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# Federal Funding

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# Federal Transportation Funds

## Introduction

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, earmarks, and grants, though Congress eliminated earmarks in 2011. WSDOT administers most 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 one eligible state-owned airport while the majority of aviation funds in Washington go directly to eligible locally-owned airports.

There are two primary legislative vehicles for federal transportation funding: authorization bills that authorize policy, programs and funding ceilings over multiple years, such as the Moving Ahead for Progress in the 21<sup>st</sup> Century Act (MAP-21), 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 appropriations 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 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 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 appropriations to proceed with projects, Congress continues to be responsible for balancing 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 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 1<sup>st</sup> through September 30<sup>th</sup>, in recent years Congress has been unable to pass appropriations bills by the October 1<sup>st</sup> deadline and therefore bills are typically passed anywhere from several weeks to several months late.

The last multi-year surface transportation authorization bill, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), expired on September 30, 2009. After passing ten short-term extensions, Congress finally passed, and President Obama signed into law on July 6, 2012, a new authorization bill, MAP-21. Unlike previous authorization bills that lasted four to six years, MAP-21 is only a two-year bill.

MAP-21 continues roughly federal fiscal year 2012 funding levels by authorizing \$105 billion for FFY2013 and FFY2014, extends the federal gas tax through FFY2016, ensures two years of solvency for the Highway Trust Fund, consolidates and eliminates programs, and eliminates most discretionary programs. Additionally, in a marked departure from SAFETEA-LU, which included over 6,000 earmarks, MAP-21 contains no earmarks. Congress banned earmarks in 2011 and in his 2011 State of the Union Address President Obama said he would not sign into law any legislation containing earmarks.

## State Revenue from Federal Programs

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 provide about 31.6% of WSDOT's 2007-09 capital budget, 30.7% of the 2009-11 capital budget and a projected 38.9% of WSDOT's 2011-13 capital budget (excluding bond revenue).

**SAFETEA-LU Historical Actuals:** The table below shows the actual apportionments distributed to Washington by the FHWA for formula programs for federal fiscal years 2007 – 2012 under SAFETEA-LU. The actual apportionments include formula program distributions, non-formula (discretionary/allocated) distributions, rescissions to unobligated apportionment balances and penalties.

FHWA Formula Program Apportionments to Washington						
(Millions of Dollars)						
SAFETEA-LU Programs	Actual 2007	Actual 2008	Actual 2009	Actual 2010	Actual 2011	Actual 2012
Interstate Maintenance	\$ 53	\$ 40	\$ 50	\$ 48	\$ 76	\$ 53
National Highway System	\$ 111	\$ 96	\$ 75	\$ 152	\$ 129	\$ 117
Minimum Guarantee Flexible	\$ -	\$ -	\$ -	\$ -	\$ 0	\$ -
Equity Bonus Flexible	\$ 14	\$ 13	\$ 14	\$ 14	\$ 14	\$ 14
Surface Transportation Program	\$ 163	\$ 159	\$ 130	\$ 204	\$ 156	\$ 192
Safety Setaside				\$ -	\$ -	\$ -
Enhancements Setaside	\$ 9	\$ 10	\$ (6)	\$ 12	\$ 12	\$ 12
Areas Over 200,000	\$ 38	\$ 32	\$ 27	\$ 56	\$ 47	\$ 45
Areas Under 200,000	\$ 19	\$ 19	\$ 19	\$ 24	\$ 25	\$ 21
Areas Under 5,000	\$ 10	\$ 11	\$ 11	\$ 12	\$ 11	\$ 10
STP Flexible	\$ 86	\$ 87	\$ 80	\$ 101	\$ 61	\$ 103
Highway Safety Improvement Program	\$ 16	\$ 19	\$ 1	\$ 39	\$ 11	\$ 22
Railway-Highway Crossings	\$ 4	\$ 4	\$ 2	\$ 6	\$ 5	\$ 4
Bridge	\$ 87	\$ 134	\$ 104	\$ 205	\$ 177	\$ 170
Border Infrastructure Program	\$ 10	\$ 11	\$ 11	\$ 15	\$ 15	\$ 12
CMAQ	\$ 12	\$ 15	\$ (17)	\$ 20	\$ 20	\$ 30
Safe Routes to Schools	\$ 2	\$ 3	\$ 3	\$ 4	\$ 4	\$ 3
MPO Planning	\$ 6	\$ 6	\$ 6	\$ 6	\$ 8	\$ 10
Recreational Trails	\$ 2	\$ 2	\$ 2	\$ 2	\$ 2	\$ 2
SPR from all Programs	\$ 11	\$ 11	\$ 11	\$ 12	\$ 13	\$ 12
Subtotal Apportionments	\$ 492	\$ 513	\$ 392	\$ 729	\$ 630	\$ 640
ARRA			\$ 491	\$ 12	\$ -	\$ -
Discretionary	\$ 6	\$ 84	\$ 32	\$ 0	\$ -	\$ -
Other Allocated Programs	\$ 4	\$ 15	\$ 10	\$ 11	\$ 15	\$ 3
Tiger Discretionary Grants				\$ 46	\$ 8	\$ 0
Emergency Relief	\$ 31	\$ 1	\$ 94	\$ 65	\$ 45	\$ -
Demonstration Programs	\$ 49	\$ 11	\$ 11	\$ 39	\$ 25	\$ 74
PRNS		\$ 51	\$ 41	\$ 20	\$ -	\$ 0
High Priority Projects	\$ 56	\$ 55	\$ 55	\$ (0)	\$ -	\$ (1)
	\$ 639	\$ 729	\$ 1,127	\$ 922	\$ 723	\$ 715

In addition to the FHWA formula and non-formula programs, the Federal Transit Administration also provides program allocations to Washington for a variety of transit projects. The following table provides those actual allocations from FTA to Washington state for FFY 2006-2011.

FTA Program Allocations to Washington						
(Dollars in Millions)						
Program	Actual 2006	Actual 2007	Actual 2008	Actual 2009	Actual 2010	Actual 2011
Fixed Guideway Modernization (5309) <sup>1</sup>	26	32	38	16	43	53
New Starts (5309) <sup>2</sup>	83	80	102	37	123	131
Bus & Bus Facilities (5309) <sup>3</sup>	18	46	8	22	15	49
Capital and Operating Grants (5307) <sup>4</sup>	129	102	112	119	121	163
Rural Assistance (5311)	8	8	0	0	0	-
Rural Transit Assistance Program (5311)	0	0	9	10	10	11
Elderly / Disabled Assistance Program (5310)	2	0	2	3	3	3
MPO Planning (5303)	2	0	2	2	2	2
State Planning (5304)	0	0	0	0	0	0
Alternative Analysis (5339)	0	1	0	0	4	1
Clean Fuels (5308)	0	0	0	0	0	3
Jos Access / Reverse Commute	3	3	3	3	3	4
New Freedom	2	2	2	2	2	2
<b>TOTAL ALLOCATIONS</b>	<b>273</b>	<b>274</b>	<b>278</b>	<b>214</b>	<b>326</b>	<b>422</b>

<sup>1</sup> Direct allocations to Puget Sound Regional Council for Seattle and Tacoma area projects benefiting fixed guideway systems.

<sup>2</sup> Allocated for Puget Sound Sounder Commuter Rail, Central Link Light Rail, University Link LRT, & Pacific Highway South BRT.

<sup>3</sup> Allocated discretionary grants for transit purposes in Washington State.

<sup>4</sup> Direct allocations to Transportation Management Areas (TMAs) for the Portland-Vancouver area, Seattle, Bremerton, Spokane, Marysville; allocation to the Washington State Department of Transportation for Bellingham, Longview, Olympia, Tri-Cities, Yakima, Wenatchee, Mount Vernon, Lewiston, ID-WA.

## MAP-21 Forecast:

MAP-21 provides the majority of Federal-aid highway funds to the states through core programs. The MAP-21 core programs are the following: National Highway Performance Program, Surface Transportation Program, Congestion Mitigation & Air Quality Improvement Program, Highway Safety Improvement Program and Metropolitan Planning. MAP-21 has authorized another program, Transportation Alternatives, which is a set-aside program from each state's apportionment level.

The baseline November 2012 federal apportionment forecast for FFY 2013 and FFY2014 is based on MAP-21, (H.R. 4348. Notice 4510.759 dated October 1, 2012), which sets apportionment levels for FFY 2013 at \$655 million dollars. The forecast for FFY 2014 is based on the Summary of Estimated FFY 2014 Apportionments under the Conference Report for MAP-21 found on the FHWA web site. This funding level may be slightly different than the actual federal notice for FFY 2014 once it is released.

The baseline November 2012 federal FHWA formula program apportionment forecast assumes that after MAP-21 expires on September 30, 2014, the amount available for distribution to the states would be limited to what is projected in the Highway Trust Fund (HTF). The current forecast from the Congressional Budget Office (CBO) estimates the HTF will become insolvent in FFY 2015. In order to keep the HTF from becoming insolvent, a reduction in federal expenditures and federal apportionment of 14% would be needed in FFY 2015 and another 8% reduction in the following year for a two-year reduction of 21% beginning in FFY 2016 and beyond. After FFY 2016, Washington's federal funding level will grow at the same rate as our state motor fuel consumption forecast.

**FHWA Formula Program Apportionments and Obligation Authority to Washington  
NOVEMBER 2012 Baseline Federal Forecast**

MAP - 21 Programs	Forecast	Forecast	Forecast	Forecast	Forecast	Forecast
	2013	2014	2015	2016	2017	2018
<b>State Apportionment and Obligation Authority Forecast</b>						
<b>Federal Aid Highway Core Programs Apportionment</b>						
National Highway Performance Program (NHPP)	\$364,129,805	\$366,129,494	\$316,409,000	\$290,685,000	\$290,640,000	\$291,137,000
Surface Transportation Program (STP)	167,488,278	168,408,072	145,538,000	133,706,000	133,684,000	133,913,000
Highway Safety Improvement Program (HSIP)	41,083,487	41,308,630	35,698,000	32,795,000	32,791,000	32,846,000
Congestion Mitigation and Air Quality Program (CMAQ)	35,502,948	34,940,986	30,195,000	27,740,000	27,737,000	27,784,000
Metropolitan Planning (MPO)	6,967,021	6,996,675	6,047,000	5,556,000	5,555,000	5,565,000
<b>Subtotal Core Programs</b>	<b>\$615,171,539</b>	<b>\$617,783,856</b>	<b>\$533,887,000</b>	<b>\$490,482,000</b>	<b>\$490,407,000</b>	<b>\$491,245,000</b>
State Planning and Research (SPR)	12,958,866	13,008,828	11,243,000	10,329,000	10,326,000	10,344,000
Transportation Alternatives	12,712,430	12,503,967	10,806,000	9,927,000	9,926,000	9,943,000
Redistribution of section 164 Penalty	14,205,376	14,277,068	12,338,000	11,335,000	11,334,000	11,353,000
<b>Total Washington State MAP - 21 Apportionment</b>	<b>\$655,048,211</b>	<b>\$657,573,720</b>	<b>\$568,274,000</b>	<b>\$522,073,000</b>	<b>\$521,993,000</b>	<b>\$522,885,000</b>
<b>Total Washington State MAP - 21 Obligation Authority</b>	<b>\$626,022,411</b>	<b>\$644,422,246</b>	<b>\$556,909,000</b>	<b>\$511,632,000</b>	<b>\$511,553,000</b>	<b>\$512,427,000</b>
Ferry Boats and Terminal Facilities #	15,000,000	15,000,000	-	-	-	-
<b>Forecast Distributions ☼</b>						
<b>State Programs</b>						
<b>Federal Aid Highway Core Programs **</b>						
National Highway Performance Program (94% of total NHPP)	\$342,282,017	\$344,161,725	\$297,424,000	\$273,244,000	\$273,202,000	\$273,669,000
Surface Transportation Program (27% of total STP)	44,727,283	45,083,568	36,433,000	31,958,000	31,950,000	32,036,000
Highway Safety Improvement Program (36% of total HSIP)	15,164,430	15,246,303	13,175,000	12,104,000	12,103,000	12,123,000
Congestion Mitigation and Air Quality Program (0% of total CMAQ)	-	-	-	-	-	-
<b>Subtotal Core Programs</b>	<b>\$402,173,731</b>	<b>\$404,491,595</b>	<b>\$347,032,000</b>	<b>\$317,306,000</b>	<b>\$317,255,000</b>	<b>\$317,828,000</b>
State Planning and Research (100% state)	12,958,866	13,008,828	11,243,000	10,329,000	10,326,000	10,344,000
SHRP2	518,355	520,353	449,720	413,160	413,040	413,760
NCHRP	712,738	715,486	618,365	568,095	567,930	568,920
Research	2,397,390	2,406,633	2,079,955	1,910,865	1,910,310	1,913,640
Amount remaining for SPR	9,330,384	9,366,356	8,094,960	7,436,880	7,434,720	7,447,680
Transportation Alternatives	-	-	-	-	-	-
Recreation Trails ^	1,900,000	1,900,000	1,900,000	1,900,000	1,900,000	1,900,000
Redistribution of section 164 Penalty	14,205,376	14,277,068	12,338,000	11,335,000	11,334,000	11,353,000
<b>Total State MAP - 21 Apportionment</b>	<b>\$431,237,972</b>	<b>\$433,677,492</b>	<b>\$372,513,000</b>	<b>\$340,870,000</b>	<b>\$340,815,000</b>	<b>\$341,425,000</b>
<b>State Program Obligation Authority</b>	<b>\$412,129,413</b>	<b>\$425,003,942</b>	<b>\$365,063,000</b>	<b>\$334,053,000</b>	<b>\$333,999,000</b>	<b>\$334,596,000</b>
<b>Local Programs</b>						
<b>Federal Aid Highway Core Programs</b>						
National Highway Performance Program (6% of total NHPP)	\$21,847,788	\$21,967,770	\$18,985,000	\$17,441,000	\$17,438,000	\$17,468,000
Surface Transportation Program (73% of total STP)	122,760,995	123,324,504	109,105,000	101,748,000	101,734,000	101,877,000
Bridge Program (Of the federal aid system)	21,900,000	21,900,000	18,926,000	17,387,000	17,384,000	17,414,000
50% Distribution Any of the state programs	17,116,856	17,220,468	14,436,000	12,995,000	12,992,000	13,021,000
50% Population Distribution						
Areas over 200,000	52,513,421	52,801,808	45,631,000	41,921,000	41,915,000	41,986,000
Areas over 5,000	16,483,406	16,573,928	14,323,000	13,159,000	13,157,000	13,179,000
Areas under 5,000	14,747,312	14,828,299	12,815,000	11,773,000	11,771,000	11,791,000
Highway Safety Improvement Program (64% of total HSIP)	25,919,056	26,062,327	22,523,000	20,691,000	20,689,000	20,723,000
Congestion Mitigation and Air Quality Program (100% of total CMAQ)	35,502,948	34,940,986	30,195,000	27,740,000	27,737,000	27,784,000
Metropolitan Planning (100% of total MPO)	6,967,021	6,996,675	6,047,000	5,556,000	5,555,000	5,565,000
<b>Subtotal Core Programs</b>	<b>\$212,997,809</b>	<b>\$213,292,261</b>	<b>\$186,855,000</b>	<b>\$173,176,000</b>	<b>\$173,153,000</b>	<b>\$173,417,000</b>
Transportation Alternatives	10,812,430	10,603,967	8,906,000	8,027,000	8,026,000	8,043,000
50% Distribution Any of the state programs	5,406,215	6,251,984	5,403,000	4,964,000	4,963,000	4,972,000
50% Population Distribution						
Areas over 200,000	3,390,074	3,324,714	2,792,000	2,517,000	2,516,000	2,522,000
Areas over 5,000	1,064,108	1,043,592	876,000	790,000	790,000	792,000
Under 5,000	952,032	933,677	784,000	707,000	707,000	708,000
<b>Total Local MAP - 21 Apportionment</b>	<b>\$223,810,239</b>	<b>\$223,896,228</b>	<b>\$195,761,000</b>	<b>\$181,203,000</b>	<b>\$181,179,000</b>	<b>\$181,460,000</b>
<b>Local Program Obligation Authority</b>	<b>\$213,892,997</b>	<b>\$219,418,303</b>	<b>\$191,846,000</b>	<b>\$177,579,000</b>	<b>\$177,554,000</b>	<b>\$177,831,000</b>
<b>Total Washington State MAP - 21 Apportionment</b>	<b>\$655,048,211</b>	<b>\$657,573,720</b>	<b>\$568,274,000</b>	<b>\$522,073,000</b>	<b>\$521,994,000</b>	<b>\$522,885,000</b>
<b>Total Washington State MAP - 21 Obligation Authority</b>	<b>\$626,022,411</b>	<b>\$644,422,246</b>	<b>\$556,909,000</b>	<b>\$511,632,000</b>	<b>\$511,553,000</b>	<b>\$512,427,000</b>

# Ferry Boat and Terminal distributions are still being calculated at the national level. This forecast assumes \$15 million in 2013 and 2014.

☼ The split of Federal funds between the State and Local programs is based on historical SAFETEA-LU splits in the Sep-12 forecast. Beginning with the Nov-12 forecast the split of funds between State and Local programs is based on the recent Steering Committee split agreement.

\*\* The state share of each Core Program is reduced by the section 164 civil penalty of 2.5% and the SPR set aside of 2.0%.

