

12.1 General Discussion

This chapter describes the distribution of Federal Highway Administration (FHWA) funds administered by the Washington State Department of Transportation's (WSDOT) Headquarters Local Programs, and presents the basic procedures for local agency participation.

FHWA funds may be used to reimburse project costs for general transportation planning, preliminary engineering, right of way acquisition, construction, and audits. FHWA funds may be expended only after WSDOT notifies the agency of federal authorization. FHWA funds are not eligible for lobbying efforts ([2 CFR Part 200.450](#)).

To use donated lands as part of the agencies' match to the project under certain conditions, see [Section 25.10](#), for details.

.11 FHWA Eligible Roadways – Under Fixing America's Surface Transportation Act (FAST), in order for projects to be eligible for FHWA funds, roadways must be functionally classified routes.

Specific programs require that in order to be eligible, the roadway must be identified as part of the National Highway System (NHS), or the Interstate System, which is a component of the NHS. The NHS provides an interconnected system of principal arterials and other highways serving major population centers, international border crossings, ports, airports, public and intermodal transportation facilities, and other major travel destinations to meet national defense needs and to serve interstate and interregional travel.

Routes included on the NHS are principal arterials, interstate highways, highways on the Strategic Highway Network (STRAHNET), major STRAHNET connectors, and congressional high priority routes.

Non-NHS routes include all other functionally classified routes (except rural minor collector and local access). The Act allows up to 15 percent of Surface Transportation Block Grant (STBG) rural dollars to be used on rural minor collectors.

.12 Federal-Aid Highway Program (FAHP) – This is an “umbrella” term that encompasses most of the federal programs providing highway funds to the states. The passage of the Fixing America's Surface Transportation Act (FAST Act) provides funds for transportation projects from the following federal programs (see [Section 12.5](#)):

- National Highway Performance Program (NHPP)
- Surface Transportation Block Grant (STBG)
- Congestion Mitigation and Air Quality (CMAQ)
- Highway Safety Improvement Program (HSIP)
- National Highway Freight Program (NHFP)
- Transportation Alternatives (Previously Transportation Alternatives Program) (TA)
- Ferry Boat Program (FBP)
- Emergency Relief Program (ER)

Washington has a unique approach to splitting federal highway funds between state and local government. There is a requirement to sub-allocate about half of the Surface Transportation Block Grant (STBG) funding to local entities based on population, and there is also metropolitan planning money for local organizations. Due to our state's history of collaboration and open discussion, the State provides more money to local governments than required by federal law. Since the Intermodal Surface Transportation Act (ISTEA) in 1991, Washington State has engaged in a discussion about how to split the Federal-Aid Highway Funds between WSDOT and local jurisdictions.

Historically, the funds have been distributed on a percentage basis. In general, the overall state/local distribution is an accumulation of the distribution of the individual Federal-Aid Highway Programs (FAHP). Where applicable, the distribution of each of the federal program areas is based on a data-driven approach, while also considering ownership and whether the program benefits the state or local system.

Federal Aid Highway Program (FAHP) Overview

The FAHP encompasses most of the federal programs providing highway funds to the states and is administered by the FHWA. The program is primarily funded from revenues collected by the United States Treasury from certain federal taxes on gasoline, tire sales, and other items, which taxes are deposited into the federal Highway Trust Fund.

The FHWA is the federal agency within the USDOT responsible for administering the FAHP, which is a reimbursement program. Washington is responsible for the operation and maintenance of federal-aid highways in the state.

Once projects are approved by FHWA and funds are obligated, the federal government makes payments for costs as they are incurred on projects. With few exceptions, the federal government does not pay for the entire cost of a federal-aid project. Federal reimbursements are typically required to be matched with non-federal funding sources (state and/or local funds). The maximum federal share is specified in the federal legislation authorizing the program. In Washington, the typical federal share has been adjusted to 86.5 percent to account for the amount of federal land in Washington.

1. Funding under the FAHP is provided through a multi-step funding cycle that includes: Authorization by Congress of the funding for various highway programs, typically on a multi-year basis (e.g., FAST Act, MAP-21, SAFETEA-LU, etc.). The authorization act defines the programs and establishes maximum funding levels. When an authorizing act establishes a program, it sets rules for the amount of funds available in a Federal Fiscal Year (FFY), a description of how the funds are to be distributed, the length of time during which the funds may be used, and a list of eligible activities. Through "contract authority," authorized amounts become available for obligation according to the provisions of the authorization act without further legislative action. By definition, contract authority is unfunded and a subsequent appropriations act is necessary to pay the obligations under contract authority.

2. **Apportionment and Allocation** – the authorization act sets the distribution of contract authority to be apportioned and/or allocated to the states. The authorized amount for a given FFY is distributed to the states through apportionments and allocations.
 - **Apportionments** – The distribution of funds using a formula provided in law is called an apportionment. Each FFY, the FHWA is responsible for apportioning authorized funding for the various highway programs among the states according to formulas established in statute. In general, apportionments are available for three years plus the year that they are apportioned. It is the practice in Washington to use the oldest apportionment available when obligating funds. This approach prevents the lapsing of apportionment.
 - **Allocations** – Some FHWA funding categories do not have a legislatively-mandated distribution formula, the distributions of funds are termed “allocations,” which may be made at any time during the FFY. In most cases, allocated funds are divided among states with qualifying projects applying general administrative criteria provided in the law, such as Ferry Boat Program.
3. **Obligation** – the federal government’s commitment to reimburse for the federal share of an approved project’s eligible costs. This commitment occurs when the project is approved and the project agreement is executed. FHWA distributes Obligation Authority to states proportionately based on each state’s share of apportioned and allocated revenues. The actual ratio of Obligation Authority to apportionment and allocations may vary from state to state, since some federal-aid programs are exempt from the obligation limitation. A state’s Obligation Authority (unlike its apportionments and allocations of authorized funding) must be obligated before the end of the FFY for which it is made available; if not, it will be redistributed to other states to help ensure that the total limitation nation-wide will be used.
4. **Appropriations** – Congress specifies the amount of funds available for the year to liquidate obligations as a means of balancing the annual level of highway spending with other federal budget priorities. The Obligation Limitation is the amount of authorized funding that Congress allows states to obligate in an individual year. This is a statutory budgetary control that does not affect the apportionment or allocation of funds. Rather, it controls the rate at which the funds can be used, and, in effect, can limit the amount of funds that can be used. WSDOT has been successful in obligating its full amount of Obligation Authority and the additional Obligation Authority made available to the state through the annual process of redistributing federal funds from those states and programs that are unable to utilize all of their obligation authority.
5. **Program Implementation** – covers the programming and authorization. In order to receive federal reimbursements for transportation projects, states are required to develop long-range transportation plans that are based on projections of state and federal funding. Projects are not eligible for federal reimbursements unless they are either directly identified or consistent with a long-range plan and included in the Statewide Transportation Improvement Program (“STIP”). The STIP requires FHWA and FTA approval.
 - **Traditional Approach.** WSDOT requests FHWA approval of the use of federal funding by phase (PE, RW, CN) for the appropriate federal share of the project. The project must be in the STIP and identifying the category and amount of federal funding. FHWA evaluates and verifies the project is eligible for

