
Federal Funding

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Federal Transportation Funds Overview

Background

How does the federal government impact transportation in Washington State?

Federal transportation law:

- determines the rates of federal transportation taxes and fees (how much money)
- sets the distribution of federal funds among states and local agencies (who gets the money)
- creates programs (e.g., for highways, transit, ferries, research, aviation) and establishes eligibility, criteria, budgets, and spending rules (what you can spend money on)
- details safety and environmental regulations that guide the design, construction and operation of transportation projects receiving federal funds (the rules for spending)

Federal transportation funds are distributed back to states through formula programs and grants. Congress eliminated earmarks in 2011. WSDOT administers all federal highway transportation funds, subject to federal and state criteria, including funds that go to local agencies. WSDOT acts as a fiscal agent for the federal government, ensuring that local agencies comply with the multitude of federal transportation and environmental laws and regulations. MPOs/RTPOs and transit agencies make many local funding decisions, and directly receive the majority of federal transit funds. For federal aviation funding, WSDOT receives funding for projects at eligible state-owned airports while the majority of aviation funds in Washington go directly to eligible locally-owned airports.

For more information on financing federal aid highways, see [FHWA's Funding Federal-aid Highways, 2017 edition](#).

Congressional Authorization Process

There are two primary legislative vehicles for federal transportation funding: authorization bills that authorize policy, programs and funding ceilings over multiple years, such as Fixing America's Surface Transportation (FAST) Act, and annual appropriations bills that set annual spending levels for transportation programs.

The federal transportation financing cycle begins with Congressional authorization of a transportation act. Unlike many other federal programs, which require appropriation for states to begin spending funds, an authorization act for the federal-aid highway program permits states to commence programming funds beginning on the first day of the federal fiscal period. Called "contract authority," this feature of transportation funding recognizes the need for predictability by state transportation departments in order to plan and finance programs.

Once authorized, states receive a notice of their annual apportioned share of federal funds. The shares are established by programmatic statutory formulas, adjusted by penalties. States may then begin obligating funds to activities and projects in their approved transportation improvement plan. An "obligation" is a commitment by the federal government to pay for its share of an approved project's eligible costs. This commitment occurs when the project is approved and the project agreement is executed. Obligated funds are considered used even though no cash has been transferred.

Federal transportation programs work as a reimbursement program; cash is not distributed to the states. Rather, after states pay expenses, the federal government will reimburse them, typically for 80 percent of project costs, though the federal share varies between programs. The rate may increase up to a total of 95 percent for states with large amounts of federally-owned lands (i.e. the sliding scale adjustment). The maximum federal share is specified in the federal legislation authorizing the program. Most projects have

an 80 percent federal share, while Interstate rehabilitation and maintenance projects have typically been funded with a 90 percent federal share.

While states do not need to depend on the appropriations process to proceed with projects, Congress continues to be responsible for balancing federal transportation revenues and outlays and uses the annual appropriations process to achieve that balance. As such, states may not be permitted to use their full amount of apportionment. To control outlays, Congress sets obligation limitations on state apportionments. Each state receives a single, overall limitation that covers most programs, and they have some flexibility in how to allocate the limitation among programs. At times Congress exerts further control over outlays by rescinding unused balances of previously authorized funds.

Not all programs are subject to apportionment. Distributions of funds when there are no formulas in law are called "allocated" or "discretionary" funds. Examples of past discretionary programs include the Ferry Boat Discretionary, the Interstate Maintenance Discretionary, and the National Scenic Byways programs. The TIGER grant program created by the American Recovery and Reinvestment Act of 2009 is also a discretionary program, created outside of the general transportation authorization legislation, and is funded by the General Fund rather than the Highway Trust Fund. Typically, states and localities must compete for discretionary funds, either through earmarks, before earmarks were banned by Congress, and more recently through competitive grants.

Annual appropriations bills are usually drafted in late spring, and debated during the summer and early fall. While the federal fiscal year runs from October 1st through September 30th, in recent years Congress has been unable to pass appropriations bills by the October 1st deadline and therefore bills are typically passed anywhere from several weeks to several months late.

The current surface transportation authorization bill is the FAST Act. The FAST Act was passed on December 4, 2015 and will expire on September 30, 2020.

Federal Highway Trust Fund

The Highway Trust Fund (HTF) was established by the Highway Revenue Act of 1956 as a mechanism to fund construction of the Interstate Highway System. Taxes dedicated to the HTF are extended periodically by Congress—most recently as part of the FAST Act.

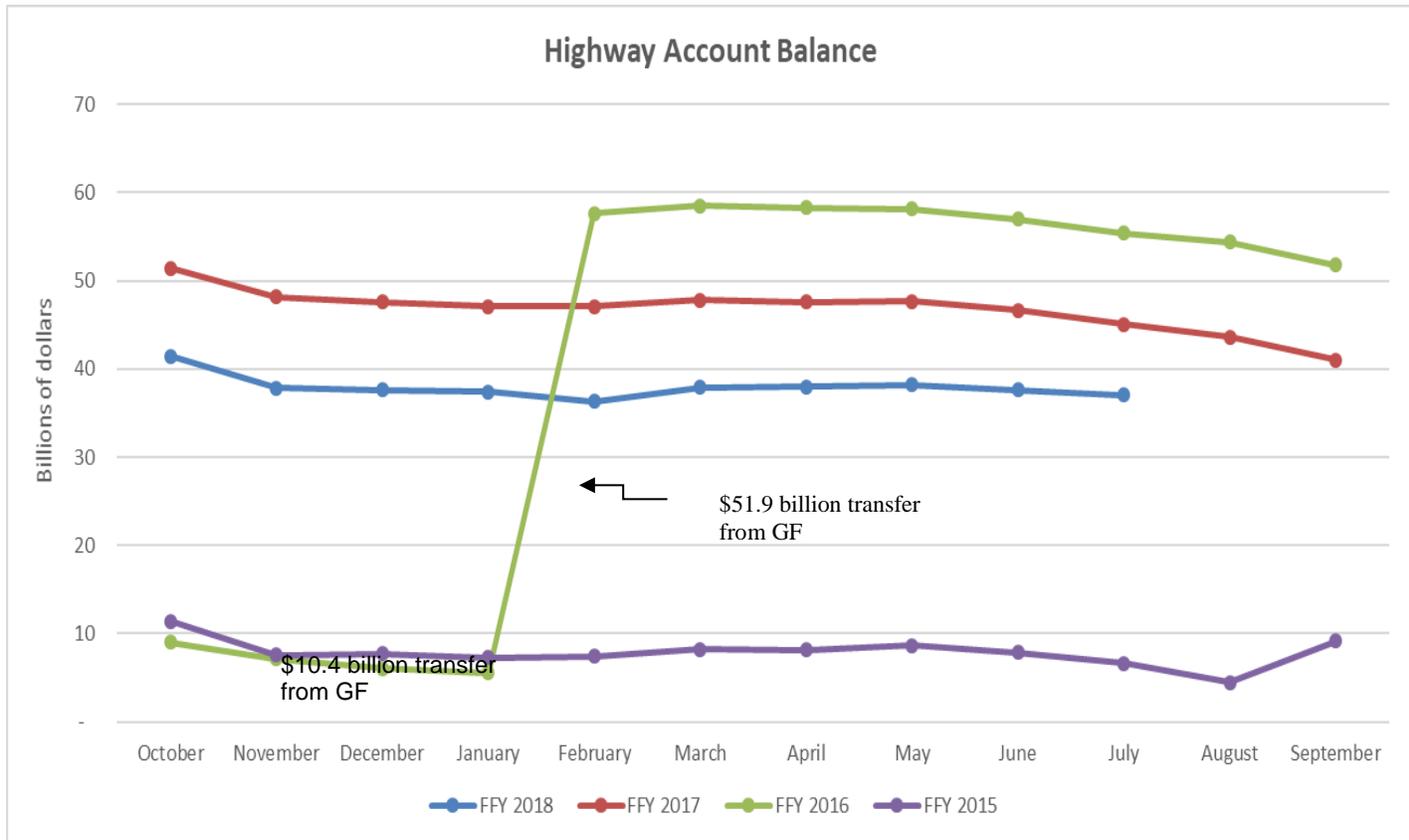
Like other federal trust funds, such as the Social Security Trust Fund, the HTF is a financing mechanism established by law to account for receipts that are collected by the federal government and designated for a specific purpose. The Federal-Aid Highway Act of 1956 provided that revenues from certain highway user taxes, primarily the federal gasoline tax and a variety of tire and truck sales taxes, would be credited to the HTF to finance the highway program that the legislation created.

Originally, the HTF focused solely on highways. In the early 1980's, Congress decided that some revenues should be used to fund transit needs. As a result, two separate accounts were created within the HTF—one for highways and the other for mass transit. Today the federal gasoline and diesel taxes are the primary source of revenue to the HTF accounts. The federal gasoline tax is 18.4¢ per gallon while the federal diesel tax is 24.4¢. Of each tax, 2.86¢ flows to the Mass Transit Account while the Highway Account receives 15.44¢ from gasoline tax and 21.44¢ from diesel tax. Other taxes and fees flowing into the HTF are displayed later in this section (see [Federal Surface Transportation User Fees](#) on page 173).

Each penny of federal motor fuel tax generates about \$1.77 billion annually. Under current law, all but 0.1¢ of the federal gasoline and diesel tax revenues goes into the HTF and is directed to transportation (the remaining 0.1¢ per gallon of gasoline and 0.1¢ per gallon of diesel is deposited into the Leaking Underground Storage Tank Trust Fund). The federal gas tax was last raised in 1993 and is not indexed to inflation.

From FFY 2015 to 2018, Congress has transferred \$52.1 billion from the federal General Fund and the Leaking Underground Storage Tank fund into the HTF to keep it afloat.

Monthly Federal Highway Trust Fund Account Balance
2015-2018 *billions of dollars*



FFY 2016 includes a transfer of \$51.9 billion to the Highway Account from the General Fund pursuant to section 31201 of P.L. 114-94. In addition, includes a transfer of \$100 million to the Highway Account from the Leaking Underground Storage Tank Trust Fund pursuant to section 31203 of the same law.

FFY 2017 includes a transfer of \$93,100,000 to the Highway Account from the Leaking Underground Storage Tank Fund pursuant to section 31203 of P.L. 114-94.

FFY 2018 includes a transfer of \$93,400,000 to the Highway Account from the Leaking Underground Storage Tank Fund pursuant to section 31203 of P.L. 114-94.

When there is a shortfall in HTF revenues, it does not mean the Trust Fund has no funds. Revenues still flow into the Trust Fund from the gas tax and truck taxes. The amounts, however, will not be sufficient to pay all bills that state and local governments are expected submit for construction work performed on highway and transit improvement projects. Once that happens, the FHWA will only be able to pay bills as new revenues come into the HTF.

The FAST Act is funded with existing gas and truck taxes and a \$70 billion transfer from the federal general fund into the HTF. The Congressional Budget Office currently forecasts both accounts of the HTF to have a positive balance through the end of FFY 2020, when the FAST Act expires (Congressional Budget Office, [The FAST Act and the Status of the Highway Trust Fund](#)).

State Revenue from the Federal Highway Administration and Federal Transit Administration

The state receives federal apportionments and allocations from a variety of Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) programs. Federal funding is an important supplement and complement to state transportation funding. Over the past 10 years, federal funds on average have made up 27% of Washington's highway budget. They provided 21.9% of WSDOT's 2013-15 budget and are projected to provide 23.8% of WSDOT's 2015-17 budget.

Federal Aid Highway Funds/FAST Act Forecast

The FAST Act provides the majority of Federal-aid highway funds to the states through apportionment to core programs. The FAST Act core programs are the following: National Highway Performance Program, National Highway Freight Program, Surface Transportation Block Grant Program, Congestion Mitigation & Air Quality Improvement Program, and Highway Safety Improvement Program.

The FAST Act requires FHWA to divide the total federal apportionment among the states using an allocation process specified in law. The federal apportionment is then distributed between the state's core programs using formula calculation set in the FAST Act.

The following table shows the November 2018 forecast for anticipated apportionment distributions under the FAST Act from FHWA for FFY 2016 through FFY 2020. The apportionment shown for FFY 2016-FFY 2018 reflect actual distributions from FHWA. The FFY 2018 apportionment forecast includes a sequestration of apportionment from the NHPP program, per FHWA Notice N4510.829 The apportionment forecast for FFY 2019 is based on FHWA Notice N4510.828 dated October 1, 2018. This effects the state highway apportionment only.

Federal Funds Forecast - Highways	2016	2017	2018	2019	2020 #
Washington Apportionment and Obligation Authority Forecast	Nov-18	Nov-18	Nov-18	Nov-18	Nov-18
Federal Aid Highway Core Programs Apportionment					
National Highway Performance Program (NHPP)	\$379,861,976	\$371,021,480	\$378,696,412	\$387,116,000	\$391,045,000
Surface Transportation Block Grant Program (STBGP)	189,811,231	193,028,803	197,469,122	201,669,487	110,965,000
<i>Bridge Program (15% off-system)</i>	22,930,000	22,930,163	22,930,163	22,930,000	482,000
<i>Population Distribution</i>	90,319,000	93,753,166	97,788,238	101,901,000	106,390,000
<i>Any Area of the State</i>	63,847,000	63,611,221	63,787,709	63,875,000	(2,729,000)
<i>STBGP Set Aside (previously Transportation Alternatives Program)</i>	10,848,000	10,847,983	11,076,742	11,077,000	4,936,000
<i>Recreational Trails Program</i>	1,867,000	1,886,270	1,886,270	1,886,000	1,886,000
Highway Safety Improvement Program (HSIP)	35,378,961	52,973,813	52,616,789	58,239,000	55,020,000
Rail-Highway Crossing Program	6,433,000	4,211,178	4,366,470	4,409,000	4,503,000
Congestion Mitigation and Air Quality Improvement Program (CMAQ)	36,072,942	36,635,619	37,394,574	38,206,000	39,039,000
National Highway Freight Program	19,297,411	18,339,285	20,039,911	22,620,000	15,213,000
Metropolitan Planning (MPO)	7,292,000	7,391,590	7,559,495	7,748,000	7,940,000
Statewide Planning & Research	13,497,259	13,714,265	14,033,000	14,399,000	14,758,000
Subtotal Core Programs Apportionment	687,644,780	697,316,033	712,175,773	734,406,487	638,483,000
Subtotal Core Programs Obligation Authority	685,170,000	679,678,877	717,120,140	686,704,000	699,827,000
Ferry Boats and Terminals	-	30,776,853	18,131,645	18,131,645	17,965,000
Discretionary and Allocated Programs	23,931,074	45,206,427	134,384,944	-	-
Total Washington Apportionment	711,575,854	773,299,313	864,692,362	752,538,132	656,448,000
Total Washington Obligation Authority *	697,345,000	775,274,336	906,643,390	737,487,000	751,077,000

* Obligation Authority includes formula program, redistributed, allocated programs and exempt programs.