^ 1% of the Recreational Trails program is paid to FHWA for administration of the program

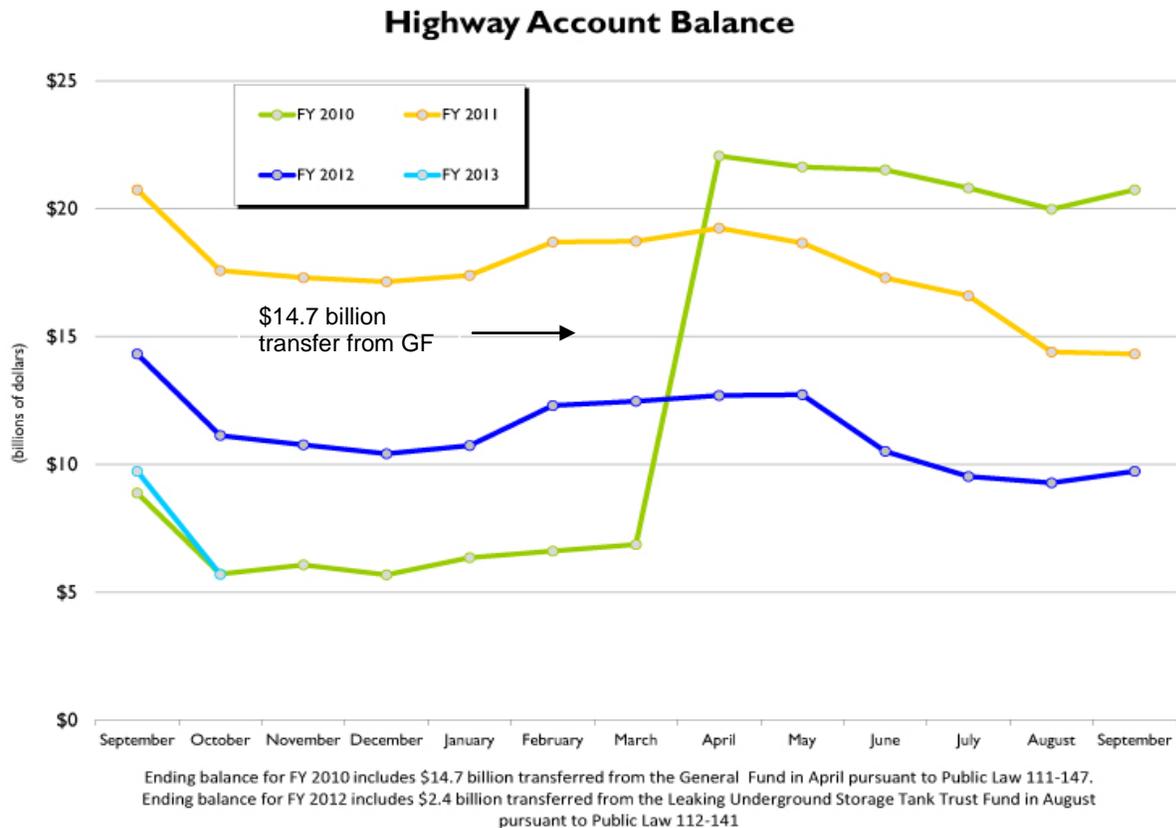
## Federal Highway Trust Fund Revenue

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 MAP-21.

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 and 15.44¢ flows to the Highway Account. Other taxes and fees flowing into the HTF are displayed on the next page (see [Federal Surface Transportation User Fees](#) on page 144).

Each penny of federal motor fuel tax generates about \$1.7 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.



## 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 Airport and Airway Trust Fund (AATF) Revenue**

The Federal Aviation Administration (FAA) is funded primarily by the Airport and Airway Trust Fund (Trust Fund or AATF), which receives revenues from a series of excise taxes paid by users of the national airspace system, and by the General Fund. The Airport and Airway Revenue Act of 1970 created the Trust Fund to provide a dedicated source of funding for the aviation system independent of the General Fund.

The Trust Fund's purpose was to establish sources of funding that would increase concurrently with the use of the system, and assure timely and long-term commitments to capacity increases. The Trust Fund was designed to finance investments in the airport and airway system and, to the extent funds were available, cover the operating costs of the airway system as well. Taxes and fees flowing into the Trust Fund are displayed on page 146.

### **FAA Funding Accounts**

In recent years, FAA funding has totaled between \$15 billion and \$16 billion annually. FAA funding is divided among four main accounts. Operations and Maintenance (O&M) makes up the largest portion of the FAA budget, comprising slightly more than 60% of total FAA appropriations. It is the only FAA account that is funded, in part, by General Fund contributions. The O&M account principally funds air traffic operations and aviation safety programs. The Airport Improvement Program (AIP) provides federal grants-in-aid for projects such as new runways and taxiways; runway lengthening, rehabilitation, and repair; and noise mitigation near airports. The Facilities and Equipment (F&E) account provides funding for the acquisition and maintenance of air traffic facilities and equipment, and for engineering, development, testing, and evaluation of technologies related to the federal air traffic system. The Research, Engineering, and Development account finances research on improving aviation safety and operational efficiency and reducing environmental impacts of aviation operations.

### **FAA Modernization and Reform Act of 2012**

For the first time since 2007, the FAA has the certainty of long-term authorization to operate the air traffic control system, build up airport infrastructure, and develop the air traffic control system of the future.

On February 14, 2012, President Barack Obama signed into law the FAA Modernization and Reform Act of 2012. The bill provides a four-year, \$63.4-billion authorization package for the agency, which had limped along on 23 short-term extension bills for five years.

Congress must still approve annual appropriations to fund the FAA at the levels authorized in the bill signed by the President.

## Federal Aviation User Taxes and Fees

<b>Passenger Ticket Tax</b> (on domestic ticket purchases and frequent flyer awards)	7.5%
<b>Flight Segment Tax</b> (domestic, indexed annually to Consumer Price Index)	\$3.80
<b>Cargo Waybill Tax</b>	6.25%
<b>Frequent Flyer Tax</b>	7.5%
<b>General Aviation Gasoline</b>	19.3 cents/gallon
<b>General Aviation Jet Fuel</b> (Kerosene)	21.8 cents/gallon
<b>Commercial Jet Fuel</b> (Kerosene)	4.3 cents/gallon
<b>International Departure/Arrivals Tax</b> (indexed annually to Consumer Price Index) <b>\$16.70</b> (prorated Alaska/Hawaii to/from mainland United States)	(Alaska/Hawaii=\$8.40)
<b>Fractional Ownership Surtax on general aviation jet fuel</b>	14.1 cents/gallon

# Federal Transportation Programs – Multimodal

**FEDERAL PROGRAM:**           **TIGER 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.” It is a multimodal, competitive program that invests in road, rail, transit and port projects that promise to achieve critical national objectives.

Subsequent TIGER Discretionary Grant opportunities are similar, but not identical to the appropriation for the “TIGER” program authorized and implemented pursuant to the American Recovery and Reinvestment Act (ARRA). Because of the similarity in program structure, USDOT has continued to refer to the program as “TIGER Discretionary Grants.”

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 TIGER grant program (TIGER I). Since ARRA, Congress has funded the TIGER program through the annual appropriations process: \$600 million was provided in FFY2010 (TIGER II), \$526.944 million was provided in FFY2011 (TIGER III), \$500 million was provided in FFY2012 (TIGER IV), and \$250 million was provided for the first six months of FFY2013 (TIGER V). The program is oversubscribed and very competitive. For instance, for the TIGER IV competition in 2012, USDOT received 703 applications worth \$10.2 billion and was only able to award 47 grants worth nearly \$500 million.

**RECIPIENTS, Washington State**

TIGER I: \$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)

TIGER II: \$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)

TIGER III: \$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)

TIGER IV: \$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)

**DISTRIBUTIONS**

TIGER grants are competitively awarded by USDOT.

## MATCHING REQUIREMENTS

ARRA-funded TIGER I grants did not have a matching requirement, though the presence of matching funds was a factor in USDOT selection of TIGER grant awards. For subsequent rounds of TIGER 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.

**FEDERAL PROGRAM:**            **TIFIA Loan Program**

**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. 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.

**RECIPIENTS, Washington State**

In October 2012, WSDOT received a \$300 million TIFIA loan that will fund 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 will be repaid with toll revenues. It is the only TIFIA assistance that has been provided to a project in Washington.

**DISTRIBUTIONS**

TIFIA credit assistance is competitively awarded by FHWA.

**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%

## **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.

### **RECIPIENTS**

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.

Further, to be eligible for an AIP grant, an airport must be included in the NPIAS. The NPIAS, which is prepared and published every 2 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 present 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.

The Methow Valley State Airport is the only state-owned airport that is eligible for AIP funding. The airport receives \$150,000 annually in non-primary entitlement funding. Additionally, in Federal Fiscal Year (FFY) 2009 and FFY 2011 WSDOT received AIP grants totaling \$924,112 for airport improvements such as runway lighting, lighted wind cone, rotating beacon, and fencing. The WSDOT Aviation Division also receives AIP funding for system planning studies such as the Economic Impact Study, Statewide Airport Pavement Management System Update, and the Washington Aviation System Plan. WSDOT Aviation's State Capital Improvement Program is funded through an AIP grant. Of the 64 Washington airports included in the FAA's NPIAS, 11 airports are classified as 'Primary' airports and receive an annual entitlement of \$1 million. The remaining 53 airports, locally owned except for Methow Valley State Airport, are eligible for the annual non-primary entitlement funding of \$150,000.

## 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.

## ARRA Aviation Funding

On February 17, 2009, the President signed the American Recovery and Reinvestment Act of 2009 (ARRA) into law, designating \$1.1 billion for Airport Improvement Program (AIP) projects. These funds were intended for transportation infrastructure projects that would provide long-term economic benefits, preserve and create jobs, and promote economic recovery. ARRA also established tight timeframes for distributing and expending funds and expressed preference for projects that could be completed in 2 years.

Washington airports received 11 ARRA AIP grants worth \$43,479,332:

• Port of Benton	\$2,195,470
• Port of Moses Lake	\$1,178,144
• Pangborn Memorial Airport	\$1,317,000
• Port of Bellingham	\$1,500,026
• Port of Bellingham	\$780,746
• Snohomish County	\$11,002,765
• Spokane International Airport	\$6,265,931
• Spokane International Airport	\$7,078,364
• Tri Cities Airport	\$9,077,593
• Town of Wilbur	\$2,211,899
• Town of Wilburn	\$871,394

## **Federal Transportation Programs – Highways**

## **MAP-21 Highway Programs**

**FEDERAL PROGRAM:**           **Congestion Mitigation and Air Quality Improvement Program (CMAQ), MAP-21**

**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.

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) has until April 1, 2014 to establish performance measures for states to assess traffic congestion and on-road mobile source emissions. States must then establish targets within one year of the final FHWA rule on national performance measures, and are then 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.

### RECIPIENTS

The State is the recipient of CMAQ funding; WSDOT Improvement Program (I1). (The State sub-allocates, or distributes, all of its CMAQ apportionment to the five qualifying MPOs.)

### DISTRIBUTIONS

Instead of using a separate programmatic formula for distribution as under past law, MAP-21 provides a total apportionment for each state and then divides that state amount among individual apportioned programs. Washington is estimated to receive \$35.5 million in CMAQ funding in federal fiscal year (FFY) 2013, 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 MAP-21 Steering Committee agreed to continue to sub-allocate 100 percent of CMAQ funding to MPOs in maintenance areas.

### 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.

**FEDERAL PROGRAM:**           **Emergency Relief Program, MAP-21**

**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 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 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. For example, Washington State received \$9.9M in 2011 and \$64.6M in 2012 for previous emergency relief events.

**RECIPIENTS**

WSDOT Improvement, Preservation, Maintenance (I2, P1, P2, P3, M2).

**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).

**FEDERAL PROGRAM:**           **Federal Lands Access Program, MAP-21**

**FEDERAL AGENCY:**           Federal Highway Administration

### **PROGRAM DESCRIPTION**

The Federal Lands Access Program (Access Program) provides funds for projects on Federal Lands transportation facilities 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.
- 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 Programs Decision 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.

### **RECIPIENTS**

WSDOT Improvement and Preservation Programs (I-1, I-2, P1, P2, P3) and Z for Local Agencies. Local agencies may receive funds directly from FHWA in this program.

## 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).

**FEDERAL PROGRAM:**            **Ferry Boat Formula Program, MAP-21**

**FEDERAL AGENCY:**            Federal Highway Administration

**PROGRAM DESCRIPTION**

The Ferry Boat Formula Program provides \$67 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.

**RECIPIENTS**

The State is the recipient of Ferry Boat Formula funds; Program W for Washington State Ferries.

**DISTRIBUTIONS**

Funds are distributed to eligible public ferry systems based on the number of passengers carried (20 percent), vehicles carried (45 percent), and total route miles (35 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 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. As of November 21, 2012, the Federal Highway Administration had yet to notify states with eligible public ferry systems of how much Ferry Boat Formula Program apportionment they could expect for federal fiscal year (FFY) 2013 (FFY 2013 is the first year of the program).

**MATCHING REQUIREMENTS**

The federal share is limited to 80 percent.

**FEDERAL PROGRAM:** Highway Safety Improvement Program, MAP-21

**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 program includes a set-aside for the Railway-Highway Crossing Program.

#### *Performance Measures*

The Federal Highway Administration (FHWA) has until April 1, 2014, to establish performance measures for states to use to assess serious injuries and fatalities per vehicle mile traveled and the number of serious injuries and fatalities. States must then establish targets within one year of the final FHWA rule on national performance measures, and are then responsible for meeting the performance targets for each measure. If a state does not meet or make significant progress toward meeting the 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.

### **RECIPIENTS**

WSDOT Improvement Program (I1).

### **DISTRIBUTIONS**

Instead of using a separate programmatic formula for distribution as under past law, MAP-21 provides a total apportionment for each state and then divides that state amount among individual apportioned programs. Washington is estimated to receive \$41 million in HSIP funding in federal fiscal year (FFY) 2013. Of that amount, locals are estimated to receive \$25.9 million.

The Governor's MAP-21 Steering Committee<sup>1</sup> agreed that one-third of the FFY2009 level of federal funding for the Safe Routes to School Program should come from HSIP. The remainder of the HSIP funding 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.

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<sup>1</sup> The Governor's MAP-21 Steering Committee was convened in the fall of 2012 to review the existing distributions of federal highway formula funds between state and local governments. The Committee was composed of two state legislators, the Secretary of Transportation, and representatives of cities, counties, ports, tribes, MPOs/RTPOs, and transit agencies.

## 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.

**FEDERAL PROGRAM:**            **Metropolitan Planning Program, MAP-21**

**FEDERAL AGENCY:**            Federal Highway Administration

**PROGRAM DESCRIPTION**

MAP-21's approach to the distribution of formula funds is based on the amount of formula funds each State received in FFY 2012. Funding for metropolitan planning activities is calculated by multiplying the FFY 2012 apportionment by the FFY 2009 ratio of planning to total apportionment. Previously under SAFETEA-LU, Metropolitan Planning was funded by a 1 ¼ percent takedown from the amounts authorized for the core apportioned programs (except for the Highway Safety Improvement Program). The total amount of the takedown was apportioned to the States based on urbanized area population, and each State received no less than a minimum of ½ of 1 percent of the total apportionment.

Guidance on the new requirements from FTA and FHWA:

*Section 5305(d) authorizes Federal funding to support a cooperative, continuous, and comprehensive planning program for transportation investment decision-making at the metropolitan area level. The specific requirements of metropolitan transportation planning are set forth in 49 U.S.C. 5303 and further explained in 23 CFR Part 450, as incorporated by reference in 49 CFR Part 613, Statewide Transportation Planning; Metropolitan Transportation Planning. State Departments of Transportation (DOTs) are direct recipients of funds allocated by FTA, which are then sub-allocated to Metropolitan Planning Organizations (MPOs), for planning activities that support the economic vitality of the metropolitan area.*

*The metropolitan transportation planning process must establish a performance-based approach in which the MPO will develop specific performance targets that address transportation system performance measures (to be issued by U.S. DOT), where applicable, to use in tracking progress towards attaining critical outcomes. These performance targets will be established by MPO's in coordination with States and transit providers. MPOs will provide a system performance report that evaluates the progress of the MPO in meeting the performance targets in comparison with the system performance identified in prior reports.*

*This funding must support work elements and activities resulting in balanced and comprehensive intermodal transportation planning for the movement of people and goods in the metropolitan area. Comprehensive transportation planning is not limited to transit planning or surface transportation planning, but also encompasses the relationships among land use and all transportation modes, without regard to the programmatic source of Federal assistance. Eligible work elements or activities include, but are not limited to studies relating to management, mobility management, planning, operations, capital requirements, and economic feasibility; evaluation of previously funded projects; peer reviews and exchanges of technical data, information, assistance, and related activities in support of planning and environmental analysis among MPOs and other transportation planners; work elements and related activities preliminary to and in preparation for constructing, acquiring, or improving the operation of facilities and equipment; development of coordinated public transit human services transportation plans. An exhaustive list of eligible work activities is provided in FTA Circular 8100.1C, Program Guidance for Metropolitan Planning and State Planning and Research Program Grants, dated September 1, 2008.*

## RECIPIENTS

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

FY 2013	\$ 9,222,147
FY 2014	\$9,222,147 ( <i>est.</i> )
TOTAL	\$18,444, 294 ( <i>est.</i> )

As shown in the table below, there are eleven MPOs in Washington (The Walla Walla Valley MPO is required to be designated by March 2013. It was created as a result of the 2010 Census).

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

## DISTRIBUTIONS

MPO Planning funds are distributed by the Washington State Department of Transportation to each MPO listed above. The formula for allocating MPO funds in Washington is still being determined.