federal funding and meets a variety of federal requirements. Provided that all requirements are satisfied, FHWA authorizes federal participation in the project and obligates the federal share of project costs. (Additional requirements are outlined in subsequent chapters).

- Advance Construction (AC) Approach. WSDOT requests FHWA approval of AC to authorize a project in advance of the apportionment of federal-aid funds. Under AC, FHWA is asked to authorize the project without obligating federal funds. A state/local agency will provide the up-front financing for the project and then at a later date “convert” the AC project to a regular federal-aid project and obligate the full federal share of the project costs when sufficient Obligation Authority is available. At the time of conversion, state/local agency requests reimbursement for the federal share of costs incurred to date.
6. **Reimbursement** – The FAHP is a reimbursement program. As work progresses on a federal-aid project, WSDOT/local agency incur costs for the completed work and can pay for those costs from available state/local funds and/or request reimbursement. The state/local agency electronically transmits vouchers for the federal share of completed work and certifies the claims to FHWA/WSDOT for review and approval monthly. (see [Chapter 23](#))

12.2 Programming Projects

.21 Planning Requirements – The Federal Transportation Act requires a continuous, cooperative and comprehensive (3C) performance-based statewide and metropolitan multimodal transportation planning process. This process involves:

- Metropolitan Planning Organization (MPO) long-range transportation plans.
- MPO transportation improvement programs (MTIPs).
- A statewide long-range transportation plan.
- A Statewide Transportation Improvement Program (STIP).

The statewide planning process carries out a 3C performance-based multimodal transportation approach for making transportation investment decisions to support the national goals throughout the state. The process for developing the statewide plan and transportation improvement program shall include metropolitan and non-metropolitan local officials with responsibility for transportation, including transit operators, tribal nations, and federal land management agencies. At the state and federal levels, policies and procedures are established to provide for statewide coordination of transportation programs.

.22 Local Agency Transportation Programs – The local agency transportation program is a listing of prioritized projects that a local agency expects to begin during the next six years. Projects in the local agency transportation program are all FHWA, Federal Transit Administration (FTA), regionally significant projects regardless of funding source and other state or locally funded projects. All cities, towns, counties, tribal nations, and transit agencies are required to prepare and adopt their individual transportation programs annually.

- Cities and towns are required to prepare and adopt a six-year Transportation Program by June 30 annually and file a copy with the Secretary of Transportation not more than 30 days after adoption ([RCW 35.77.010](#)).

- Counties are required to prepare and adopt a six-year transportation program by December 31 annually and file copies with the County Road Administration Board (CRAB) and the Secretary of Transportation not more than 30 days after adoption ([RCW 36.81.121](#)).
- Tribal Nations are required to prepare a Tribal Transportation Improvement Program (TTIP) and forward it to the Bureau of Indian Affairs (BIA). ([25 CFR 170.400](#)).
- Transit agencies are required to prepare a six-year transit development plan by September 1st of each year and file a copy with WSDOT, the Transportation Improvement Board, cities, counties, and regional planning councils where the transit agency is located ([RCW 35.58.2795](#)).
- WSDOT prepares a 6-year project delivery plan based on identified system deficiencies and priorities by July 1 annually and makes the plan available for use in consulting with communities, metropolitan and non-metropolitan local officials.

Once the agency's transportation programs are adopted, federally funded and regionally significant projects are submitted to MPOs for inclusion in the Regional TIP. County lead agencies and rural cities can submit directly to WSDOT or the RTPO for inclusion in the STIP based on an agreed upon process.

WSDOT developed a web-based system for agencies to prepare their six-year transportation programs and submit them electronically. For additional information on the system, go to www.wsdot.wa.gov/localprograms/programgmt/stip.htm.

12.3 Coordination With Agencies

.31 Metropolitan Planning Organizations (MPO) – An MPO is the policy board designated to carry out the metropolitan transportation planning process for an urbanized area with 50,000 or more population as designated by the Bureau of the Census. ([23 USC 134\(d\)](#) and [23 CFR Part 450](#)).

MPOs with populations over 200,000 are designated as Transportation Management Areas (TMAs). Some responsibilities of the TMA/MPO are:

- Carry out a 3C performance-based multimodal transportation planning process for decision making to support national performance goals.
- Prepare a 20-year metropolitan transportation plan (MTP) that is financially constrained and serves as a basis for the selection of projects in the MTIP.
- Develop programmatic mitigation plans to address the potential environmental impacts of future transportation projects.
- Develop a congestion management process, typically called a CMP.
- Develop criteria that relate to regional priorities, establish application procedures, project selection, inform local agency of selection, and monitor to ensure delivery of regional STP, CMAQ, and TAP funds that correlates with the MTP. Federal funds cannot be sub-allocated to individual jurisdictions or modes based on a predetermined percentage or formula ([23 CFR 450.326\(m\)](#)).
- Develop a four-year MTIP, which:
 - Is required to be updated at least once every four years and approved by the MPO and Governor or Governor's designee.
 - Contains projects consistent with the current metropolitan transportation plan.
 - Includes a list of prioritized projects for four years.

