

FEDERAL PROGRAM: **Transportation Alternatives (TA) – STBG set-aside**

FEDERAL AGENCY: U.S. Department of Transportation

PROGRAM DESCRIPTION:

The IJA continues the Transportation Alternatives set-aside from the Surface Transportation Block Grant program. The IJA continues all existing TA eligibilities and adds new eligibility for activities in furtherance of a vulnerable road user safety assessment. Eligible activities include a variety of smaller-scale transportation projects such as pedestrian and bicycle facilities, recreational trails, safe routes to school projects, community improvements such as historic preservation and vegetation management, and environmental mitigation related to stormwater and habitat connectivity.

*Apportionment Levels **

	IJA Estimated Apportionments						
<i>\$ in millions</i>	FAST Act (2016-2020) Total	2022	2023	2024	2025	2026	IJA Total
WA	54.9	19.2	19.6	20.0	20.4	20.8	100.0

*The amounts for FFY2022 come from FHWA apportionment notice N4510.858 found at https://www.fhwa.dot.gov/legisregs/directives/notices/n4510858/n4510858_t1.cfm.

The amounts for FFY2023 – FFY2026 come from FHWA Estimated Highway Apportionments under the IJA (before post-apportionment set-asides; penalties, and sequestration) found at https://transportation.house.gov/download/ta_est-fy-2022-2026-apportionments_ans-as-passed-by-senate-infrastructure-investment-and-jobs-act. Estimates increase 2% annually based on the data shown in the highway authorizations estimates document found at https://www.fhwa.dot.gov/bipartisan-infrastructure-law/docs/highway_authorizations_nov302021.pdf.

BACKGROUND

In enacting the IJA, Congress increased the size of the TA set aside from \$850 million annually in the last years of the FAST Act to 10% of STBG per fiscal year, which amounts to \$1.38 billion in FY 2022 and increases to nearly \$1.5 billion in FY 2025.

Under the IJA, the state is required to set-aside for the Recreational Trails Program an amount of TA equal to the funds apportioned to the state in 2009 for the Recreational Trails Program. The Recreational Trails Program is administered by the Washington Recreation & Conservation Office.

The remaining TA funds are provided to the Locals and are required to be distributed as follows: 59% within certain population categories (“distribution by population”) and 41% to any area of the state (“state flexible”).

- **Distribution by population:**
 - Areas Over 200,000 population – In Washington, STBG funds are divided between the four largest MPO’s: Puget Sound, Spokane, Tri-Cities, and Vancouver. The shares are based on the MPO’s respective levels of urbanized population per the 2010 census. Project selections are made by the MPOs in consultation with the State. Funds may be used anywhere within the planning area boundary of the MPO.
 - Areas between 50,000 and 200,000 population – Funds are distributed based on the 2010 census for areas of this size. These funds can only be used in areas encompassed by adjusted urban or urbanized area boundaries and cannot be used in any rural areas. In Washington, funds are distributed to MPO’s/RTPO’s based on relative population.
 - Areas between 5,000 and 49,999 population - Funds are distributed based on the 2010 census for areas of this size. These funds can only be used in areas encompassed by adjusted urban or

- urbanized area boundaries and cannot be used in any rural areas. In Washington, funds are distributed to MPO's/RTPO's based on relative population.
 - Areas Less than 5,000 population – Funds are distributed based on the 2010 census for the rural population areas of the state. These rural funds may be used anywhere that is outside of an adjusted urban or urbanized area boundaries. These funds can be used in rural areas including those encompassed by a MPO's planning area. In Washington, funds are distributed to MPO's/RTPO's based on relative population.
- State flexible – In Washington, these funds have been split between the Locals and the Statewide Safe Routes to School (SRTS) program (\$4.1 million/biennium). After the set-aside for the SRTS program, the local share is distributed to MPO's/RTPO's based on relative population. IIJA allows up to 5% to fund staff to administer the program and assist applicants for projects under the program.

The standard federal share is 80% and may be increased to as much as 100% under certain conditions. Upon certification of the Secretary that the states competitive process for award of TA funding has met certain specific requirements, the IIJA allows states to transfer up to 50% of the TA funds to other formula federal-aid highway programs. Suballocated funds distributed by population are not transferable. This flexibility allows the State to make investment choices based on the most pressing preservation needs.

IIJA Changes:

IIJA continues all existing TA eligibilities and add new eligibility for activities in furtherance of a vulnerable road user safety assessment.

State and Local Competitive Grant Program:

The TA set-aside program requires a State and MPO's over 200,000 population to have a competitive process for the TA funds. Further suballocation requires FHWA to approve a state's 'Local Control' plan. FHWA has not released all the details, however the plans are expected to require a competitive process to allow eligible entities to submit projects for funding that achieve program objectives, and this process must include prioritization of project location and impact in high-need areas as defined by the State, such as low-income, transit-dependent, rural, or other areas.

The BIL expands the range of eligible applicants to include —

- an MPO that represents an area with a population 200,000 or fewer.
- any nonprofit entity (FAST Act restricted to nonprofit entities “responsible for the administration of local safety programs”); and
- a State, at the request of another eligible entity.