## MATCHING REQUIREMENTS

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

**FEDERAL PROGRAM:**            **National Highway Performance Program, MAP-21**

**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 include, but are not limited to: construction, reconstruction, resurfacing, restoration, rehabilitation, preservation or operational improvement of segments of the NHS; construction, replacement, rehabilitation, preservation, and protection of bridges and tunnels on the NHS; inspection and evaluation of bridges and tunnels on the NHS; training of bridge and tunnel inspectors; construction, rehabilitation, or replacement of existing ferry boats and ferry boat facilities, including approaches that connect road segments of the NHS; bicycle transportation and pedestrian walkways that are associated with an NHS facility; highway safety improvements for segments of the NHS; development and implementation of a state asset management plan; and environmental restoration and pollution abatement projects associated with an NHS activity.

*Performance Measures*

The Federal Highway Administration (FHWA) has until April 1, 2014, to establish performance measures for the condition of pavement, bridges and the performance of the Interstate and NHS systems. States must then establish targets within one year of the final FHWA rule on national performance measures, and are then 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. By October 1, 2016, the State must report to FHWA on its progress towards achieving the targets and then every two years thereafter. 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 bridges and highway systems. By April 1, 2014, FHWA must publish a rulemaking establishing the process for states to use in developing a risk-based, performance-based asset management plan for preserving and improving the condition of the NHS. 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, 2015, 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 fall below the minimum set by

USDOT, 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 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.

### RECIPIENTS

The State is the recipient of NHPP funding, Improvement (I) and Preservation (P) programs.

### DISTRIBUTIONS

Instead of using a separate programmatic formula for distribution as under past law, MAP-21 provides a total apportionment for each state and then divides that state amount among individual apportioned programs. Washington is estimated to receive \$364 million in NHPP funding in FFY 2013. Of that amount, locals are estimated to receive \$21.8 million.

The Governor's MAP-21 Steering Committee<sup>2</sup> 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. 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 of up to 95 percent for projects on the Interstate System and up to 90 percent for all other projects on the NHS. 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.

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<sup>2</sup>The Governor's MAP-21 Steering Committee was convened in the fall of 2012 to review the existing distributions of federal highway formula funds between state and local governments. The Committee was composed of two state legislators, the Secretary of Transportation, and representatives of cities, counties, ports, tribes, MPOs/RTPOs, and transit agencies.

**FEDERAL PROGRAM:**           **State Planning and Research Program, MAP-21**

**FEDERAL AGENCY:**           Federal Highway Administration

**PROGRAM DESCRIPTION**

The State Planning and Research Program (SP&R) funds States' statewide planning and research activities. The 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 SP&R 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**

- Engineering and economic surveys and investigations;
- 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;
- 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.

**RECIPIENTS**

WSDOT Planning and Research Division (Program T).

**DISTRIBUTIONS**

WSDOT's Freight Systems Division, Highway System Plan, and the Strategic Planning Division. No federal funds from this program go to other outside agencies.

## MATCHING REQUIREMENTS

The Federal share of the cost of a project carried out with SP&R 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.

**FEDERAL PROGRAM:**           **Surface Transportation Program, MAP-21**

**FEDERAL AGENCY:**           Federal Highway Administration

**PROGRAM DESCRIPTION**

The Surface Transportation Program (STP) was originally established in the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) and is the most flexible 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 174*);
- 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* (see page 167);
- 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).

### RECIPIENTS

WSDOT Capital Improvement, Preservation, and Ferry Programs (I1, I2, I3, I4, P1, P3, W) and Planning.

### DISTRIBUTIONS

Instead of using a separate programmatic formula for distribution as under past law, MAP-21 provides a total apportionment for each state and then divides that state amount among individual apportioned programs. Washington is estimated to receive \$167.5 million in STP funding in FFY 2013. Of that amount, locals are estimated to receive \$122.8 million.

Fifty percent of the State's STP apportionment must be sub-allocated to areas based on their relative share of the total State population, while the 50 percent 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 funds for the off-system bridge set-aside may not be taken from the STP apportionment distributed based on population.

The Governor's MAP-21 Steering Committee<sup>3</sup> agreed to continue to sub-allocate the historic level of STP apportionment based on population and provide the off-system bridge set-aside 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, 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.

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<sup>3</sup> The Governor's MAP-21 Steering Committee was convened in the fall of 2012 to review the existing distributions of federal highway formula funds between state and local governments. The Committee was composed of two state legislators, the Secretary of Transportation, and representatives of cities, counties, ports, tribes, MPOs/RTPOs, and transit agencies.

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.

**FEDERAL PROGRAM:**                    **Transportation Alternatives Program, MAP-21**

**FEDERAL AGENCY:**                    Federal Highway Administration

**PROGRAM DESCRIPTION**

The Transportation Alternatives Program is a set-aside of 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 a state agency and Metropolitan Planning Organizations (MPO).

**RECIPIENTS**

The State is the recipient of Transportation Alternatives funding.

Entities eligible to apply to a state agency or MPO for Transportation Alternatives 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 are not eligible as direct grant recipients of the funds, though non-profits are eligible to partner with any eligible entity on an eligible Transportation Alternatives project, if state or local requirements permit.

**DISTRIBUTIONS**

The Transportation Alternatives Program is funded by setting aside 2 percent of the amounts to be apportioned to a state for the following programs: National Highway Performance Program, Surface Transportation Program, Highway Safety Improvement Program, Congestion Mitigation and Air Quality Improvement Program, and Metropolitan Planning. Fifty-percent of the funds allocated to the state must be distributed to MPOs based on population and the other half may be obligated in any area of the state.

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 1<sup>st</sup> prior to the fiscal year in which the state wishes to opt out). For FFY2013 Governor Gregoire chose to opt into the Recreational Trails component of the program – no action is necessary to opt in.

The Governor's MAP-21 Steering Committee<sup>4</sup> agreed that after funding the Recreational Trails set-aside of the Transportation Alternatives Program and sub-allocating the required 50 percent to MPO/RTPOs based on population, the remaining state's discretionary funding should be split between two-thirds of the FFY 2009 level of federal funding for Safe Routes to Schools and the remainder should be sub-allocated to MPO/RTPOs.

Washington is estimated to receive \$12.3 million in FFY 2013 for this program. Of that amount, MPOs are estimated to receive \$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%.

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<sup>4</sup> The Governor's MAP-21 Steering Committee was convened in the fall of 2012 to review the existing distributions of federal highway formula funds between state and local governments. The Committee was composed of two state legislators, the Secretary of Transportation, and representatives of cities, counties, ports, tribes, MPOs/RTPOs, and transit agencies.

## **SAFETEA-LU Highway Programs**

**FEDERAL PROGRAM:** Highway Bridge Program, SAFETEA-LU

**FEDERAL AGENCY:** Federal Highway Administration

### **PROGRAM DESCRIPTION**

The Highway Bridge Program provided funds to states for the replacement or rehabilitation of deficient bridges (bridges that are unsafe because of structural deficiencies, physical deterioration, or functional obsolescence) both on and off the federal-aid highway system. The state maintains an inventory of all bridges, classified according to serviceability, safety, and importance for public use. Based on that classification, each bridge is assigned a priority and cost to either replace or rehabilitate. The state, in cooperation with city and county agencies, selects bridges for replacement or rehabilitation, according to the funds available. Under federal law, apportioned funds must be split with not less than 15% and not more than 35% being expended on public bridges off the federal-aid system (i.e. “off-system bridges”). The Highway Bridge Program was terminated by MAP-21. Beginning in FFY 2013, bridge projects became an eligible use of the National Highway Performance Program and Surface Transportation Program formula funds.

### **RECIPIENTS**

The State was the recipient of Highway Bridge Program funds; WSDOT Structures Preservation Program (P2).

### **DISTRIBUTIONS**

The distribution to states was based on the state's share of the total cost to replace deficient bridges as a percentage of the national total of such cost. No state could receive more than 10% or less than 0.25% of the national amount available for apportionment. For federal fiscal year (FFY) 2012 Washington received \$169.7 million in Highway Bridge Program apportionment, of which \$40.6 million was distributed to locals. Since a 2007 legislative decision to allocate federal bridge funds to eligible mega-projects, Highway Bridge Program funds have been split 76 percent to the State and 24 percent to local agencies.

### **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% with the sliding scale adjustment.

**FEDERAL PROGRAM:**           **Congestion Mitigation Air Quality Improvement Program, SAFETEA-LU**

**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 programs and projects 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). Examples of such eligible projects are programs for improved transit; construction of lanes for use by buses or HOVs; employer-based transportation management plans; trip reduction ordinances; traffic flow improvement programs; fringe and corridor parking facilities; carpool and vanpool programs; flexible work schedule programs; and non-motorized transportation facilities.

No CMAQ funds may be used for new single occupant vehicle lanes unless the lanes are used as HOV lanes during peak travel times.

**STATE RECIPIENTS**

The State is the recipient of CMAQ funding. The State sub-allocates, or distributes, all of its CMAQ apportionment to the five qualifying Metropolitan Planning Organizations (MPOs).

**DISTRIBUTIONS**

State apportionments are based on the state's population in ozone or carbon monoxide non-attainment or maintenance areas as a percentage of the national population in such areas. Population is weighted depending on the severity of the ozone or carbon monoxide non-attainment or maintenance area. Each state is guaranteed a minimum 1/2 of 1% share of the available national funds. For Federal Fiscal Year (FFY) 2012, Washington received \$29.5 million in CMAQ apportionment.

The State sub-allocates all of its CMAQ apportionment to five Metropolitan Planning Organizations (MPOs) that qualify as maintenance 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.

**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%.

**FEDERAL PROGRAM:**            **Coordinated Border Infrastructure Program, SAFETEA-LU**

**FEDERAL AGENCY:**            Federal Highway Administration

**PROGRAM DESCRIPTION**

The Coordinated Border Infrastructure (CBI) Program provided formula funding to states to improve the safe movement of motor vehicles at or across the land border between the U.S. and Canada and the land border between the U.S. and Mexico. States were required to use funds within 100 miles of the border to make improvements to existing transportation and supporting infrastructure; construct highway and safety and safety enforcement facilities related to international trade; make operational improvements; modify regulatory procedures; or improve coordination of transportation planning, programming, and border operations with Canada or Mexico. A border state could use these funds on projects in Canada or Mexico under certain conditions. The CBI Program was terminated by MAP-21. Beginning in FFY 2013, border infrastructure projects became an eligible use of Surface Transportation Program formula funds.

**RECIPIENTS**

The State is the recipient of CBI funds.

**DISTRIBUTIONS**

Funds were apportioned to border states as follows: 20% based on the number of incoming commercial trucks; 30% based on the number of incoming personal motor vehicles and buses; 25% based on the weight of incoming cargo by commercial trucks; and 25% based on the number of land border ports of entry. In FFY 2011, Washington State received \$15.1 million in CBI funding, of which none went to local governments. In FFY 2012, Washington State received \$12 million, of which none went to local governments.

**MATCHING REQUIREMENTS**

The federal share is generally 80% subject to the sliding scale adjustment. In Washington State the sliding scale is 90.66% on the Interstate and 86.5% on the NHS.

**FEDERAL PROGRAM:**           **Emergency Relief Program, SAFETEA-LU**

**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.

The state has received Emergency Relief 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. For example, Washington State received \$9.9M in 2011 and \$64.6M in 2012 for previous emergency relief events.

**RECIPIENTS**

WSDOT Improvement, Preservation, Maintenance (I2, P1, P2, P3, M2).

**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% on the Interstate System and 86.5% on all other routes).

**FEDERAL PROGRAM:**            **Equity Bonus Program, SAFETEA-LU**

**FEDERAL AGENCY:**            Federal Highway Administration

**PROGRAM DESCRIPTION**

Five equity-based funding categories from the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA)—Minimum Allocation, Donor State Bonus, Hold Harmless, 90% of Payments, and Interstate Reimbursement—were collapsed into one new category under the Transportation Equity Act for the 21st Century (TEA-21) and carried forward into SAFETEA-LU. This program, Equity Bonus, achieved two goals: (1) it disbursed a large amount of money to the states, and (2) it ensured that each state would receive at least a minimum percentage of total funding each year regardless of the operation of other formulas.

The minimum percentage of funding guaranteed to each state was equal to 90.5% of the state's share of total contributions to the Highway Account of the Highway Trust Fund. For example, if a state was the source of 10% of all funds flowing into the Highway Account in a particular year, for the following year it was guaranteed 9.05% of the total amount given out. To achieve this goal, the amount of Equity Bonus funds given to each state was increased or decreased each year by USDOT. For some states, this category constituted a large portion of total federal funding. Some states may have received up to 40% of their funds through this program. Given this fact, Congress further directed that some of the Equity Bonus funds be funneled through the major formula programs: National Highway System, Interstate Maintenance, CMAQ, Bridge, and Surface Transportation Program (STP). The remaining Equity Bonus funds apportioned to a state could be used for any project for which STP funds may be used. The funds were very much like STP statewide flexible funds and were not subject to enhancement, safety, or population distribution requirements. The Equity Bonus Program was terminated by MAP-21.

**RECIPIENTS**

WSDOT Improvement, Preservation, Planning, and Ferries Programs (I1, I2, I3, I4, P1, P3, T, W) and Z for Local Agencies.

**DISTRIBUTIONS**

Equity Bonus funds consisted of two components: formula and flexible distributions. In FFY 2011, Washington State received \$14.3 million, of which \$5.7 million was distributed to local governments. In FFY 2012, Washington State received \$13.5 million, of which \$5.4 million was distributed to local governments. The distribution of Equity Bonus funds between State and Local jurisdictions reflects a decision by the Governor to keep 66% of federal funds at the state level and distribute 34% to local jurisdictions. After splitting out the other various federal funds, the Equity Bonus distribution was used to achieve this overall 66% /34% split.

**MATCHING REQUIREMENTS**

The same matching requirements that are applicable to the STP are applicable to Equity Bonus funds. The general rule is 80% federal share, 20% state share. The federal share is increased up to 95% for states with large areas of federally-owned lands. Washington's federal share was 86.5%. For projects on the Interstate System, Washington's federal share was 90.66%, except for projects to add Interstate capacity other than HOV or auxiliary lanes, which were funded at an 86.5% federal share.

FEDERAL PROGRAM:           **Federal Lands Highways Program, SAFETEA-LU**

FEDERAL AGENCY:           Federal Highway Administration

PROGRAM DESCRIPTION

The Federal Lands Highways Program provided funding for improvements to and preservation of highways on federal lands. The program had four categories: Indian Reservation Roads; Parkways and Park Roads (administered by the Department of the Interior); Public Lands Highways (which included the previous Forest Highway category), and Refuge Roads. All categories of funds, except Refuge Roads, could be used for transit facilities. The Federal Lands Highways Program was terminated by MAP-21 and became the *Federal Lands Access Program* along with a slight expansion as described on page 160.

RECIPIENTS

WSDOT Preservation Program (P1, P2) or Z for Local Agencies.

DISTRIBUTIONS

Funds were allocated to the states on the basis of relative need. The Forest Highway portion of the Public Lands Highways and the Indian Reservation Roads authorizations were allocated by administrative formula. Portions of the Federal Lands Highways program were at the discretion of the U.S. Secretary of Transportation, based on application of the states.

Projects for the Forest Highway Programs were jointly selected by FHWA, State, and the Forest Service. Projects had to be on designated Forest Highway routes and were proposed by the State and the Forest Service. County projects were proposed through the State. Project selections were based on the following criteria:

- The development, utilization, protection, and administration of the National Forest Service (NFS) and its renewable resources;
- The enhancement of economic development at the local, regional, and national level;
- The continuity of the transportation network serving the NFS and the communities that are economically dependent upon it;
- The mobility of the users of the transportation network and the goods and services provided;
- The improvement of the transportation network for economy of operation and maintenance and the safety of its users;
- The protection and enhancement of the rural environment associated with the NFS and its renewable resources; and
- The results from pavement, bridge, and safety management systems.

For FFY 2012 the Washington state allocation was \$11 million with 100 percent of the funds being committed to local roadways.

MATCHING REQUIREMENTS

100% federal share.

FEDERAL PROGRAM: **Ferry Boat Discretionary Program, SAFETEA-LU**

FEDERAL AGENCY: Federal Highway Administration

PROGRAM DESCRIPTION

The Ferry Boat Discretionary Program provided \$67 million annually in competitive, discretionary funding for the construction of ferry boats and ferry terminal facilities, including ferry maintenance facilities. Eligible ferries must operate on a route classified as a public road within the state, and that is not a part of the Interstate System. Projects may be eligible for both ferry boats carrying cars and passengers and ferry boats carrying passengers only. 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 Ferry Boat Discretionary Program was terminated in federal fiscal year (FFY) 2013. Beginning in FFY 2013, there is a new Ferry Boat Formula Program (*see [Ferry Boat Formula Program on page 162](#)*) and ferry boat projects are also an eligible use of the National Highway Performance Program and Surface Transportation Program formula funds.

RECIPIENTS

State and local public ferry systems are recipients of Ferry Boat Discretionary funding; Program W for Washington State Ferries.

DISTRIBUTIONS

Distributions were at the discretion of Congress (earmarks) and/or the Federal Highway Administration (grants). For federal fiscal years (FFY) 2005-2010 Washington State Ferries received a \$5 million set-aside through a congressional earmark. That set-aside was eliminated in FFY 2011. In FFY12, Washington State Ferries and local public ferry systems competed for and received six Ferry Boat Discretionary Program grants worth \$5.8 million.

REQUIREMENTS

The federal share is limited to 80 percent.

**FEDERAL PROGRAM:**            **High Priority Projects, SAFETEA-LU**

**FEDERAL AGENCY:**            Federal Highway Administration

**PROGRAM DESCRIPTION**

Prior to federal fiscal year's (FFY) 2011 earmark ban, Congress often provided funds for named high priority projects in surface transportation authorization bills through the Highway Priority Projects Program. Earmarked funds were in addition to apportioned, or formula-based, distributions of federal-aid highway program funds, such as the Interstate Maintenance Program, the National Highway System Program, and the Surface Transportation Program,

High Priority Project funds may only be spent for the earmarked project identified in an authorization bill, such as SAFETEA-LU.