- Follows a documented public participation plan that provides reasonable opportunities for involvement in the metropolitan transportation planning process by interested parties.
 - Includes a financial plan for implementing the projects that is also consistent with reasonable expectation of available funding.
 - Includes sufficient descriptive project descriptions (such as type of work, termini, length, and other similar factors) to identify the project or phase of the project.
 - Contains projects being funded by Title 23, FHWA, or Title 49, FTA funding.
 - Estimates the total cost of the project (all phases, all funding sources).
 - Contains the amount of federal, state, and local funds to be obligated during each program year.
 - Contains regionally significant projects funded with federal funds other than those administered by FHWA or FTA and projects funded with non-federal funds.
 - Contains a project or identified phase of a project, only if full funding can reasonably be anticipated to be available for the project or phase within the time period contemplated for completion of the project or the identified phase (see STIP Appendix C).
 - Includes performance target achievement. The MTIP shall include, to the maximum extent practicable, a description of the anticipated effect of the TIP toward achieving the performance targets established in the metropolitan transportation plan, linking investment priorities to those performance targets.
- Each year, include a listing of obligated projects (including investments in pedestrian walkways and bicycle transportation facilities). The listing shall be published by March 30 of each year, identifying the Title 23 and/or Title 49, FHWA funds, and FTA funds that were obligated in the preceding calendar year. For each federally funded project, the listing shall include:
 - All federal funded projects authorized or revised to increase obligations in the previous calendar year.
 - The agency responsible for carrying out the project or phase.
 - Sufficient project descriptions (such as type of work, termini, length, and other similar factors) to identify the project or phase of the project.
 - The amount of federal funds requested in the TIP.
 - The federal funding obligated during the previous calendar year.
 - The federal funding remaining for subsequent years.
 - After the MPO TIP is approved, it is submitted to WSDOT through the web-based system for inclusion in the STIP.

.32 Regional Transportation Planning Organizations (RTPO) – As part of the Growth Management Act (GMA), the state legislature authorized the creation of RTPOs ([RCW 47.80](#)). RTPOs are voluntary organizations composed of local governments within a county, or within geographically contiguous counties, whose purpose is to coordinate transportation planning on a regional basis and to develop a regional transportation plan as applicable. Some RTPO responsibilities may include:

- Establish a cooperative planning process with public involvement.
- Provide a forum for state and local agencies to coordinate their planning.
- Certify that local plans are consistent with the GMA and the regional plan.

- Prepare a regional transportation plan that identifies regionally important transportation facilities, outline a strategy and approach for the region to guide system development and a financing plan.
- Develop a six-year RTIP which is required to be updated at least once every two years and includes a prioritized list of regional projects drawn from state, transit, tribal, city, and county transportation programs and how the program of projects will be financed.
- Develop criteria that relates to regional priorities, establish application procedures, project selection, inform local agency of selection, and monitor to ensure delivery of regional TAP funds. Federal funds cannot be sub-allocated to individual jurisdictions or modes based on a predetermined percentage or formula (23 CFR 450.324).

After the RTPO TIP is approved, it is submitted to WSDOT through the web-based system. Only the first four years of the RTPO TIP, County Lead agency and rural city transportation programs are included in the STIP.

A list of MPOs and RTPOs is at:

www.wsdot.wa.gov/nr/rdonlyres/91717186-9193-4054-807d-3b229d016fe8/0/mportpowsdotdirectory021113.pdf

A map of MPOs and RTPOs is at:

www.wsdot.wa.gov/nr/rdonlyres/cf5ead4f-f9c9-46f9-b97a-f0e7945f2254/0/mportpomapforweb.pdf

.33 County Lead Agencies – County lead agencies are responsible for developing a county-wide approach to select priority transportation projects in their respective boundaries. Transportation needs of the rural counties are often much different than the needs of metropolitan areas. Rural counties frequently partner with the smaller local jurisdictions to meet the broader needs of the county-wide transportation system. Responsibilities of county-lead agencies include:

- Develop criteria that relate to county-wide priorities, establish application procedures, project selection, inform local agencies of selection and monitor to ensure delivery of Surface Transportation Program (STP) funds. Federal funds cannot be sub-allocated to individual jurisdictions or modes based on a predetermined percentage or formula (23 CFR 450.326(m)).
- Include non-metropolitan local officials with responsibility for transportation, including tribal nations and provide for consideration of all modes of transportation.
- Public involvement through the respective agency's six-year program hearings and selection processes.

After projects are prioritized, selected, and approved through the county-wide process, the projects are programmed in the respective lead agency's transportation program. Upon adoption of the agency's transportation program, it is submitted for inclusion in the STIP. Each county lead agency works with its jurisdictions to ensure process for inclusion in the STIP.

.34 Local Agencies Outside MPOs – Local agencies outside MPOs are required to comply with the state six-year programming laws as well as federal law under the Federal Transportation Act, 23 USC, and 49 USC for any project they wish to finance with federal funds. Public involvement includes the six-year program hearings and the public comment processes for the local agency.

12.4 Statewide Transportation Improvement Program (STIP)

The Federal Transportation Act requires that each state develop a STIP as a condition to authorize federal funds for transportation projects. The STIP is a four-year prioritized program of transportation projects, compiled from rural transportation programs, RTIPs and MTIPs that have been found consistent with Regional and Metropolitan Transportation Plans along with the Washington Transportation Plan (WTP). The STIP includes projects such as pavement overlays, roadway widening, bridge replacement or repair, signal systems, safety enhancements, bicycle and pedestrian facilities, and transit or other multimodal improvements. Projects included in the STIP are funded by a combination of federal, state, and local sources. Federally funded aid projects must be included in the STIP before FHWA or FTA can authorize the expenditure of federal funds. Once projects are approved in the STIP, agencies may request project authorization with federal funds.

The STIP is developed annually beginning in October. A draft STIP is available for public review and comment in November on WSDOT's website. WSDOT submits the final STIP to FHWA and FTA, which is approved in January. The STIP is available on WSDOT's STIP web page that includes a searchable database. Monthly STIP amendments are submitted to FHWA/FTA for approval and are available for public review and comment on WSDOT's website concurrently for 10 calendar days.

The STIP includes:

- All TMA transportation improvement programs without change.
- All MPO transportation improvement programs without change.
- The first four years of all RTPO transportation improvement programs.
- The first four years of rural transportation programs for agencies not in an RTPO.
- Involvement of:
 - Local Agencies
 - Regional Transportation Planning Organizations
 - Transportation Management Areas
 - Metropolitan Planning Organizations
 - WSDOT
 - Transit Agencies
 - Tribal Nations
 - The Governor's Office

The basic required elements of the STIP are:

- All proposed highway and transit projects in the state funded under Title 23 and Title 49 USC, including federal lands projects.
- Consistent with the statewide transportation plan.
- In areas that are in a non-attainment status under the Clean Air Act for carbon monoxide, ozone, particular matter less than 10 microns in diameter (PM₁₀), or PM_{2.5}, include projects that conform with the State Implementation Plan (SIP).
- Consistent with expected available funding.
- Identify projects and selection priorities developed with appropriate consultation and coordination with local jurisdictions, metropolitan planning organizations, and federal lands agencies.
- Include regionally significant projects funded with federal funds other than those administered by FHWA or FTA, and projects funded with non-federal funds.
- Meet the requirements of 23 USC 135(e), Statewide Planning, coordination with local jurisdictions, and approved by FHWA and FTA.
- Include a project or identified phase of a project, only if full funding can reasonably be anticipated to be available for the project or phase within the time period contemplated for completion of the project or the identified phase.

