

1.A. Background

Moving Ahead for Progress in the 21st Century Act (MAP-21)¹ was signed into law on July 6, 2012. The MAP-21 funded federal surface transportation programs at over \$105 billion for fiscal years (FY) 2013 and 2014 and was the first long-term highway authorization enacted since 2005. This authorization included several provisions to improve the condition of the national freight network (NFN) and to support investment in freight-related surface transportation projects. Section 1118 [State Freight Plans (SFP)] of MAP-21 directed the U.S. Secretary of Transportation (Secretary) to encourage states to develop comprehensive SFPs, specified certain minimum contents for SFPs, and declared that SFPs may be developed separate from, or incorporated into the statewide strategic long-range transportation plan required under 23 United States Code (U.S.C.) 135. Section 1117 [State Freight Advisory Committees] directed the Secretary to encourage states to establish a State Freight Advisory Committee (FAC) to help guide the aforementioned plans. Furthermore, Section 1116 [Prioritization of Projects to Improve Freight Movement] authorized the Secretary to increase the federal share payable for any project to 95 percent for projects on the Interstate Highway System and 90 percent for any other project if the Secretary certifies that the project meets certain criteria.

On December 4, 2015, the Fixing America's Surface Transportation (FAST) Act was signed into law, and it is the first federal authorization in over a decade to provide long-term funding certainty for surface transportation infrastructure planning and investment. The FAST Act authorizes \$305 billion over FY 2016 through 2020 for highway, highway and motor vehicle safety, public transportation, motor carrier safety, hazardous materials safety, rail, and research, technology, and statistics programs.² Section 1116 [National Highway Freight Program (NHFP)] of the FAST Act³ required the development of the National Highway Freight Network (NHFN), which replaced the National Freight Network and the Primary Freight Network established under MAP-21. FAST Act Section 1116 also requires the re-designation of the NHFP every five-years.

FAST Act Section 8001 added Section 70202 to Title 49 of the U.S.C. that requires state governments receiving NHFP (23 U.S.C. 167) funds to develop an SFP, in consultation with the State FAC (if applicable)⁴. The SFP must cover a five-year forecast period, be fiscally constrained, include a freight investment plan that includes a list of priority projects, and describe how the state will invest and match its NHFP funds.

FAST Act Section 1105 [Nationally Significant Freight and Highway Projects (NSFHP) program] established a discretionary competitive grant program, known formerly as Fostering Advancements in Shipping and Transportation for the Long-term Achievement of National Efficiencies (FASTLANE), and presently known as Infrastructure for Rebuilding America (INFRA). This program includes \$4.5 billion over five years to provide financial assistance to nationally and regionally significant highway, rail, port, and intermodal freight and highway projects⁵.

On October 14, 2016, the Office of the Federal Register and the National Archives and Records Administration replaced the Department of Transportation Interim Guidance on SFPs (July 6,

2012) and State FACs (77 FR 62596, October 15, 2012) which were developed to address MAP-21 provisions with the guidance on SFPs and State Freight Advisory Committees (Federal Register Volume 81, Issue 199). The new guidance provides direction regarding the required elements of SFPs established under 49 U.S.C. 70202, as well as recommended approaches and information that state governments may include in their SFPs, including the establishment of State Freight Advisory Committees.

In September 2013, California passed Assembly Bill (AB) 14 (Lowenthal, 2013) requiring the California State Transportation Agency (CalSTA) to establish the FAC by the U.S. DOT, prepare an SFP consistent with federal law, and submit the plan to designated recipient State agencies by December 31, 2014 and every five years thereafter⁶.

The Secretary of CalSTA delegated their responsibility for developing the CFMP to the California Department of Transportation (Caltrans) in consultation with the CFAC formed in compliance with AB 14.

Table 1.A.1 shows the Federal Highway Administration (FHWA) requirements for freight plans and corresponding chapters in the CFMP⁷. Caltrans worked extensively with CalSTA, CFAC, and other freight stakeholders to develop the CFMP. The CFMP is structured so it can be readily updated by section in response to changes within the dynamic freight industry and public policy arena. As emerging federal and state freight-related policy and guidance is issued, the CFMP will be amended to align with those policies and guidance. Additionally, as regional freight plans receive approval from their respective boards or commissions, relevant sections of the CFMP may be updated to reflect the new information.

The State of California is looking beyond the CFMP development and is working through an integrated State agency effort that is committed to a broader freight vision that will guide California toward a future with a sustainable freight system.

Table 1A.1. FHWA Requirements and Chapter Contents

Element	Requirements	Descriptions
1	An identification of significant freight system trends, needs, and issues with respect to the state.	<p>Chapter 1 identifies background, vision, and goals for the freight plan.</p> <p>Chapter 2 outlines the State’s needs and challenges in various sectors to increase economic growth and remain competitive.</p> <p>Chapter 3 outlines needs and issues under existing conditions.</p> <p>Chapter 4 identifies regional and global trends and what it means for California's Freight industry.</p> <p>Chapter 5 identifies environmental progress and opportunities for freight within California.</p> <p>Chapter 6 provides an overview of the Statewide Investment strategy and the regional freight investment strategies.</p> <p>Appendix E evaluates various alternative future scenarios with respect to long term trends and needs.</p>
2	A description of the freight policies, strategies, and performance measures that will guide the freight-related transportation investment decisions of the state.	<p>Appendix A outlines freight policies and strategies, grounded in the Freight Plan vision, goals, and objectives.</p> <p>Chapter 3A and Chapter 5 present the performance measures.</p> <p>Chapter 6B explains State and regional freight investment strategies.</p>
3	When applicable, listings of multimodal critical rural freight facilities and corridors designated within the state under section 70103 of Title 49: National Multimodal Freight Network (NMFN) and critical rural and urban freight corridors designated within the state under Section 167 of Title 23: National Highway Freight Program (NHFP).	<p>Chapter 3B contains a description of the critical rural freight corridors (CRFC) and critical urban freight corridors (CUFC) designated to date and National Multimodal Freight Network (it has yet to be finalized).</p>