**RECIPIENTS**

WSDOT Improvement and Preservation Programs (I1, I2, I3, I4, P1, P2, P3) and Program Z for local agency projects.

**DISTRIBUTIONS**

High Priority Projects were discretionary earmarks provided by Congress. The SAFETEA-LU High Priority Projects Program allocated \$276.7 million for state and local projects in Washington State over the length of the bill (FFY 2005-2009). Congress eliminated earmarks in FFY 2011, therefore the subsequent multi-year surface transportation authorization bill, MAP-21, did not include a High Priority Projects Program.

**MATCHING REQUIREMENTS**

The federal share was 80 percent.

**FEDERAL PROGRAM:** Highway Safety Improvement Program, SAFETEA-LU

**FEDERAL AGENCY:** Federal Highway Administration

**PROGRAM DESCRIPTION**

SAFETEA-LU established the Highway Safety Improvement Program (HSIP) as a new core federal-aid funding program 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 any highway safety improvement project on any public road or publicly-owned bicycle or pedestrian pathway or trail. The program includes set-asides for High-Risk Rural Roadways (HRRR) and the Railway-Highway Crossing Program.

**RECIPIENTS**

WSDOT Improvement Program (I2).

**DISTRIBUTIONS**

Distributions are apportioned to states based on the following: 1/3 based on lane miles of federal-aid highways; 1/3 based on vehicle miles traveled on federal-aid highway lanes; and 1/3 based on the number of fatalities on the federal-aid system. Each state will receive at least 1/2 of 1 percent of total funds. For Federal Fiscal Year (FFY) 2012, the State received \$25.5 million in HSIP funding, of which \$15.2 million was distributed to local agencies.

In Washington, HSIP funds are split between state programs and local responsibilities based on the top two priority infrastructure areas within the Target Zero Strategic Highway Safety Plan (Target Zero). Those areas are Run Off the Road and Intersection Crashes. The numbers of serious and fatal crashes are used to develop a program split which equals 30 percent to state programs and 70 percent to local agencies, primarily cities and counties. The local responsibility includes city streets, county roads 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.

FEDERAL PROGRAM:           **Highways for Life Pilot Program, SAFETEA-LU**

FEDERAL AGENCY:           Federal Highway Administration

PROGRAM DESCRIPTION

SAFETEA-LU created this discretionary grant program to provide funding to demonstrate and promote state-of-the-art technologies, elevated performance standards, and new business practices in the highway construction process that result in improved safety, faster construction, reduced congestion from construction, and improved quality and user satisfaction. Priority was given to projects that were ready for construction within one year of approval of the project proposal. The amount allocated could be up to 20% but not more than \$5 million of the total project cost, and could be used as the non-federal share of a project. The Highways for Life Pilot Program was terminated by MAP-21.

RECIPIENTS

States were eligible to apply for Highways for Life Pilot Program grants.

DISTRIBUTIONS

In Federal Fiscal Year (FFY) 2012, WSDOT received an \$182,600 grant from the Highways for Life Pilot Program.

MATCHING REQUIREMENTS

Up to 100% federal share.

**FEDERAL PROGRAM:** Interstate Maintenance Program, SAFETEA-LU

**FEDERAL AGENCY:** Federal Highway Administration

**PROGRAM DESCRIPTION**

The Interstate Maintenance Program provided formula funds to states to maintain the Interstate System, and includes resurfacing, restoration, rehabilitation, and reconstruction projects. Interstate Maintenance funds could not be used for the expansion of the capacity of any Interstate highway or bridge unless the capacity expansion consisted of one or more travel lanes that were High Occupancy Vehicle (HOV) or auxiliary lanes. The Interstate Maintenance Program was eliminated by MAP-21. Beginning in FFY 2013, projects on the Interstate became an eligible use of the National Highway Performance Program formula funds.

**RECIPIENTS**

WSDOT Improvement and Preservation Programs (I1, I2, I3, I4 P1, P2 and P3).

**DISTRIBUTIONS**

Funds were apportioned to states based on a three-part formula:

- 33 1/3% based on the state's Interstate lane miles as a percent of total Interstate lane miles in all states.
- 33 1/3% based on the state's Interstate VMT as a percent of total Interstate VMT in all states.
- 33 1/3% based on the state's annual contributions to the Highway Account of the Highway Trust Fund attributable to commercial vehicles as a percent of the such contributions by all states.

Each state received a minimum apportionment of at least 1/2 of 1 percent of the national total. For FFY 2012 Washington received \$106.3 million in Interstate Maintenance Program apportionment. Since a 2006 legislative decision, 100 percent of Interstate Maintenance Program funds have gone to the State, due to the State's responsibility for the Interstate System.

**MATCHING REQUIREMENTS**

The federal share is generally 90 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 90.66% with the sliding scale adjustment.

**FEDERAL PROGRAM:** Interstate Maintenance Discretionary, SAFETEA-LU

**FEDERAL AGENCY:** Federal Highway Administration

**PROGRAM DESCRIPTION**

The Interstate Maintenance Discretionary Program provided funds at the discretion of the U.S. Secretary of Transportation to states for resurfacing, restoration, rehabilitation, and reconstruction projects on the Interstate System. To be eligible for these funds, a state must have obligated all of its apportioned Interstate Maintenance formula funds and must not have transferred any Interstate Maintenance formula funds to another program in the previous year. Interstate Maintenance Discretionary Program funds The Interstate Maintenance Discretionary Program was eliminated by MAP-21. Beginning in FFY 2013, projects on the Interstate became an eligible use of the National Highway Performance Program formula funds.

**RECIPIENTS**

WSDOT Improvement and Preservation Programs (I1, I2, I3, P1, P2 and P3).

**DISTRIBUTIONS**

Distributions were at the discretion of Congress (earmarks) and/or the Federal Highway Administration (grants). Only state departments of transportation were eligible to apply. Over the years, WSDOT has received over \$44 million in Interstate Maintenance Discretionary grants. In FFY 2011, WSDOT received a \$2 million Interstate Maintenance Discretionary grant for the Columbia River Crossing Project. WSDOT did not receive a grant in FFY 2012.

**MATCHING REQUIREMENTS**

The federal share is generally 90 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 90.66% with the sliding scale adjustment.

**FEDERAL PROGRAM:**                   **Metropolitan Planning Program, SAFETEA-LU**

**FEDERAL AGENCY:**               Federal Highway Administration

**PROGRAM DESCRIPTION**

Each year prior to making distribution of certain formula program funds, 1.25% of the funds available for apportionment to the states is set aside for the Metropolitan Planning Program. This program provides funds to states for further allocation to Metropolitan Planning Organizations (MPOs) to assist them in carrying out their planning requirements under Title 23, U.S.C. The programs subject to the 1.25% set-aside are the National Highway System, Surface Transportation Program, CMAQ, Interstate Maintenance and Bridge.

Funds are apportioned to states in the ratio which the population in urbanized areas or parts thereof in the state bears to the total population in such areas in all the states. No state receives less than 1/2% of the amount apportioned.

**RECIPIENTS**

WSDOT's Planning and Research Division (Program T) for distribution to MPOs throughout the state.

**DISTRIBUTIONS**

Distribution of Metropolitan Planning Organization (MPO) funds within the state is in accordance with a formula developed by WSDOT in cooperation with the eleven MPOs in the state. The eleven MPOs include the Puget Sound Regional Council (PSRC) covering King, Pierce, Snohomish and Kitsap Counties; Spokane Regional Transportation Council (SRTC), Southwest Washington Regional Transportation Council (SWRTC); Skagit MPO (SMPO); Whatcom Council of Governments (WCOG); Yakima Valley Council of Governments (YVCOG); Cowlitz – Wahkiakum Council of Governments (CWCOG); Benton-Franklin Council of Governments(BFCG); Lewis-Clark Valley MPO (LCVMPO)( includes Asotin County, WA); Wenatchee Valley Transportation Council (WVTC); and Thurston Regional Planning Council (TRPC).

The MPO boundaries are shown at this link: <http://www.wsdot.wa.gov/planning/Metro/>

In Federal Fiscal Year (FFY) 2012, Washington State received a combined \$8.1 million from the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) to MPOs to support their planning activities.

**MATCHING REQUIREMENTS**

The general rule is 80% federal share; 20% local share. The federal share is increased up to 95% for states with large areas of federally-owned lands. For Washington, the federal share is 86.5%.

FEDERAL PROGRAM:           **National Corridor Infrastructure Improvement Program,  
SAFETEA-LU**

FEDERAL AGENCY:           Federal Highway Administration

PROGRAM DESCRIPTION

This program was included in SAFETEA-LU and provided funding for construction of highway projects in corridors of national significance to promote economic growth and international or interregional trade. The program was terminated by MAP-21.

DISTRIBUTIONS

All of these funds were earmarked for specific projects by Congress. No projects in Washington State received earmarks in this program.

MATCHING REQUIREMENTS

80% federal share.

**FEDERAL PROGRAM:**            **National Highway System, SAFETEA-LU**

**FEDERAL AGENCY:**            Federal Highway Administration

### **PROGRAM DESCRIPTION**

The National Highway System Program was a formula program established in the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA). The National Highway System (NHS) was officially designated by Congress in 1996 by the National Highway System Designation Act of 1995. The NHS is a network of interconnected principal arterial routes that serves major population centers, international border crossings, ports, airports, public transportation facilities, and other intermodal transportation facilities and major travel destinations. The NHS is intended to meet national defense requirements and serve both interstate and interregional travel.

Federal funds provided for the NHS Program could be used for a wide variety of projects on the NHS, including: construction, reconstruction, resurfacing, restoration, and rehabilitation; operational improvements; construction of and operational improvements for a non-NHS highway; construction of a transit project eligible for assistance under the Federal Transit Act (if the project is in an NHS corridor and in proximity to a fully access controlled NHS highway, if the project improves the level of service on the access controlled highway, and the project is more cost-effective than improvements to the highway); highway safety improvements; transportation planning; highway research and planning; technology transfer activities; start-up costs for traffic management and control; fringe and corridor parking facilities; carpool and vanpool projects; bicycle and pedestrian facilities; development of certain required management systems; and a variety of wetland mitigation efforts.

The NHS Program was eliminated by MAP-21. Beginning in FFY 2013, projects on the NHS became an eligible use of the National Highway Performance Program formula funds ([see description on page 167](#)).

### **RECIPIENTS**

WSDOT Improvement, Preservation and Planning Programs (I1, I2, I3, I4, P1, P2 P3, T) and local agency projects. Metropolitan Planning funds are separate from STP and are distributed through a formula established in cooperation with the Planning office and MPO.

### **DISTRIBUTIONS**

Funds were apportioned to states based on a four-part formula:

- 25% based on the state's total lane miles of principal arterials (excluding the Interstate System) as a percent of total principal arterial lane miles in all states
- 35% based on the state's vehicle miles travelled (VMT) on principal arterials (excluding the Interstate System) as a percent of total VMT on principal arterials in all states
- 30% based on the state's diesel fuel used on all highways as a percent of diesel fuel used on highways in all states
- 10% based on the state's total lane miles of principal arterials divided by the state's total population as a percent of such ratio for all states

Each state received a minimum of at least 1/2 of 1 percent of the combined NHS and Interstate Maintenance national apportionments. For FFY 2012 Washington received \$121.6 million in NHS Program apportionment, of which \$4.2 million was distributed to locals. NHS Program funds have been split 96.5 percent to the State and 3.5 percent to local agencies based on ownership of the NHS facilities.

## 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% with the sliding scale adjustment. For NHS projects on the Interstate System, Washington's federal share is 90.66% with the sliding scale adjustment, except for projects to add Interstate capacity other than HOV or auxiliary lanes, which are funded at an 86.5% federal share.

FEDERAL PROGRAM:           **National Historic Covered Bridge Preservation Program,  
SAFETEA-LU**

FEDERAL AGENCY:           Federal Highway Administration

PROGRAM DESCRIPTION

This program provided funding for the rehabilitation, repair, or preservation of covered bridges that are listed or eligible for listing on the National Register of Historic Places. The program was terminated by MAP-21.

DISTRIBUTIONS

Distributions were made at the discretion of the U.S. Secretary of Transportation based on application of the states or at Congressional direction. Washington does not have any historic covered bridges and was therefore not eligible for these funds.

MATCHING REQUIREMENTS

80% federal share.

**FEDERAL PROGRAM:**            **National Scenic Byways Program, SAFETEA-LU**

**FEDERAL AGENCY:**            Federal Highway Administration

**PROGRAM DESCRIPTION**

The National Scenic Byways Program provided grants to states with scenic highway programs for projects on highways that are designated by the U.S. Secretary of Transportation as All-American Roads or National Scenic Byways, or by a state as scenic byways. These roads are designated for having outstanding scenic, historic, cultural, natural, recreational, and archaeological qualities. Eligible projects included planning, designing, and developing of scenic byways programs; safety improvements to scenic byways; pedestrian and bicyclist facilities; rest areas, turnouts, shoulder improvements, passing lanes, overlooks, and interpretive facilities; improvements that enhance the area for the purpose of recreation; protection of historical and cultural resources; and developing and providing tourist information.

The National Scenic Byways Program was eliminated by MAP-21. Beginning in FFY 2013, similar types of projects became an eligible use of funding from the Transportation Alternatives Program; specifically construction of turnouts, overlooks, and viewing areas.

**RECIPIENTS**

WSDOT Improvements Program (I3) or Planning Program (T), cities, counties, tribal organizations and non-profits.

**DISTRIBUTIONS**

Grants to states were at the discretion of the U.S. Secretary of Transportation, based on application of the states, or at Congressional direction. For the FFY 2012 grant cycle, Washington State received \$1,943,960 in funding for five projects, of which \$1,583,410 went to local agencies and \$360,550 went to tribal governments. The National Scenic Byways Program federal discretionary grants are administered by WSDOT's Highways and Local Programs Division. As funding became available, FHWA notified state DOTs and all interested agencies of the call for projects with specific criteria and timelines for submittal and review. The grant application process was competitive, with all eligible projects being submitted by the state DOT to the FHWA region office in priority order. Project ranking by the state DOTs was based on FHWA's guidance for the National Scenic Byways Program. Final project selection was at the discretion of FHWA. Tribes could apply directly to the FHWA regional office, which would rank those projects accordingly. Funding awards are administered through WSDOT's Highways and Local Programs Division.

**MATCHING REQUIREMENTS**

There is an 80 percent federal share. Federal land management agencies are allowed to provide the non-federal share for projects on federal or Indian lands.

**FEDERAL PROGRAM:**            **Recreational Trails Program, SAFETEA-LU**

**FEDERAL AGENCY:**            Federal Highway Administration

**PROGRAM DESCRIPTION**

This program provided funds to develop and maintain recreational trails and trail-related facilities for both non-motorized and motorized recreational trail uses, including hiking, bicycling, in-line skating, equestrian use, cross-country skiing, snowmobiling, off-road motorcycling, all-terrain vehicle riding, four-wheel driving, or using other off-road motorized vehicles. The Recreation Trails Program was terminated as a stand-alone program by MAP-21. In FFY 2013 recreational trails projects became an eligible use of Transportation Alternatives Program funding, *as described on page 174*.

**RECIPIENTS**

The Washington State Recreation and Conservation Office was the recipient of Recreational Trails Program funds.

**DISTRIBUTIONS**

State apportionments were made by the following formula: 50 percent were apportioned equally among eligible states and 50 percent were apportioned among eligible states in proportion to the amount of non-highway recreational fuel used in each state during the preceding year.

The [Washington State Recreation and Conservation Office](#) used the Recreation and Conservation Funding Board for project selection and oversight.

Washington received approximately \$1.8 million in FFY 2012 for the Recreational Trails Program.

**MATCHING REQUIREMENTS**

At least 80% federal share, except that the combination of USDOT and other federal agency funds could not exceed 95% of total project cost.

**FEDERAL PROGRAM:**           **Safe Routes to Schools Program, SAFETEA-LU**

**FEDERAL AGENCY:**           Federal Highway Administration

**PROGRAM DESCRIPTION**

This program provided funds to enable and encourage children to walk and bicycle to school; to make walking and bicycling to school more appealing; and to facilitate the planning, development and implementation of projects that will improve safety and reduce traffic, fuel consumption, and air pollution near schools. These included sidewalk improvements; traffic calming and speed reduction efforts; pedestrian and bicycle crossing improvements; bicycle facilities; and traffic diversion improvements in the vicinity of schools. Each state was required to set aside from its apportionment between 10 and 30 percent of its funds for non-infrastructure-related activities to encourage walking and bicycling to school. The Safe Routes to School Program was terminated as a stand-alone federal program by MAP-21. In FFY 2013, Safe Routes to School projects became an eligible use of Transportation Alternatives Program funding, *as described on page 174*.

**RECIPIENTS**

WSDOT Planning and Local programs (T and Z) for Local Agencies.

**DISTRIBUTIONS**

Funds were apportioned to states based on their relative shares of total enrollment in primary and middle schools, but no state could receive less than \$1 million. Washington State received \$3.3 million in FFY 2012 for this program.

Funds within Washington State for the Safe Routes to School Program were distributed by grants, administered by WSDOT, and were chosen based on a competitive grant application process. There were set Safe Routes to School Review Criteria by which grant applications were judged.

**MATCHING REQUIREMENTS**

100% federal share.

**FEDERAL PROGRAM:**           **State Planning and Research, SAFETEA-LU**

**FEDERAL AGENCY:**           Federal Highway Administration

**PROGRAM DESCRIPTION**

The State Planning and Research Program funds States' statewide planning and research activities. The statewide planning process establishes a cooperative, continuous, and comprehensive framework for making transportation investment decisions throughout the state and is administered jointly by the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA).