Washington's portion of the \$7.6 billion rescission in FFY 2020 is estimated to be \$110.0 million and is being shown distributed proportionally between eligible programs per the FHWA 11/7/2016 spreadsheet.

% A portion of the STBGP flexible funds, up to \$15 million per year, will be added to the local bridge program.

@ Washington State is subject to a Section 164 penalty which is being taken 100% out of the NHPP program per the November 2016 shift letter and is being returned 100% into the HSIP program.

As noted on the previous table, the FAST Act also establishes an annual obligation authority (OA) for the purpose of limiting highway spending each year (about \$42 billion nationally for FFY 2016 divided among the states). Obligation authority is a mechanism for controlling spending by limiting Federal-aid highway and highway safety construction program obligations. The forecasts for 2016 through 2020 shown in the previous table assume a continuation of Washington State’s historical 1.7% of national apportionment each year. Washington’s federal funding level is assumed to grow at the same rates as state motor fuel consumption (same methodology as applied in prior forecasts).

Federal Public Transportation Funding

In addition to the FHWA formula and non-formula programs governed by the FAST Act, the Federal Transit Administration also provides program allocations to Washington for a variety of transit projects. The FAST Act authorized \$11.8 billion in FFY 2016 for public transportation programs, an amount scheduled to rise to \$12.6 billion in FFY 2020 nationwide. Typically, about 80% of federal public transportation program funding comes from the mass transit account of the highway trust fund and 20% comes from the general fund of the U.S. Treasury.

WSDOT each quarter forecasts the federal funds for public transportation for 6 different funding programs. The November 2018 FTA – Public Transportation forecast for 2017 through 2020 was based on the FAST Act program funds distribution tables produced by the Federal Transit Administration (FTA). A three-year average (1.72%) was applied to the national totals on the FTA distribution tables for these years for Washington’s proportionate share of the formula program funds. Total federal public transportation formula program funds for FFY 2016 are anticipated to be \$18.4 million and growing to \$19.6 million by FFY2020. The non-urbanized area formula program is the largest program, making up 70% of all federal public transportation revenue coming to Washington state each year.

The federal public transportation program was authorized from FFY 2016 to FFY 2020 as part of the FAST Act. Six major federal public transportation programs are administered by the FTA; (1) Urbanized Area Formula; (2) State of Good Repair (SGR); (3) New Starts; (4) Rural Area Formula; (5) Bus and Bus Facilities; and (6) Enhanced Mobility of Seniors and Individuals with Disabilities. Funding for all of these programs, except New Starts, comes from the mass transit account of the Highway Trust Fund. New Starts funding comes from the federal general fund. Some of the programs are distributed based on formulas while other programs are distributed based on competitive grants. The table below includes projections for formula-driven programs as well as funds from competitive grant programs that have been received or awarded. In Washington State, most FTA funds are distributed directly to local transit agencies.

Federal Transit Administration (FTA) Forecast - Public Transportation							
November 2018 Forecast		2015	2016	2017	2018	2019	2020
		Nov-18	Nov-18	Nov-18	Nov-18	Nov-18	Nov-18
Program	Program Name						
5304	Statewide Planning Program	\$ 478,373	\$ 485,066	\$ 494,961	\$ 505,355	\$ 516,000	\$ 527,000
5310	Enhanced Mobility for Elderly and Persons with Disabilities	2,666,625	2,716,118	\$ 2,773,508	5,383,827	2,888,000	2,949,000
5311(a)	Nonurbanized Area Formula Program	12,418,881	12,658,343	\$ 12,847,503	13,345,440	13,465,000	13,751,000
5311(b)	Rural Transit Assistance Program	196,494	200,702	\$ 204,678	209,024	214,000	219,000
5329	State Safety Oversight Program *3	455,753	558,433	\$ 559,445	600,480	544,000	555,000
5339	Bus and Bus Facilities Program *4	1,250,000	1,750,000	\$ 1,750,000	3,500,000	1,595,000	1,629,000
Totals		\$ 17,466,126	\$ 18,368,662	\$ 18,630,095	\$ 23,544,126	\$ 19,222,000	\$ 19,630,000

Federal Washington State Ferries Funding

Washington State Ferries is the primary state agency division that spends federal FTA funds. (WSDOT Planning, Public Transportation, and Local Programs do receive FTA funds as well, but pass most through to local jurisdictions, spending a small percentage to administer the distribution of the funds.) WSF receives federal funds from all six of the major federal public transportation programs.

Federal assistance to Washington State Ferries (WSF) is provided primarily through the public transportation program which is funded by the Federal Transit Administration (FTA). Some of the programs are distributed based on formulas while other programs are distributed based on competitive grant processes. This federal forecast will only project the formula driven programs but competitive grant funds we have received or have been awarded are reflected in the funding tables.

Total federal WSF formula program funds for FFY 2019 are anticipated to be \$13.3 million and remain at \$13.3 million in FFY 2020 based on the November 2018 forecast. The 5337 – State of Good Repair Program is the largest FTA program, making up 58% of all federal transit administration revenue coming to Washington state each year. WSDOT received an additional \$10 million in a discretionary federal grant in FFY 2017 for ferries.

Federal Transit Administration (FTA) Forecast - Washington State Ferries						
November 2018 Forecast						
		2016	2017	2018	2019	2020
		Nov-18	Nov-18	Nov-18	Nov-18	Nov-18
5307	Urbanized Area Formula Program Grants (Passenger Ferry)	\$ 5,206,791	\$ 6,059,421	\$ 5,497,322	\$ 6,059,421	\$ 6,059,421
5337	State of Good Repair Grants (High Intensity Motorbus)	6,780,870	6,847,449	8,511,538	7,200,000	7,200,000
	Discretionary Funds	9,529,500	10,000,000			
	Totals	\$21,517,161	\$22,906,870	\$14,008,860	\$13,259,421	\$13,259,421

Federal Surface Transportation User Fees

Motor Fuel

Gasoline: 18.4¢ per gallon

- 15.44¢ for Highway Account
- 2.86¢ for Mass Transit Account
- 0.1¢ for Leaking Underground Storage Tank Trust Fund

Diesel Fuel: 24.4¢ per gallon

- 21.44¢ for Highway Account
- 2.86¢ for Mass Transit Account
- 0.1¢ for Leaking Underground Storage Tank Trust Fund

Special Fuels: 18.4¢ per gallon

- 15.44¢ for Highway Account
- 2.86¢ for Mass Transit Account
- 0.1¢ for Leaking Underground Storage Tank Trust Fund

Gasohol (10% Gasohol made with Ethanol): 18.44¢ per gallon

- 15.44¢ for Highway Account
- 2.86¢ for Mass Transit Account
- 0.1¢ for Leaking Underground Storage Tank Trust Fund

Other Highway User Fees (Dedicated to Highway Account)

Tires

- 9.45¢ for each 10 lbs. of the maximum rated load capacity over 3,500 lbs.

Truck and Trailer Sales

- 12% of retailer's sales price for all tractors and trucks over 33,000 lbs. gross vehicle weight (GVW) and trailers over 26,000 lbs. GVW.

Heavy Vehicle Use (Annual Tax)

- Trucks 55,000–75,000 lbs. GVW, \$100 plus \$22 for each 1,000 lbs. over 55,000 lbs.
- Trucks over 75,000 lbs. GVW, \$550.

Federal Transportation Programs – Multimodal

FEDERAL PROGRAM: **INFRA Discretionary Grant Program (23 USC Sec 117)**

FEDERAL AGENCY: U.S. Department of Transportation

PROGRAM DESCRIPTION

Created by the FAST Act (see [section 117](#)), Infrastructure for Rebuilding America (INFRA) grants were established for Nationally Significant Freight and Highway Projects (formerly known as FASTLANE, the name was changed to INFRA in 2017).

The program provides dedicated discretionary funding for projects that address major issues facing the nation’s highways and bridges. The program establishes multi-year eligibilities for freight infrastructure, including intermodal projects. Funding is available for large and small projects. The minimum size for a large project is the lesser of \$100 million, 30% of the states FY 2015 federal aid apportionment if located in one state or 50% of the larger participating states FY 2015 apportionment for projects located in more than one state. A small project is any project that does not meet the minimum project size requirements for a large project. A total of 25% of the fiscal year grants must be reserved for rural areas.

Highway Freight projects must be located on the National Highway Freight Network, which is comprised of the Primary Highway Freight System, Critical Rural Freight Corridors, Critical Urban Corridors and the rest of the Interstate system. Highway or Bridge projects located on the National Highway System, rail-highway grade crossings or grade separations as well as intermodal and rail freight projects are eligible for INFRA funding.

Funding

Anticipated National Apportionment Level

<i>\$ in millions</i>	2016	2017	2018	2019	2020	FAST Act Total
FASTLANE	\$759					\$759
INFRA		\$850	\$900	\$950	\$1,000	\$3,700
	\$759	\$850	\$900	\$950	\$1,000	\$4,459

Source: <http://www.fhwa.dot.gov/fastact/factsheets/fastlanegrantsfs.cfm>

Total grant funding may not exceed 60% of the total eligible project costs with an additional 20% of the costs eligible for other Federal funding, limiting total Federal participation to 80%. Each year of funding will allocate 90% of the total for large projects and 10% of the total for small projects. The minimum award amount for large and small projects is \$25M and \$5M respectively.

The federal fiscal year (FFY) 2016 FASTLANE program awarded grants to [18 projects](#) across the country, with awards totaling \$759 million. For FFY 2017, only the small project grants were awarded, with ten small projects receiving \$78.8 million. For FFY 2018, 26 projects received \$1.535 billion.

WASHINGTON STATE RECIPIENTS

2016: \$45 million for the South Lander Street Grade Separation and Railroad Safety Project (City of Seattle); \$5 million for the Strander Boulevard Extension and Grade Separation Phase 3 project (City of Tukwila).

2017: \$9.9 million for the Northern Columbia Basin Rail Road Project (Port of Moses Lake).

FEDERAL PROGRAM: **BUILD Grant Program**

FEDERAL AGENCY: U.S. Department of Transportation

PROGRAM DESCRIPTION

Originally created by the American Recovery and Reinvestment Act of 2009 (ARRA), the Transportation Investment Generating Economic Recovery (**TIGER**) Grant Program is a competitive program for “projects that have a significant impact on the nation, a metro area, or a region.” Known as TIGER for many years, the name was changed to Better Utilizing Investments to Leverage Development (BUILD) in 2018. It is a multimodal, competitive program that invests in road, rail, transit and port projects that promise to achieve critical national objectives.

Subsequent TIGER/BUILD Discretionary Grant opportunities are similar, but not identical to the appropriation for the original TIGER program authorized and implemented pursuant to ARRA.

Eligible applicants are state, local, and tribal governments, including transit agencies, port authorities, metropolitan planning organizations (MPOs), other political subdivisions of State or local governments, and multi-State or multijurisdictional groups applying through a single lead applicant.

ARRA provided \$1.5 billion nationwide for the original TIGER grant competition. Since ARRA, Congress has funded the TIGER/BUILD program through the annual appropriations process:

- \$600 million was provided in FFY2010
- \$526.944 million was provided in FFY2011
- \$500 million was provided in FFY2012
- \$474 million was provided in FFY2013
- \$600 million was provided in FFY2014
- \$500 million was provided in FFY2015
- \$500 million was provided in FFY2016
- \$500 million was provided in FFY2017
- \$1.5 billion was provided in FFY2018

The program is oversubscribed and very competitive, with USDOT receiving hundreds more applications each year than can be funded. For instance, for the TIGER competition with FY2016 funding, USDOT received 585 applications worth \$9.3 billion and was only able to award 40 grants worth nearly \$500 million.

DISTRIBUTIONS

BUILD grants are competitively awarded by USDOT.

MATCHING REQUIREMENTS

ARRA-funded TIGER grants in FFY2009 did not have a matching requirement, though the presence of matching funds was a factor in USDOT selection of grant awards. For subsequent rounds of TIGER/BUILD grants, projects in urban areas have been required to provide at least a 20 percent match from non-federal funds, while projects in rural areas may receive up to 100 percent federal funding. Projects can increase their competitiveness by demonstrating significant non-federal contributions.

WASHINGTON STATE RECIPIENTS

FFY2009: \$35 million for the construction of additional lanes on the North Spokane Corridor Project (WSDOT); \$30 million for the Mercer Corridor Project (City of Seattle)

FFY2010: \$34 million for the South Park Bridge Replacement Project (City of Seattle); \$10 million for the West Vancouver Freight Access Project (Port of Vancouver); \$1.010 million for the East Foster Wells Road Extension Project (Franklin County)

FFY2011: \$15 million for the I-5 Joint Base Lewis-McChord Area Congestion Management Project (WSDOT); \$10 million for the South Link: Sea-Tac Airport to South 200th Street Project (Sound Transit)

FFY2012: \$10 million for the North Spokane Corridor North Spokane Corridor – BNSF Railroad Structures/Realignment Project (WSDOT); \$14 million for the Mercer Corridor West Reconstruction Project (City of Seattle)

FFY2013: \$14 million for the I-90 Two Way Transit and HOV Project, Stage 3 (Sound Transit); \$10 million for the Tacoma Trestle Replacement (Sound Transit)

FFY2014: \$20 million for the Terminal 46 Rehabilitation Project (Port of Seattle); \$1.1 million for the Oil Spill Response Access Dock Plan (Makah Tribe) administered through MARAD

FFY2015: \$10 million for the Mukilteo Multimodal Ferry Terminal Project (WSDOT); \$15 million for the Tacoma LINK Expansion Project (City of Tacoma)

FFY2016: \$10 million for the Port of Everett South Terminal Modernization Project (Port of Everett)

FFY2017: \$9 million for the Barker Road Railway Intersection Improvements (City of Spokane Valley)

FEDERAL PROGRAM: **TIFIA Loan Program (23 USC Ch. 6)**

FEDERAL AGENCY: Federal Highway Administration

PROGRAM DESCRIPTION

The [Transportation Infrastructure Finance and Innovation Act](#) (TIFIA) Program was originally authorized through the Transportation Equity Act for the 21st Century (TEA-21) in 1998 ([23 USC Chapter 6](#)). It provides federal credit assistance in the form of direct loans, loan guarantees, and standby lines of credit to finance eligible surface transportation projects of national and regional significance. Highway, transit, intercity passenger rail, some types of freight rail, intermodal freight, and port access projects are eligible for assistance. TIFIA can help advance qualified, large-scale projects that otherwise might be delayed or deferred because of size, complexity, or uncertainty over the timing of revenues. Each dollar of federal funds can provide up to \$10 in TIFIA credit assistance and leverage \$30 in transportation infrastructure investment. TIFIA assistance must be repaid through dedicated revenue sources that secure project obligations, such as tolls, other user fees, or payments received under a public-private partnership agreement. Repayment of a TIFIA loan must begin by five years after the substantial completion of the project, and the loan must be fully repaid within 35 years after the project's substantial completion or by the end of the useful life of the asset being financed, if that life is less than 35 years.

