



THE SECRETARY OF TRANSPORTATION
WASHINGTON DC 20590

November 5, 2010

The Honorable James L. Oberstar
Chairman, Committee on Transportation
and Infrastructure
U.S. House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

Section 5309(l)(1) of Title 49, United States Code, as amended by the Safe, Accountable, Efficient Transportation Equity Act: A Legacy For Users (SAFETEA-LU), requires the Secretary of Transportation to submit a report every year on the first Monday in August that contains a summary of the results of Before-and-After Studies to the Committees on Transportation and Infrastructure and Appropriations of the U.S. House of Representatives and the Committees on Banking, Housing, and Urban Affairs and Appropriations of the United States Senate. Since the last Before-and-After Study report in 2009, no additional Before-and-After Studies have been completed by New Starts or Small Starts project sponsors. Therefore, there is nothing new to report at this time, and this letter provides details about the status of three studies that are underway.

The SAFETEA-LU amended Title 49 of the United States Code to add a new provision in Section 5309(g)(2)(C) that requires a project sponsor to develop a Before-and-After Study as a condition for each new Full Funding Grant Agreement (FFGA). This provision made statutory a requirement that was in the Federal Transit Administration's (FTA) New Starts Regulation, effective April 2001. The FTA, in keeping with its general authority regarding grantee requirements (49 U.S.C. 5309(c)(3)) and its history of analyzing the predicted and actual impact of major transit investments receiving discretionary funding, also requires a sponsor of a Small Starts project (49 U.S.C. 5309(e)) to agree to complete a Before-and-After Study as a condition for receiving a multi-year funding agreement, known as a Project Construction Grant Agreement ((PCGA) (49 U.S.C. 5309(e)(7)). Before-and-After Studies are intended to assess the impact of New and Small Start projects, compare the actual and forecasted costs of the projects and ridership 2 years after opening, and identify the sources of differences between predicted and actual outcomes. Before-and-After Studies also assist FTA and project sponsors in determining how to improve the reliability of the cost and ridership forecasts of major public transportation projects.

Given that the last milestone for collection of information for the project sponsor's Before-and-After Study does not occur until 2 years after a project has opened for revenue operation, it can take several years after a project receives an FFGA or a PCGA for a Before-and-After Study to be completed by the project sponsor and approved by FTA.

Project sponsors of three New Starts projects have completed their data collection efforts and are expected to submit these final Before-and-After Study reports to FTA in time for inclusion in the 2011 Report to Congress:

- **Tri-Rail Double Track Corridor Improvement Program Segment 5 commuter rail transit in Palm Beach County, Broward County, and Miami-Dade County, Florida.** The project received an FFGA in May 2000 prior to the effective date of the 2001 regulatory requirement for a Before-and-After Study. The FTA approved an amended FFGA in April 2004, at which time FTA imposed the Before-and-After Study requirement on the project. The project opened for revenue operation in March 2006. The South Florida Regional Transportation Authority completed its “after” data collection in spring 2008 and under FTA’s direction is working on revisions to a draft Before-and-After Study submitted to FTA in November 2009 and revised in May 2010.
- **South Corridor light rail transit in Charlotte, North Carolina.** The project received an FFGA in May 2005 and opened for revenue operation in November 2007. The Charlotte Area Transit System completed the “after” data collection in spring 2009 and is working on its initial draft Before-and-After Study.
- **Sprinter (previously known as “Oceanside-Escondido”) light rail transit in San Diego, California.** The project received an FFGA in February 2003 and opened for revenue operation in March 2008. The San Diego Association of Governments, on behalf of the North County Transit District, completed the “after” data collection in spring 2010 and is working on the initial draft Before-and-After Study.

A similar letter has been sent to the Ranking Member of the House Committee on Transportation and Infrastructure; the Chairmen and Ranking Members of the Senate Committee on Banking, Housing, and Urban Affairs, and the Senate and House Committees on Appropriations.

Sincerely yours,

Ray LaHood