The STIP shall include for each project or phase:

- Project descriptions (such as type of work, termini, length, and other similar factors) to identify the project or phase of the project.
- An estimate of the total project cost (all phases, all funding sources).
- The amount of federal, state, and local funds proposed to be obligated during each program year.
- Complete funding for the phase identified (all funding sources).

WSDOT is primarily responsible for implementing the Washington State STIP. This cannot be accomplished without recognizing the requirements of all transportation providers in developing their various transportation programs. Agencies within an MPO must submit projects to the MPO, who will then submit the projects to WSDOT for inclusion in the STIP. Agencies within a RTPO and/or County lead agency verify with the applicable agency the process regarding project submittals for inclusion in the STIP.

The following schedule shows the processes and responsibilities required by state and federal law to develop Washington's STIP. Many of the events on the schedule interact with others and require cooperation and communication among government agencies. The schedule is crucial to managing transportation funding. Agencies must plan adequate time for discussion and analysis and public involvement, as well as time to submit information for review.

Annual STIP Timeline	
Deadline	Description
June 30	Cities' and towns' six-year transportation programs are adopted.
July	Agencies and WSDOT submit projects for inclusion in the STIP to MPOs and RTPOs, as applicable.
July 31	Adopted transportation programs are due to WSDOT.
August/September	MPOs assemble regional TIPs and prepare analysis for conformity finding (as applicable).
August	WSDOT reviews draft MPO TIPs. As requested, WSDOT reviews draft RTPO TIPs, County Lead and city transportation programs.
September 1	Transit agencies six year plans are due.
September/October	WSDOT, FHWA and FTA review MTIPs for air quality conformity.
October	All MPO and RTPO TIPs are due to WSDOT when the October amendment is due.
November	WSDOT approves MPO TIPs. FHWA and FTA issue Regional Air Quality Conformity finding. WSDOT makes the draft STIP available for public review.
December	WSDOT submits the STIP to FHWA and FTA for approval.
December	Counties adopt annual budgets and six-year programs.
January	FHWA and FTA approve the STIP.

The STIP is amended each month through October. The STIP amendment schedule is available at www.wsdot.wa.gov/localprograms/programmgmt/stip.htm.

12.5 Funding Sources

The federal aid highway funding is administered through WSDOT, which is responsible for ensuring that federal and state requirements and procedures are followed. This responsibility is further documented in the FHWA and WSDOT Stewardship and Oversight agreement ([Chapter 13](#)). Once a project is selected to receive federal aid highway funding, the project *must* be developed in accordance with the federal requirements and procedures that apply to federal aid highway projects. All FHWA funded programs are reimbursement programs for financing transportation projects.

FHWA provides apportionment, allocations and obligation authority to each state. Distribution between WSDOT and locals is based upon the Governor's advisory group recommendation. MPOs, RTPOs and county lead agencies are notified accordingly of the annual funding available and the expectation that they deliver their proportionate share to ensure that FHWA funds are maximized. For additional details: www.wsdot.wa.gov/LocalPrograms/ProgramMgmt/funding.htm

.51 Surface Transportation Block Grant Program (formerly the Surface Transportation Program (STP)) – The STBG program provides flexible funding that may be used by WSDOT and local agencies for projects to preserve and improve the conditions and performance on any federal aid highway, bridge and tunnel projects on any public road, pedestrian and bicycle infrastructure, and transit capital projects, including intercity bus terminals.

For details on all eligible activities and additional details, go to www.fhwa.dot.gov/fastact

Agencies are expected to consider the relative importance of the route, roadway condition, and traffic impact on NHS routes as they prepare their six-year programs for their roadway systems. The local agencies and the responsible selection agencies will ensure their respective NHS routes are given priority in their programming process.

STBG Funding

- A portion of the STBG funding is suballocated to MPOs, RTPOs, and county lead agencies based on 2010 census population. The FAST Act requires the sub-allocated amount based on population to grow over the period of the Act (51% in FY 2016; 52% in FY 2017; 53% in FY 2018; 54% in FY 2019; 55% in FY 2020). The suballocated amounts are distributed as follows:
 - **Urbanized areas greater than 200,000** – Project selections are made by the MPOs in consultation with the State. These funds may be used anywhere within the planning area boundary of the MPO.
 - **Areas greater than 5,000 but no more than 200,000** – Funds are allocated to MPOs and county lead agencies and can only be used in areas encompassed by adjusted urban or urbanized area boundaries. Need to ensure that these funds are not used in any rural areas, regardless of whether they may be within an MPO's planning area.
 - **Areas with population of 5,000 or less (distributed based on rural lane miles)** – Funds are allocated to MPOs and county lead agencies and 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 an MPO's planning area. Annually statewide, there is the ability for localities to utilize up to 15 percent of the amount reserved for rural areas for rural minor collector improvements.
- The remaining STBG is available for use in any area of the state and distribution is left to the discretion of the state. Local agencies are provided a proportion of these funds in their annual allocation that are distributed to all based on 75% total population/25% total county lane miles. Local Programs administration costs is taken off after initial allocations based on proportional share of the total allocation for each MPO and county lead agency.
- Two separate set-asides are included in the STBG funding:
 - Transportation Alternatives (described below)
 - Off-system bridges – this funding is combined with NHPP funding to total approximately \$45 million/annually for replacement, rehabilitation and preventative maintenance of local agency bridge on and off the federal aid system. (see [Chapter 34](#) or go to: www.wsdot.wa.gov/LocalPrograms/Bridge/Funding.htm)

The federal participation rate for STBG is 86.5 percent.