The State Planning and Research program is funded by a 2 percent set aside from each State's apportionments for the Interstate Maintenance, National Highway System (NHS), Surface Transportation Program (STP), Congestion Mitigation and Air Quality Improvement, and Bridge programs plus the new Highway Safety Improvement Program (HSIP) and a portion of funds so set aside may be used for planning activities.

Statewide planning is an eligible activity for additional funding under the STP and NHS programs.

**Statewide Planning in General:**

- Will be coordinated with metropolitan planning and with statewide trade and economic development planning activities and related multi-state planning efforts;
- Two or more States may enter into planning agreements or compacts and the right to alter, amend or repeal these compacts is reserved;
- Will consider and implement projects, strategies and services that support the economic vitality of non-metropolitan areas;
- Safety and security of the transportation system are separate planning factors that are to be considered during the statewide planning process;
- Will promote consistency between transportation improvements and State and local planned growth and economic development patterns; and
- Should consider coordination of planning activities between States.

**Long Range Statewide Plan:**

- Will be developed in consultation with State, tribal, and local agencies responsible for land use management, natural resources, environmental protection, conservation, and historic preservation. Consultation will involve comparison of transportation plans to State and tribal conservation plans or maps, and to inventories of natural or historic resources (if available);
- Include a discussion of potential environmental mitigation activities along with potential sites to carry out the activities to be included. The discussion is to be developed in consultation with Federal, State, and tribal wildlife, land management, and regulatory agencies;
- Should include capital, operations and management strategies, investments, procedures, and other measures to ensure the preservation and most efficient use of the existing transportation system;
- Representatives of users of pedestrian walkways, bicycle transportation facilities, the disabled are specifically added as parties to be provided with the opportunity to participate in the statewide planning process;
- To enhance the public participation process, the State should: conduct public meetings at convenient and accessible locations at convenient times; employ visualization techniques to

describe plans; and make public information available in an electronically accessible format, such as the Web; and

- Should be published or made available electronically, such as on the Web.

#### State Transportation Improvement Program (STIP):

- Shall cover a period of 4 years and be updated every 4 years (more frequently if the governor elects to do so);
- Representatives of users of pedestrian walkways, bicycle transportation facilities, the disabled are specifically added as parties to be provided with the opportunity to participate in the planning process;
- Shall include an annual list of project for which funds have been obligated in the preceding year, the list will be published or made available through the cooperative effort of the State, transit operators and MPO for public review, and the list is to be consistent with the funding categories identified in each MPO Transportation Improvement Plan; and
- Shall be reviewed and approved every 4 years if based on a current planning finding.

#### RECIPIENTS

WSDOT Planning and Research Division (Program T).

#### DISTRIBUTIONS

WSDOT's Freight Systems Division, Highway System Plan, and the Strategic Planning Division. No federal funds from this program go to other outside agencies.

#### MATCHING REQUIREMENTS

80% federal; 20% state.

#### ON THE WEB

<http://www.fhwa.dot.gov/safetealu/factsheets/statewide.htm>

**FEDERAL PROGRAM:**                   **Surface Transportation Program, SAFETEA-LU**

**FEDERAL AGENCY:**                Federal Highway Administration

**PROGRAM DESCRIPTION**

The Surface Transportation Program (STP) was originally established in the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) and is the most flexible of all the federal-aid programs, allowing for the widest array of transportation projects. Examples of such projects are construction, reconstruction, resurfacing, restoration, rehabilitation, and operational improvements for highways (including Interstate highways) and bridges (including Interstate bridges), including any project necessary to accommodate other transportation modes; mitigation of damage to wildlife, habitat, and ecosystems caused by any transportation project; capital cost of transit projects eligible for assistance under the Federal Transit Act; publicly-owned intracity and intercity bus terminals and facilities; highway and transit safety improvements and hazard elimination; surface transportation planning; highway and transit research and planning and technology transfer activities; capital and operating costs for traffic monitoring, management, and control; fringe and corridor parking facilities; carpool and vanpool projects; bicycle and pedestrian facilities; transportation control measures; transportation enhancement activities; development of certain required management systems; and a variety of wetland mitigation efforts. MAP-21 made changes to STP for FFY 2013, including changes in project eligibility. *The new [Surface Transportation Program](#) is described on page 171.*

STP funds were required to be distributed as follows:

- Ten percent of available funds could only be available for transportation enhancement activities. The term "transportation enhancement activities" was defined as the provision of facilities for pedestrians and bicycles; acquisition of scenic easements and scenic or historic sites; scenic or historic highway programs; landscaping and other scenic beautification; historic preservation, rehabilitation, and operation of historic transportation buildings, structures, or facilities (including historic railroad facilities and canals); preservation of abandoned railway corridors (including conversion and use for pedestrian or bicycle trails); control and removal of outdoor advertising; archaeological planning and research; and mitigation of water pollution due to highway runoff.
- 62.5 percent of the remaining 90 percent of available funds had to be obligated in urbanized areas of the state with an urbanized area population of over 200,000, and other areas of the state in proportion to their relative share of the state's population. Of the amounts required to be obligated in areas under 200,000 population, the state had to obligate in areas under 5,000 population not less than 110% of the amount of funds apportioned to the state for the federal-aid secondary system for fiscal year 1991. In Washington, the Seattle-Everett, Tacoma, Spokane, and Vancouver areas qualify as areas over 200,000 population.
- The remaining 37.5% of the available funds could be obligated in any area of the state.

**RECIPIENTS**

WSDOT Capital Improvement, Preservation, and Ferry Programs (I1, I2, I3, I4, P1, P3, W) and Local programs Z for Local Agencies.

## DISTRIBUTIONS

State apportionments were based on a three-part formula:

- 25 percent based on the state's total lane miles of federal-aid highways (FAH) as a percent of total federal-aid highway lane miles in all states.
- 40 percent based on the state's vehicle miles traveled (VMT) on FAH as a percent of total VMT on FAH in all states.
- 35 percent based on the state's estimated tax payments attributable to highway users in the state paid into the Highway Account of the Highway Trust Fund in the latest fiscal year for which data are available, as a percent of total such payments by all states.

In FFY 2012, Washington State received \$136.3 million in STP apportionment, of which \$110.4 million went to local governments. The overall distribution of STP funds in Washington State between the State and locals is the State 28% and locals 72%. Although federal law states selections can be made by the State for areas outside of Transportation Management Areas in cooperation with the MPO, WSDOT has a long standing practice, since ISTEA, for the selection and prioritization process to reside within the MPO/RTPO/County lead agencies.

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

**FEDERAL PROGRAM:**            **Transportation, Community, and System Preservation Program, SAFETEA-LU**

**FEDERAL AGENCY:**            Federal Highway Administration

**PROGRAM DESCRIPTIONS**

The Transportation, Community, and System Preservation (TCSP) Program was a competitive grant program intended to address the relationship among transportation, community, and system preservation plans and practices and identify private-sector-based initiatives to improve those relationships. Eligible projects were to improve the efficiency of the transportation system; reduce the impact of transportation on the environment; reduce the need for costly future investments in public infrastructure; provide efficient access to jobs, services, and centers of trade; and examine community development patterns and identify strategies to encourage private sector development. The TCSP Program was eliminated by MAP-21.

**RECIPIENTS**

States, metropolitan planning organizations, local governments, and tribal governments were eligible to apply for TCSP Program discretionary grants.

**DISTRIBUTIONS**

Distributions were at the discretion of Congress (earmarks) and/or the Federal Highway Administration (grants). In FFY 2012, the City of Vancouver received a \$750,000 TCSP grant for a waterfront trail project and the City of Tacoma received a \$1 million TCSP grant for an active transportation and safety project.

**MATCHING REQUIREMENTS**

The federal share is 80% federal share, 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 was 86.5% with the sliding scale adjustment.

**FEDERAL PROGRAM:**            **Truck Parking Facilities Program, SAFETEA-LU**

**FEDERAL AGENCY:**            Federal Highway Administration

**PROGRAM DESCRIPTIONS**

This program was a pilot program that provided funding to address the shortage of long-term parking for commercial vehicles on the National Highway System. Eligible uses included constructing safety rest areas that include commercial vehicle parking; constructing commercial vehicle parking facilities adjacent to commercial truck stops and travel plazas; opening existing facilities to commercial vehicles; promoting the use of truck parking facilities; constructing turnouts for commercial vehicles; making capital improvements to public commercial vehicle parking facilities to allow year-round use; and improving the geometric design of interchanges to improve access to parking facilities. This program was terminated by MAP-21. Beginning in FFY 2013 truck parking projects became an eligible use of Surface Transportation Program formula funds, *as described on page 171*.

**DISTRIBUTIONS**

Distributions are made at the discretion of the U.S. Secretary of Transportation based on the applications of states, MPOs, and local governments. Over the 5-year life of SAFETEA-LU, Washington received no funding through this program.

**MATCHING REQUIREMENTS**

80% federal share.

FEDERAL PROGRAM:           **Work Zone Safety Grants, SAFETEA-LU**

FEDERAL AGENCY:           Federal Highway Administration

PROGRAM DESCRIPTIONS

This program provides grants for (1) construction worker training to prevent injuries and fatalities, (2) the development of guidelines to prevent work zone injuries and fatalities, and (3) training for state and local governments, transportation agencies, and other groups to implement those guidelines.

DISTRIBUTIONS

Distributions are made at the discretion of the U.S. Secretary of Transportation to nonprofit and not-for-profit organizations based on their applications. Over the 5-year life of SAFETEA-LU, Washington received no funding through this program.

MATCHING REQUIREMENTS

80% federal share.

## ARRA Highway Funding

**FEDERAL PROGRAM:**            **American Recovery and Reinvestment Act (ARRA) Highway Funding**

**FEDERAL AGENCY:**            Federal Highway Administration

**PROGRAM DESCRIPTION**

Signed by President Obama on February 17, 2009, the transportation portion of the American Recovery and Reinvestment Act (Recovery Act) was aimed at funding improvements to the nation's infrastructure and saving or creating tens of thousands of jobs. ARRA provided over \$26 billion for highway and bridge projects, which the Federal Highway Administration (FHWA) committed to more than 12,000 projects across the country.

**DISRIBUTION**

Nationally, over \$26 billion in highway formula funding was apportioned to states with the distribution formula based on a 50/50 combination of the formula under the Surface Transportation Program and the same ratio as the obligation limitation distribution for Federal Fiscal Year (FFY) 2008. Washington State received \$491 million in ARRA highway stimulus funds for highway and road projects, of which \$152 million was distributed to local governments.

For more information, see: <http://www.wsdot.wa.gov/funding/stimulus>

**MATCHING REQUIREMENTS**

There were no matching requirements for the ARRA program.

**ARRA HIGHWAY PROJECTS BY TYPE**

The ARRA highway investment funded many different types of highway construction projects.

In Washington, ARRA highway funds were used to fund 219 projects: 128 preservation projects, 40 bicycle and pedestrian projects, 20 mobility projects, 17 safety projects, 8 freight projects, and 6 economic development projects. ARRA-funds allocated to highway projects are scheduled to be expended by September 2013.

# Federal Highway and Motor Carrier Safety Programs

## **MAP-21 Highway and Motor Carrier Safety Programs**

**FEDERAL PROGRAM:**           **Motor Carrier Safety Assistance Program (MCSAP), MAP-21**

**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. MCSAP gives the state the ability to have structured focus on strategic safety investments, increased flexibility for grantees by eliminating earmarks, strengthened federal and state enforcement capabilities, and greater administrative flexibility to promote innovative approaches to improving motor carrier safety. 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 analyses that underlie all national motor carrier safety activities.

### **State Grants**

- Eligible activities include uniform roadside driver and vehicle safety inspections, traffic enforcement, compliance reviews, safety audits, Northern Border safety enforcement, 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 program Administrator.

### **Information Systems**

Establishes a permanent funding source for information and analysis. Funds may be used for grants, cooperative agreements, or contracts. This program will fund:

- Improvements to electronic vehicle-based information systems containing carrier, vehicle, and driver safety records; and development of new databases;
- Expanded data analysis capacity and programs; and,
- Improvements to driver programs.

### **Partnering With Other State Agencies to Enhance MCSAP**

- The State Patrol will be partnering with the Utilities and Transportation Commission on compliance reviews conducted for solid waste companies, household goods movers, and motor carriers of passengers. This will decrease the list of high-risk carriers and improve safety ratings.

### **RECIPIENTS**

Washington State Patrol

### **DISTRIBUTIONS**

The 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 appropriated from the State Patrol Highway Account.

For FFY 2013, the State is estimated to receive \$3,432,725 in MCSAP funding, which will then be matched with \$858,182 in State funds for a total of \$4,290,907. The Washington Utilities and Transportation Commission is given \$80,000 from the MCSAP grant for activities performed on UTC regulated carriers. A contract containing UTC's scope of work is signed by representatives of both agencies. The remaining funds are used by the WSP Commercial Vehicle Division.

#### MATCHING REQUIREMENTS

Up to 80% federal funding; 20% state match is required.

**FEDERAL PROGRAM:**            **Border Enforcement Grant (BEG) Program, MAP-21**

**FEDERAL AGENCY:**            Federal Motor Carrier Safety Administration

**PROGRAM DESCRIPTION**

Federal Motor Carrier Safety Administration (FMCSA) implemented the Border Enforcement Grant (BEG) program with the goal of reducing the number and severity of commercial motor vehicle CMV crashes in the United States.

The BEG program provides funding to assist the States and entities 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. The BEG program is intended to enhance the states existing MCSAP program.

**Program Goals**

- Increase the number of CMV safety inspections and commercial driver’s license (CDL)/operating authority/financial responsibility checks focusing on the following types of international traffic:
  - Motor carriers of property, and
  - Motor carriers of Hazardous Materials.
- Increase the number of motor coach inspections.
- Target CMV inspections within corridors where there is a significant amount of international traffic based on State transportation statistics.
- Improve the capability to conduct CMV safety inspections at remote and other sites near the Canadian and Mexican borders.
- Provide other innovative initiatives designed to improve the compliance status of CMVs, drivers, and carriers entering the U.S. from Canada or Mexico.

**RECIPIENTS**

Washington State Patrol

**DISTRIBUTIONS**

For FFY 2012, the Washington State Patrol received \$515,310 from the Border Enforcement Grant Program. The state of Washington and entities and local governments within the state are eligible to receive BEG funding. Local agencies applying for BEG funding are required by FMCSA to coordinate their application with the MCSAP lead agency, the WSP. After the MCSAP lead agency reviews the local agencies BEG application and determines the application conforms to the state of Washington Commercial Vehicle Safety Plan, the local agency submits their BEG application to FMCSA. WSP does not know of any local agency that received BEG funding.

**MATCHING REQUIREMENTS**

No match requirements

FEDERAL PROGRAM: **State and Community Highway Safety Grants (23 USC Sec 402), MAP-21**

FEDERAL AGENCY: National Highway Traffic Safety Administration (NHTSA)

### PROGRAM DESCRIPTION

The Washington Traffic Safety Commission (WTSC) prepares an annual Highway Safety Plan (HSP) in which the state's traffic safety problems are identified and countermeasures and cost estimates are developed. The plan is jointly developed by the WTSC member agencies, their subcommittees, and staff. WTSC projects are developed consistent with priorities and proven strategies identified in the State Strategic Highway Safety Plan: Target Zero. High priorities include impaired driving, speeding, occupant protection, run off the road crashes, intersection crashes and traffic data system improvements.

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

- reduce deaths and injuries from speeding;
- encourage the use of occupant protection;
- reduce deaths from alcohol impairment;
- prevent motorcycle crashes;
- reduce injuries and deaths from school bus crashes;
- reduce crashes from unsafe driving behavior (including aggressive, fatigued and distracted driving);
- improve enforcement of traffic safety laws;
- improve driver performance (including driver education, testing and examinations and driver licensing);
- improve pedestrian performance and bicycle safety;
- improve traffic records (including crash investigations, vehicle registration, operation and inspection);
- emergency medical services, and;
- teen safety and prevention strategies.

### RECIPIENTS

Funds provided to Washington State under this program are distributed to the Washington Traffic Safety Commission. State agencies, non-profit organizations and political subdivisions of the state are eligible to apply for a federal grant from the Washington Traffic Safety Commission to support projects to improve traffic safety.

### DISTRIBUTIONS

The Section 402 formula is:

- 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.

Under this program WTSC receives approximately \$4.2 million (about 2% of the total 402 funds available nationally) in each federal fiscal year.

## MATCHING REQUIREMENTS

WTSC planning and administration expenses (building overhead, accounting, etc.) require a 50% state cash match. The state's share is typically less than \$500K/biennium. No more than 10% of the federal funds can be used for planning and administration. Money for program operations is matched 75% federal and 25% state with a "soft" match at the state level (for Washington, WSP Field Force expenditures). Soft match can be an existing expenditure that fulfills the program requirement.

FEDERAL PROGRAM:                   **National Priority Safety Program (23 USC Sec 405), MAP-21**

FEDERAL AGENCY:               National Highway Traffic Safety Administration (NHTSA)

PROGRAM DESCRIPTION

Created by MAP-21, the National Priority Safety Program consolidates four SAFETEA-LU programs:

- Alcohol-Impaired Countermeasures Incentive Grants;
- Occupant Protection Incentive Grants;
- Safety Incentive Grants for use of Seat Belts; and,
- State Highway Safety Data Improvements Incentive Grants.

