



U.S. Department  
of Transportation  
**Federal Highway  
Administration**

# Notice

Subject:

**ADVANCE NOTIFICATION OF FEDERAL-AID HIGHWAY FUNDS  
TO BE APPORTIONED ON OCTOBER 1, 2016**

Classification Code	Date	Office of Primary Interest
<b>N4510.806</b>	June 30, 2016	<b>HCFB-10</b>

- 1. What is the purpose of this Notice?** This Notice is to notify States, as required by section 104(e) of title 23, United States Code (U.S.C.), of the anticipated amounts of funds to be apportioned under 23 U.S.C. 104, as amended by the Fixing America's Surface Transportation (FAST) Act, Public Law 114-94, for Fiscal Year (FY) 2017. The anticipated apportionment amounts are subject to change before issuing the certificate of apportionment, which is effective on October 1, 2016. This Notice also provides the procedures for States to opt out of the Recreational Trails Program and the procedures for the Governor of a land border State to designate up to 5 percent of the State's FY 2017 Surface Transportation Block Grant Program (Any Area) funds for use on border infrastructure projects.
- 2. What are the anticipated FY 2017 apportionments?** The following table shows the FY 2017 anticipated apportionment amounts effective on October 1, 2016. The table shows the anticipated apportionments of the National Highway Performance Program, Surface Transportation Block Grant Program, Highway Safety Improvement Program, Railway-Highway Crossings Program, Congestion Mitigation and Air Quality Improvement Program, Metropolitan Planning Program, and National Highway Freight Program.
- 3. Are certain States subject to potential withholdings or transfers?** Penalty information under sections 153, 154, 158, 161, 163, and 164 of title 23, U.S.C., is unavailable at this time. Note that States subject to penalties under 23 U.S.C. 148(g) and 23 U.S.C. 119(f) will be notified directly by the applicable program office.
- 4. What are the procedures for opting out of the Recreational Trails Program set-aside?**
  - a.** Section 133(h)(5) of title 23, U.S.C., provides for a set-aside from each State's Transportation Alternatives funding for the Recreational Trails Program. The amount of the set-aside is equal to each State's FY 2009 apportionment for the Recreational Trails Program. Each State subject to the set-aside must return 1 percent of the set-aside funds to the Secretary for administration, and these States must also comply with the provisions for the administration of the Recreational Trails Program under section 206 of title 23, U.S.C.

- b. Section 133(h)(6)(A) of title 23, U.S.C., allows a State to opt out of the Recreational Trails Program set-aside. In order to opt out of the set-aside, a State must inform the Federal Highway Administration (FHWA) of its decision to opt out no later than 30 days prior to apportionments being made for a fiscal year. Since apportionments for FY 2017 will be effective on October 1, 2016, a State must make notification of its decision to opt out by September 1, 2016. **Any State that desires to opt out of the Recreational Trails Program set-aside for FY 2017 shall notify FHWA via e-mail, with a letter signed by the Governor or the Governor's designee accompanying the opt out notification, to the FHWA Office of Budget's official mailbox (BudDiv@dot.gov) no later than September 1, 2016.** Note that failure to affirmatively opt out by the deadline will result in the Recreational Trails Program set-aside being applied to a State's Transportation Alternatives funding.
5. **What are the procedures for the Governor of a land border State to designate up to 5 percent of the State's FY 2017 Surface Transportation Block Grant Program (Any Area) funds for use on border infrastructure projects?**
- a. Pursuant to section 1437(a) of the FAST Act, after consultation with relevant transportation planning organizations, the Governor of a State that shares a land border with Canada or Mexico may designate for a fiscal year not more than 5 percent of the Surface Transportation Block Grant Program (Any Area) funds made available to the State under section 133(d)(1)(B) of title 23, U.S.C., for border infrastructure projects eligible under section 1303 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) Act.
- b. For the purposes of this provision, land border States are: Alaska, Arizona, California, Idaho, Maine, Michigan, Minnesota, Montana, New Hampshire, New Mexico, New York, North Dakota, Texas, Vermont, and Washington.
- c. Pursuant to section 1437(c) of the FAST Act, before making a designation, the Governor shall certify that the designation is consistent with transportation planning requirements under title 23, U.S.C.
- d. In order to make a designation, the Governor of a land border State must inform FHWA of the decision to designate funds no later than 30 days prior to apportionments being made for a fiscal year. Since apportionments for FY 2017 will be effective on October 1, 2016, notification of the decision to designate funds must be made by September 1, 2016. **Any Governor of a land border State that desires to designate a portion of the State's FY 2017 funds distributed under section 133(d)(1)(B) of title 23, U.S.C., for use on border infrastructure projects shall notify FHWA via e-mail, with a letter signed by the Governor or the Governor's designee**

indicating the designated percentage of funds to be set-aside (up to 5 percent) under this provision, to the FHWA Office of Budget's official mailbox (BudDiv@dot.gov) no later than **September 1, 2016**. Note that any designation made for FY 2016 funds will not be carried over for FY 2017 funds; a new designation must be made for FY 2017 funds if the Governor elects to do so.