For details on all eligible activities go to: www.fhwa.dot.gov/fastact

.52 National Highway Performance Program (NHPP) – The NHPP program provides funding for the condition and performance of the National Highway System (NHS), for the construction of new facilities on the NHS, and to ensure that investments of Federal-aid funds in highway construction are directed to support progress toward the achievement of performance targets established in the State's asset management plan for the NHS. The NHPP program provides funding that may be used by WSDOT and local agencies for projects including: construction, reconstruction, resurfacing,

restoration, rehabilitation, and preservation of highways and bridges, including bridges on a non-NHS Federal-aid highway (if Interstate System and NHS Bridge Condition provision requirements are satisfied); bridge and tunnel inspection and evaluation, as well as training bridge and tunnel inspectors; transit capital; environmental restoration and mitigation; safety; construction, rehabilitation, or replacement of ferry boats and facilities; Intelligent Transportation Systems (ITS); and bicycle and pedestrian infrastructure.

FAST continues the focus on performance, accountability and performance targets nationally. This requirement has states develop a risk-based asset management plan for the NHS. To meet these requirements WSDOT utilizes the majority of the funding for preservation and improvements on state owned NHS facilities. In addition, locally owned NHS facilities are eligible to compete through the following statewide programs.

The statewide NHS Asset Management program. The objective of the program is to highlight the importance of preserving the roadway system by incentivizing agencies to use asset management strategies that provide cost-effective solutions to maximize the life expectancy of a NHS roadway. www.wsdot.wa.gov/LocalPrograms/ProgramMgmt/NationalHighwaySystem.htm

Also, approximately 6 percent of the NHPP program for local entities is dedicated to fund a portion of a statewide local agency competitive bridge program. (see [Chapter 34](#) or go to: www.wsdot.wa.gov/LocalPrograms/Bridge/Funding.htm)

For information on the designated local NHS routes, go to: www.fhwa.dot.gov/planning/national_highway_system/nhs_maps/section1122.cfm

For details on NHPP and eligible activities, go to: www.fhwa.dot.gov/fastact/factsheets/nhppfs.cfm
www.fhwa.dot.gov/specialfunding/nhpp/160309.cfm

.53 Highway Safety Improvement Program (HSIP) – The HSIP continues in the FAST Act to achieve a significant reduction in traffic fatalities and serious injuries on all public roads, including non-state owned public roads and roads on tribal lands. The HSIP requires a data-driven, strategic approach to improving highway safety on all public roads that focuses on performance.

- **Strategic Highway Safety Plan** – The safety program requires each state to develop and implement a strategic highway safety plan that is approved by the Governor. Washington State’s plan is called Target Zero. Target Zero identifies safety problems and includes strategies to improve them. As part of the plan, the state is required to develop an evaluation process to assess results and use the information for future improvements.

The two priority areas of Target Zero 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% to WSDOT programs and 70% to local agencies, primarily cities and counties. The local responsibility includes crashes on city streets designated as state highways in cities that exceed 25,000 population. The program includes set-asides for High-Risk Rural Roadways (HRRR) and the Railway-Highway Crossing Program. Also, approximately \$2 million/biennium is provided for the Safe Routes to School (SRTS) program.

- **Local Safety Programs** – Safety projects selected must be consistent with the strategic highway safety plan. WSDOT has three programs to assist local agencies to address safety:
 - a. **City Safety Program** – The goal of the program is to fund the design/ preliminary engineering, right of way, and construction phases of projects that will reduce fatal and serious injury collisions on city streets in cities of any population and state highways that serve as arterials within cities with a population above 25,000. Projects are identified through a local road safety plan through utilization of crash data to address spot location improvements such as: specific intersections, compact roundabouts, mid-block locations or corridors, as applicable, or a systemic low cost, widespread, risk based approach throughout a city or over wide areas within a city.
 - b. **County Safety Program** – The goal of the program is to fund the design/ preliminary engineering, right of way, and construction phases of projects that will reduce run-off-road and intersection-related fatal and serious injury collisions on county roads. Projects are identified through a local road safety plan through utilization of crash data to identify and prioritize systemic low cost, widespread, risk based approach such as: high friction surface treatments, increase operations or visibility of traffic signals and/or signs, intersection conflict warning systems or specific intersections improvements including roundabouts, as applicable.
 - c) The Railway-Highway Crossing program provides funding for safety improvements to reduce the number of fatalities, injuries, and crashes at public grade crossings. The program must use at least 50% of these funds to install or upgrade protective devices at railroad crossings. Examples include gates, pedestrian crossings, signal systems, and signing. Funds may also be used to eliminate grade crossings by closing them or providing grade separation.

All projects funded through this program are required to report on subsequent crash data to FHWA for those years after completion of the project.

The federal participation rate for HSIP is 90 percent.

The FAST Act, established five safety performance measures for State Departments of Transportation (DOTs) to establish targets and report on annually. Targets are established based on the five-year rolling averages for: (1) Number of fatalities, (2) Rate of fatalities per 100 million VMT (vehicle miles traveled), (3) Number of serious injuries, (4) Rate of serious injuries per 100 million VMT, and (5) Number of non-motorized fatalities and non-motorized serious injuries. States are required to report annually and meet 4 of the 5 focus area targets to maintain compliance.

For details on all eligible activities, go to www.fhwa.dot.gov/fastact/guidance.cfm

.54 Transportation Alternatives – The FAST Act replaced the Transportation Alternative Program (TAP) with a set-aside of Surface Transportation Block Grant (STBG) program funding for transportation alternatives (TA). These set-aside funds include all projects and activities previously eligible under TAP, encompassing a variety of smaller-scale transportation projects, such as on-and off-road trail facilities, pedestrian and bicycle facilities, infrastructure projects for improving non-driver access to public transportation and enhanced mobility, community improvement activities, environmental mitigation, and safe routes to school projects.

Suballocation of TA

- 50 percent of TA funding is suballocated to MPOs, RTPOs, and county lead agencies based on 2010 census population as follows:
 - Urbanized areas greater than 200,000.
 - Areas greater than 5,000 but no more than 200,000.
 - Areas with population of 5,000 or less.
- The remaining 50 percent is available for use in any area of the state and distribution is left to the discretion of the state. At this time, approximately \$4 million/biennium is dedicated to the statewide Safe Routes to School program and the remaining is provided to the RTPOs.

WSDOT and MPOs are not eligible project sponsors for TA funds. However, State DOTs and MPOs may partner with an eligible project sponsor to carry out a project. Also, nonprofits are not eligible as direct grant recipients of TA funds unless, they are a designated transit agency, school, or responsible for the administration of local transportation safety programs.

The federal share for TA is 86.5 percent.