The Section 405 program creates tiers by earmarking a portion of the funding for each identified high-priority traffic safety area. States receive funding for each tier by satisfying fairly rigorous eligibility criteria. For those tiers that require a maintenance of effort requirement, there is a one-year waiver provision if the Secretary of the U.S. DOT determines there are exceptional or uncontrollable circumstances. While NHTSA continues to develop specific rules governing the six priority areas, general guidelines for each area are as follows:

1. **Occupant Protection:** 16% of all Section 405 funds (\$42.4 million available nationally in FY 2013) are earmarked for states that adopt and implement effective programs to reduce unrestrained or improperly restrained drivers and occupants. The federal share payable is 80%. States would have to satisfy a maintenance of effort requirement. There are two types of grants: high belt use and low belt use.
2. **Traffic Records:** 14.5% of all Section 405 funds (\$38.4 million available nationally in FY 2013) are earmarked for traffic records incentive grants. The purpose of these grants is the same as under the current Section 408 program. The federal share payable is 80% and states would have to satisfy a maintenance of effort requirement. In order to be eligible for funding, Washington must satisfy the following criteria:
  - a. Have a functioning Traffic Records Coordinating Committee (TRCC) that meets at least three times a year;
  - b. Have a designated traffic records coordinator;
  - c. Establish a traffic records strategic plan, approved by the TRCC, that describes specific, quantifiable improvements in the state's safety databases;
  - d. Has demonstrated quantifiable progress in relation to accuracy, completeness, timeliness, uniformity, accessibility and integration; and
  - e. Has certified that an assessment has been conducted during the preceding five years.
3. **Impaired Driving:** 52.5% of all Section 405 funds (\$139 million available nationally FY 2013) 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. The federal share payable is 80% and states would have to satisfy a maintenance of effort requirement. States are divided into three categories: low-, medium- and high-range states and given more flexibility depending on the state's status. Washington qualifies as a mid-range state and depending on specific rules published by NHTSA may qualify as a low-range state.

Medium- and low-range states can use these funds for:

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

- d. training and education of criminal justice professionals;
  - e. DUI courts;
  - f. alcohol interlock programs;
  - g. paid and earned media;
  - h. conducting Standard Field Sobriety Tests, Drug Recognition Expert and Advanced Roadside Impaired Driving Enforcement training;
  - i. equipment purchases used in connection with impaired driving enforcement;
  - j. training on Screening and Brief Intervention (SBI);
  - k. impaired driving information systems; and
  - l. costs associated with a 24-7 sobriety program.
4. **Motorcyclist Safety:** 1.5% of all Section 405 funds (\$3.975 million available nationally in FY 2013) are earmarked for states that adopt and implement effective programs to reduce the number of motorcycle crashes. In order to be eligible for the funds, Washington must satisfy at least two of the following conditions:
- a. An effective motorcycle training course that is offered statewide, provides instruction in accident avoidance and other operational safety skills; and includes innovative training opportunities to meet “unique regional needs.”
  - b. A statewide motorcyclist awareness program to enhance motorist awareness of the presence of motorcycles on or near the roadway and provide safe driving practices around motorcycles.
  - c. A reduction in motorcycle crash rates and numbers in the preceding calendar year.
  - d. Implementation of a statewide impaired motorcyclist program.
  - e. A reduction in the number and rate of impaired motorcycle fatalities for the preceding calendar year.
  - f. The return of all state fees collected from motorcyclists for training purposes back into state motorcycle training and safety.
5. **Distracted Driving:** 8.5% of all Section 405 funds (\$22.5 million available nationally in FY 2013) are earmarked for a new distracted driving program. In order to be eligible, a state must enact and enforce two types of laws:
- a. A prohibition on texting for all drivers that is primary with a minimum fine for the first offense and increased fines for subsequent offenses; and
  - b. 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, increased fines for subsequent offenses. 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.

In the first fiscal year, the Secretary can make 25% (\$5.625 million in FY 2013) available to states that have enacted distracted statutes before enactment of MAP-21 which prohibit texting, are primary laws and are otherwise ineligible for distracted driving funding.

Eligible states can use up to 50% of their funding for any purpose under the Section 402 program. 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.

6. **State Graduated Driver's License (GDL) Laws:** 5% of all Section 405 funds (\$13.25 million available nationally in FY 2013) 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 21. Although the age of entrance into the GDL system isn't specified in the requirements, the age of departure from the system is 18. Eligible states must spend at least 25% of the GDL funds for:
  - a. enforcing a two-stage licensing process;
  - b. training law enforcement personnel;
  - c. producing relevant educational materials; and
  - d. carrying out other administrative responsibilities the Secretary deems appropriate for carrying out a teen safety program.

### RECIPIENTS

Funds provided to Washington State under this program are distributed to the Washington Traffic Safety Commission. State agencies, non-profit organizations and political subdivisions of the state are eligible to apply for a federal grant from the Washington Traffic Safety Commission to support projects to improve traffic safety.

### DISTRIBUTIONS

- Occupant Protection: Funds are allocated according to the FY 2009 402 formula.
- Traffic Records: Funds are allocated according to the 402 formula.
- Impaired Driving: Funds are allocated according to the 402 formula.
- Motorcyclist Safety: Funds for eligible states are allocated according to the 402 formula and may not exceed 25% of a state's FY 2003 402 apportionment.
- Distracted Driving: Funds are allocated according to the 402 formula.
- State GDL Laws: Funds are allocated according to the 402 formula.

### MATCHING REQUIREMENTS

Matching requirements for this program are the same as those outlined under the Section 402 program.

## **SAFETEA-LU Highway and Motor Carrier Safety Programs**

**FEDERAL PROGRAM:**           **Motor Carrier Safety Assistance Program (MCSAP), SAFETEA-LU**

**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. MCSAP gives the state the ability to have structured focus on strategic safety investments, increased flexibility for grantees by eliminating earmarks, strengthened federal and state enforcement capabilities, and greater administrative flexibility to promote innovative approaches to improving motor carrier safety. 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 analyses that underlie all national motor carrier safety activities.

#### **State Grants**

- Eligible activities include uniform roadside driver and vehicle safety inspections, traffic enforcement, compliance reviews, safety audits, Northern Border safety enforcement, 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 program Administrator.

#### **Information Systems**

Establishes a permanent funding source for information and analysis. Funds may be used for grants, cooperative agreements, or contracts. This program will fund:

- Improvements to electronic vehicle-based information systems containing carrier, vehicle, and driver safety records; and development of new databases.
- Expanded data analysis capacity and programs.
- Improvements to driver programs.

#### **Partnering With Other State Agencies to Enhance MCSAP**

- The State Patrol will be partnering with the Utilities and Transportation Commission on compliance reviews conducted for solid waste companies, household goods movers, and motor carriers of passengers. This will decrease the list of high-risk carriers and improve safety ratings.

### **RECIPIENTS**

Washington State Patrol.

### **DISTRIBUTIONS**

The 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 appropriated from the State Patrol Highway Account.

For Federal Fiscal Year (FFY) 2012, the State received \$3,434,031 in MCSAP funding, which was then matched with \$858,508 in state funds. The total MCSAP grant amount was \$4,292,539.

### **MATCHING REQUIREMENTS**

Up to 80% federal funding; 20% state match is required.

**FEDERAL PROGRAM:**            **Border Enforcement Grant (BEG) Program, SAFETEA-LU**

**FEDERAL AGENCY:**            Federal Motor Carrier Safety Administration

**PROGRAM DESCRIPTION**

Federal Motor Carrier Safety Administration (FMCSA) implemented the Border Enforcement Grant (BEG) program with the goal of reducing the number and severity of commercial motor vehicle CMV crashes in the United States.

The BEG program provides funding to assist the States and entities 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. The BEG program is intended to enhance the states existing MCSAP program.

**Program Goals**

- Increase the number of CMV safety inspections and commercial driver’s license (CDL)/operating authority/financial responsibility checks focusing on the following types of international traffic:
  - Motor carriers of property, and
  - Motor carriers of Hazardous Materials.
- Increase the number of motor coach inspections.
- Target CMV inspections within corridors where there is a significant amount of international traffic based on State transportation statistics.
- Improve the capability to conduct CMV safety inspections at remote and other sites near the Canadian and Mexican borders.
- Provide other innovative initiatives designed to improve the compliance status of CMVs, drivers, and carriers entering the U.S. from Canada or Mexico.

**RECIPIENTS**

Washington State Patrol

The state of Washington and entities and local governments within the state are eligible to receive BEG funding. Local agencies applying for BEG funding are required by FMCSA to coordinate their application with the MCSAP lead agency, the WSP. After the MCSAP lead agency reviews the local agencies BEG application and determines the application conforms to the state of Washington Commercial Vehicle Safety Plan, the local agency submits their BEG application to FMCSA. WSP does not know of any local agency that received BEG funding.

**DISTRIBUTIONS**

For FFY 2012, the Washington State Patrol received \$515,310 from the Border Enforcement Grant Program.

**MATCHING REQUIREMENTS**

No match requirements

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

**FEDERAL AGENCY:**            National Highway Traffic Safety Administration

**PROGRAM DESCRIPTION**

The Washington Traffic Safety Commission (WTSC) (and similar agencies in other states) prepares an annual Highway Safety Plan (HSP) in which the state's traffic safety problems are identified and countermeasures and cost estimates are developed. The plan is jointly developed by the WTSC member agencies, their subcommittees, and staff. WTSC projects are developed that are consistent with priorities and proven strategies identified in the State Strategic Highway Safety Plan: Target Zero. High priorities include impaired driving, speeding, occupant protection, run off the road crashes, intersection crashes and traffic data system improvements.

Section 402 grants are provided to support state highway safety programs designed to reduce traffic crashes and resulting deaths, injuries, and property damage. SAFETEA-LU authorized section 402 grant funds that the states would use exclusively for behavioral traffic safety purposes. At least 40% of these funds were to be used to address local traffic safety problems.

**STATE RECIPIENTS**

Washington Traffic Safety Commission

State agencies, non-profit organizations and political subdivisions of the state are eligible to apply for a federal grant from the Washington Traffic Safety Commission to support projects to improve traffic safety.

**DISTRIBUTIONS**

The Section 402 formula is:

- 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.

In FFY 2012, Washington received \$4.6 million in 402 funds (about 2% of the total 402 funds available nationally).

**MATCHING REQUIREMENTS**

WTSC planning and administration expenses (building overhead, accounting, etc.) require a 50% state cash match. The state's share is typically less than \$500K/biennium. No more than 10% of the federal funds can be used for planning and administration. Money for program operations is matched 75% federal and 25% state with a "soft" match at the state level (for Washington, WSP Field Force expenditures). Soft match can be an existing expenditure that fulfills the program requirement.

**FEDERAL PROGRAM:**            **Alcohol-Impaired Driving Countermeasures Incentive Grants (23 USC Sec 410), SAFETEA-LU**

**FEDERAL AGENCY:**            National Highway Traffic Safety Administration

**PROGRAM DESCRIPTION**

Section 410 grants are awarded as an incentive to improve the DUI countermeasures system. The state must qualify each year by meeting nationally established performance criteria and the monies are to be spent on DUI programs. Programs initiated with these funds range from statewide high-visibility enforcement projects such as “Drive Hammered, Get Nailed” and “X-52” to smaller locally implemented projects to reduce impaired driving. Reducing impaired driving crashes is one of two of the top priorities found in the state SHSP: Target Zero.

The Traffic Safety Commission prepares an annual Alcohol Traffic Safety Plan that identifies problems and deficiencies within the DUI arena. Countermeasures with cost estimates are developed. The plan is developed by WTSC staff members with assistance from our Impaired Driving Advisory Committee and the executive level Impaired Driving Advisory Council. The plan is aligned with the goals and proven strategies identified in Target Zero.

Beginning in FFY 2013, the Section 410 program became an eligible use of the National Priority Safety Program *as described on page 213*.

**STATE RECIPIENTS**

Washington Traffic Safety Commission

State agencies, non-profit organizations and political subdivisions of the state are eligible to apply for a federal grant from the Washington Traffic Safety Commission to support projects to improve traffic safety.

**DISTRIBUTIONS**

States that qualify by meeting several DUI-related performance criteria receive an amount based on a percentage applied to their Section 402 apportionment. The WTSC receives approximately \$2.2 million in each federal fiscal year.

**MATCHING REQUIREMENTS**

50% federal share; 50% state or local soft match (no state funds required).

**FEDERAL PROGRAM:**            **Occupant Protection Incentive Grants (23 USC Sec 405),  
SAFETEA-LU**

**FEDERAL AGENCY:**            National Highway Traffic Safety Administration

**PROGRAM DESCRIPTION**

Section 405 grants are provided to encourage states to adopt and implement effective programs to reduce highway deaths and injuries resulting from individuals riding unrestrained or improperly restrained in motor vehicles. A state may use these grant funds only to implement and enforce occupant protection programs.

Beginning in federal fiscal year (FFY) 2013 the Section 405 program was expanded to incorporate some of the other programs and was renamed the National Priority Safety Program *as described on page 213*. Most of Section 405's SAFETEA-LU requirements became part of the Occupant Protection section of the new MAP-21 program.

**STATE RECIPIENTS**

Washington Traffic Safety Commission

State agencies, non-profit organizations and political subdivisions of the state are eligible to apply for a federal grant from the Washington Traffic Safety Commission to support projects to improve traffic safety.

**DISTRIBUTIONS**

A state is eligible for an incentive grant by demonstrating that it has implemented a number of criteria. US total is \$25M each year of the authorization, with Washington State receiving approximately 2%, or \$500,000 each year.

**MATCHING REQUIREMENTS**

50% federal share; 50% state or local soft match (no state funds required).

**FEDERAL PROGRAM:**           **Safety Incentive Grants for Use of Seat Belts (23 USC Sec 406)**

**FEDERAL AGENCY:**           National Highway Traffic Safety Administration

**PROGRAM DESCRIPTION**

Section 406 grants are provided to encourage states to pass primary enforcement seat belt use laws. A state may use these grant funds for any project eligible for assistance under Title 23 of the US Code. The amount of funding each state is awarded will be based on the date a state enacted a primary enforcement seat belt law. The longer a state has had a primary law in effect, the less they receive in federal funding under this grant.

The Safety Incentive Grants for Use of Seat Belts (Section 406) Program was mostly eliminated in federal fiscal year (FFY) 2013, although some aspects are eligible as part of the National Priority Safety Program *as described on page 213*.

**STATE RECIPIENTS**

Washington Traffic Safety Commission

State agencies, non-profit organizations and political subdivisions of the state are eligible to apply for a federal grant from the Washington Traffic Safety Commission to support projects to improve traffic safety.

**DISTRIBUTIONS**

Washington State expects to receive a total of \$6 million in Section 406 funding over the entire SAFETEA-LU authorization that runs through FFY 2009. Between the years 2006 and 2009, Washington State received approximately \$7.2 million in 406 funding. This program expired at the close of 2009.

**MATCHING REQUIREMENTS**

50% federal share; 50% state or local soft match (no state funds required).

FEDERAL PROGRAM:           **State Highway Safety Data Improvements Incentive Grants  
(23 USC Sec 408), SAFETEA-LU**

FEDERAL AGENCY:           National Highway Traffic Safety Administration

PROGRAM DESCRIPTION

Section 408 grants are provided to encourage states to adopt and implement effective programs to improve the timeliness, accuracy, completeness, uniformity, and accessibility of state data that is needed to identify priorities for national, state, and local highway and traffic safety programs; to evaluate the effectiveness of efforts to make such improvements; to link these state data systems, including traffic records, with other data systems within the state; and to improve the compatibility of the state data system with national data systems and data systems of other states to enhance the ability to observe and analyze national trends in crash occurrences, rates, outcomes, and circumstances. A state may use these grant funds only to implement such data improvement programs. Washington State uses these funds to fund priority projects from our state traffic records strategic plan, including eTRIP (electronic ticketing and crash reporting).

Beginning in FFY 2013, the Section 408 program became an eligible use of the National Priority Safety Program *as described on page 213*.

STATE RECIPIENTS

Washington Traffic Safety Commission

State agencies, non-profit organizations and political subdivisions of the state are eligible to apply for a federal grant from the Washington Traffic Safety Commission to support projects to improve traffic safety.

DISTRIBUTIONS

Since 2006, Washington State has received \$3.8 million in section 408 funding.

MATCHING REQUIREMENTS

50% federal share; 50% state or local soft match (no state funds required).

## **Federal Transportation Programs – Transit**

## MAP-21 Transit Programs

**FEDERAL PROGRAM:**            **Bus and Bus Facilities Program (49 USC Sec 5339), MAP-21**

**FEDERAL AGENCY:**            Federal Transit Administration (FTA)

**PROGRAM DESCRIPTION**

A new formula grant program is established under 49 U.S.C. Section 5339 (Section 5339), replacing the previous Section 5309 discretionary Bus and Bus Facilities program. This capital formula program provides funding to replace, rehabilitate, and purchase buses and related equipment, and to construct bus-related facilities.

**RECIPIENTS**

WSDOT Public Transportation Division (Program V) and Z for Local Agencies

**DISTRIBUTIONS**

Funding is distributed to designated recipients and states that operate or allocate funding to fixed-route bus operators. FTA-identified eligible subrecipients 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, \$422 million in federal fiscal year (FFY) 2013 and \$428 million in FFY 2014 is authorized. Each year, \$65.5 million will be allocated with each State receiving \$1.25 million and each territory (including DC and Puerto Rico) receiving \$500,000. The remaining funding will be distributed by formula based on population, vehicle revenue miles and passenger miles. For FFY 2013, Washington is estimated to receive \$12.37 million, of which \$2.73 million will be received by WSDOT. As of December 2012, WSDOT is working on the best method to distribute the funding to rural and small urban areas.