6. **What action is required?**

- a. Division Administrators must ensure that this Notice is provided to State departments of transportation. State departments of transportation should also share this Notice with the State's Office of the Governor regarding the designation that may be made under section 1437 of the FAST Act.
- b. A State shall notify FHWA **no later than September 1, 2016**, of any decision to opt out of the Recreational Trails Program set-aside for FY 2017.
- c. The Governor of a land border State shall notify FHWA **no later than September 1, 2016**, of any decision to designate up to 5 percent of the State's FY 2017 Surface Transportation Block Grant Program (Any Area) funds for use on border infrastructure projects.



Gregory G. Nadeau  
Administrator

Attachment

U.S. DEPARTMENT OF TRANSPORTATION  
FEDERAL HIGHWAY ADMINISTRATION

N4510.808

**ADVANCE NOTICE OF ANTICIPATED FEDERAL-AID HIGHWAY PROGRAM APPORTIONMENTS FOR FY 2017**  
(before post-apportionment set-asides; before penalties; before sequestration)

<u>State</u>	<u>National Highway Program</u>	<u>Surface Transportation Block Grant Program</u>	<u>Highway Safety Improvement Program</u>	<u>Railway-Highway Crossings Program</u>	<u>Congestion Mitigation &amp; Air Quality Improvement</u>	<u>Metropolitan Planning</u>	<u>National Highway Freight Program</u>	<u>Apportioned Total</u>
Alabama	466,070,774	232,284,249	46,382,630	4,762,481	11,615,956	3,123,997	21,223,844	785,463,731
Alaska	294,920,537	147,488,537	31,213,632	1,150,000	28,020,820	2,303,794	14,020,137	519,117,557
Arizona	421,141,797	210,880,562	43,428,784	2,785,964	52,823,425	5,945,409	20,386,307	757,492,248
Arkansas	315,359,754	157,275,300	30,677,676	3,928,891	12,538,500	1,745,652	14,494,254	536,020,027
California	1,967,376,918	991,557,036	199,815,949	16,077,877	472,537,102	50,834,794	101,681,920	3,799,881,396
Colorado	304,312,514	152,594,923	30,085,816	3,308,462	43,067,485	5,373,578	14,870,779	553,613,557
Connecticut	283,126,545	142,083,618	29,726,958	1,342,440	45,048,084	4,689,072	13,977,655	519,994,372
Delaware	97,312,728	48,753,257	9,528,786	1,150,000	11,874,368	1,810,474	4,701,174	175,130,787
Dist. of Col.	92,313,704	46,227,297	8,880,209	1,150,000	10,285,981	1,803,328	4,431,734	165,192,253
Florida	1,165,388,197	580,758,739	119,044,018	8,841,721	13,845,475	21,036,696	52,834,827	1,981,547,473
Georgia	760,130,660	380,111,022	75,197,249	8,217,049	69,187,145	7,894,011	38,048,979	1,338,786,115
Hawaii	98,163,265	49,143,897	9,822,121	1,150,000	10,547,567	1,776,893	4,701,415	175,105,158
Idaho	169,896,423	84,897,659	16,785,891	1,847,997	13,047,421	1,645,029	7,988,267	296,118,707
Illinois	808,743,734	405,552,458	78,001,894	10,747,047	112,102,021	17,336,598	39,453,488	1,471,937,238
Indiana	563,220,536	281,552,802	54,177,250	7,628,763	47,974,557	5,317,955	26,816,835	988,488,498
Iowa	299,383,469	149,306,359	27,388,382	5,454,998	11,501,155	2,015,337	13,748,486	508,808,188
Kansas	229,399,350	114,435,574	18,942,038	6,231,510	9,689,784	1,979,044	10,559,675	391,236,975
Kentucky	405,864,687	202,366,799	40,798,011	3,740,276	13,949,145	2,573,864	18,591,483	687,884,265
Louisiana	429,685,212	214,197,564	42,975,527	4,174,554	11,655,077	4,368,155	19,592,854	726,628,943
Maine	107,831,887	53,956,037	10,544,557	1,288,568	10,484,834	1,871,665	5,133,026	191,110,574
