Funding Levels

- Similar funding levels to the Transportation Enhancement Activities under SAFETEA-LU:
  - FY 2013: $808,760,000
  - FY 2014: $819,900,000
- Total TAP funding is 2% of MAP-21 highway funding.
- Funded via set-aside from each State’s formula programs.
Funding structure

Steps in the TAP suballocation process:

1. States receive an apportionment of TAP funds.
2. Funds are set aside for the Recreational Trails Program at FY 2009 levels ($84.16 m) *(unless the State opts out)*.
3. Of the remaining funds:
   - 50% are suballocated by population (large urbanized areas, other urban areas, rural areas).
   - 50% are available for any area of the State.
TAP Eligible activities

Transportation Alternatives (TA) as defined:

- Construction, planning, and design of facilities for pedestrians, bicyclists, ... compliance with Americans with Disabilities Act.
- ...safe routes for non-drivers... to access daily needs.
- Conversion and use of abandoned railroad corridors for trails...
- Construction of turnouts, overlooks, and viewing areas.
TA as defined (continued)

- Community improvement activities, including—
  - inventory, control, or removal of outdoor advertising;
  - historic preservation and rehabilitation of historic transportation facilities;
  - vegetation management practices...
  - archaeological activities relating to impacts from implementation of a transportation project eligible under this title.
TAP Eligible Activities (continued)

TA as defined (continued)

• Any environmental mitigation activity...
  • address stormwater management, control, and water pollution prevention or abatement related to highway construction or due to highway runoff...; or
  • reduce vehicle-caused wildlife mortality or to restore and maintain connectivity among terrestrial or aquatic habitats.
**TAP Eligible Activities (continued)**

- The Recreational Trails Program under section 206.
- Safe Routes to School under section 1404 of the SAFETEA-LU.
- Planning, designing, or constructing boulevards and other roadways largely in the right-of-way of former Interstate System routes or other divided highways.
TE Activities No Longer Eligible

- Safety and educational activities for pedestrians and bicycles.
- Acquisition of scenic easements and scenic or historic sites.
- Scenic or historic highway programs (including visitor and welcome centers).
- Historic preservation as an independent activity unrelated to historic transportation facilities.
- Operation of historic transportation facilities.
- Archaeological planning and research undertaken for proactive planning. This category now must be used only as mitigation for highway projects.
- Transportation museums.
Safe Routes to School Eligibility

Safe Routes to School (SRTS):

- No setaside funding for SRTS.
- All eligibilities remain.
- Allocation of funds for Infrastructure and Noninfrastructure activities do not apply (because there is no apportionment).
- Option to have a State SRTS coordinator, not required.
- No National Clearinghouse requirement or funds.
Recreational Trails Program Eligibility

Recreational Trails Program (RTP):
- RTP usually administered by a State resource agency.
- States can opt out of the program.
- States that opt out:
  - Lose the ability to use funds for State RTP administrative costs.
  - Do not return 1 percent to FHWA for administration.
  - May use TAP funds for trails projects using TAP requirements.
- Recreational trails projects also eligible under STP.
Competitive Processes

- States and MPOs
  - “Shall develop a competitive process to allow eligible entities to submit projects for funding...”
  - States and MPOs develop their own competitive processes.
Eligible Project Sponsors

- Local governments;
- Regional transportation authorities;
- Transit agencies;
- Natural resource or public land agencies;
- School districts, local education agencies, or schools;
- Tribal governments; and
- Any other local or regional governmental entity with responsibility for or oversight of transportation or recreational trails (other than a metropolitan planning organization or a State agency) that the State determines to be eligible, consistent with the goals of this subsection.
- *RTP and SRTS keep their own lists of eligible sponsors.*
Transferability of Funds

- States may transfer the “any area” TAP funds to other apportioned programs.
- Funds from other apportioned programs may be transferred into TAP...
- ...but TAP projects are broadly eligible under STP, so a transfer is not necessary to use STP funds.
- In the second fiscal year of MAP-21, unobligated balances of over 100% can be used for any TAP-eligible activity or any CMAQ activity.
Treatment of Projects

• TAP projects “shall be treated as projects on a Federal-aid highway...”
  • TAP projects must comply with applicable provisions in Title 23, such as project agreements, authorization to proceed prior to incurring costs, prevailing wage rates (Davis-Bacon), competitive bidding, and other contracting requirements, even for projects not located within the right-of-way of a Federal-aid highway.
  • Does not apply to projects conducted under the Recreational Trails Program setaside.
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