**MATCHING REQUIREMENTS**

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

**FEDERAL PROGRAM:**           **Capital Investment Grants (49 USC Sec 5309), MAP-21**

**FEDERAL AGENCY:**           Federal Transit Administration (FTA)

**PROGRAM DESCRIPTION**

Provides grants for new and expanded rail, bus rapid transit, and ferry systems that reflect local priorities to improve transportation options in key corridors. This program defines a new category of eligible projects, known as core capacity projects, which expand capacity by at least 10% in existing fixed-guideway transit corridors that are already at or above capacity today, or are expected to be at or above capacity within five years. The program also includes provisions for streamlining aspects of the "New Starts" process to increase efficiency and reduce the time required to meet critical milestones. (*The "New Starts" program is described on page 230.*)

**RECIPIENTS**

State and local government agencies, including transit agencies.

**DISTRIBUTIONS**

No MAP-21 Distribution information as of December 2012.

**MATCHING REQUIREMENTS**

Maximum federal share is 80%.

**FEDERAL PROGRAM:**            **Enhanced Mobility of Seniors and Individuals with Disabilities (49 USC Sec 5310), MAP-21**

**FEDERAL AGENCY:**            Federal Transit Administration (FTA)

### **PROGRAM DESCRIPTION**

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.

### **RECIPIENTS**

WSDOT Public Transportation Division (Program V)

The State is the recipient of section 5310 funding for all areas under 200,000 in population. FTA designated recipients receive section 5310 funding for areas above 200,000 in population. Subrecipients are defined as states or local government authorities, private non-profit organizations, or operators of public transportation that receive a grant indirectly through a recipient.

### **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) 2013 Washington is estimated to receive \$5.2 million in section 5310 funding, of which \$2.52 million will be received by the State. WSDOT's Public Transportation Division awards 5310 funds to subrecipients through the Statewide Consolidated Grant Program. Instructions and information regarding the Statewide Consolidated Grant Program can be found online at [http://www.wsdot.wa.gov/Transit/Grants/Grant\\_Application.htm](http://www.wsdot.wa.gov/Transit/Grants/Grant_Application.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%.

**FEDERAL PROGRAM:**            **Fixed Guideway Capital Investment Grants (49 USC Sec 5309-New Starts/Small Starts), MAP-21**

**FEDERAL AGENCY:**            Federal Transit Administration (FTA)

**PROGRAM DESCRIPTION**

Also known as “New Starts / Small Starts,” the Fixed Guideway Capital Investment Grants Program 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. Small Starts projects must have a total net capital cost of less than \$250 million and seek a federal share of less than \$75 million, while a New Starts project seeks a federal share of greater than \$75 million. Eligible projects include new fixed-guideways or extensions to fixed guideways (projects that operate on a separate right-of-way exclusively for public transportation, or that include a rail or a catenary system); bus rapid transit projects operating in mixed traffic that represent a substantial investment in the corridor; and projects that improve capacity on an existing fixed-guideway system. The program is authorized at \$1.9 billion dollars annually for federal fiscal year (FFY) 2013 and FFY 2014 subject to appropriations by Congress from the General Fund.

**RECIPIENTS**

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

**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.

**FEDERAL PROGRAM:**            **Public Transportation Emergency Relief Program (49 USC Sec 5324), MAP-21**

**FEDERAL AGENCY:**            Federal Transit Administration (FTA)

### **PROGRAM DESCRIPTION**

Modeled on the Federal Highway Administration’s (FHWA) Emergency Relief Program, the Public Transportation Emergency Relief Program was created by MAP-21 to assist states and public transportation systems with emergency-related expenses. 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 (and the Secretary of Transportation has concurred) 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).

### **RECIPIENTS**

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

### **DISTRIBUTIONS**

The program will provide immediate funding, similar to the FHWA Emergency Relief Program, *as described on page 155*. Funding is appropriated by Congress as needed, based on a declaration of an emergency by the governor of a State (and the Secretary of Transportation has concurred) 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 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.

**FEDERAL PROGRAM:**            **Rural Area Formula Grants (49 USC Sec 5311), MAP-21**

**FEDERAL AGENCY:**            Federal Transit Administration (FTA)

**PROGRAM DESCRIPTION**

Rural Area Formula Grants, also known as 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 \$25 million in formula funds and \$5 million for discretionary awards.

**RECIPIENTS**

WSDOT Public Transportation Division (V)

States and Indian tribes are eligible recipients of section 5311 funds, while eligible subrecipients include state or local government authorities, nonprofit organizations, operators of public transportation or intercity bus service that receive funds indirectly through a recipient. The State is the recipient of section 5311 funds in Washington.

**DISTRIBUTIONS**

Funds are apportioned to the Governor 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) 2013, Washington is estimated to receive \$11.9 million.

WSDOT's Public Transportation Division awards all section 5311 funds to subrecipients through the Statewide Consolidated Grant Program. Instructions and information regarding the Statewide Consolidated Grant Program can be found online at:

[http://www.wsdot.wa.gov/Transit/Grants/Grant\\_Application.htm](http://www.wsdot.wa.gov/Transit/Grants/Grant_Application.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.

**FEDERAL PROGRAM:**           **State of Good Repair Grants (49 USC Sec 5337), MAP-21**

**FEDERAL AGENCY:**           Federal Transit Administration (FTA)

### **PROGRAM DESCRIPTION**

MAP-21 establishes this new formula-based grant program 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.

### **RECIPIENTS**

State and local government authorities in urbanized areas with fixed guideway public transportation facilities operating for at least seven years are eligible to receive State of Good Repair funds.

### **DISTRIBUTIONS**

Eligible recipients include state and local government authorities in urbanized areas with fixed guideway public transportation facilities operating for at least 7 years. In Washington, Bremerton is estimated to receive \$230 thousand in State of Good Repair funding in federal fiscal year (FFY) 2013 and Seattle is estimated to receive \$47.1 million in State of Good Repair funding in federal fiscal year (FFY) 2013. Under SAFETEA-LU, funds were received by the Puget Sound Regional Council (PSRC), the Designated Recipient for the urbanized area. PSRC then distributed the funds. WSDOT anticipates this to be the same process under MAP-21.

The program comprises two separate formula programs:

#### **High Intensity Fixed Guideway**

- Comprises 97.15% of FFY 2013 and FFY 2014 apportionments.
- 50 percent based on SAFETEA-LU 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 FFY2013 and FFY2014 apportionments.
- 60 percent based on revenue vehicle miles.
- 40 percent based on route miles of buses operating on lanes not fully reserved only for public transportation vehicles.

### **MATCHING REQUIREMENTS**

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

**FEDERAL PROGRAM:**            **Transit-Oriented Development Planning Pilot, MAP-21**

**FEDERAL AGENCY:**            Federal Transit Administration (FTA)

**PROGRAM DESCRIPTION**

MAP-21 creates a new discretionary pilot program for transit-oriented development (TOD) planning grants. 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. \$10 million is authorized annually for federal fiscal year (FFY) 2013 and FFY 2014.

**RECIPIENTS**

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

**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.

**FEDERAL PROGRAM:**            **Urbanized Area Formula Grants (49 USC Sec 5307), MAP-21**

**FEDERAL AGENCY:**            Federal Transit Administration (FTA)

**PROGRAM DESCRIPTION**

This program provides formula grants to Urbanized Areas (UZA), which is defined as an area 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.

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. Systems operating between 76 and 100 buses in fixed route service during peak service hours may use up to 50 percent of their “attributable share” of funding for operating expenses. Systems operating 75 or fewer buses in fixed-route service during peak service hours may use up to 75 percent of their “attributable share” of funding for operating expenses. This expanded eligibility for operating assistance under the Urbanized formula program excludes rail systems.

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. As of November 2012, FTA had yet to establish criteria for the competitive ferry grants.

**RECIPIENTS**

WSDOT Public Transportation Division (Program V) and Highways and Local Programs (Program Z) for Local Agencies

FTA apportions funds to designated recipients, which then suballocate funds to state and local governmental authorities, including public transportation providers. In Washington State, the large urban areas (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 small urbanized areas under 200,000 population: Bellingham, Kelso-Longview, Marysville (participates with Puget Sound Regional Council), Olympia-Lacey-Tumwater, Wenatchee, Mount Vernon, Yakima, Lewiston, ID-WA, and Walla Walla, WA-Milton-Freewater, OR. Washington State Ferries receives funding through Seattle-Everett and Tacoma TMA.

**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. Over ten years ago, WSDOT made a policy decision to allow 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) 2013, Washington's large urbanized areas are estimated to receive \$112.8 million and the State's small urbanized areas are estimated to receive \$17.6 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.

**FEDERAL PROGRAM:**            **Metropolitan Planning Grants (49 USC Sec 5303), MAP-21**

**FEDERAL AGENCY:**            Federal Transit Administration (FTA)

**PROGRAM DESCRIPTION**

Provides 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.

**STATE RECIPIENTS**

WSDOT Planning and Research Division (Program T); Metropolitan Planning Organizations; and Transportation Management Areas

**DISTRIBUTIONS**

Under a formula based distribution, FFY 2013 had \$1.13M allocated.

**MATCHING REQUIREMENTS**

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

**FEDERAL PROGRAM:**            **State Planning Grants (49 USC Sec 5304), MAP-21**

**FEDERAL AGENCY:**            Federal Transit Administration (FTA)

**PROGRAM DESCRIPTION**

Provides 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.

**STATE RECIPIENTS**

WSDOT Public Transportation (Program V), Planning Agencies, Transit Agencies, Non Profits

**DISTRIBUTIONS**

Under a formula based distribution, \$227,000 is allocated for FFY 2013.

**MATCHING REQUIREMENTS**

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

## **SAFETEA-LU Transit Programs**

**FEDERAL PROGRAM:**            **Alternative Transportation in Parks and Public Lands, SAFETEA-LU**

**FEDERAL AGENCY:**            Federal Transit Administration and the Department of the Interior

**PROGRAM DESCRIPTION**

This program seeks to support public transportation projects in parks and public lands by providing grants for planning or capital projects in or near federally-owned or -managed parks, refuges, or recreational areas that are open to the general public.

**RECIPIENTS**

This is a grant based program, but eligible applicants are states, tribes and local governments.

**DISTRIBUTIONS**

Grants may be made to federal land management agencies and to states, tribes, and local governments at the discretion of the Secretaries of Transportation and the Interior.

Washington State received \$306,400 in FFYs 2011 and 2012.

**MATCHING REQUIREMENTS**

At the discretion of the U.S. Secretaries of Transportation and the Interior

FEDERAL PROGRAM:           **Alternatives Analysis Program, SAFETEA-LU**

FEDERAL AGENCY:           Federal Transit Administration

PROGRAM DESCRIPTION

The Alternatives Analysis Program provided funds to states, authorities of the states, metropolitan planning organizations, and local governmental authorities to develop alternatives analyses for potential transit “New Starts” projects. The objective of the program was to assist in financing the evaluation of all reasonable modal and multimodal alternatives and general alignment options for identified transportation needs in a particular, broadly defined travel corridor. The Alternatives Analysis Program was terminated by MAP-21.

RECIPIENTS

Eligible applicants included public agencies, including states; municipalities and other subdivisions of states; public agencies and instrumentalities of one or more states; and public corporations, boards, and commissions established under state law. Applicants had to have legal, financial, and technical capacity to carry out the proposed project and maintain facilities and equipment purchased with federal assistance.

DISTRIBUTIONS

Distributions were made at the discretion of the U.S. Secretary of Transportation based on application of transit sponsors or at Congressional direction. WSDOT received no funding through this program.

MATCHING REQUIREMENTS

Up to 80% federal share.

**FEDERAL PROGRAM:**           **Capital Investment Grants (49 USC Sec 5309), SAFETEA-LU**

**FEDERAL AGENCY:**           Federal Transit Administration (FTA)

**PROGRAM DESCRIPTION**

The FTA Section 5309 Capital Grants Program consists of three separate parts: formula apportionments for fixed guideway modernization; discretionary allocations for the construction of new fixed guideway systems and extensions to existing systems (new starts); and discretionary allocations for buses and bus facilities.

**STATE RECIPIENTS**

Fixed Guideway Modernization: Seattle  
New Starts: Sound Transit, WSDOT  
Buses and Bus Facilities: Varies from year to year

**DISTRIBUTIONS**

Distributions for fixed guideway modernization are pursuant to formula. Distributions for new starts and buses and bus facilities were at the discretion of Congress, and are now managed on a national competitive basis.

Allocations of Section 5309 funds for FFY 2011 and 2012 were as follows:

<b>5309 Program</b>	<b>2011</b>	<b>2012</b>	<b>Totals</b>
<b>Bus and Bus Facilities</b>	\$47,389,719	\$24,113,616	<b>\$71,503,335</b>
<b>Fixed Guideway</b>	\$52,692,843	\$44,145,103	<b>\$96,837,946</b>
<b>Veterans &amp; Community Living Initiative</b>	\$949,012	\$300,088	<b>\$1,249,100</b>
<b>Ferry Boat Discretionary</b>	\$0	\$0	<b>\$0</b>
<b>Totals</b>	<b>\$101,031,574</b>	<b>\$68,558,807</b>	<b>\$169,590,381</b>

**Current New Start Projects\***

Seattle	University Link LRT Extension	\$813M
Vancouver	Columbia River Crossing Project	\$850M

*\*This reflects only the New Start funding portion. Projects are also supported in part by Fixed Guideway funding*

**MATCHING REQUIREMENTS**

The federal share of any project financed under Section 5309 is a maximum of 80% of the "net project cost." Net project cost is defined as the portion of the cost of a project that cannot reasonably be financed from revenues.

**FEDERAL PROGRAM:**            **Urbanized Area Formula Grants (49 USC Sec 5307),  
SAFETEA-LU**

**FEDERAL AGENCY:**            Federal Transit Administration

**PROGRAM DESCRIPTION**

This program provides grants that may be used to finance the planning, acquisition, construction, improvement, preventative maintenance, and operating costs (in Metropolitan areas under 200,000) of mass transportation services.

**RECIPIENTS**

Recipients of Section 5307 funds in Vancouver, Seattle-Tacoma-Everett-Bremerton, and Spokane, are determined by the state's three Transportation Management Areas (TMAs). The Governor delegated authority to the Department of Transportation the apportioned amounts for distribution to the state's urbanized areas under 200,000 population: Bellingham, Longview, Marysville, Olympia, Richland-Kennewick-Pasco, Wenatchee, Mount Vernon, Yakima, and Lewiston, ID-WA. Washington State Ferries receives funding through the Seattle-Everett and Tacoma TMA. In federal fiscal year (FFY) 2012, Washington's large urbanized areas received \$146.2 million and the State's small urbanized areas received \$16.27 million in Section 5307 apportionment.

**MATCHING REQUIREMENTS**

80% federal share for capital projects, including preventative maintenance. 50% federal share for operating expenses for projects in the small urbanized areas only.

**FEDERAL PROGRAM:**            **Formula Grants for Transportation to Meet Special Needs of Elderly and Persons with Disabilities (49 USC Sec 5310), SAFETEA-LU**

**FEDERAL AGENCY:**            Federal Transit Administration (FTA)

**PROGRAM DESCRIPTION**

The U.S. Secretary of Transportation was authorized to make grants to states and public bodies for the purpose of assisting them in providing mass transportation services to meet the special needs of the elderly and persons with disabilities. The Secretary also authorized states to make grants to private nonprofit corporations and associations for the purpose of assisting them in providing mass transportation services to meet the special needs of the elderly and persons with disabilities for whom services carried out by public entities are not available, not sufficient, or inappropriate. SAFETEA-LU allowed funds to be used by public bodies to coordinate services or to provide services where no private or nonprofit corporation or association is readily available for such purposes.

**RECIPIENTS**

FTA distributed Section 5310 apportionment to states and local governmental authorities. WSDOT Public Transportation Division (Program V) and Highways and Local Programs Division (Program Z) for Local Agencies.

**DISTRIBUTIONS**

Formula apportionments to states are prescribed in law. To be eligible for apportionments, states are required to submit an annual program of projects for elderly and disabled services that considers the number of such persons within the state.

All funds for this program were distributed by the WSDOT Public Transportation Division on a competitive grant application basis through the Statewide Consolidated Grant Program. Instructions and information regarding the Statewide Consolidated Grant Program can be found online at [http://www.wsdot.wa.gov/Transit/Grants/Grant\\_Application.htm](http://www.wsdot.wa.gov/Transit/Grants/Grant_Application.htm). In federal fiscal year (FFY) 2012, Washington received \$2.5 million in Section 5310 apportionment.

**MATCHING REQUIREMENTS**

There is an 80 percent federal share; 20 percent state and local share.

**FEDERAL PROGRAM:**            **New Freedom Program, SAFETEA-LU**

**FEDERAL AGENCY:**            Federal Transit Administration (FTA)

**PROGRAM DESCRIPTION**

This program was designed to encourage services and facility improvements to address the transportation needs of persons with disabilities that go beyond those required by the Americans with Disabilities Act. MAP-21 consolidated the New Freedom Program into the Enhanced Mobility of Seniors and Individuals with Disabilities Program (*see page 228 for more information*).

**RECIPIENTS**

States and public bodies were eligible designated recipients. Eligible subrecipients were private non-profit organizations, State or local governments, and operators of public transportation services including private operators of public transportation services.

**DISTRIBUTIONS**

Funds were allocated to states and certain other designated recipients through a formula based on the population of persons with disabilities. 60% of funds were provided to designated recipients in areas over 200,000; 20% to states for use in areas under 200,000; and 20% to states for use in non-urbanized areas. States and designated recipients must then select grantees competitively.