DISTRIBUTIONS

TIFIA credit assistance is awarded by FHWA based on strengths of applications in meeting the following eligibility criteria provided in MAP-21:

- Credit worthiness,
- Fostering partnerships that attract public and private investment for the project,
- Ability to proceed at an earlier date or reduced lifecycle costs,
- Reduces contribution of Federal grant assistance for the project,
- Project readiness.

MATCHING REQUIREMENTS

TIFIA credit assistance may cover the following portions of the total cost of a project:

- TIFIA line of credit: up to 33%
- TIFIA loan: up to 49%
- TIFIA loan and TIFIA line of credit, combined: up to 49%
- Total Federal assistance (grants and loans) to a project receiving a TIFIA loan: up to 80%

STATE OF WASHINGTON TIFIA LOAN

In October 2012, WSDOT received a \$300 million TIFIA loan that funded design and construction of a portion of the SR 520 project – a westbound bridge between the west-end landing of the new floating bridge and Montlake in Seattle. The loan is being repaid with toll revenues.

Federal Transportation Programs – Aviation

FEDERAL PROGRAM: **Airport Improvement Program**

FEDERAL AGENCY: Federal Aviation Administration

PROGRAM DESCRIPTION

The Airport Improvement Program (AIP) provides grants to public agencies — and, in some cases, to private owners and entities — for the planning and development of public-use airports that are included in the [National Plan of Integrated Airport Systems \(NPIAS\)](#). Eligible projects include those improvements related to enhancing airport safety, capacity, security, and environmental concerns. In general, sponsors can use AIP funds on most airfield capital improvements or repairs and in some specific situations, for terminals, hangars, and non-aviation development. Projects related to airport operations and revenue-generating improvements are typically not eligible for funding. Operational costs, such as salaries, equipment, and supplies, are also not eligible for AIP grants.

The AIP program was established by the Airport and Airway Improvement Act of 1982 (Public Law 97-248). Since then, the program has been amended several times, most recently with the passage of the FAA Reauthorization Act of 2018. Funds obligated for the AIP are drawn from the Airport and Airway Trust fund, which is supported by user fees, fuel taxes, and other similar revenue sources.

AIP grants for planning, development, or noise compatibility projects are at or associated with individual public-use airports (including heliports and seaplane bases). A public-use airport is an airport open to the public that also meets the following criteria:

- Publicly owned, or
- Privately owned but designated by FAA as a reliever, or
- Privately owned but having scheduled service and at least 2,500 annual enplanements.

To be eligible for an AIP grant, an airport must be included in the NPIAS. The NPIAS, which is prepared and published every two years, identifies public-use airports that are important to public transportation and contribute to the needs of civil aviation, national defense, and the Postal service. Recipients of grants are referred to as "sponsors."

DISTRIBUTIONS

Because the demand for AIP funds exceeds the availability, FAA bases distribution of these funds on current national priorities and objectives. AIP funds are typically first apportioned into major entitlement categories such as primary, cargo, and general aviation. Remaining funds are distributed to a discretionary fund. Set-aside projects (airport noise and the [Military Airport Program](#)) receive first attention from this discretionary distribution. The remaining funds are true discretionary funds that are distributed according to a national prioritization formula.

MATCHING REQUIREMENTS

For large and medium primary hub airports, the grant covers 75 percent of eligible costs (or 80 percent for noise program implementation). For small primary, reliever, and general aviation airports, the grant covers a range of 90-95 percent of eligible costs, based on statutory requirements (normally 90 percent for airports in Washington State with the exception of Pullman-Moscow and Walla Walla Regional Airports, which receive 91.88 percent).

WASHINGTON STATE RECIPIENTS

The Methow Valley State Airport is the only state-owned airport that is eligible for AIP funding. The airport qualifies for \$150,000 annually in non-primary entitlement funding. The WSDOT Aviation Division also receives AIP funding for system planning studies such as the Economic Impact Study, Statewide Airport Pavement Management System, and the Washington Aviation System Plan. Of the 65 Washington airports included in the FAA's 2019-2023 NPIAS report to congress released September 26, 2018, 10 airports are classified as 'Primary' airports and receive an annual minimum entitlement of \$650,000 to \$1 million. Of the remaining 55 locally owned airports, except for Methow Valley State Airport, 50 are eligible for an annual non-primary entitlement funding of up to \$150,000. The remaining five airports were categorized as "Unclassified" in the FAA's ASSET 2 study (March 2014) and are not eligible for the non-primary entitlement funding.

SOURCES:

[FAA's Overview: What is AIP?](#)

[National Plan of Integrated Airport Systems \(NPIAS\), 2019-2023 Report](#)

Federal Transportation Programs – Highways

FEDERAL PROGRAM: **Congestion Mitigation and Air Quality Improvement Program (CMAQ)**

FEDERAL AGENCY: Federal Highway Administration

PROGRAM DESCRIPTION

The Congestion Mitigation and Air Quality Improvement Program (CMAQ) was established in the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA). The CMAQ Program provides funds to states for transportation projects and programs that help meet the requirements of the Clean Air Act. Funding is available for areas that do not meet the National Ambient Air Quality Standards (non-attainment areas), as well as former non-attainment areas that are now in compliance (maintenance areas). Eligible activities include:

- Acquisition of diesel retrofits, including tailpipe emissions control devices, and the provision of diesel-related outreach activities;
- Intermodal equipment and facility projects that target diesel freight emissions through direct exhaust control from vehicles or indirect emissions reductions through improvements in freight network logistics;
- Alternative fuel projects including participation in vehicle acquisitions, engine conversions, and refueling facilities;
- Conversion of diesel engine ferries to liquefied natural gas (LNG) or diesel/LNG combined;
- Establishment or operation of a traffic monitoring, management, and control facility, including the installation of advanced truck stop electrification systems;
- Projects that improve traffic flow, including efforts to provide signal systemization, construct HOV lanes, streamline intersections, add turning lanes, improve transportation systems management and operations that mitigate congestion and improve air quality, and implement ITS and other CMAQ-eligible projects, including efforts to improve incident and emergency response or improve mobility, such as through real time traffic, transit and multimodal traveler information;
- Projects or programs that shift travel demand to nonpeak hours or other transportation modes, increase vehicle occupancy rates, or otherwise reduce demand through initiatives, such as teleworking, ridesharing, pricing, and others;
- Transit investments, including transit vehicle acquisitions and construction of new facilities or improvements to facilities that increase transit capacity, and operating assistance;
- Passenger rail operating costs for up to three years;
- Non-recreational bicycle transportation and pedestrian improvements that provide a reduction in single-occupant vehicle travel; and
- Vehicle inspection and maintenance programs.

[The FAST Act](#) added eligibility for verified technologies for non-road vehicles and non-road engines that are used in port-related freight operations located in ozone, fine particulate matter (PM)₁₀, or PM_{2.5} nonattainment or maintenance areas. The Act also specifically makes eligible the installation of vehicle-to-infrastructure communications equipment.

The FAST Act amended the eligible uses of CMAQ funds set aside for PM_{2.5} nonattainment and maintenance areas. PM_{2.5} set-aside funds may be used to reduce fine particulate matter emissions in a PM_{2.5} nonattainment or maintenance area, including:

- diesel retrofits;

- installation of diesel emission control technology on nonroad diesel equipment or on-road diesel equipment that is operated on a highway construction projects; and the most cost-effective projects to reduce emissions from port-related landside nonroad or on-road equipment that is operated within the boundaries of the area. [23 U.S.C. 149(k)(2) & (4)]

The FAST Act continues eligibility for electric vehicle and natural gas vehicle infrastructure and adds priority for infrastructure located on the corridors designated under [23 U.S.C. 151](#).

No funds may be used to add capacity except for HOV facilities that are available to single-occupancy vehicles only at off-peak times.

The Federal Highway Administration (FHWA) established CMAQ performance measures on May 20, 2017, for states to assess traffic congestion and on-road mobile source emissions. States established targets within one year of the final FHWA rule on national performance measures, and are responsible for meeting the performance targets for each measure. Once the State has set its performance targets metropolitan planning organizations (MPOs) have 180 days to set their own targets. Each MPO serving a Transportation Management Area (TMA) with a population of more than one million and also representing a non-attainment or maintenance area (e.g., PSRC) is required to develop a performance plan to achieve emission and congestion reduction targets. The MPO plans must be updated biennially and each update must include a retrospective assessment of the progress made toward the air quality and traffic congestion performance targets through the last program of projects.

DISTRIBUTIONS

The FAST Act provides a total apportionment for each state and then divides that state amount among individual apportioned programs. Washington received \$36.1 million in CMAQ funding in federal fiscal year (FFY) 2016 and anticipates to receive a similar amount through FFY 2020, which will all be sub-allocated to MPOs that qualify as maintenance or non-attainment areas.

The State sub-allocates all of its CMAQ apportionment to five MPOs that qualify as maintenance areas (the state has no non-attainment areas): Puget Sound Regional Council (PSRC), Spokane Regional Transportation Council (SRTC), Southwest Washington Regional Transportation Council (RTC), Yakima Valley Conference of Governments (YVCOG) and Thurston Regional Planning Council (TRPC). Each MPO issues a regional call for projects involving local agencies and WSDOT. Projects are prioritized based on criteria developed by each MPO that provides sustainable reductions in emissions. Project selections are made in consultation with the State. The Governor's FAST Act Advisory Group¹ recommended continuing to sub-allocate 100 percent of CMAQ funding to MPOs in maintenance areas under the FAST Act.

MATCHING REQUIREMENTS

The federal share is generally 80 percent, with an increased share up to 95 percent for states with large amounts of federally-owned lands (i.e. the sliding scale adjustment). Washington's federal share with the sliding scale adjustment is 86.5%. Certain safety projects that include an air quality or congestion relief component (e.g. carpool/vanpool projects, as provided in 23 USC 120(c)) may have a federal share of 100 percent, with limits.

¹The Governor's FAST Act Advisory Group was convened in mid-2016 to review the distribution of federal highway formula funds between state and local governments under the FAST Act. The Advisory Group was composed of four state legislators, the Secretary of Transportation, and representatives of cities, counties, ports, tribes, MPOs/RTPOs, and transit agencies.

WASHINGTON STATE RECIPIENTS

The WSDOT Improvement Program (I1) receives the funding which is then entirely distributed (sub-allocated) to the five qualifying MPOs.

FEDERAL PROGRAM: **Emergency Relief Program**

FEDERAL AGENCY: Federal Highway Administration

PROGRAM DESCRIPTION

The Emergency Relief Program authorizes the Federal Highway Administration (FHWA) to render assistance for repair and reconstruction of federal-aid highways that have been damaged due to a natural disaster such as flooding or as a result of catastrophic failures from an external cause. In order to receive federal Emergency Relief funds, the Governor must declare an emergency; the U.S. Secretary of Transportation must concur; and the FHWA must receive an application from the Washington State Department of Transportation (WSDOT). If the President has declared the emergency to be a major disaster for purposes of federal law, no concurrence of the U.S. Department of Transportation is required.

The Emergency Relief Program is authorized at \$100 million per year. Debris removal is eligible only if the event is not declared a major disaster by the President, or where the event is declared a major disaster by the President but the debris removal is not eligible for assistance under the federal Disaster Relief Act (“Stafford Act”). Emergency Relief funds may be used to repair or reconstruct a comparable facility, which is defined as “a facility that meets the current geometric and construction standards required for the types and volume of traffic that the facility will carry over its design life.” No funds may be used for repair or reconstruction of a bridge if the construction phase of a replacement structure is included in a state's approved transportation improvement program at the time of the event. A state's application for Emergency Relief funds must include a comprehensive list of all eligible project sites and repair costs within two years after the event. Tribal transportation facilities, federal lands transportation facilities, and other federally owned roads open to public travel are eligible for Emergency Relief funding.

The state has received Emergency Relief (ER) funds for a number of natural calamities, including the Hood Canal Bridge failure in 1979, (SR 104), the Mt. St. Helens eruption in 1980 (SR 504), the sinking of the Lacey V. Murrow Bridge in 1990 (I-90) and the Nisqually Earthquake in 2001. More recently, Washington received substantial funding for flood-related damage occurring in 2006 through 2008. In 2017, Washington received \$40.4M, of which \$2M was quick release funding for FFY 2017 events. In 2018, Washington received \$73.7M for events that occurred as far back as 2006, including the I-5 Skagit River Bridge collapse and the Oso mudslide.

DISTRIBUTIONS

Distribution of Emergency Relief funds to the states is at the discretion of the U.S. Secretary of Transportation based on a declaration of emergency by the Governor (with concurrence of the Secretary) and application of the state. In the event the President has declared the emergency to be a major disaster, concurrence of the U.S. Secretary is not required.

MATCHING REQUIREMENTS

The federal share is 100 percent of the costs incurred to minimize damage, protect facilities, or restore essential traffic services during the first 180 days after the occurrence. Thereafter, the federal share is equal to the federal share payable on a project on the federal-aid system (in Washington it is generally, 90.66 percent on the Interstate System and 86.5 percent on all other routes).

WASHINGTON STATE RECIPIENTS

WSDOT Improvement, Preservation, Maintenance (WSDOT Programs I2, P1, P2, P3, M2) receive and utilize this funding. WSDOT also allocates funds to local agencies with approved qualifying sites.

FEDERAL PROGRAM: **Federal Lands Access Program**

FEDERAL AGENCY: Federal Highway Administration

PROGRAM DESCRIPTION

The Federal Lands Access Program (Access Program) provides funds for projects that are located on or adjacent to, or that provide access to federal lands.

Eligible activities include:

- Transportation planning, research, engineering, preventive maintenance, rehabilitation, restoration, construction, and reconstruction of federal lands access transportation facilities located on or adjacent to, or that provide access to, federal land, and—
 - adjacent vehicular parking areas;
 - acquisition of necessary scenic easements and scenic or historic sites;
 - provisions for pedestrians and bicycles;
 - environmental mitigation in or adjacent to federal land to improve public safety and reduce vehicle-caused wildlife mortality while maintaining habitat connectivity;
 - construction and reconstruction of roadside rest areas, including sanitary and water facilities; and
 - other appropriate public road facilities, as determined by the Secretary of USDOT.
- Operation and maintenance of transit facilities.
- Any transportation project eligible for assistance under title 23 of the United States Code that is within or adjacent to, or that provides access to, federal land.

Projects are selected by a Programming Decisions Committee that each State is required to create. The committee is composed of a representative of the FHWA, a representative of the state DOT, and a representative of the appropriate political subdivisions of the State. For the state of Washington, a county representative fills the role of appropriate political subdivision. This committee will make programming decisions for Access Program funds.