The FAST Act requires states and MPOs to report annually to USDOT on project applications and projects that are awarded TA funding. The USDOT must make these reports available to the public. The reports are based on each Federal Fiscal Year (FFY). The report is due from the MPO/RTPO/County by November 20th each year to WSDOT's Local Programs office in order to meet the FHWA deadline in December.

MPO/RTPO/County is to submit to WSDOT a report for each FFY that includes:

- The number of project applications received that FFY;
- The aggregate cost of the projects for which applications were received that FFY;
- The number of projects selected for funding that fiscal year, including:
 - Aggregate costs of the projects selected, and
 - Location of the projects selected.
- The types of projects to be carried out, based on the following seven categories:
 - Pedestrian and Bicycle Facilities
 - Recreational (recreational trail projects only)
 - Turnouts, Overlooks, Viewing Area
 - Historic Preservation
 - Environmental and Wildlife
 - Safe Routes to School
 - Other – Inventory, control or removal of outdoor advertising

For details on all eligible activities, go to www.fhwa.dot.gov/fastact/guidance.cfm

.55 Congestion Management and Air Quality (CMAQ) – The CMAQ program provides funding for transportation projects and programs that will reduce congestion and improve air quality for areas that do not meet the National Ambient Air Quality Standards (NAAQS) for ozone, carbon monoxide, or particulate matter (non-attainment areas), and for former nonattainment areas that are now in compliance (maintenance areas).

The Clean Air Act (CAA) of 1970 also provides for a set-aside for those areas with a classification for PM_{2.5} (particulate matter under 2.5 micrograms in diameter). For more information on Air Quality requirements, see the *Environmental Manual* M 31-11.

The primary intent is for these projects and programs to result in tangible reductions in oxides of nitrogen and sulfur (ozone precursors) and CO emissions within a timeframe to allow attainment as provided in the Clean Air Act Amendments (CAAA) of 1990. It is important to note that the Clean Air Act requires highest priority be given to the implementation of the transportation portions of applicable SIPs and Transportation Control Measures (TCMs) from applicable SIPs.

An evaluation and assessment of CMAQ projects and programs to determine the direct and indirect impact of the projects on air quality and congestion is required. Air quality benefits must be determined and documented to have projects qualify for CMAQ funds.

CMAQ funds are distributed to the five MPOs representing maintenance areas – Puget Sound Regional Council (PSRC), Spokane Regional Transportation Council (SRTC), Yakima Valley Conference of Governments (YVCOG), and Thurston Regional Planning Council (TRPC). FAST has a set-aside for MPOs designated as nonattainment or maintenance areas for PM_{2.5} that are to be used to address PM_{2.5} emissions. Tacoma, within PSRC, is designated as a maintenance area for PM_{2.5}.

Project planning activities are eligible only if the project leads directly to construction of a CMAQ project; that is, system planning and other non-project specific planning is not eligible. Developing computerized systems, such as a Geographic Information System, are not eligible. Studies to analyze future transportation needs are eligible only to the extent they are needed to develop project specific construction plans.

Sidewalk extensions and wheelchair ramps are eligible if they are incidental to an eligible CMAQ project, but are not eligible if they are the only work in the project. Paving projects for dust control are eligible only in areas where PM₁₀ nonattainment is or has been attributed to transportation sources.

If FTA determines eligibility, CMAQ funds may be transferred to FTA to purchase alternate fuel buses and refueling stations for bus fleets and transit conversion to alternate fuel and personal rapid transit systems. Converting municipal fleet operations to alternate fuel source such as compressed natural gas is eligible in areas that require conversion as a measure to mitigate noncompliance in the Clean Air Act.

The FAST Act requires WSDOT to report to FHWA annually on the CMAQ project obligations and associated air quality benefits for the project. MPOs annually provide WSDOT each obligated project's air quality benefits for submission into the national database of CMAQ investments, air quality benefits. The information is utilized by FHWA personnel for Congressional reporting and available to states and MPOs on an individual request basis. Also, FHWA has released a CMAQ Public Access System that

provides the opportunity for the general public to have access to the FHWA approved data at: https://fhwaapps.fhwa.dot.gov/cmaq_pub/

FAST requires performance measures be established by USDOT for states to use to assess traffic congestion and on-road mobile source emissions and target to address those performance measures to be set by the state. In Washington, PSRC (a Transportation Management Area over one million in population representing a maintenance area) is required to develop and update biennially a performance plan to achieve air quality and congestion reduction targets.

The federal participation for CMAQ is 86.5 percent.

For details on all eligible activities, go to www.fhwa.dot.gov/fastact/factsheets/cmaqfs.pdf

.56 Ferry Boat Program (FBP) – The FBP continues in FAST for the construction of ferry boats and for design, right of way, and construction of ferry terminal facilities. Funds will be allocated to states for distribution to the specific eligible public entity.

Federal aid highway funds are available for capital improvements to existing ferry facilities, as well as construction of new ferry facilities. Cost-effective preventive maintenance activities that extend the useful life of the ferry facility are also an eligible activity under 23 USC 116(e). However, operational costs of a ferry, such as costs of ferry service administration, crews, general maintenance, and fuel, are not eligible for direct federal aid highway funding.

Ferry entities are required to submit data to the national ferry database in order to be eligible for FBP funding. FBP funds will be allocated using the most current data to public owned ferry entities. FBP funds are available for three years and then withdrawn. Project scopes are required to be submitted to WSDOT for FHWA approval prior to inclusion in the STIP.

The federal participation is 80 percent.

For details on all eligible activities, go to www.fhwa.dot.gov/fastact/factsheets/ferryboatfs.cfm

.57 Emergency Relief (ER) Program – The FAST Act continues the Emergency Relief program, which provides funds for emergency repairs and permanent repairs on Federal-aid highways and roads, tribal transportation facilities, and roads on Federal lands that have suffered serious damage as a result of natural disasters or catastrophic failure from an external cause. Refer to [Chapter 33](#) for details.

.58 National Highway Freight Program (NHFP) – The FAST Act establishes a National Highway Freight Program to improve the efficient movement of freight on the National Highway Freight Network (NHFN) and support several goals, including—

- Investing in infrastructure and operational improvements that strengthen economic competitiveness, reduce congestion, reduce the cost of freight transportation, improve reliability, and increase productivity;
- Improving the safety, security, efficiency, and resiliency of freight transportation in rural and urban areas;
- Improving the state of good repair of the NHFN;
- Using innovation and advanced technology to improve NHFN safety, efficiency, and reliability;

- Improving the efficiency and productivity of the NHFN;
- Improving State flexibility to support multi-State corridor planning and address highway freight connectivity; and
- Reducing the environmental impacts of freight movement on the NHFN.
[23 U.S.C. 167 (a), (b)]

The WSDOT facilitated Freight Advisory Committee, which includes broad representation of local and freight stakeholders, prioritizes projects for the NHFP funding that is appropriated each biennium by the State Legislature.