Maryland	337,365,199	168,360,554	34,623,105	2,398,269	54,674,529	7,045,642	16,683,816	622,151,114
Massachusetts	333,779,829	167,862,628	34,099,790	2,528,137	64,576,683	9,133,136	16,805,845	628,786,048
Michigan	605,232,115	303,237,509	58,557,837	7,858,582	75,354,978	10,521,465	29,281,655	1,090,043,951
Minnesota	384,826,513	192,388,424	36,027,080	6,202,546	32,813,478	4,645,629	18,187,084	675,100,754
Mississippi	294,714,725	146,874,484	28,803,671	3,537,376	11,423,625	1,727,757	13,536,992	500,718,610
Missouri	574,652,060	286,665,486	57,328,534	5,731,938	24,001,094	5,281,142	26,444,524	980,104,758
Montana	246,311,342	122,979,216	25,085,348	1,944,067	15,158,713	1,826,634	11,473,927	424,779,247
Nebraska	173,403,320	86,582,013	15,281,971	3,748,753	10,475,553	1,683,973	8,072,049	299,245,632
Nevada	204,345,572	102,582,796	21,274,227	1,150,000	33,163,302	3,335,318	10,106,883	375,838,068
New Hampshire	95,824,748	47,975,956	9,365,500	1,150,000	10,537,877	1,606,191	4,596,312	171,056,584
New Jersey	550,298,961	276,685,569	56,581,457	3,606,584	105,991,011	12,648,619	27,694,017	1,033,706,218
New Mexico	221,696,226	110,640,559	22,678,742	1,649,490	11,621,169	1,635,373	10,269,525	380,191,084
New York	917,269,083	461,531,662	94,266,978	6,391,185	186,533,528	25,373,314	48,443,530	1,737,809,280
North Carolina	616,628,572	308,245,328	60,992,054	6,674,788	52,186,564	5,910,024	29,130,959	1,079,768,287
North Dakota	147,688,822	73,791,791	12,348,689	3,858,208	10,712,119	1,705,887	6,926,132	257,031,648
Ohio	770,531,771	386,056,749	75,616,005	8,939,677	97,502,631	11,769,630	37,323,736	1,387,740,399
Oklahoma	388,158,253	193,509,220	37,154,418	5,440,822	11,969,564	2,627,071	17,741,255	656,600,603
Oregon	298,341,083	149,024,429	29,733,784	3,005,208	19,754,274	3,677,872	13,937,420	517,474,070
Pennsylvania	952,175,225	476,695,204	97,733,448	6,755,203	106,406,241	13,178,854	45,720,270	1,698,664,445
Rhode Island	129,106,271	64,548,503	13,017,707	1,150,000	10,620,522	1,886,801	6,090,541	226,418,345
South Carolina	409,121,148	203,987,288	40,508,472	4,387,169	13,338,517	3,200,341	18,720,020	693,262,955
South Dakota	187,645,145	83,767,496	15,973,943	2,422,896	12,490,577	1,795,455	7,871,471	291,966,983
Tennessee	502,462,014	251,061,080	50,244,109	4,894,459	37,717,440	4,884,244	23,600,209	874,863,555
Texas	2,040,779,058	1,020,183,187	205,291,175	18,657,366	167,632,879	24,867,959	96,265,993	3,573,657,617
Utah	207,168,465	103,466,515	21,112,347	1,621,655	13,155,319	3,292,487	9,662,114	359,498,902
Vermont	118,172,444	59,145,715	11,817,865	1,150,000	12,061,946	2,129,932	5,841,582	210,119,484
Virginia	597,279,081	298,747,273	60,889,613	4,653,876	55,920,584	7,681,424	28,370,225	1,053,542,076
Washington	396,217,121	198,247,422	39,252,034	4,227,581	37,626,080	7,439,597	18,835,095	701,844,910
West Virginia	263,481,261	131,507,494	26,864,997	2,048,591	14,583,895	1,729,517	12,227,167	452,442,922
Wisconsin	450,838,751	225,130,393	43,584,409	5,889,188	27,897,081	4,645,233	21,005,748	778,990,803
Wyoming	152,775,958	76,318,558	15,615,143	1,150,000	10,610,326	1,606,312	7,151,261	265,227,558
<b>Apportioned Total</b>	<b>22,827,910,827</b>	<b>11,424,412,150</b>	<b>2,275,061,630</b>	<b>230,000,000</b>	<b>2,360,308,101</b>	<b>335,938,378</b>	<b>1,090,673,914</b>	<b>40,544,305,000</b>