- The committee is required to cooperate with applicable Federal agencies within the State prior to any joint discussion or final programming decision.
- The committee shall give preference to projects that provide access to, are adjacent to, or are located within high-use federal recreation sites or federal economic generators, as identified by the Federal Lands Management Agencies.

DISTRIBUTIONS

Funds are distributed by formula among States that have federal lands managed by the National Park Service, the U.S. Forest Service, the U.S. Fish and Wildlife Service, the Bureau of Land Management, and the U.S. Army Corps of Engineers.

80% of funds go to States that contain at least 1.5% of the national total of public lands, and the remaining 20% going to States with less than 1.5% of the national total.

Funds are distributed by formula based on the following factors:

- 30% based on the State's share of total recreational visitation in all States.
- 5% based on the State's share of total federal land area in all States.
- 55% based on the State's share of total federal public road miles in all States.
- 10% based on the State's share of total number of federal public bridges in all States.

MATCHING REQUIREMENTS

The federal share is equal to the federal share payable on a project on the federal-aid system (in Washington it is generally 90.66 percent on the Interstate System and 86.5 percent on all other routes).

WASHINGTON STATE RECIPIENTS

WSDOT Improvement and Preservation Programs (I-1, I-2, P1, P2, P3) receive and utilize these funds. WSDOT also allocates funds to local agencies. Local agencies may also receive funds directly from FHWA in this program.

FEDERAL PROGRAM: **Ferry Boat Formula Program**

FEDERAL AGENCY: Federal Highway Administration

PROGRAM DESCRIPTION

The Ferry Boat Formula Program provides \$80 million a year nationwide for public ferry systems to construct ferry boat and ferry terminal facilities, including ferry maintenance facilities. The ferry boat or ferry terminal facility using federal funds must be publicly owned or operated, or be majority publicly owned and be found by the U.S. Department of Transportation Secretary to provide a substantial public benefit. The operation of the ferry shall be on a route classified as a public road within the state and it must not be designated as a route on the Interstate System. Ferry boats carrying cars and passengers and ferry boats carrying passengers only on a fixed route are eligible. Temporary ferry operations are not eligible for this program.

DISTRIBUTIONS

Funds are distributed to eligible public ferry systems based on the number of passengers carried (35 percent), vehicles carried (35 percent), and total route miles (30 percent). The formula is applied using the latest data collected in the National Census of Ferry Operators as implemented by the Bureau of Transportation Statistics at the U.S. Department of Transportation. The FAST Act also newly guarantees that a State with an eligible entity under the program will receive a minimum of \$100,000 in FBP funding each fiscal year.

The State is the recipient of Ferry Boat Formula funds and funds are sub-allocated to specified ferry systems and public entities responsible for developing ferries. Washington State received \$15.6M of Ferry Boat Formula Program apportionment in federal fiscal year (FFY) 2016, \$18 million in FFY2017 and \$18.1 million in FFY2018.

MATCHING REQUIREMENTS

The federal share is limited to 80 percent.

WASHINGTON STATE RECIPIENTS

WSDOT Washington State Ferries (Program W). WSDOT also allocates Ferry Boat funds to local agencies that are direct recipients of the Ferry Boat funds.

FEDERAL PROGRAM: Highway Safety Improvement Program

FEDERAL AGENCY: Federal Highway Administration

PROGRAM DESCRIPTION

The Highway Safety Improvement Program (HSIP) is designed to achieve a significant reduction in traffic fatalities and serious injuries on all public roads. The program provides the flexibility to allow states to target safety funds to their most critical safety needs. As part of this flexibility, each state is required to develop and implement a Strategic Highway Safety Plan that includes all public roads in the state. [Target Zero](#) is Washington State’s Strategic Highway Safety Plan. States may use HSIP funds to carry out strategies, activities, and projects on a public road that are consistent with a state strategic highway safety plan and correct or improve a hazardous road location or feature, or address a highway safety problem. The FAST Act limits HSIP eligibility to only those strategies, activities and projects listed in statute – most of which are infrastructure-safety related.

In addition to this change, the FAST Act specifically identifies the following activities on the inclusions list:

- Installation of vehicle-to-infrastructure communication equipment.
- Pedestrian hybrid beacons.
- Roadway improvements that provide separation between pedestrians and motor vehicles, including medians and pedestrian crossing islands.
- Other physical infrastructure projects not specifically enumerated in the list of eligible projects.

The FAST Act continues the prohibition on the use of HSIP funds for the purchase, operation, or maintenance of an automated traffic enforcement system (except in a school zone).

Also continued is a set-aside from the State’s HSIP apportionment for the Railway Highway Crossings Program (Section 130 funds), approximately \$4 million/year. At least 50% of the annual railway-highway crossings funds must be set aside for the installation of protective devices at railway-highway crossings. The FAST Act continues all prior program eligibilities. It also extends eligibility to include the relocation of highways to eliminate railway-highway grade crossings and projects at railway-highway grade crossings to eliminate hazards posed by blocked crossings due to idling trains.

Performance Measures

The Federal Highway Administration (FHWA) established traffic safety performance on April 16, 2016, measures for states to measure the following items on all public roads: 1) number of fatalities, 2) number of fatalities per 100 million vehicle miles traveled, 3) number of serious injuries, 4) number of serious injuries per 100 million vehicle miles traveled, and 5) number of non-motorist (i.e., pedestrian and bicyclists) fatalities and serious injuries. States must establish targets, in cooperation with Metropolitan Planning Organizations (MPOs) on an annual basis. Once the State has set its performance targets, MPOs have 180 days to establish targets by either agreeing to plan and program projects so they contribute toward accomplishing the state target or by setting their own quantifiable target. If a state does not meet or make significant progress on at least four of the five state targets within two years of their establishment, the state must use an amount of its formula obligation limitation equal to its prior year HSIP apportionment only for obligation of its HSIP funding and submit an annual plan on how it will make progress to meet the targets. Additionally, if traffic fatalities and serious injuries per capita for older drivers and pedestrians increases, a state must include in its next Strategic Highway Safety Plan strategies to address the increase. Finally, if the fatality rate on rural roads in a state increases over the most recent two-year period, the state must obligate in the next fiscal year an amount equal to 200 percent of the amount of funds the state received for high-risk rural roads in federal fiscal year (FFY) 2009 for projects on high-risk rural roads.

DISTRIBUTIONS

The FAST Act provides a total apportionment for each state and then divides that state amount among individual apportioned programs. Washington received \$35.4 million in HSIP funding in federal fiscal year (FFY) 2016. Of that amount, locals received \$24.8 million.

The Governor's FAST Act Advisory Group recommended including the same level of federal funding provided in the 2015-17 biennium for the Safe Routes to School Program from HSIP. The remainder of the HSIP funding, it was recommended, should be a data-driven distribution between state programs and local responsibilities based on the top infrastructure priorities under Target Zero. The local responsibility includes city streets, county roads, tribal roadways and city streets designated as state highways in cities that exceed 25,000 population.

MATCHING REQUIREMENTS

The federal share is 90% for most projects and 100% federal share for certain safety projects involving traffic control signalization, pavement marking, commuter carpooling and vanpooling, and certain safety improvements at signalized intersections.

WASHINGTON STATE RECIPIENTS

WSDOT Improvement Program (I1). WSDOT also allocates safety funds to cities and counties based upon the strategies in Target Zero to reduce fatal and serious injury collisions to zero by the year 2030.

FEDERAL PROGRAM: **National Highway Freight Program**

FEDERAL AGENCY: U.S. Department of Transportation

PROGRAM DESCRIPTION

Created by the FAST Act, the National Highway Freight Program (NHFP) focuses on improving the efficient movement of freight on the National Highway Freight Network.

Projects eligible for NHFP funding must be identified in a freight investment plan included in a State’s freight plan. Up to ten percent of a State’s NHFP funding may be obligated for freight intermodal or freight rail projects. Funds may be used for a large number of purposes, including: development and other pre-construction activities; construction, reconstruction and rehabilitation; intelligent transportation system projects to improve the flow of freight; climbing and runaway truck lanes; truck parking facilities; and highway ramp metering.

Beginning on December 4, 2017 (two years after enactment of the FAST Act) a State may not obligate NHFP funds unless it has developed a freight plan meeting the conditions outlined in the [freight policy section of the Act](#). The state plan must provide a comprehensive strategy for the immediate and long-range planning activities and investments of the State with respect to Freight. WSDOT completed a federally-compliant state freight mobility plan in 2014 and is working with its partners to update it to address the additional requirements of the FAST Act.

National Highway Freight Network

The Federal Highway Administration (FHWA) is directed to establish a National Highway Freight Network, which will consist of:

- The Primary Highway Freight System (816.4 miles in Washington);
- Critical Rural Freight Corridors (163.2 miles in Washington);
- Critical Urban Freight Corridors (81.6 miles in Washington); and
- Those portions of the Interstate System not designated as part of the Primary Highway Freight System.

The Primary Highway Freight System consists of the 41,518-mile national network established in MAP-21 and will be re-designated every five years. Each re-designation may increase the total mileage up to three percent of the total mileage of the system. Critical Rural Freight Corridors are defined as rural public roads outside an urbanized area that meet certain criteria, and are limited to a maximum of 150 miles or 20% of the Primary Highway Freight System, whichever is greater. States are directed to establish Critical Rural Freight Corridors. Critical Urban Freight Corridors are public roads in an urbanized area that meet certain criteria, and are limited to a maximum of 75 miles or 10% of the primary highway freight system, whichever is greater. In urbanized areas over 500,000 population, the representative Metropolitan Planning Organization (MPO) may designate the public roads within the borders of that area in consultation with the State as a Critical Urban Freight Corridor. In urbanized areas under 500,000 population, the State, in consultation with the representative MPOs, may designate the public roads within the borders of those areas as a Critical Urban Freight Corridor.

As Washington’s share of the total federal Primary Highway Freight System mileage is less than two percent, the State’s NHFP funds may be used for any of the four components of the National Highway Freight Network.

Conditions and Performance Reporting

Beginning in December 2017 and biennially thereafter, the conditions and performance of the National Highway Freight Network must be reported to the FHWA Administrator.

Biennial reporting will include:

- identification of freight system trends and issues within the state;
- freight policies and strategies that guide the freight related transportation investment for the state;
- an inventory of freight bottlenecks within the state and how federal funding is being used to address those issues; and
- descriptions of actions the state will take to meet the performance target of the state.

MAP-21 established a performance measure for national freight movement and directed USDOT to establish measures for States to use to assess freight movement on the Interstate. A draft rule was released for comment in April 2016, and comments were due in August 2016. Once the rule is final, States have one year to establish targets. MPOs then have six months after that to set their own targets.

DISTRIBUTIONS

As under MAP-21, the FAST Act directs FHWA to apportion funding as a lump sum for each State then divide that total among apportioned programs. A specified national amount for the NHFP is deducted from the States' base apportionments proportional to each State's share of total FFY 2015 highway apportionments. Washington received \$19.7 million in NHFP funding in FFY 2016.

Under the FAST Act, state freight plans must now include a freight investment plan with a list of priority projects. WSDOT worked with the Washington State Freight Advisory Committee, MPOs, RTPOs, tribes, local governments and ports to provide a list by the deadline.

MATCHING REQUIREMENTS

The federal share is generally 80 percent, with an increased share for states with large amounts of federally-owned lands (i.e. the sliding scale adjustment). Washington's federal share is 86.5%. For projects on the Interstate System, Washington's federal share is 90.66%, except for projects to add Interstate capacity other than HOV or auxiliary lanes, which are funded at an 86.5% federal share. Certain safety improvements may have a federal share of 100 percent (as listed in [23 U.S.C. 120\(c\) \(1\)](#)), with limits.

WASHINGTON STATE RECIPIENTS

The FFY 2018 NHFP funding was distributed for use by local entities and for highway preservation on the State system. \$5.8M was distributed for state highway preservation and \$14.3M was distributed for use by local entities. Future NHFP funding use will be determined by OFM and the Legislature based on the freight plan priority list recommended by the Washington State Freight Advisory Committee (WAFAC).

FEDERAL PROGRAM: **Metropolitan Planning Program**

FEDERAL AGENCY: Federal Highway Administration and Federal Transit Administration

PROGRAM DESCRIPTION

The Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) jointly administer this program which provides funds for each MPO to perform transportation planning activities required by the FAST Act. Funds may be spent to develop these required documents: Unified Planning Work Program (UPWP); Transportation Plan; Transportation Improvement Program (TIP); Public Participation Plan; and Congestion Management Process, and other planning activities as approved by FHWA and FTA. Funds may also be spent to perform federally-required coordination with WSDOT, transit agencies, tribes, local governments, and the public. FHWA, FTA, and WSDOT maintain a complete list of eligible activities.

FHWA and FTA require state departments of transportation to monitor and report on all the MPOs activities as per 23 CFR §420.117. WSDOT assigns regional coordinators to each MPO to assist with compliance and to act as a liaison with FHWA and FTA. WSDOT regional coordinators review the UPWP Annual Reports before submitting them to FHWA and FTA.

The FAST continued requirements for MPOs and states to establish and report on performance targets that meet federally-set performance measures.

- The US Department of Transportation released final rules on performance measures in 2017.
- States were required to establish targets within 1 year after the final performance measures and rules were released.
- MPOs can adopt state’s targets or set their own within 18 months after the final performance measures and rules are released (6 months after the State adopts targets).
- WSDOT and MPOs have a collaborative process in place to achieve common goals in setting targets. For more information, please see the [WSDOT MAP-21 website](#).
- MPOs must address how targets are being met in their Transportation Improvement Programs (TIPs) and their Metropolitan Transportation Plans.

For more information on MPOs, see the *Local Jurisdictions section* on page 363.

DISTRIBUTIONS

FHWA and FTA combine their funds and FHWA apportions funds to WSDOT. WSDOT then sub-allocates planning funds to each MPO using a formula developed with MPOs and approved by FHWA as per [23 CFR§ 420.109](#). The formula considers each MPO’s urbanized area population, the metropolitan planning area boundary, their individual planning needs, and a minimum distribution.

MATCHING REQUIREMENTS

For Washington, the federal share is 86.5% and the match is equal to 13.5%.

WASHINGTON STATE RECIPIENTS

The following amounts are the total estimated apportionments for Washington State's Metropolitan Planning Program:

FY 2019	\$10,200,000
FY 2020	\$10,400,000
TOTAL	\$20,600,000

There are twelve MPOs in Washington that receive funds:

- Benton Franklin Council of Governments
- Cowlitz-Wahkiakum Council of Governments
- Chelan Douglas Transportation Council
- Lewis Clark Valley MPO
- Puget Sound Regional Council
- Skagit Council of Governments
- Southwest Washington Regional Transportation Council
- Spokane Regional Transportation Council
- Thurston Regional Planning Council
- Walla Walla Valley MPO
- Whatcom Council of Governments
- Yakima Valley Conference of Governments

FEDERAL PROGRAM: **National Highway Performance Program**

FEDERAL AGENCY: Federal Highway Administration

PROGRAM DESCRIPTION

The National Highway Performance Program (NHPP) has three purposes:

1. provide support for the condition and performance of the National Highway System (NHS);
2. provide support for the construction of new facilities on the NHS; and
3. ensure that investments of federal-aid funds in highway construction are directed to support progress toward the achievement of performance targets established in a state's asset management plan for the NHS.