The federal participation rate is 86.5 percent.

For details on all eligible activities, go to www.fhwa.dot.gov/fastact/guidance.cfm

.59 Ferry Boat Program (FBP) – The Moving Ahead for Progress in the 21st Century Act (MAP-21) revised 23 U.S.C. 147 and created the FBP for funding construction of ferry boats and terminal facilities and ferry maintenance facilities. The FAST Act continues to allocate FBP funds to States, U.S. territories, and Puerto Rico, and then further among eligible entities (ferry systems), based on a statutory formula.

The FAST Act continues to require the Bureau of Transportation Statistics to maintain a national ferry database. Ferry entities are required to submit data to the most recent collection of data for the national ferry database in order to be eligible for FBP funding. FBP funds will be allocated using the most current data. At the discretion of the Secretary, adjustments can be made to misreported or inconsistent data.

The FAST Act modified the formula, giving greater weight to the number of passengers carried by ferry systems. The formula is:

- 35% based on the number of ferry passengers, including passengers in vehicles, carried by each ferry system;
- 35% based on the number of vehicles carried by each ferry system; and
- 30% based on the total route nautical miles serviced by each ferry system.

Ferry Boat Program (FBP) funds are allocated differently than the federal formula funds (e.g., STBG, CMAQ, etc.). FHWA notifies each state that the Ferry Boat Program funds are available for the specific FFY. WSDOT notifies the Ferry Operator of the amount of funding available for that particular year.

Prior to obligation there are several steps that have been required since MAP-21 (2013).

- Scopes of work must be approved by FHWA prior to inclusion in the STIP
- Project must be included in the STIP
- Agency submits complete funding package for obligation (no later than July 1st)
- WSDOT requests FHWA funds be allocated to WA
- After funds are allocated WSDOT sends request to FHWA to obligate the funds

The FAST Act explicitly prohibits FBP funding for the construction or purchase, for private ownership, of a ferry boat, terminal facility, or other project. It also changes the mechanism used for selling, leasing, or otherwise disposing of Federally-funded ferry boats and terminal facilities.

The FAST Act requires for the FBP the funds are to be:

- Withdrawn from an eligible entity any allocated FBP funds that entity has not obligated by the end of the third fiscal year following the year in which State initially allocated the funds; and
- Redistributed those withdrawn funds (in accordance with the FBP formula described above) among other eligible entities.

12.6 FHWA Discretionary Programs

FHWA administers some discretionary programs through its various offices.

These discretionary programs represent special funding categories where FHWA solicits for candidates and selects projects for funding based on applications received. Each program has its own eligibility and selection criteria that are established by law, by regulation, or administratively. Below is a brief description of these programs.

.61 Federal Lands and Tribal Transportation Programs – The Federal Transportation Act continues to acknowledge the importance of access to federal and tribal lands. Recognizing the need for all public federal and tribal transportation facilities to be treated under uniform policies similar to the policies that apply to federal aid highways and other public transportation facilities, a unified program was created for federal lands transportation facilities, federal lands access transportation facilities, and tribal transportation facilities.

- **Federal Lands Transportation Program** – Provides funding for projects that improve access within federal lands, such as national forests, national wildlife refuges, national recreation areas and other federal public lands on transportation facilities in the national Federal Lands transportation inventory, and owned and maintained by the federal government. The National Park Service, U.S. Fish and Wildlife Service and U.S. Forest Service receive annual allocations identified in legislation. The Secretary decides allocation amounts for Bureau of Land Management, Bureau of Reclamation, U.S. Army Corps of Engineers, and eligible independent Federal agencies with natural resources and land management responsibilities.
- **Federal Lands Access Program** – Provides funding for projects on federal lands access transportation facilities that are located on or adjacent to, or that provide access to federal lands. The program supplements state and local resources for public roads, transit systems, and other transportation facilities that provide seamless access to high-use federal recreation sites or federal economic generators with federally-owned lands. Funds are distributed by formula based on recreational visitation, federal land area, federal public road mileage, and the number of federal public bridges. Programming decisions will be made locally using a tri-party model in each state comprised of representatives from FHWA, state DOT, and local government, in consultation with applicable Federal Land Management Agencies (FMLAs). A new federal match is required for these funds.
- **Tribal Transportation Program** – Provides funding for projects that improve access to and within Tribal lands. This program continues to provide set-asides for tribal bridge projects, tribal safety, program administration and tribal planning. FAST continues the statutory formula for distributing funds among tribes, based on tribal population, road mileage, and average tribal shares under the SAFETEA- LU Indian Reservation Road program.

.62 Other Discretionary Programs – The FAST Act also contains other nationwide competitive discretionary programs such as:

- Infrastructure For Rebuilding America (INFRA) Grants – A program initially established as the Nationally Significant Freight and Highway Projects (NSFHP) program to provide financial assistance or credit assistance—to nationally and regionally significant freight and highway projects.
- Transportation Investment Generating Economic Recovery (TIGER) discretionary grant program, provides a unique opportunity to invest in road, rail, transit, and port projects that promise to achieve national objectives. The TIGER program’s eligibility requirements allow project sponsors at the state and local level to obtain funding for multi-modal, multi-jurisdictional projects that are more difficult to support through traditional DOT programs.

For details on all eligible activities go to www.fhwa.dot.gov/fastact/guidance.cfm or www.transportation.gov/tiger.

12.7 FHWA Fund Transfers to Another Federal Agency for Administration

In the event an agency would like funds administered by another federal agency (FTA, BIA, WFL, etc.), the local agency must submit to WSDOT:

1. The project’s STIP page that reflects the funding is programmed in the first year,
2. A copy of the federal agency concurrence (email/letter) to accept FHWA funds and administer the project, and
3. Local agency request to transfer.

.71 Federal Transit Administration (FTA) Transfers – Funds may be transferred from FHWA to FTA for projects that are eligible under FTA. If the project is a traditional transit project, it should be transferred to FTA. If the project involves construction of roads or highways, it should stay with FHWA.

