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SECTION A INTRODUCTION

Chapter 3 FHWA Funding Programs

This chapter describes the distribution of FHWA funds administered by ODOT's Highway Finance Office, and presents the basic procedures for local agency participation.

On February 17, 2009 a new federal funding program was passed in order to provide economic stimulus and recovery to the US economy in the wake of the economic downturn. This legislation is referred to as the American Recovery and Reinvestment Act (ARRA). This stimulus package is worth $787 billion. The Act includes federal tax cuts, expansion of unemployment benefits and other social welfare provisions, and domestic spending in education, health care, alternative energy research and transportation infrastructure.

Specifically to transportation, ARRA provides $27.5 billion for modernizing roads and bridges, as well as funding public transit, rail and port projects, requiring states to obligate at least half of the highway/bridge funding within 120 days; provides $1.5 billion for multimodal transportation; $8.4 billion for investments in transit; $8 billion for investment in high-speed rail and money for light rail; and over $1 billion in additional funding for improvement and construction projects at federally-supported airports.

Oregon will receive about 1.12% of the $27.5 billion in formula funding, which is about $334 million; 30% of the highway program funds will go to cities and counties for a total of $100 million, leaving approximately $224 million for state projects.The $224 million was allocated by the Oregon Transportation Commission to road, bridge, public transit, rail, and port projects.

Of the funds for state and local road projects, the majority of the funding went to preservation. Less than one quarter went to expanding capacity of the highway system. It is projected that the $234 million approved by the Oregon Transportation Commission will create 142 jobs. For additional information visit http://www.fhwa.dot.gov/economicrecovery/index.htm

A. OVERVIEW

FHWA federal-aid funds may be used to reimburse project costs for general transportation planning, preliminary engineering, right of way acquisition, utility relocation, construction, and audit. These FHWA funds may only be expended after authorization by FHWA through ODOT. Such funds cannot be used for congressional lobbying efforts.

Federal funding programs often require local agency matching funds for federal-aid projects. Donated lands and other items (e.g. "soft match") may be used as part of a local agency's match to a project under certain conditions. Details regarding soft match program requirements can be found at the Local Government Section website. Additional details are also available in the federal funding program fact sheets at the end of this chapter or by contacting the Regional Local Agency Liaison.

B. FEDERAL FUNDING FOR LOCAL AGENCIES - LEGISLATION

1. Past Legislation

- ISTEA - Intermodal Surface Transportation Efficiency Act of 1991, required the establishment of a major new federal-aid system, the National Highway System (NHS).
- TEA-21 - Transportation Equity Act for the 21st Century.

2. Current Legislation

- SAFETEA-LU (Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users). SAFETEA-LU guarantees funding for highways, highway safety, and public transportation totaling $244.1 billion for federal fiscal years 2005 through 2009. SAFETEA-LU represents the largest surface transportation investment in the nation's history. Additional information is also available in ODOT's report, SAFETEA-LU's Impacts on ODOT.
- ARRA (American Recovery and Reinvestment Act). ARRA is federal economic stimulus legislation signed into law on February 17, 2009. ARRA is intended to provide a stimulus to the U.S. economy in the wake of the economic downturn. The measures are worth $787 billion. The Act includes federal tax cuts, expansion of unemployment benefits and other social welfare provisions, and domestic spending in education, health care, and infrastructure, including the energy sector.

C. FEDERAL FUNDING FOR LOCAL AGENCIES – ELIGIBLE ROADWAYS

With the passage of the Transportation Equity Act for the 21st Century (TEA-21), followed by SAFETEA-LU, types of roadways eligible for FHWA administered funds include the following:

- The National Highway System (NHS).
- The Interstate System, which is a component of the NHS.
- Federal-aid routes, which include all routes functionally classified as rural major collectors, urban collectors and arterials.
- City and county area maps.
- All routes for bicycle/pedestrian projects.

Note: Some federal program funds can be used for rural minor collectors, local roads and streets and some of the federal programs have exceptions to these guidelines. Specific information is available in fact sheets in section K of this chapter.

D. FUNDING PROGRAMS FOR LOCAL AGENCIES

1. Federal Funding Programs

For counties and cities with a population over 5,000, a reimbursement-type program, the Surface Transportation Program (STP) is available for financing STP-eligible transportation projects. These funds are provided to the local agencies through the Working Agreement (noted previously in Chapter 2 of this Section) with ODOT, the Association of Oregon Counties (AOC), and the League of Oregon Cities (LOC). SAFETEA-LU requires that a percentage of STP funds be allocated directly to Transportation Management Areas (TMAs) – urbanized areas with populations greater than 200,000. The TMA funds are not part of the working agreement:

FHWA website provides summary sheets of all available federal aid programs.

The following programs are the most frequently used in Oregon:

- Surface Transportation Program (STP)
- Transportation Enhancement (TE) Program
- Railway/Highway Grade Crossing Program
- Highway Safety Improvement Program (HSIP)**
- High Risk Rural Roads (HR3)**
- Highway Bridge Program (HBP).
- Congestion Mitigation and Air Quality (CMAQ)
- High Priority Projects (HP)/Transportation Improvements (TI)
- Recreational Trails Program
- Safe Routes to Schools Program (SRTS)**
- Construction of Ferry Boats and Ferry Terminal Facilities Program*
- Emergency Relief Program (ER)*
- Federal Lands Highway Program (FLHP) *
- National Historic Covered Bridge Preservation*
- National Scenic Byways*
- Transportation Community and Systems Preservation Program (TCSP)**

**Federal Discretionary Programs* ***New programs via SAFETEA-LU*

Most of these federal-aid programs require matching funds from the local agency. Matching requirements are specified within each fact sheet found at the end of this chapter. Soft match (in-kind) and other mechanisms are allowed subject to certain conditions with prior approval. Additional information regarding many of these programs may also be found at the FHWA's SAFETEA-LU website.