NHPP funds may generally only be spent on [facilities located on the NHS](#) and must be for a project, or part of a program of projects, supporting progress towards the achievement of national performance goals for improving infrastructure condition, safety, mobility or freight movement on the NHS and are consistent with federal planning requirements. Eligible activities are listed in [23 USC sec 119 \(d\)](#).

The FAST Act continues all prior NHPP eligibilities, and adds four new eligible categories:

- Installation of vehicle-to-infrastructure communication equipment
- Reconstruction, resurfacing, restoration, rehabilitation, or preservation of a bridge on a non-NHS Federal-aid highway (if Interstate System and NHS Bridge Condition provision requirements are satisfied)
- A project to reduce the risk of failure of critical NHS infrastructure (defined to mean a facility, the incapacity or failure of which would have a debilitating impact in certain specified areas)
- At a State's request, the U.S. DOT may use the State's STBG funding to pay the subsidy and administrative costs for TIFIA credit assistance for an eligible NHPP project or group of projects.

Performance Measures

The Federal Highway Administration (FHWA) established pavement and bridge condition performance measures on May 20, 2017, for states to measure the following items specifically on the National Highway System: 1) percent of Interstate pavement in good condition, 2) percent of Interstate pavement in poor condition, 3) percent of Non-interstate in good condition, 4) percent of Non-interstate in poor condition, 5) bridges in good condition (weighted by deck area), and 6) bridges in poor condition (weighted by deck area). States established targets within one year of the final FHWA rule on these national performance measures, and are responsible for meeting the performance targets for each measure. Once the State has set its performance targets, Metropolitan Planning Organizations (MPOs) have 180 days to establish targets by both agreeing to plan and program projects so they contribute toward accomplishing the state target or by setting their own quantifiable target. The State must report to FHWA on its progress towards achieving the targets every two years. MPOs will report to FHWA on progress in their Metropolitan Transportation Plan on a four or five-year frequency, depending on the size of the area. If the State does not meet or make significant progress toward the performance targets for two consecutive reporting periods, the State must document in its next report the actions it will take to achieve the targets.

State Asset Management Plans

Under the NHPP the State is required to develop a risk-based asset management plan that prioritizes urgent repairs to help improve the overall condition of the State's pavement and bridges on the National Highway System. Once established, the State's process must be reviewed and recertified at least every four years. If

certification is denied, the State has 90 days to cure deficiencies. If the State has not developed and implemented an asset management plan consistent with requirements by October 1, 2019, the federal share for NHPP projects in that fiscal year is reduced to 65%.

Minimum Interstate Pavement and NHS Bridge Conditions

FHWA is directed to establish a minimum level of condition for Interstate pavements. If during two consecutive reporting periods Interstate pavement conditions in the State exceed five percent in poor condition, the State must, at a minimum, devote the following resources to improve Interstate pavement conditions during the following fiscal year (and each year thereafter if the condition remains below the minimum):

- NHPP funds in an amount equal to the state's FFY 2009 Interstate Maintenance (IM) apportionment (\$94.6 million in Washington), to increase by 2% per year for each year after FFY 2013.
- Funds transferred from the Surface Transportation Program to the NHPP in an amount equal to 10% of the amount of the state's FFY 2009 IM apportionment (\$9.46 million in Washington).

Federal law also establishes a minimum standard for NHS bridge conditions. If more than 10% of the total deck area of NHS bridges in the State is on structurally deficient bridges (poor condition) for three consecutive years, the State must devote NHPP funds in an amount equal to 50% of the State's FFY 2009 Highway Bridge Program apportionment to improve bridge conditions during the following fiscal year (\$73 million in Washington), and each year thereafter if the condition remains below the minimum.

Bundling of Bridge Projects

The FAST Act encourages States to save costs and time by bundling multiple bridge projects using NHPP funds as one project under one project agreement and it places requirements on the method of bundling.

DISTRIBUTIONS

Washington received \$393 million in NHPP funding in FFY 2018. Of that amount, locals received \$35.6 million. Currently, WSDOT is out of compliance with safety regulations related to impaired drivers which results in a re-classification of NHPP funds to Section 164 funds. These funds are more restrictive and can only be used for Highway Safety projects. In FFY 2018, Washington State was assessed a penalty of \$13.7 million.

The Governor's FAST Act Steering Committee agreed to maintain the historic split between the State and local governments. The Committee also agreed that the local share of the NHPP program is for locally-owned bridges.

MATCHING REQUIREMENTS

The federal share is generally 80 percent, with an increased share up to 95 percent for states with large amounts of federally-owned lands (i.e. the sliding scale adjustment). The federal share for projects on the Interstate system is 90 percent, also subject to the upward sliding scale adjustment, unless the project adds lanes that are not high-occupancy-vehicle (HOV) or auxiliary lanes. For projects that add single occupancy vehicle capacity on the Interstate, that portion of the project that increases single occupancy vehicle capacity will revert to the 80 percent federal share participation level. Washington's federal share is 86.5%. For NHPP projects on the Interstate System, Washington's federal share is 90.66%, except for projects to add Interstate capacity other than HOV or auxiliary lanes, which are funded at an 86.5% federal share.

Certain safety improvements may have a federal share of 100 percent (as listed in [23 U.S.C. 120\(c\) \(1\)](#)), with limits. As noted above, for states that have not developed and implemented a state asset management plan by October 1, 2015, the federal share is limited to 65 percent.

WASHINGTON STATE RECIPIENTS

WSDOT Improvement (I) and Preservation (P) programs receive and utilize this funding. WSDOT also allocates NHPP funds to cities and counties for improvements to their bridges.

FEDERAL PROGRAM: **State Planning and Research Program**

FEDERAL AGENCY: Federal Highway Administration

PROGRAM DESCRIPTION

The State Planning and Research Program (SPR) funds are used to establish a cooperative, continuous, and comprehensive framework for making transportation investment decisions and to carryout transportation research activities throughout the State.

Funding is provided for SPR by a 2% set-aside from each State's apportionments of four programs: the National Highway Performance Program (NHPP); the Surface Transportation Program (STP); the Highway Safety Improvement Program (HSIP); and the Congestion Mitigation Air Quality Improvement Program (CMAQ) Program. Of the funds that are set aside, a minimum of 25% must be used for research purposes, unless the State certifies that more than 75% of the funds are needed for statewide and metropolitan planning and the Secretary accepts such certification.

Eligible Activities

- Planning of future highway programs and local public transportation systems and planning of the financing of such programs and systems, including metropolitan and statewide planning;
- Development and implementation of management systems, plans and processes under the NHPP, HSIP, CMAQ, and the National Freight Policy;
- Studies of the economy, safety, and convenience of surface transportation systems and the desirable regulation and equitable taxation of such systems;
- Research, development, and technology transfer activities necessary in connection with the planning, design, construction, management, and maintenance of highway, public transportation, and intermodal transportation systems;
- Study, research, and training on the engineering standards and construction materials for transportation systems described in the previous bullet, including the evaluation and accreditation of inspection and testing and the regulation and taxation of their use;
- Engineering and economic surveys and investigations;
- Conduct of activities relating to the planning of real-time monitoring elements; and
- Implementation by the Secretary of the findings and results of the Future Strategic Highway Research Program.

MATCHING REQUIREMENTS

The Federal share of the cost of a project carried out with SPR funds shall be 80% unless the Secretary determines that the interests of the Federal-aid highway program would be best served by decreasing or eliminating the non-Federal share.

WASHINGTON STATE RECIPIENTS

The following WSDOT organizations receive this funding (Program T): Multimodal Planning Division; Region Planning Offices; Management of Mobility Division; Regional Transit Coordination Division; Transportation Safety and System Analysis Division; Traffic Operations Division; Capital Program Development and Management Division; Budget and Financial Analysis Division; Rail Freight and Ports Division; Active Transportation Division; Washington State Ferries; Office of Assistant Secretary of Multimodal Development and Delivery.

FEDERAL PROGRAM: **Surface Transportation Block Grant Program**

FEDERAL AGENCY: Federal Highway Administration

PROGRAM DESCRIPTION

The FAST Act converts the long-standing Surface Transportation Program (STP) into the Surface Transportation Block Grant Program (STBG) which was originally established in the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA). This program has the most flexible eligibilities of all the federal-aid programs, allowing for the widest array of transportation projects. Eligible projects include:

- Construction, reconstruction, rehabilitation, resurfacing, restoration, preservation, or operational improvements for highways;
- Replacement (including replacement with fill material), rehabilitation, preservation, protection for bridges (and approaches to bridges and other elevated structures) and tunnels on public roads of all functional classifications, including any such construction or reconstruction necessary to accommodate other transportation modes;
- Construction of a new bridge or tunnel at a new location on a federal-aid highway;
- Inspection and evaluation of bridges and tunnels and training of bridge and tunnel inspectors;
- Capital costs for transit projects, which includes vehicles and facilities (publicly or privately owned) that are used to provide intercity passenger bus service;
- Carpool projects, fringe and corridor parking facilities and programs, including electric vehicle and natural gas vehicle infrastructure;
- Bicycle transportation and pedestrian walkways, and the modification of public sidewalks to comply with the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.);
- Highway and transit safety infrastructure improvements and programs, installation of safety barriers and nets on bridges, hazard eliminations, projects to mitigate hazards caused by wildlife, and railway-highway grade crossings;
- Highway and transit research and development and technology transfer programs;
- Capital and operating costs for traffic monitoring, management, and control facilities and programs, including advanced truck stop electrification systems;
- Surface transportation planning programs;
- Transportation alternatives (*see [Transportation Alternatives Program](#) on page 206*);
- Transportation control measures listed in section 108 (f)(1)(A) (other than clause (xvi)) of the Clean Air Act;
- Development and establishment of management systems;
- Environmental mitigation efforts relating to federal-aid highway projects;
- Projects relating to intersections that have – disproportionately high accident rates; high levels of congestion, as evidenced by interrupted traffic flow at the intersection and a level of service rating of "F" during peak travel hours, calculated in accordance with the Highway Capacity Manual; and are located on a federal-aid highway;
- Infrastructure-based intelligent transportation systems capital improvements;
- Environmental restoration and pollution abatement;
- Control of noxious weeds and aquatic noxious weeds and establishment of native species;
- Projects and strategies designed to support congestion pricing, including electronic toll collection and travel demand management strategies and programs;
- Recreational trails projects;
- Construction of ferry boats and ferry terminal facilities;
- Border infrastructure projects;

- Truck parking facilities;
- Development and implementation of a state asset management plan for the National Highway System as required by the *National Highway Performance Program* on page 199;
- A project that, if located within the boundaries of a port terminal, includes only such surface transportation infrastructure modifications as are necessary to facilitate direct intermodal interchange, transfer, and access into and out of the port;
- Construction and operational improvements for any minor collector if – the minor collector and the project to be carried out are in the same corridor and in proximity to a National Highway System route; the construction or improvements will enhance the level of service on the National Highway System route and improve regional traffic flow; and the construction or improvements are more cost-effective, as determined by a benefit-cost analysis, than an improvement to the National Highway System route; and
- Workforce development, training, and education activities.

From its STP apportionment, the State is required to spend the equivalent of not less than 15 percent of its FFY 2009 Highway Bridge Program apportionment (\$21.9 million in Washington) on bridges off the federal-aid system (i.e. the off-system bridge set-aside).

DISTRIBUTIONS

The FAST Act provides a total apportionment for each state and then divides that state amount among individual apportioned programs. Washington received \$181 million in STBG funding in FFY 2016. Of that amount, locals received \$142.9 million.

Beginning in FFY 2016, 51% of a State’s STBG apportionment (after set-asides for Transportation Alternatives) is obligated to areas in proportion to their relative shares of the State’s population. This percentage will increase by one percent each year through 2020, ending at 55%. The remaining percentage may be spent in any area of the State.

The funds distributed based on population are divided into three categories:

1. Urbanized areas with a population over 200,000;
2. Areas with a population of 5,000 or less; and
3. Urban areas with a population of 5,001 to 200,000.

The percentage to be sub-allocated grows over the period of the FAST Act (51% in FY 2016; 52% in FY 2017; 53% in FY 2018; 54% in FY 2019; 55% in FY 2020). The funds for the off-system bridge set-aside may not be taken from the STP apportionment distributed based on population.

The Governor’s FAST Act Advisory Group recommended continuing to sub-allocate STBG apportionment based on population, provide the off-system bridge set-aside for locally-owned bridges, and the remaining annual growth in STBG is attributable to the Local portion of the “any area of the state” go to locals; including a portion of the incremental increase in STBG flexible funds (up to \$15 million per year) for the local bridge program.

MATCHING REQUIREMENTS

The federal share is generally 80 percent, with an increased share up to 95 percent for states with large amounts of federally-owned lands (i.e. the sliding scale adjustment). The federal share for projects on the Interstate system is 90 percent, also subject to the upward sliding scale adjustment, unless the project adds lanes that are not high-occupancy-vehicle (HOV) or auxiliary lanes. For projects that add single occupancy vehicle capacity, that portion of the project that increases single occupancy vehicle capacity will revert to the 80 percent federal share. Washington's federal share is 86.5%. For STP projects on the Interstate

System, Washington's federal share is 90.66%, except for projects to add Interstate capacity other than HOV or auxiliary lanes, which are funded at an 86.5% federal share.

Certain safety improvements (as listed in [23 U.S.C. 120\(c\) \(1\)](#)) may have a federal share of 100 percent, with limits. The federal share for workforce development, training, and education activities carried out with STP funds is 100 percent. The federal share for projects located on toll roads is limited to 80 percent. Projects that demonstrate an improvement to the efficient movement of freight and are identified in a state freight plan are eligible for an increased federal share, at the discretion of the U.S. Secretary of Transportation: 95 percent for projects on the Interstate System and 90 percent for all other projects.

WASHINGTON STATE RECIPIENTS

WSDOT Capital Improvement, Preservation, and Ferry Programs (I1, I2, I3, I4, P1, P3, W) and Planning utilizes STP funds. WSDOT also allocates STP funds to MPO/RTPO/County lead agencies for project selection.

FEDERAL PROGRAM: **Transportation Alternatives Program**

FEDERAL AGENCY: Federal Highway Administration

PROGRAM DESCRIPTION

The Transportation Alternatives Program (TAP) is a set-aside of Surface Transportation Block Grant (STBG) funds for programs and projects defined as “transportation alternatives,” including, but not limited to:

- On- and off-road pedestrian and bicycle facilities, infrastructure projects for improving non-driver access to public transportation and enhanced mobility, community improvement activities, and environmental mitigation;
- Conversion of abandoned railroad corridors to trails;
- Historic preservation and rehabilitation of transportation facilities;
- Construction of turnouts, overlooks, and viewing areas;
- Recreational trail program projects;
- Safe routes to school projects; and
- Projects for the planning, design or construction of boulevards and other roadways largely in the right-of-way of former Interstate System routes or other divided highways (Washington has no such roads).