For projects that are not clearly transit or highway, the project sponsor should select the administering federal agency. This selection should be done in informal consultation with the two agencies and the Washington State Department of Transportation. Park and ride lots, Transportation Demand Management (TDM) activities, and intermodal facilities might be eligible under both agencies’ programs.

This matrix illustrates the FTA transfer options:

	FTA	FHWA
Transit Rolling Stock	X	
Park and Ride Lots	X	X
Pedestrian Ways	X	X
Refueling Bus	X	
Carpool and Vanpool	X	X
Regional Rideshare	X	X
Commuter Trip Reduction	X	X
Bikeways		X
Intermodal Station	X	
Bus and Signal Priority		X
Transit Maintenance and Operations	X	
Ferry Terminals	X	X
Passenger Ferry Vessels	X	
People Mover	X	
Auto Ferry Vessels-Metro (Puget Sound)	X	
Auto Ferry Vessels-Rural		X

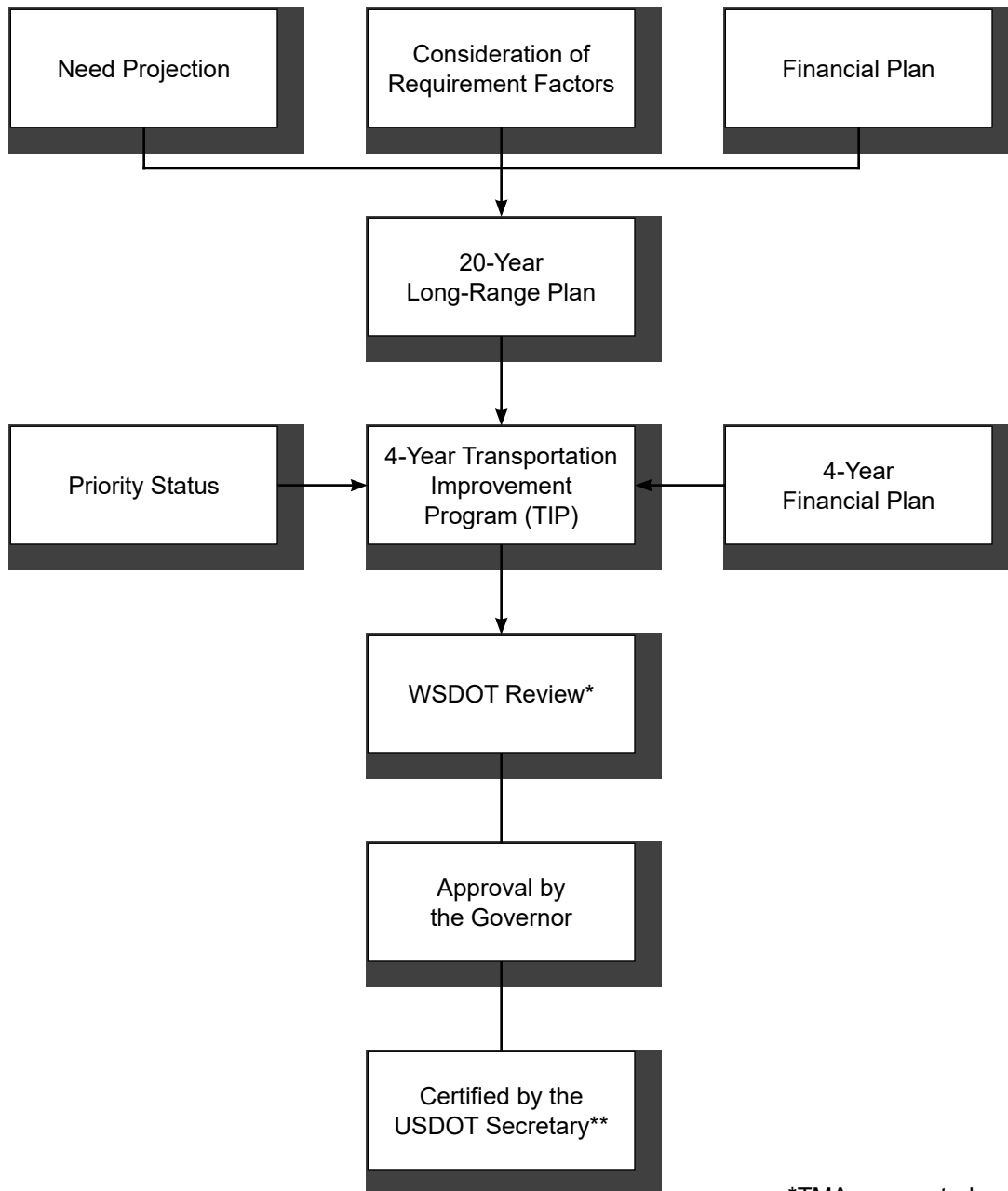
If the project is to be implemented through FTA, the entire project, including all phases, should be transferred. In some instances, (some transit planning studies and selected projects not clearly defined above), funds to a transit agency may be approved through FHWA. Generally, these projects will have their scope of work and administrative oversight administered through WSDOT's Public Transportation Division.

Once FTA has reviewed the application and it is complete and ready for approval, FTA requests the transfer through Local Programs. Local Programs will request the transfer of funds from FHWA to FTA. FHWA action to transfer the funds is considered an obligation of federal funds. FTA will subsequently work with the grant recipient to utilize the transferred funds.

12.8 Appendices

- [12.81](#) MPO Planning Flowchart
- [12.82](#) STP Lead Agencies

Appendix 12.81 MPO Planning Flowchart



*TMAs exempted.
**TMAs only.

**Regional Planning and Programming Process
(Simplified Chart for MPOs)**

Appendix 12.82 STP Lead Agencies

Adams County
Benton-Franklin Council of Governments
Chelan-Douglas Transportation Council
Clallam County
Columbia County
Cowlitz-Wahkiakum Council of Governments
Ferry County
Garfield County
Grant County
Grays Harbor Council of Governments
Island County
Jefferson County
Kittitas County
Klickitat County
Lewis-Clark Valley MPO
Lewis County
Lincoln County
Mason County
Okanogan County
Pacific County
Pend Oreille County
Puget Sound Regional Council
San Juan County
Skagit Council of Governments
Skamania County
Southwest Washington Regional Transportation Council (RTC)
Spokane Regional Transportation Council
Stevens County
Thurston Regional Planning Council
Wahkiakim County
Walla Walla Valley MPO
Whatcom Council of Governments
Whitman County
Yakima Valley Conference of Governments