) that would warrant NTSB coming out to investigate. Looking at the database of NTSB reports, it seems the majority of commuter rail agencies do not have published investigations and of the few that do, the incident was not associated with crossing safety. I know you mentioned this language was in the appropriations bill, but this requirement is very limiting and disqualifies many commuter rail agencies who would benefit from this funding. If you can opine on why this requirement is included, it would be much appreciated.
    a. The stated eligibility requirement regarding the NTSB investigation and report comes directly from the 2020 Appropriations Act that authorizes the funding and the grant program. Accordingly, the eligibility requirement is applicable under the NOFO.

3. Must the involved public highway be a designated federal aid highway?
    a. No, however, the project must be for a public railway-highway crossing.

4. If grantee applies for construction funds, then are you saying NEPA would need to be complete before receiving award?
    a. No, NEPA clearance is not required to be completed before grant award, but is required for the project if applicable. Planning and NEPA clearance activities can take place as part of the grant period. However, please note the NOFO, states "Priority will be given to applications that propose projects for construction as opposed to engineering and design." If a grantee only applies for construction funds, preliminary engineering activities must be completed before grant award, including NEPA clearance if applicable.

5. Must the rail with a grade crossing be commuter rail? The term, "railway," used in the notice and legislation is not defined and, "commuter rail," is not specified in the eligibility requirements.
    a. The NOFO contains the eligibility requirements per the 2020 Appropriations Act. Applicant-specific questions regarding grantee or project eligibility should be directed by email to Sarah.Tarpgaard@dot.gov with sufficient information on the project. USDOT will respond to individual eligibility questions to the extent possible.

6. Would an agency be eligible if an accident was investigated on their corridor but for an accident by another agency?
    a. USDOT does not have enough information to answer this question, which appears specific to the potential applicant. Applicant-specific questions regarding grantee or project eligibility should be directed by email to Sarah.Tarpgaard@dot.gov with sufficient information on the project. USDOT will respond to individual eligibility questions to the extent possible.

7. Does the project have to be at the location where the accident investigated by the NTSB occurred?
    a. No, the NOFO states "The proposed location of the project is not required to be the location of the accident previously investigated by the NTSB. The proposed location of the project is up to the discretion of the applicant." However, the proposed location of the project must be for a public railway-highway crossing.

The following questions and answers were included in the Webinar Presentation Slides:

Q: Is right-of-way and engineering eligible reimbursable expenses?

> Yes, preliminary engineering costs (design, ROW, environmental) are eligible. However, please note the NOFO, states "Priority will be given to applications that propose projects for construction as opposed to engineering and design."

Q: Is NEPA clearance required? Or can preliminary engineering activities still take place as part of the schedule for the grant award?

> Yes, as applicable, NEPA clearance is required. Preliminary engineering activities can take place as part of the grant period. However, please note the NOFO, states "Priority will be given to applications that propose projects for construction as opposed to engineering and design."

Q: Are we eligible if we have not had an accident between 2008 and 2018 that was investigated and had a report generated by the NTSB?

> No, this eligibility requirement comes directly from the 2020 Appropriations Act that authorizes the funding and the grant program.

Q: Is it possible to propose a project wherein the State and local environmental and planning approvals process has not yet started?

> Yes, however, the project schedule should demonstrate how the project will be completed within 4 years, including accomplishment of the environmental and planning approvals.

Q: Is the completion date when the construction needs to be obligated by or when construction needs to be completed by?

> The applicant must complete the project actions they are awarded funds for by the completion date, including construction and any preliminary engineering activities included in the grant project.

Q: Can preaward costs be included in the Benefit-Cost Analysis even though preaward costs are not reimbursable?

> Yes, the Benefit-Cost Analysis is intended to evaluate the overall merits of the project, rather than the merits of Federal investment in the project. Therefore, previously incurred costs should be included in the analysis even if they are not eligible for reimbursement.

Q: Can a Benefit-Cost Analysis be done after grant selection?

> No, the Benefit-Cost Analysis is a required portion of the application. It must be completed and submitted with the application by the deadline.

Please direct any further questions to Sarah.Tarpgaard@dot.gov.

{End of Q&A Summary Document}