Funds are to be competitively awarded by Regional Transportation Planning Organizations (RTPOs) or County lead agency.

DISTRIBUTIONS

The FAST Act directs the Secretary to set aside for TAP an amount from the State’s STBG apportionment that is equal to the ratio of FY 2009 transportation enhancements (TE) funding that individual State received of the total TE funds apportioned to all States in FY 2009.

The national total for TAP funds is \$850 million in FYs 2018-2020.

Each state must obligate the same amount of funding to the Recreational Trails Program that it received in 2009 (approximately \$1.9 million in Washington) and return 1% of the funds (approximately \$19,000 in Washington) to FHWA for administration of the program. The governor of a state may choose to opt out of the Recreational Trails set-aside not later than 30 days prior to apportionments being made for any fiscal year (no later than the September 1st prior to the fiscal year in which the state wishes to opt out). Since the program’s creation in FFY 2013, Washington has opted into the Recreational Trails component of the program – no action is necessary to opt in.

The Governor’s FAST Act Advisory Group to funding the Recreational Trails set-aside of the Transportation Alternatives Program and sub-allocating the required 50 percent to MPO/RTPOs based on their relative share of the total state population. The funds distributed based on population are divided into three categories: 1) urbanized areas with a population over 200,000; 2) urban areas with a population of 5,001 to 200,000; and 3) areas with a population of 5,000 or fewer. The remaining Transportation Alternatives Program funding is split by continuing the same level of funding provided in the 2015-17 biennium of federal funding for Safe Routes to Schools and the remainder sub-allocated to MPO/RTPOs.

Washington received \$11 million in FFY 2018 for this program. Of that amount, RTPO/County lead agencies received \$10.8 million.

MATCHING REQUIREMENTS

The federal share is generally 80 percent, with an increased share up to 95 percent for states with large amounts of federally-owned lands (i.e. the sliding scale adjustment). Washington's federal share is 86.5%.

WASHINGTON STATE RECIPIENTS

The State allocates TAP funds to RTPO/County lead agencies for project selection.

Entities eligible to apply to the RTPO or County lead agency for TAP funding are: local governments, regional transportation authorities, transit agencies, natural resource or public land agencies, school districts, tribal governments and any other local or regional governmental entity responsible for oversight of transportation or recreational trails (other than an MPOs or a state DOT) that a state determines to be eligible. Non-profits that are responsible for the administration of local transportation safety programs are eligible to apply.

Federal Highway and Motor Carrier Safety Programs

FEDERAL PROGRAM: **Motor Carrier Safety Assistance Program (MCSAP)**

FEDERAL AGENCY: Federal Motor Carrier Safety Administration

PROGRAM DESCRIPTION

The National Motor Carrier Safety Assistance Program (MCSAP) is a grant program that provides financial assistance to states to reduce the number and severity of crashes and hazardous materials incidents involving commercial motor vehicles (CMV) on Washington State roadways. The goal of the MCSAP program is to reduce CMV-involved crashes, fatalities, and injuries through consistent, uniform, and effective CMV safety programs. Additional emphasis is given to targeting unsafe carriers, improving information systems, and programs or projects that support national motor carrier safety activities.

The FAST Act consolidated several previously stand-alone FMCSA grant programs. The MCSAP grant now includes the Border Enforcement Grant, which assist the States and local jurisdictions in carrying out their responsibilities of ensuring foreign and international motor carriers and drivers, who operate within their jurisdiction, are in compliance with all federal and state commercial motor vehicle requirements.

State Enforcement Grants

- Eligible activities include roadside driver and vehicle safety inspections, traffic enforcement, compliance reviews, and other complementary activities. All states were required to adopt and implement a performance-based program by the year 2000 (Washington already had a plan in place).
- Up to 5% of federal allocated MCSAP funds may be distributed for high-priority activities and projects at the discretion of the federal program Administrator.

Information System Grants

This program funds:

- Improvements to electronic vehicle-based information systems containing carrier, vehicle, and driver safety records; and development of new databases; (including but not limited to Commercial Vehicle Information Systems and Networks (CVISN))
- Expanded data analysis capacity and programs; and,
- Improvements to driver programs.

Partnering With Other State Agencies to Enhance MCSAP

- The Washington State Patrol (WSP) partners with the Utilities and Transportation Commission (UTC) on compliance reviews of solid waste companies, household goods movers, and passenger motor carriers. This partnership helps decrease the number of high-risk carriers and improves safety ratings.

DISTRIBUTIONS

Federal funding is distributed to states based on a formula that includes factors such as the number of commercial vehicles, miles driven, etc. These funds are then deposited into and appropriated from the State Patrol Highway Account-Federal.

For FFY 2017, Washington State received \$6,421,089 in MCSAP funding, which the state must match with \$1,133,134 in State funds for a total of \$7,554,223. WSP is the lead agency for MCSAP grants in Washington State and provides up to \$100,000 to the UTC for activities relating to UTC-regulated carriers.

Representatives of both agencies sign a contract detailing UTC's scope of work. The remaining funds are used by the WSP Commercial Vehicle Enforcement Bureau.

MATCHING REQUIREMENTS

Up to 85% federal funding; 15% state match is required.

WASHINGTON STATE RECIPIENTS:

The WSP is the "designated state lead agency" for the Federal Motor Carrier Safety Assistance Program. The funds are spent by WSP and also distributed by WSP to the UTC.

FEDERAL PROGRAM: **State and Community Highway Safety Grants (23 USC Sec 402)**

FEDERAL AGENCY: National Highway Traffic Safety Administration (NHTSA)

PROGRAM DESCRIPTION

The FAST Act requires states to have an approved highway safety plan designed to reduce traffic crashes and the resulting deaths, injuries, and property damage. [Section 402](#) sets forth the minimum requirements with which states must comply. The Washington Traffic Safety Commission (WTSC) prepares an annual Highway Safety Plan (HSP) that identifies the state's traffic safety problems, establishes performance measures, and describes the countermeasures the state will undertake to achieve these targets. This plan must be coordinated with the State Strategic Highway Safety Plan, known in Washington as Target Zero. The plan is jointly developed by the WTSC member agencies, their subcommittees, and staff.

These funds are to be used exclusively for behavioral traffic safety purposes. Projects eligible for funds under this grant include those that:

- Reduce impaired driving
- Reduce speeding
- Encourage the use of occupant protection
- Improve motorcycle safety
- Improve pedestrian and bicycle safety
- Reduce crashes from driver distraction
- Reduce crashes from unsafe driving behavior
- Improve enforcement of traffic safety laws
- Improve driver performance
- Improve traffic records

DISTRIBUTIONS

The Section 402 formula share to states is figured based on:

- 75% based on the ratio of the state's population in the latest federal census to the total population in all states.
- 25% based on the ratio of the public road miles in the state to the total public road miles in all states.

MATCHING REQUIREMENTS

WTSC planning and administration expenses require a 50% state cash match. No more than 13% of the federal funds can be used for planning and administration. Money for program operations is matched 80% federal and 20% state with a "soft" match at the state level. Soft match can be an existing expenditure that fulfills the program requirement. In Washington, WSP Field Force expenditures are used as match.

WASHINGTON STATE RECIPIENTS

WTSC receives approximately \$5.4 million (about 2% of the total 402 funds available nationally) in each federal fiscal year. Washington state, city, and county agencies; Federally-recognized tribal governments; public schools; and non-profit organizations are eligible to apply for these federal funds.

FEDERAL PROGRAM: **National Priority Safety Program (23 USC Sec 405)**

FEDERAL AGENCY: National Highway Traffic Safety Administration (NHTSA)

PROGRAM DESCRIPTION

The FAST Act reauthorized the National Priority Safety Program which provides highway safety grants to States that meet statutory and regulatory criteria. Grants are available in the following areas:

- Occupant Protection Grants
- State Traffic Safety Information System Improvement Grants
- Impaired Driving Countermeasures Grant
- Distracted Driving Grants
- Motorcycle Safety Grants
- State Graduated Driver Licensing Incentive Grants
- Non-motorized Safety Grants

The [Section 405](#) program earmarks a portion of the funding for each identified high-priority traffic safety area. States receive funding for each tier by satisfying rigorous eligibility criteria. The federal share payable is 80% and states have to satisfy a maintenance of effort requirement. General guidelines for each area are as follows:

Occupant Protection: 13% of all Section 405 funds are earmarked for states that implement effective programs to reduce deaths and injuries resulting from unrestrained or improperly restrained drivers and occupants. There are two types of grants: high seat belt use (for states with 90% or higher seat belt use) and low seat belt use. High seat belt use rate states, like Washington, are required to document the following:

- Occupant protection plan;
- Participation in Click-it or Ticket national mobilizations;
- Child restraint inspection stations; and
- Child passenger safety technicians.

High seat belt use states can use up to 100% for any project or activity eligible for funding under Section 402 program (see previous section). In FFY 2018 Washington qualified for over \$721,000 in this category.

Traffic Records: 14.5% of all Section 405 funds are earmarked for states to develop and implement effective programs that improve the timeliness, accuracy, completeness, uniformity, integration, and accessibility of state traffic safety data. In order to be eligible for funding, Washington must satisfy criteria in the following areas:

- State Traffic Records Coordinating Committee (TRCC);
- State traffic records strategic plan;
- Quantifiable improvements data; and
- Complete a NHTSA assessment every five years.

Impaired Driving: 52.5% of all Section 405 funds are earmarked for grants to states for effective programs to reduce driving under the influence of alcohol, drugs, or the combination of alcohol and drugs, or alcohol interlock programs. States are divided into three categories: low-, medium- and high-range states with high-range states having an impaired driving fatality rate of 0.6 or higher and low-range states have impaired driving fatality rate of 0.30 or lower. Low range states are given much flexibility on how they spend these funds. Washington qualifies as a low-range state in FFY 2018. Therefore, Washington can flex 50% for any 402 eligible project or activity (see previous section) and can use the other 50% for the following:

- high visibility enforcement;
- hiring a full- or part-time impaired driving coordinator to address enforcement and adjudication of impaired driving laws;
- court support of high visibility enforcement efforts;

- alcohol ignition interlock programs
- improving blood-alcohol concentration testing and reporting
- paid and earned media efforts
- conducting Standard Field Sobriety Tests, Drug Recognition Expert and Advanced Roadside Impaired Driving Enforcement training;
- training on Screening and Brief Intervention (SBI);
- implementation of impaired driving assessments;
- developing impaired driving information systems; and
- costs associated with a 24-7 sobriety program.

Alcohol ignition interlock program: 12% of funds available under the impaired driving section are earmarked for grants to states with qualifying ignition interlock laws. The statute must require all individuals convicted of driving under the influence to drive only motor vehicles with interlocks for a period of not less than 6 months. Two exceptions are allowed. The first allows for an individual to operate an employer's motor vehicle in the course and scope of employment and the business entity that owns the vehicle is not owned or controlled by the individual. The second exception is for an individual who is certified in writing by a physician as being unable to provide a deep lung breath sample. Washington did not qualify for this in FFY 2018. NHTSA found that Washington's employer exception did not meet the regulatory requirements. Funds may be used for the same activities and projects listed under the impaired driving grants.

24-7 Sobriety Program: 3% of funds available under the impaired driving section are earmarked for grants to states with a qualifying legal citation authorizing a statewide 24-7 sobriety program. Washington qualified for this criterion in FFY 2018. Funds may be used for the same activities and projects listed under the impaired driving grants.

Distracted Driving: 8.5% of all Section 405 funds are earmarked for a new distracted driving program. In order to be eligible, a state must enact and enforce two types of laws:

A prohibition on texting for all drivers that is primary with a minimum fine for the first offense and does not include an exemption for texting while stopped in traffic. Texting must include reading from and manually entering data into a personal wireless communications device; and

A prohibition on the use of any personal wireless communication device by drivers younger than 18 that is primary with a minimum fine for first offense. The state must also require distracted driving issues to be tested as part of the driver's license exam.

The state distracted driving statute may provide exceptions for drivers who use their electronic device for emergencies; emergency service personnel while operating an emergency vehicle or in performance of their duties; or a CMV or school bus driver who has used his/her personal communications device as permitted by FMCSA regulations.

Eligible states can use up to 50% of their funding for any purpose under the Section 402 program (see previous section). The remaining funds must be used to: educate the public about the dangers of texting and using a cell phone; for traffic signs that notify the public about the state's distracted driving law; for enforcement of the state's law.

While Washington is not eligible under the above criteria, it did qualify for a special distracted driving grant available in FFY 2017 only. The special grant was only available to states that did not qualify under the above criteria. To qualify for this special a state must have a basic text messaging law and enforce it as a primary or secondary law.

Motorcyclist Safety: 1.5% of all Section 405 funds are earmarked for states that adopt and implement effective programs to reduce the number of motorcycle crashes. Washington qualified for this grant in FFY 2018 and is allowed to flex up to 50% of the funds to any eligible 402 program (see previous section). In order to be eligible for the funds, Washington must satisfy at least two of the following conditions:

- motorcycle riding training course;
- motorcyclist awareness program
- a reduction in deaths and crashes involving motorcycles;
- a statewide impaired motorcyclist program;
- a reduction in deaths and crashes involving impaired motorcycles; and
- use of fees collected from motorcyclists for motorcycle training and safety.

State Graduated Driver’s License (GDL) Laws: 5% of all Section 405 funds are earmarked for incentive grants to states that adopt and implement GDL laws that have a 2-stage licensing process and affect novice drivers younger than age 18. Washington did not qualify for this grant in FFY 2018. Eligible states must spend at least 25% of the GDL funds for:

- enforcing a two-stage licensing process;
- training law enforcement personnel;
- producing relevant educational materials; and
- carrying out a teen traffic safety program.

Non-Motorized Safety Grants: 5% of all Section 405 funds are earmarked for incentive grants to states that have an annual combined pedestrian and bicycle fatalities that exceed 15 percent of the state’s total annual crash fatalities based on the most recent calendar year for which final data is available. Washington did qualify for this grant in FFY 2018,

WASHINGTON STATE DISTRIBUTIONS

For FFY 2018, the Washington Traffic Safety Commission received \$5.1 million in FAST Act section 405 funds for grants as follows:

Occupant Protection, High Seat Belt Use Rate State: \$720,911.72
 State Traffic Safety Information Systems Improvements: \$797,876.62
 Impaired Driving Countermeasures, Low-Range State: \$2,856,358.20
 24-7 Sobriety Program: \$85,489.99
 Nonmotorized Safety: \$560,472.60
 Motorcycle Safety: \$88,736.75

WASHINGTON STATE RECIPIENTS

Washington state, city, and county agencies; Federally-recognized tribal governments; public schools; and non-profit organizations are eligible to apply for these federal funds.