In Washington, the New Freedom funds for large urban areas were selected by metropolitan planning organizations (MPOs), while the New Freedom funds for the non-urban and small urban areas were distributed by WSDOT through the Statewide Consolidated Grant Program. This two-year competitive program solicits projects from public transit and nonprofit transportation organizations that have been included in a Regional Human Services Transportation Coordination plan. The projects are ranked by the Regional Transportation Planning Organization and then scored by an independent statewide committee. The WSDOT Public Transportation Division determined the source of funds that are assigned to the highest ranked projects. Funds for the large urban areas were awarded by Puget Sound Regional Council and Spokane Regional Council. WSDOT agreed to apply to FTA for the project funds awarded to nonprofit agencies in these large urban areas and to administer the projects similar to the statewide program.

In FFY 2012, Washington State received \$2.0 million in New Freedom apportionment.

**MATCHING REQUIREMENTS**

Up to 80 percent federal share for capital projects and up to 50 percent federal share for operating assistance.

**FEDERAL PROGRAM:**            **Job Access Reverse Commute Program (49 USC Sec 5316), SAFETEA-LU**

**FEDERAL AGENCY:**            Federal Transit Administration (FTA)

### **PROGRAM DESCRIPTION**

The Job Access Reverse Commute (JARC) program was intended to improve access to transportation services to employment and employment related activities for welfare recipients and eligible low-income individuals and to transport residents of urbanized areas and nonurbanized areas to suburban employment opportunities. Toward this goal, the FTA provided financial assistance for transportation services planned, designed, and carried out to meet the transportation needs of eligible low-income individuals, and of reverse commuters regardless of income. The program required coordination of Federally-assisted programs and services in order to make the most efficient use of federal resources.

Under SAFETEA-LU, JARC funding was allocated by formula to states for areas with populations below 200,000 persons, and to designated recipients for areas with populations of 200,000 persons and above. The formula was based on the number of eligible low-income and welfare recipients in urbanized and rural areas. MAP-21 eliminated JARC as a stand-alone program. Beginning in FFY 2013, JARC projects became an eligible use of Sections 5307 and 5311 formula funds (*see page 235 and page 232 respectively for more information*).

### **RECIPIENTS**

WSDOT Public Transportation Division (Program V) and Highways and Local Programs Division (Program Z) for Local Agencies.

States and public bodies were eligible designated recipients. Eligible subrecipients were private non-profit organizations, state or local governments, and operators of public transportation services including private operators of public transportation services. In Washington, WSDOT, as designated by the Governor, had the principal authority and responsibility for administering the JARC program.

### **DISTRIBUTIONS**

Of the total JARC funds available, FTA apportioned 60 percent among designated recipients in large urbanized areas; 20 percent to the states for small urbanized areas; and 20 percent to the states for rural and small urban areas under 50,000 in population. JARC funds were apportioned among the recipients by a formula which is based on the ratio that the number of eligible low-income and welfare recipients in each such area bears to the number of eligible low-income and welfare recipients in all such areas.

In Washington, the JARC funds for large urban areas were selected by metropolitan planning organizations (MPOs), while the JARC funds for the non-urban and small urban areas were distributed by WSDOT through the Statewide Consolidated Grant Program. This 2-year competitive program solicits projects from public transit and nonprofit transportation organizations that have been included in a Regional Human Services Transportation Coordination plan. The projects are ranked by the Regional Transportation Planning Organization and then scored by an independent statewide committee. The WSDOT Public Transportation Division determined the source of funds that are assigned to the highest ranked projects. Funds for the large urban areas were awarded by Puget Sound Regional Council and Spokane Regional Council. WSDOT agreed to apply to FTA for the project funds awarded to nonprofit agencies in these large urban areas and to administer the projects similar to the statewide program.

In Federal Fiscal Year (FFY) 2012, Washington State Received \$3.0 million in JARC apportionment.

## MATCHING REQUIREMENTS

The Federal share of eligible capital and planning costs may not exceed 80 percent of the net cost of the activity. The Federal share of the eligible operating costs may not exceed 50 percent of the net operating costs of the activity.

**FEDERAL PROGRAM:**            **Non-Urbanized Area Formula Assistance (49 USC Sec 5311)  
(Rural Assistance), SAFETEA-LU**

**FEDERAL AGENCY:**            Federal Transit Administration

**PROGRAM DESCRIPTION**

The Section 5311 program provides funding for public transportation projects in rural areas, areas under 50,000 in population. Projects are to be in the annual program of projects for public transportation services in rural areas. 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.

Up to 15% of the apportioned funds may be used for state administration of the program and for providing technical assistance to recipients.

A state must expend not less than 15% of amounts made available under Section 5311 for a program for the development and support of intercity bus transportation. Eligible activities include operating grants through purchase-of-service agreements and user-side subsidies.

In addition, Congress appropriates funds for the Rural Transit Assistance Program (RTAP) to assist states in providing training and technical assistance.

**RECIPIENTS**

WSDOT Public Transportation Division (Program V) and Highways and Local Programs Division (Program Z) for Local Agencies.

**DISTRIBUTIONS**

Funds are apportioned to the Governor based on populations in rural areas. The formula is updated using population estimates prepared following the fourth or eighth years after the publication of the Census. In Washington, all funds for this program are distributed by the WSDOT Public Transportation Division on a competitive grant application basis through the Statewide Consolidated Grant Program. Instructions and information regarding the Statewide Consolidated Grant Program can be found online at: [http://www.wsdot.wa.gov/Transit/Grants/Grant\\_Application.htm](http://www.wsdot.wa.gov/Transit/Grants/Grant_Application.htm).

In Federal Fiscal Year (FFY) 2012, Washington received \$9.7 million in 5311 apportionment.

**MATCHING REQUIREMENTS**

The federal share for administration is 100 percent. The federal share of any capital project is 80 percent of the net project cost. The maximum federal share for any payment of subsidies of operating expenses is 50 percent.

**FEDERAL PROGRAM:**            **Metropolitan Planning Grants (49 USC Sec 5303), SAFETEA-LU**

**FEDERAL AGENCY:**            Federal Transit Administration (FTA)

**PROGRAM DESCRIPTION**

The U.S. Secretary of Transportation is authorized to make grants to states for Metropolitan Planning Organizations (MPOs). MPOs use these funds for planning, engineering, designing and evaluating public transportation projects and in performing other technical studies. Before receiving funds, MPOs are required to submit an annual Unified Planning Work Program.

**STATE RECIPIENTS**

WSDOT Planning and Research Program (Program T)  
Metropolitan Planning Organizations  
Transportation Management Areas

**DISTRIBUTIONS**

80% of program revenue is distributed to the states based on urbanized area population. A supplemental allocation of the remaining 20% is provided based on an FTA administrative formula to address planning needs in the larger, more complex urbanized areas. Further, in cooperation with the state's MPOs, WSDOT has developed a formula to distribute funds to MPOs in Washington.

**MATCHING REQUIREMENTS**

80% federal share; 20% local.

**FEDERAL PROGRAM:**            **State Planning Grants (49 USC Sec 5304), SAFETEA-LU**

**FEDERAL AGENCY:**            Federal Transit Administration

**PROGRAM DESCRIPTION**

This programs provided funding to support cooperative, continuous, and comprehensive planning for making transportation investment decisions in metropolitan areas and statewide.

**STATE RECIPIENTS**

WSDOT Public Transportation Division (Program V).

**DISTRIBUTIONS**

State Departments of Transportation (DOTs) and Metropolitan Planning Organizations (MPOs). Federal planning funds are first apportioned to State DOTs. State DOTs then allocate planning funding to MPOs.

Amounts are apportioned to states on the basis of population in urbanized areas as shown in the most recent census, except no state shall receive less than 1/2% of the available funds.

**MATCHING REQUIREMENTS**

80% federal share; 20% state share.

# ARRA Transit Funding

FEDERAL PROGRAM:           **American Recovery and Reinvestment Act (ARRA) Transit Funding**

FEDERAL AGENCY:           Federal Transit Administration (FTA)

PROGRAM DESCRIPTION

Signed by President Obama on February 17, 2009, ARRA provided \$8.4 billion for transit projects to the FTA. FTA funds from ARRA could be used for capital projects only. Those funds could be used for "...the acquisition, construction, improvement, maintenance of facilities, and equipment for use in transit."

DISRIBUTION

Nationally, \$8.4 billion in transit formula funding was apportioned to states through existing formula programs. Washington State received \$179 million in ARRA transit formula funds for investments in transit and other public transportation projects. Large Urban Areas received \$142 million, Small Urban Areas received \$12 million, and Rural Public Transportation received \$12 million.

Projects in the urbanized areas were selected locally through the appropriate metropolitan planning organization (MPO), for instance the Puget Sound Regional Council. Projects for rural areas were selected by the state using a competitive process. In December 2008 and January 2009, WSDOT developed a capital project list in anticipation of the Recovery Act. This list consisted of a variety of project types including: purchasing replacement and expansion vehicles; purchasing new communication equipment; constructing facilities and transit centers; repairing buildings; and installing bus shelters. WSDOT identified more than \$45 million in projects that met the definition of "ready to go" in rural areas. An independent Grants Review Team prioritized project types and selected projects for funding.

MATCHING REQUIREMENTS

There were no matching requirements for the ARRA program.

## **Federal Transportation Programs – Rail**

**FEDERAL PROGRAM:**            **Railway-Highway Crossing Hazard Elimination in High-Speed Rail Corridors Program**

**FEDERAL AGENCY:**            Federal Highway Administration and Federal Railroad Administration

**PROGRAM DESCRIPTION**

This program was originally established in the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) for the installation or improvement of warning devices, improvements of track circuitry, and other crossing improvements, closure of crossings, grade separation construction or reconstruction and combined crossing warning systems with advanced train control. The purpose of the program was to provide competitive funding for safety improvements at both public and private highway-rail grade crossings along federally designated high-speed rail corridors. The Railway-Highway Crossing Hazard Elimination in High Speed Rail Corridors Program was terminated in federal fiscal year (FFY) 2013.

**STATE RECIPIENTS**

WSDOT Rail Program (Y).

**DISTRIBUTIONS**

Grants to states were at the discretion of the U.S. Secretary of Transportation based on application. States along the 11 federally designated high-speed rail corridors were eligible to apply for funding. In federal fiscal year (FFY) 2011 the State received a \$3.5 million grant for the Pioneer Street Rail Overpass at the Port of Ridgefield. In FFY 2012 the State received \$307,550 to upgrade signaling and install advanced preemption at a railway-highway crossing in Auburn.

**MATCHING REQUIREMENTS**

The federal share could not exceed 80 percent; however, certain projects were eligible for up to 100 percent federal funding.

**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. Under this program, the FRA is authorized to provide direct loans and loan guarantees up to \$35.0 billion. Up to \$7.0 billion is reserved for projects benefiting freight railroads other than Class I carriers. Direct loans and loan guarantees can be made to state and local governments, government-sponsored authorities, corporations, railroads, and joint ventures that include at least one railroad, and limited option freight shippers who intend to construct a new rail connection. The funding can be used to: acquire, improve, or rehabilitate intermodal facilities, rail equipment or facilities, including track, components of track, bridges, yards, buildings, and shops; refinance outstanding debt incurred for the purposes listed above; and 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 25 years and interest rates equal to the cost of borrowing to the government.

Priority in selecting projects is to be given to those that enhance public safety and the environment; promote economic development; enable United States companies to be more competitive in international markets; are endorsed in state and local transportation plans; or preserve or enhance rail or intermodal service to small communities or rural areas.

All federal financial assistance programs must pay for the cost to the government of providing that financial assistance. In most cases this is done with appropriations from Congress. Since the RRIF Program does not currently have an appropriation, this cost must be borne by the applicant, or another entity on behalf of the applicant, through the payment of the Credit Risk Premium. The Administrator will calculate the amount of the Credit Risk Premium that must be paid for each loan before it can be disbursed.

In addition to the Credit Risk Premium, which is paid only if a loan is approved, each applicant must pay an Investigation Fee regardless of whether the loan is approved. The Investigation Fee defrays costs the FRA incurs in evaluating RRIF loan applications. The Investigation Fee may not exceed one half of one percent of the requested loan amount, but it is often substantially less.

**STATE RECIPIENTS**

WSDOT Rail Program (Program Y).

**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.

## **ARRA Rail Funding**

**FEDERAL PROGRAM:**            **American Recovery and Reinvestment Act (ARRA) High Speed Rail Grant Program**

**FEDERAL AGENCY:**            Federal Railroad Administration

**PROGRAM DESCRIPTION**

The American Recovery and Reinvestment Act (ARRA) provided \$8 billion for High-Speed Rail Program grants, which were ultimately awarded to projects spanning 31 states.

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 national High-Speed Rail Program. The funding will be invested in 20 capital projects along the 300-mile corridor on the Washington segment of the Pacific Northwest Rail Corridor, spanning between Eugene, Oregon and Vancouver, B.C.

The projects include additional rail-line capacity and upgrading tracks, utilities, signals, passenger stations and advanced warning systems. WSDOT will also purchase new equipment for the expansion of the service. These projects, all scheduled to be complete by 2017, will result in two additional round trips, improved on-time performance for business and leisure travelers, and reduced conflicts between passenger and freight trains.

**Program Outcomes**

- Two additional daily round trips between Seattle and Portland, for a total six, by 2017.
- On-time reliability will increase to 88 percent.
- Travel time reduction of 10 minutes between Seattle and Portland

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.

**DISTRIBUTIONS**

- January 2010 – Washington awarded \$590 million in High-Speed Rail Recovery Act funding for corridor improvements mostly between the Seattle to Portland segment.
- October 2010 – Washington awarded \$31 million in federal fiscal year (FFY) 2009 and FFY 2010 high-speed rail funding appropriations (non-ARRA). This funding is being used to increase capacity through Mount Vernon, build station improvements in Tukwila and at King Street in Seattle, as well as create an integrated freight and passenger rail plan.
- December 2010 – Washington awarded an additional \$161.5 million in ARRA funding redirected from Ohio and Wisconsin. The additional award of \$161.5 million in redistributed ARRA funds requires the money be spent on projects that were part of the State’s original ARRA application. In addition, a detailed analysis must be done to determine which projects should be funded based on the direct benefits to High-Speed Intercity Passenger Rail.
- May 2011 - Washington wins \$15 million in ARRA funding rejected by Florida. With \$18.3 million in matching funds from the Port of Vancouver, crews will build a separate track for freight rail cars carrying shipments in and out of the port, eliminating a congestion chokepoint causing delays to passenger and freight rail traffic.

## HIGH SPEED RAIL PROJECTS DETAIL

### Cascades High Speed Rail Program Capital Improvements

**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. \$21.3 million

**Point Defiance Bypass – Tacoma** - Proposes to reroute passenger trains to an existing rail line along the west side of I-5 through south Tacoma, Lakewood, and DuPont and reconstructs five at-grade crossings to improve safety, and accommodate higher speeds and improves on time Seattle-Portland performance. \$89.1 million

**Yard Bypass Track – Vancouver** - This project builds a 15,000 foot bypass track within the BNSF rail yard in Vancouver thereby increasing Amtrak Cascades service reliability by separating freight and passenger traffic. This is one phase of the larger Vancouver Rail Bypass and W 39th St. Bridge project. \$28.5 million

**Cascades Corridor Reliability Upgrades – South (Nisqually to Vancouver WA)** - Improvements along the entire BNSF mainline corridor infrastructure between Nisqually and Vancouver, WA Improves Amtrak *Cascades* schedule reliability by improving track quality and reducing slow-orders. \$92 million

**Storage Track - Everett** - Eliminates 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. Helps achieve the second Amtrak *Cascades* round trip service to Vancouver, B.C. \$3.5 million

**Amtrak Cascades New Train Set – Corridor Wide**- Expanding train service to five round trips may require purchasing new rolling stock. Equipment identical to and compatible with the existing Talgo equipment is no longer manufactured but new train sets will be capable of handling the specific geographic feature of the corridor and accommodate 250 passengers. \$23.5 million

**Kelso Martin’s Bluff Multiple Improvements – Kelso and Longview** - New dispatcher-controlled sidings to accommodate arrival and departure of unit freight trains clear of the existing two-track main line and builds third main track between Kelso Station and Longview Junction. \$194.2 million

**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. \$50.4 million

**Advanced Signal System – Corridor Wide** - Installs an integrated command, control, communications, and information system for controlling train movements, reducing the probability of collisions between trains, roadway worker casualties and equipment damage. \$60.1 million

## **Non-ARRA High Speed Rail projects (funded under the FFY09/FFY10 Appropriations Acts)**

**Tukwila Station** - This project provides funding to Sound Transit to construct a new train station at Tukwila, Washington that will be used by Sounder commuter trains and Amtrak Cascades intercity trains. Improvements will include parking, station platforms and transit waiting areas, and the installation of a real-time passenger information system at nearby Sea-Tac International Airport. This transforms station from a temporary platform facility to a modern full-service station used by both commuter and intercity passenger rail and allows airline passengers to make informed travel decisions using the real time passenger information system displaying Amtrak Cascades arrival and departure information for Tukwila station. \$7.9 million

**King Street Station Renovation and Seismic Retrofit** - Amtrak, WSDOT, SDOT, and Sound Transit are working in partnership with BNSF Railway to transform the busy and historic King Street Station and adjacent tracks and platforms to meet future needs of expanding intercity and commuter rail service. Improvements include seismically retrofitting the station and clock tower, as well as restoring the station's main hall and upgrading utility systems. \$16.7 million

**Mount Vernon Siding Extension** - This extension of the Mount Vernon Siding track to accommodate freight trains, improves reliability and capacity of the railroad for passenger trains. \$3.3 million

**Integrated State Rail Plan** - Washington State currently has separate freight rail and passenger rail plans and this proposed planning project integrates and updates these plans as one state rail plan. The project also updates the plan to address Federal Railroad Administration (FRA) needs and requirements as described in National Rail Plan documents to allow for better planning of the public and private rail investment. This integrated plan helps WSDOT comply with federal funding requirements and makes Washington more competitive for future rail funding. \$400 thousand