4	A description of how the plan will improve the ability of the state to meet the national multimodal policy goals described in Section 70101(b) of Title 49, and U.S. Code and the NHFP goals described in Section 167 of Title 23 relating to intermodal goods movement.	Chapter 1B explains how CFMP enables the State to meet the national multimodal freight policy goals and NHFP goals.
5	A description of how innovative technologies and operational strategies, including freight intelligent transportation systems (ITS), that improve the safety and efficiency of the freight movement, were considered.	Chapter 1 proposes the use of ITS for solving freight issues outlined in the Freight Plan. Chapter 6 details operational strategies to resolve congestion, efficiency, and other issues affecting freight. Appendix E provides discussion of scenario planning, which considered technological advancements to define the potential future states affecting the State’s freight transportation system.
6	In the case of roadways on which travel by heavy vehicles (including mining, agricultural, energy cargo or equipment, and timber vehicles) is projected to substantially deteriorate the condition of the roadways, a description of improvements that may be required to reduce or impede the deterioration.	Chapter 2 summarizes the share of each industry in overall goods movement flows on California multimodal freight System, specifically freight highway network. Chapter 3A summarizes the existing conditions on the freight highway network and maintenance efforts and operational improvements to preserve the infrastructure. Chapter 6 details strategies to improve freight mobility and efficiency affecting these industries.
7	An inventory of facilities with freight mobility issues, such as bottlenecks within the state, and for those facilities that are state-owned or operated, a description of the strategies the state is employing to address those freight mobility issues.	Chapter 3A and 3B identifies facilities with mobility issues, including bottlenecks. Chapter 4 identifies the needs and issues associated with mobility problems. Chapter 6 details improvements and strategies.

8	Consideration of any significant congestion or delay caused by freight movements and any strategies to mitigate that congestion or delay.	Chapter 3A identifies congestion issues. Chapter 6 details improvements and strategies.
9	A freight investment plan that, subject to 49 U.S.C. 70202(c), includes a list of priority projects and describes how funds made available to carry out 23 U.S.C. 167 would be invested and matched.	Chapter 6 is the Implementation Plan including improvement strategies, investment strategies, and short-term lists of projects for each region. Appendix L is the California Freight Investment Plan, which was adopted in 2018 through the Trade Corridor Enhancement Program (TCEP). The TCEP is composed of Trade Corridor Enhancement Account and National Highway Freight Program funds.
10	Consultation with the state FAC, if applicable.	All Freight Plan chapters were informed and reviewed by the CFAC as explained in Chapter 5 .
Source: Fixing America’s Surface Transportation (FAST) Act, National Highway Freight Program, Section 1116, 23 U.S.C. 167		

Endnotes

- ¹ “MAP-21- Moving Ahead for Progress in the 21st Century, FAST ACT Fact Sheet.” *U.S. Department of Transportation, Federal Highway Administration*. April 1, 2019. <https://www.fhwa.dot.gov/map21/factsheets/freight.cfm>.
- ² “Fixing America's Surface Transportation Act or "FAST Act" *U.S. Department of Transportation, Federal Highway Administration*. <https://www.fhwa.dot.gov/fastact/>
- ³ “National Highway Freight Program (NHFP), FAST Act Section 1116 Implementation Guidance.” *U.S. Department of Transportation, Federal Highway Administration*. February 29, 2016. https://ops.fhwa.dot.gov/freight/pol_plng_finance/policy/fastact/s1116nhfpguidance/.
- ⁴ “Guidance on State Freight Plans and State Freight Advisory Committees.” *Federal Register, The Daily Journal of the United States Government*. October 14, 2016. <https://www.federalregister.gov/documents/2016/10/14/2016-24862/guidance-on-state-freight-plans-and-state-freight-advisory-committees>.
- ⁵⁵ “U.S. Secretary of Transportation Elaine L. Chao Announces Major Infrastructure Investment in America.” *Infrastructure for Rebuilding America, United States Department of Transportation, Build American Bureau*. Wednesday, September 25, 2019. <https://www.transportation.gov/buildamerica/infragrants>.
- ⁶ “Bill Number: AB 14, Chaptered Bill Text, Chapter 223.” *Legislative Counsel's Digest*. December 2, 2012. http://leginfo.ca.gov/pub/13-14/bill/asm/ab_0001-0050/ab_14_bill_20130906_chaptered.html.
- ⁷ “Fixing America's Surface Transportation Act (FAST Act) Fact Sheet.” *Federal Highway Administration (FHWA)*. February 29, 2016. https://ops.fhwa.dot.gov/freight/pol_plng_finance/policy/fastact/s1116nhfpguidance/.