Federal Transportation Programs – Transit

FEDERAL PROGRAM: **Bus and Bus Facilities Program (49 USC Sec 5339)**

FEDERAL AGENCY: Federal Transit Administration (FTA)

PROGRAM DESCRIPTION

The FAST Act continues the [49 U.S.C. Section 5339](#) Bus and Bus Facility formula [grant program](#) and adds a discretionary component. This capital formula program provides funding to replace, rehabilitate, and purchase buses and related equipment, and to construct bus-related facilities.

DISTRIBUTIONS

Funding is distributed to designated recipients and states that operate or allocate funding to fixed-route bus operators. FTA-identified eligible sub-recipients include public agencies or private nonprofit organizations engaged in public transportation, including those providing services open to a segment of the general public, as defined by age, disability, or low income.

Nationwide, \$436 million in FFY 2017 was appropriated for the formula program, \$264 million to the discretionary program, and \$55 million to the Low and No Emissions programs. Each year, \$90.5 million will be allocated among all State and territories, with each State receiving \$1.75 million. The remaining funding will be distributed by formula based on population, vehicle revenue miles and passenger miles.

For FFY 2017, Washington received \$13.6 million through the formula program, of which \$3.2 million was received by WSDOT to be distributed among small urban and rural areas. WSDOT passes the small urban portion by formula and holds a competitive process for formula funds and will make awards in the spring of 2019.

MATCHING REQUIREMENTS

Federal share is 80% with a required 20% local match.

WASHINGTON STATE RECIPIENTS

WSDOT Public Transportation Division (Program V) and Local Programs (Program Z) for distribution to local transit agencies.

FEDERAL PROGRAM: **Enhanced Mobility of Seniors and Individuals with Disabilities
(49 USC Sec 5310)**

FEDERAL AGENCY: Federal Transit Administration (FTA)

PROGRAM DESCRIPTIONS

The [Enhanced Mobility of Seniors and Individuals with Disabilities Program \(section 5310\)](#) is a formula program intended to enhance mobility for seniors and persons with disabilities by providing funds for programs to serve the special needs of transit-dependent populations beyond traditional public transportation services and Americans with Disabilities Act (ADA) complementary paratransit services.

Eligible activities include: capital projects that are public transportation projects planned, designed, and carried out to meet the special needs of seniors and individuals with disabilities when public transportation is insufficient, inappropriate, or unavailable; public transportation projects that exceed the requirements of the ADA; public transportation projects that improve access to fixed-route service and decrease reliance by individuals with disabilities on complementary paratransit; alternatives to public transportation that assist seniors and individuals with disabilities; and operating assistance.

DISTRIBUTIONS

Funds are apportioned based on each State's share of the targeted populations and are apportioned to both States (for all areas under 200,000 population) and large urbanized areas (over 200,000 population).

- At least 55% of program funds must be used on capital projects that are:
 - Public transportation projects planned, designed, and carried out to meet the special needs of seniors and individuals with disabilities when public transportation is insufficient, inappropriate, or unavailable.
- The remaining 45% may be used for:
 - Public transportation projects that exceed the requirements of the ADA.
 - Public transportation projects that improve access to fixed-route service and decrease reliance by individuals with disabilities on complementary paratransit.
 - Alternatives to public transportation that assist seniors and individuals with disabilities.

For federal fiscal year (FFY) 2017 Washington received \$6 million in section 5310 funding, of which \$5.2 million will be received by the State. WSDOT's Public Transportation Division awards 5310 funds through the Statewide Consolidated Grant Program. Information regarding the Statewide Consolidated Grant Program can be found online at <http://www.wsdot.wa.gov/Transit/Grants/competitive.htm>.

MATCHING REQUIREMENTS

The federal share for capital projects (including acquisition of public transportation services) is 80%. The federal share for operating assistance is 50%.

WASHINGTON STATE RECIPIENTS

WSDOT Public Transportation Division (Program V). For this program, the State is the recipient of section 5310 funding for all areas under 200,000 in population. It is then allocated by the State to sub-recipients. Sub-recipients are defined as states or local government authorities, private non-profit organizations, or operators of public transportation.

FTA designated recipients receive section 5310 funding for areas above 200,000 in population.

FEDERAL PROGRAM: **Fixed Guideway Capital Investment Grants (49 USC Sec 5309 New Starts/Small Starts)**

FEDERAL AGENCY: Federal Transit Administration (FTA)

PROGRAM DESCRIPTIONS

Also known as “New Starts / Small Starts,” the [Fixed Guideway Capital Investment Grants Program \(section 5309\)](#) provides multi-year competitive grants for new and expanded rail, bus rapid transit, and ferry systems that reflect local priorities to improve transportation options in key corridors.

New Starts projects are new fixed guideway projects or extensions to existing fixed guideway systems with a total estimated capital cost of \$300 million or more, or that are seeking \$100 million or more. Small Starts projects are new fixed guideway projects, extensions to existing fixed guideway systems, or corridor-based bus rapid transit projects with a total estimated capital cost of less than \$300 million and that are seeking less than \$100 million. Core Capacity projects are substantial corridor-based capital investments in existing fixed guideway systems that increase capacity by 10 percent in corridors that are at capacity.

The program was authorized at \$2.5 billion dollars annually for federal fiscal year (FFY) 2017 subject to Congressional appropriations from the General Fund.

DISTRIBUTIONS

This highly competitive discretionary program requires project sponsors to undergo a multi-step, multi-year process with USDOT to be eligible for funding. Small Starts projects are funded through a single year grant or an expedited grant agreement. New Starts and core capacity projects are funded through a multi-year full funding grant agreement (FFGA).

MATCHING REQUIREMENTS

The maximum federal share is 80 percent, though in practice FTA generally only provides a maximum 60 percent federal share.

RECIPIENTS

State and local government agencies may apply for grant funding, including transit agencies.

FEDERAL PROGRAM: **Passenger Ferry Grant Discretionary Program**

FEDERAL AGENCY: Federal Transit Administration (FTA)

PROGRAM DESCRIPTION

The [Passenger Ferry Grant program](#) provides competitive funding for projects that support passenger ferry systems in urbanized areas. Funds are awarded based on factors such as:

- The age and conditions of existing ferry boats, terminals and related infrastructure;
- Benefits to riders (such as increased reliability);
- Project readiness; and
- Connectivity to other modes of transportation

Funding is made available to designated recipients, eligible direct recipients of Urbanized Area Formula Grant ([Section 5307\(h\)](#)) funds, States and Federally-recognized Tribes that operate a public ferry system in an urbanized area. Eligible activities include:

- Support existing ferry service;
- Establish new ferry service; and
- Repair and modernize ferry boats, terminals, and related facilities and equipment

Once funding awards are announced, funds are available for the year the announcement is made, plus five years.

MATCHING REQUIREMENTS

The federal contribution is not to exceed 80 percent of the net project cost for capital expenditures. The federal share may be 90 percent for the cost of vehicle-related equipment attributable to compliance with the Americans with Disabilities Act (ADA) and the Clean Air Act.

WASHINGTON STATE RECIPIENTS

Awards in 2015-16:

- \$3.948 million to replace the passenger only ferry docking float and expand the docking capacity to relaunch or start routes from Ballard, Bremerton, Kingston and Southworth to downtown Seattle (King County DOT);
- \$4.515 million to purchase the existing concrete pier and replace the float and ramp located at Port Orchard (Kitsap County Transportation Benefit Area Authority);
- \$3.444 million to replace and expand the pedestrian bridge that connects the main terminal building to the passenger-only terminal (WSDOT)

Awards in 2017-18:

The 2017-18 Passenger Ferry Grant program awarded funding to [18 projects](#) totaling \$58.2 million.

- \$6 million awarded to two projects – construction of a new bicycle facility at the Seattle Multimodal Terminal at Colman Dock and IT modernization of terminal and vessel communication infrastructure (WSDOT);
- \$2.448 million to complete modifications to two existing ferry terminals – in Bremerton and Kingston – to facilitate their use and support startup passenger-only ferry service (Kitsap County Transportation Benefit Area Authority);

- \$1.2 million to conduct preliminary engineering and NEPA environmental analysis for a permanent ferry terminal location in West Seattle that would support passenger only ferry service to downtown Seattle (King County DOT).

FEDERAL PROGRAM: **Public Transportation Emergency Relief Program
(49 USC Sec 5324)**

FEDERAL AGENCY: Federal Transit Administration (FTA)

PROGRAM DESCRIPTIONS

Modeled on the Federal Highway Administration’s (FHWA) Emergency Relief Program, the [Public Transportation Emergency Relief Program](#) assists states and public transportation systems with emergency-related expenses. In [section 5324](#), emergencies are defined as natural disasters affecting a wide area or a catastrophic failure from an external cause for which the governor of a state has declared an emergency or the President has declared a major disaster.

The program funds capital projects to protect, repair, reconstruct, or replace equipment and facilities. It also funds transit agency operating costs related to evacuation, rescue operations, temporary public transportation service, or changing public transportation route service before, during, or after an emergency in an area directly affected. The grants only cover expenses not reimbursed by the Federal Emergency Management Agency (FEMA).

DISTRIBUTIONS

The program will provide immediate funding, similar to the FHWA [Emergency Relief Program](#), as described on page 189. Funding is appropriated by Congress as needed, based on a declaration of an emergency by the governor of a State or the President of the United States and the following considerations:

- The grants are only for expenses that are not reimbursed by the Federal Emergency Management Agency (FEMA).
- Grants made under this program are subject to terms and conditions that the U.S. Secretary of Transportation determines are necessary.
- Operating costs are eligible for one year beginning on the date of declaration or for two years if the U.S. Secretary of Transportation determines there is a compelling need.

MATCHING REQUIREMENTS

The federal share for capital and operating costs is 80 percent, with a 20 percent non-federal share, although FTA may waive the local match.

RECIPIENTS

States and governmental authorities are eligible to receive Public Transportation Emergency Relief funds, including public transportation agencies.

FEDERAL PROGRAM: **Rural Transportation Assistance Program (49 USC Sec 5311)**

FEDERAL AGENCY: Federal Transit Administration (FTA)

PROGRAM DESCRIPTIONS

[Rural Transportation Assistance Program](#), also known as [Section 5311](#) grants, provide formula funding for public transportation projects in rural areas under 50,000 in population. Eligible activities include planning, capital, operating, job access and reverse commute projects, and the acquisition of public transportation services. The program must provide a fair and equitable distribution of funds within the state, including Indian reservations, and provides the maximum feasible coordination of public transportation services assisted by this program and other federal sources. Within the 5311 program there is a tribal program that provides \$30 million in formula funds and \$5 million for discretionary awards.

DISTRIBUTIONS

Funds are apportioned to states based on the population of rural areas. For the rural program formula, 83.15 percent of funds are apportioned based on land area and population in rural areas and 16.85 percent of funds are apportioned based on land area, revenue-vehicle miles, and low-income individuals in rural areas. For the tribal program the formula factors are vehicle revenue miles and number of low-income individuals residing on tribal lands. For federal fiscal year (FFY) 2016, Washington received \$13 million and the tribes residing in Washington received \$1.9 million in formula funds.

WSDOT's Public Transportation Division awards all section 5311 funds to sub-recipients through the Statewide Consolidated Grant Program. Instructions and information regarding the Statewide Consolidated Grant Program can be found at <http://www.wsdot.wa.gov/Transit/Grants/competitive.htm>.

MATCHING REQUIREMENTS

The federal share is 80 percent for capital projects, 50 percent for operating assistance, and 80 percent for American with Disabilities Act (ADA) non-fixed-route paratransit service, using up to 10% of a recipient's apportionment. The cost of the unsubsidized portion of privately provided intercity bus service that connects feeder service is eligible as in-kind local match. Certain expenditures by vanpool operators may be used as local match.

WASHINGTON STATE RECIPIENTS

WSDOT Public Transportation Division (V). Eligible sub-recipients include state or local government authorities, nonprofit organizations, and operators of public transportation or intercity bus service.

FEDERAL PROGRAM: **State of Good Repair Grants (49 USC Sec 5337)**

FEDERAL AGENCY: Federal Transit Administration (FTA)

PROGRAM DESCRIPTIONS

The [State of Good Repair Grants Program](#), authorized by [Section 5337](#), is a formula-based grant program used to maintain, repair, and upgrade the nation's rail transit systems along with high-intensity motor bus systems that use high-occupancy vehicle lanes, including bus rapid transit (BRT).

Eligible projects include capital projects to maintain a system in a state of good repair, including projects to replace and rehabilitate: rolling stock; track; line equipment and structures; signals and communications; power equipment and substations; passenger stations and terminals; security equipment and systems; maintenance facilities and equipment; and operational support equipment, including computer hardware and software. Projects must be included in a transit asset management plan to receive funding.

DISTRIBUTIONS

Eligible recipients include state and local government authorities in urbanized areas with fixed guideway public transportation facilities operating for at least 7 years.

The program comprises two separate formula programs:

- **High Intensity Fixed Guideway**
 - Comprises 97.15% of apportionments.
 - 50 percent based on formula under the FFY2011 Fixed Guideway Rail Modernization Program, with a key modification: buses operating on lanes not for exclusive use of public transportation vehicles are excluded.
 - 50 percent based on revenue vehicle miles and route miles (with same bus exclusion as above). Includes a hold-harmless provision preventing formula allocations from decreasing by more than 0.25 percent year-to-year.
- **High Intensity Motorbus**
 - Comprises 2.85 percent of apportionments.
 - Based on revenue miles and route miles as reported to NTD.

MATCHING REQUIREMENTS

The federal share is 80 percent with a required 20 percent match.

WASHINGTON STATE RECIPIENTS

Bremerton is estimated to receive \$260 thousand in State of Good Repair funding in federal fiscal year (FFY) 2017 and Seattle received \$67.7 million in State of Good Repair funding in federal fiscal year (FFY) 2017. Funds were received by the Puget Sound Regional Council (PSRC), the Designated Recipient for the urbanized area. PSRC then distributed the funds.

FEDERAL PROGRAM: **Transit-Oriented Development Planning Pilot
(MAP-21 Sec 20005(b))**

FEDERAL AGENCY: Federal Transit Administration (FTA)

PROGRAM DESCRIPTIONS

The [Transit-Oriented Development Planning Pilot](#) authorized by Section 5338 is continuing past the expiration of that Act. Planning funds are available through this discretionary program for transit-oriented development (TOD). Eligible activities include comprehensive planning in corridors with new rail, bus rapid transit, or core capacity projects. This pilot program focuses growth around transit stations to promote ridership, affordable housing near transit, revitalized downtown centers and neighborhoods, and encourage local economic development. \$25.8 million was authorized for federal fiscal year (FFY) 2018.

DISTRIBUTIONS

FTA will award competitive grants for comprehensive planning based on the following criteria:

- Enhancement of economic development, ridership, and other goals established during the project development and engineering processes;
- Facilitation of multimodal connectivity and accessibility;
- Increases access to transit hubs for pedestrian and bicycle traffic;
- Enables mixed-use development;
- Identifies infrastructure needs associated with the eligible project; and
- Includes private-sector participation.

MATCHING REQUIREMENTS

No matching funds are required for this competitive grant program.

RECIPIENTS

State and local government agencies are eligible to apply to FTA for these grants.

FEDERAL PROGRAM: **Urbanized Area Formula Grants (49 USC Sec 5307)**

FEDERAL AGENCY: Federal Transit Administration (FTA)

PROGRAM DESCRIPTIONS

This program provides formula grants to [Urbanized Areas \(UZA\)](#), defined as areas with a population of 50,000 or more, for public transportation capital, planning, job access and reverse commute projects, as well as operating expenses in certain circumstances.

For urbanized areas with populations less than 200,000, operating assistance is an eligible expense. Transit systems in urbanized areas over 200,000 can use their Section 5307 formula funding for operating expenses if they operate no more than 100 buses during peak hours.

The [Section 5307](#) formula program includes a \$30 million per year set-aside to support passenger ferries, to be awarded on a competitive selection basis

DISTRIBUTIONS

In Washington State, transit agencies in large urban areas over 200,000 population identify projects for funding through their metropolitan planning organizations (MPO) such as the Puget Sound Regional Council and Spokane Regional Council. The apportionment of funding for the small urban areas under 200,000 population is granted to the Governor. The Governor has delegated the authority for federal transit funds to WSDOT. WSDOT, as a matter of policy, allows the small urban transit agencies to work with their MPOs to select projects for the Section 5307 funding that is reported in the Federal Register. In most cases, in the small urban areas there is only a single direct recipient. In federal fiscal year (FFY) 2017, Washington's large urbanized areas received \$125 million and the State's small urbanized areas received \$20.1 million in Section 5307 apportionment.

MATCHING REQUIREMENTS

The federal share is 80 percent for capital assistance, 50 percent for operating assistance, and 80 percent for Americans with Disabilities Act (ADA) non-fixed-route paratransit service, using up to 10 percent of a recipient's apportionment.

RECIPIENTS

FTA apportions funds to designated recipients, which then sub-allocate funds to state and local governmental authorities, including public transportation providers. In Washington State, the large urban area (over 200,000 population) recipients of Section 5307 funds in Vancouver, Seattle-Tacoma-Everett-Bremerton, Richland-Kennewick-Pasco, and Spokane, are determined by the state's four Transportation Management Areas (TMAs). The Governor has delegated authority to WSDOT for the apportioned amounts for distribution to the state's smaller urbanized areas (under 200,000 population). Washington State Ferries receives funding through Seattle-Everett and Tacoma TMA. WSDOT Public Transportation Division (Program V) and Local Programs (Program Z) manage this funding for Washington State.

FEDERAL PROGRAM: **Metropolitan Planning Grants (49 USC Sec 5303)**

FEDERAL AGENCY: Federal Transit Administration (FTA)

PROGRAM DESCRIPTIONS

[Section 5303 Metropolitan Planning Grants](#) provide funding and procedural requirements for multimodal transportation planning in metropolitan areas and states that is cooperative, continuous, and comprehensive, resulting in long-range plans and short-range programs of transportation investment priorities. The planning programs are jointly administered by FTA and the Federal Highway Administration (FHWA), which provides additional funding.

DISTRIBUTIONS

Under a formula based distribution, Washington received \$2.5 million in FFY 2018.

MATCHING REQUIREMENTS

Federal share is 80% formula-based with a required 20% non-federal match.

RECIPIENTS

States, Metropolitan Planning Organizations, and Transportation Management Areas. The lead program at WSDOT for this grant is Planning and Research Division (Program T).

FEDERAL PROGRAM: **State Planning Grants (49 USC Sec 5304)**

FEDERAL AGENCY: Federal Transit Administration (FTA)

PROGRAM DESCRIPTIONS

[Section 5304 State Planning Grants](#) provide funding and procedural requirements for multimodal transportation planning in metropolitan areas and states that is cooperative, continuous, and comprehensive, resulting in long-range plans and short-range programs of transportation investment priorities. The planning programs are jointly administered by FTA and the Federal Highway Administration (FHWA), which provides additional funding.

DISTRIBUTIONS

Under a formula based distribution, Washington received \$485 thousand in FFY 2016.

MATCHING REQUIREMENTS

Federal share is 80% formula-based with a required 20% non-federal match.

RECIPIENTS

States, Planning Agencies, Transit Agencies, and Non Profits. The lead program at WSDOT for this grant is Public Transportation (Program V).

Federal Transportation Programs - Rail

FEDERAL PROGRAM: **Railroad Rehabilitation and Improvement Financing**

FEDERAL AGENCY: Federal Railroad Administration (FRA)

PROGRAM DESCRIPTION

The [Railroad Rehabilitation and Improvement Financing](#) (RRIF) Program is intended to make funding available through loans and loan guarantees for railroad capital improvements. The Fixing America's Surface Transportation (FAST) Act enacted on December 4, 2015 included substantive and procedural changes to the RRIF program. WSDOT is working to implement these changes by revising many program websites, guidance documents, and regulations.

This loan program was originally established in 1998 under the Transportation Equity Act for the 21st Century (Public Law 105-178) to provide direct loans and loan guarantees. FRA can provide up to \$35.0 billion to finance development of railroad infrastructure. Not less than \$7.0 billion is reserved for projects benefiting freight railroads other than Class I carriers.

The funding may be used to:

- Acquire, improve, or rehabilitate intermodal or rail equipment or facilities, including track, components of track, bridges, yards, buildings and shops
- Refinance outstanding debt incurred for the purposes listed above
- Develop or establish new intermodal or railroad facilities

Direct loans can fund up to 100% of a railroad project with repayment periods of up to 35 years and interest rates equal to the cost of borrowing to the government.

Eligible borrowers include railroads, state and local governments, government-sponsored authorities and corporations, joint ventures that include at least one railroad, and limited option freight shippers who intend to construct a new rail connection.

DISTRIBUTIONS

Loans and loan guarantees are at the discretion of the U.S. Secretary of Transportation based on application.

Washington State has not applied for a RRIF loan.

The Port of Everett submitted a final application in 2018 for \$5.9 million.

WASHINGTON STATE RECIPIENT

WSDOT Rail Program (Program Y)

FEDERAL PROGRAM: **Consolidated Rail Infrastructure and Safety Improvements (CRISI)**

FEDERAL AGENCY: Federal Railroad Administration (FRA)

PROGRAM DESCRIPTION

In 2018, USDOT’s Federal Railroad Administration (FRA) made available grant funding for projects to strengthen intercity passenger rail, support capital projects and boost safety initiatives that may include the implementation of positive train control, improved highway-rail grade crossings, and congestion mitigation.

The funding is authorized by the Fixing America’s Surface Transportation (FAST) Act and funded through the Consolidated Appropriations Act, 2017. These grants are expected to leverage private, state and local investments to boost a wide range of rail projects, including the potential for implementing positive train control, improving highway-rail grade crossings, mitigating congestion, repairing or replacing railroad assets, and enhancing intercity passenger rail transportation.

At least 25 percent of CRISI’s grant funding will be used for rural projects like highway-rail grade crossing improvement projects. Additional funds are set-aside for certain capital projects like rail line relocation and improvement or grade separation projects that contribute to the safe initiation or restoration of intercity passenger rail service. In addition, a portion of funding from the CRISI and Restoration and Enhancement programs is set-aside for Special Transportation Circumstances—including grants for freight or intercity passenger rail capital projects in Alaska, South Dakota and Wyoming.

Preference is given to projects with a 50-percent non-federal funding match from any combination of private, state, or local funds. USDOT also considers how well the project aligns with key Departmental objectives including supporting economic vitality; leveraging federal funding; preparing for life-cycle costs; using innovative approaches to improve safety and expedite project delivery; and holding grant recipients accountable for achieving specific, measurable outcomes.

DISTRIBUTIONS

Grants are at the discretion of the U.S. Secretary of Transportation based on applications.

The first round of funding was announced in February 2018 provided a total of \$73 million.

The second round of funding was announced in July 2018 provided a total of \$318 million.

WSDOT submitted the following CRISI proposals in 2018:

- Pacific Northwest Rail Corridor Reliability - Landslide Mitigation Phase II – seeking \$2.035 million for a \$4,070 million project from first round of funding
- Washington State Rural Rail Rehabilitation Project – seeking \$5.66 million for a \$11.33 million project from first round of funding
- Washington State Service Development Plan – seeking \$500,000 of a \$1 million project from first round of funding
- Washington State Passenger Rail Car Replacement Project – seeking \$25 million of a \$50 million project from second round of funding
- Washington State Rural Rail Rehabilitation Project – seeking \$5.66 million for a \$11.33 million project from second round of funding

WASHINGTON STATE RECIPIENT

WSDOT Rail Program (Program Y)

Appendix

American Recovery and Reinvestment Act (ARRA)

FEDERAL PROGRAM: **American Recovery and Reinvestment Act (ARRA) High-Speed Intercity Passenger Rail Grant Program (Concludes in 2017)**

FEDERAL AGENCY: Federal Railroad Administration

PROGRAM DESCRIPTION

The American Recovery and Reinvestment Act (ARRA) of 2009 provided \$8 billion for High-Speed Intercity Passenger Rail (HSIPR) Program grants, which were ultimately awarded to projects spanning 31 states. Funding was provided through September 31, 2017 and no additional funding is available under this program.

In 2012-2013, WSDOT received \$766.6 million in federal high speed rail funding, part of the \$8 billion made available through ARRA. An additional \$31 million in non-ARRA funding was awarded to Washington in 2010 from two separate federal rail grant programs within the HSIPR Program. The funding was invested in 20 capital projects along the 300-mile corridor on the Washington segment of the Pacific Northwest Rail Corridor.

The projects include additional rail-line capacity and upgrading tracks, utilities, signals, passenger stations and advanced warning systems. In addition, WSDOT also purchased new locomotives for the expansion of the service. These projects were all completed in 2017. These improvements will allow Amtrak Cascades to offer more frequent service by reducing passenger/freight congestion and making passenger travel times shorter with better on time performance.

HIGH SPEED RAIL PROJECTS DETAIL

The 20 projects funded with ARRA grants and completed between 2013 and 2017 include:

Blaine-Swift Customs Facility – New 9,000-foot main track and conversion of existing track into siding for freight train inspections, allowing Amtrak Cascades trains move past on main track with less interference.

Mount Vernon Siding Extension – New turnout provides room for 8,000-foot freight trains to pull off of mainline track, allowing faster passenger trains to pass.

Corridor Reliability Upgrades – North (Nisqually to Canada border) - Improvements along the entire BNSF mainline north corridor infrastructure. Improves Amtrak Cascades schedule reliability by improving track quality and reducing slow-orders.

Everett Storage Track - Eliminated a major source of freight train interference by constructing two new departure/receiving tracks next to the existing Delta Yard tracks, reducing congestion, adding rail capacity and eliminating a substantial rail yard bottleneck.

Corridor Reliability Supplemental Work (Landslide Mitigation) – Work at six vulnerable landslide sites near Mukilteo and Everett to limit passenger rail service disruptions. Work included slope stabilization and catchment walls to stop debris from landing on tracks. As of November 1, 2018 no blocking events have taken place at the six improved sites.

King Street Station Seismic Retrofit – Seattle – Award-winning upgrade to historic station reinforced the tower to modern seismic standards and restored lobby to its former grandeur.

King Street Station Track Upgrades – Seattle - Improves schedule reliability for north and southbound trains arriving and departing King Street Station allowing Amtrak and Sound Transit passenger trains to simultaneously move in and out of the station.

Tukwila Station – Station replaced a temporary structure and serves as a major, multimodal transportation hub. Construction was partially funded and overseen by Sound Transit with assistance and financial support from WSDOT, FRA and FTA.

D to M Street Connection – Tacoma - Allows Amtrak Cascades and Sounder passenger rail service to bypass congested Point Defiance route and extends Sounder commuter rail service to stations in South Tacoma and Lakewood.

Point Defiance Bypass – Tacoma - Provided a new route for passenger trains on an existing rail line along the west side of I-5 through south Tacoma, Lakewood, and DuPont and reconstruct five at-grade crossings to improve safety, and accommodate higher speeds and improves on time Seattle-Portland travel performance. Also includes a new station at Tacoma’s Freighthouse Square adjacent to existing Sound Transit and Pierce Transit stations – creating a multimodal hub.

Advanced Wayside Signal – (whole corridor) -- Upgraded signal system components at all control points, sidings and turnouts between the Canadian border and Vancouver, Washington.

New Locomotives – (corridor wide) – Eight new state-of-the-art Siemens Charger locomotives will be energy efficient, faster and more reliable than aging, existing locomotives. The 4,400 hp, 16-cylinder diesel engines meet strict EPA Tier IV certification and are equipped with latest safety technology.

Amtrak Cascades New Train Set – Project goal satisfied with Oregon Department of Transportation purchase of new trainsets. Funds reallocated within the high-speed rail program (with FRA approval).

Cascades Corridor Reliability Upgrades – South (Nisqually to Vancouver WA) - Improvements along the entire BNSF south mainline corridor infrastructure, Improved Amtrak Cascades schedule reliability by improving track quality and reducing slow-orders.

Kelso Martin’s Bluff - Trio of projects near Kalama, Longview and Kelso to reduce passenger and freight rail congestion, improving travel time and reliability for Amtrak Cascade passengers

- **KMB – Toteff Siding Extension** – Included at-grade intersection safety improvements as well as extending siding track for congestion relief at Port of Kalama.
- **KMB – New Siding** -- Created bypass track around the congested Kalama rail yard, reducing freight traffic on the mainline.
- **KMB – Kelso to Longview Junction** – Upgraded existing track and adds a third mainline between Kelso and the Longview Junction near the Port of Longview. Includes additional rail bridge across the Coweeman River in Kelso.

Vancouver - Rail Yard Bypass Track – Improved reliability for Amtrak Cascades passengers by separating passenger and freight rail traffic. Project included a 12,500-foot freight rail bypass on the east side of BNSF’s Vancouver rail yard, moving mechanical and storage buildings and relocating the existing train turntable.

Vancouver – New Middle Lead – Added 1,300 feet of new lead track to eliminate a major freight chokepoint at the busy Vancouver rail yard, allowing passenger trains to more easily pass through the area. Also added active warning devices to improve safety at the West 11th Street at-grade crossing.

Vancouver – Port Access Rail Improvements – Created new primary route for rail traffic entering the Port of Vancouver facility, reducing freight and passenger rail congestion. Project included removing some buildings, adding new track and constructing a rail trench along the Columbia River.