2. State Funding Programs

One state program, the Bicycle and Pedestrian Program, is also outlined later in this chapter. Fact sheets for each federal and state program listed above are included at the end of this chapter.

E. GENERAL PLANNING REQUIREMENTS AND AREA COORDINATION

At the state and federal levels, policies and procedures have been established to provide for area-wide coordination of transportation programs. Traditionally, the planning process has required consideration of the following items:

- Land use
- Intermodal Connectivity
- Methods to enhance transit
- Needs identified through technical management systems

Now, under SAFETEA-LU, long range transportation plans at both the metropolitan and statewide levels must include a discussion of potential environmental mitigation activities. Specifically, this discussion should be developed with federal, state, and tribal wildlife land management and regulatory agencies. In addition, planning related to environmental factors has expanded under SAFETEA-LU and now includes promoting consistency between transportation improvements and state and local planned growth and economic development patterns.

F. COORDINATION WITH PLANNING AGENCIES

Federal law requires a continuous transportation planning process that involves the following:

- Oregon Transportation Plan (OTP)
- Transportation Management Areas (TMAs)
- Metropolitan Planning Organizations (MPOs)
- Statewide Transportation Improvement Program (STIP)
- Participation by interested parties

SAFETEA-LU has changed metropolitan planning requirements to make them consistent with statewide planning requirements. SAFETEA-LU also emphasizes increased coordination. For example, SAFETEA-LU requires that MPOs coordinate their transportation planning with other activities in the area including economic development, environmental protection, airport operations and freight movement.

1. Statewide Transportation Improvement Program (STIP)

a. Federal Requirements

Pursuant to Title 23 United States Code (USC), federal and state money cannot be spent on projects unless they are listed in the STIP. The STIP is a budget document that is used to schedule and fund transportation projects for the next four years. Projects listed in the STIP typically come from local or state approved plans. The STIP must be reviewed and approved by both FHWA and the Federal Transit Administration (FTA) and also:

- Identify all proposed highway and transit projects in the state funded under Title 23 and the Federal Transit Act, including Federal Land's projects.
- Incorporate the metropolitan transportation improvement programs approved by the TMAs and MPOs.
- Include projects that comply with air quality standards in carbon monoxide, ozone or PM-10 non-attainment areas, as required.
- Maintain planned expenditures in balance with expected available funding.
- Identify selection priorities developed with appropriate consultation and/or coordination with local jurisdictions, MPOs and Federal Land's agencies.
- Contain all regionally significant transportation projects requiring FHWA or FTA approval, regardless of funding.
- Meet the requirements of 23 USC 135(f), statewide planning, coordination with local jurisdictions.

b. Oregon

Information regarding Oregon's STIP including 1) a STIP brochure that briefly describes the STIP development process and how to participate, 2) a Users' Guide that discusses the procedures that ODOT regions and programs use to develop their recommended STIP program, and 3) the current adopted STIP, are available on ODOT's website. The current STIP development timeline is also available online.

In Oregon, the planning process that occurs before a transportation project makes it into the STIP depends on the type of project. Some projects are identified using the Oregon Transportation Management System (OTMS). The management system usually includes computerized databases and complex formulas that monitor and record conditions of transportation system assets, like pavement or bridges. Other projects are selected from long-range plans that use detailed studies and performance criteria to identify system improvements. There are also criteria for projects to ensure eligibility for funding and to help prioritize them. The Oregon Transportation Commission (OTC) adopts such criteria for development STIP projects, modernization, preservation, and the state bridge program. Many of the individual funding programs also have selection criteria to help choose projects. Additional information is available in the STIP Users' Guide.

The OTC adopts the STIP in odd-numbered years, usually in August. It takes about thirty months to prepare Oregon's STIP. While the STIP is adopted by the OTC, the following groups are also involved:

- Area Commissions on Transportation (ACTs)
- Transportation Management Areas (TMAs)
- Metropolitan Planning Organizations (MPOs) See table below for Oregon MPO websites
- Federal Agencies
- ODOT and ODOT Program Advisory Groups
- Local Agencies
- Indian Tribal Governments
- Oregon Freight Advisory Committee (OFAC)

- Transit Districts
- Port Districts
- The Governor's Office

2. Transportation Management Areas (TMAS)

MPOs with populations over 200,000 are designated as TMAs. TMAs are guaranteed a calculated amount of federal funds and can determine how to spend the funds. TMAs have project selection authority for regional Surface Transportation Program (STP) and any received Congestion Mitigation and Air Quality Improvement Program (CMAQ) funds in consultation with the State. Further ODOT works with all MPOs in a collaborative way to select projects that best serve the needs of each MPO.

3. Metropolitan Planning Organizations (MPOS)

By agreement with ODOT, MPOs in areas with populations between 50,000 and 200,000 receive federal STP funds. The Region and the MPOs work together to identify and prioritize transportation improvement projects and to balance investment needs in the MPO area with other needs in the Region. Some MPOs consist of a single city while others include multiple cities and unincorporated areas.

4. TMAS and MPOS

As noted in the following table, all of Oregon's TMAs are also MPOs. Transportation plans in areas of the state that are not designated as nonattainment or maintenance areas in attainment of federal air quality standards have further requirements to conform to federal air quality rules.

MPO	**Jurisdictions/Agencies**	**TMA**	**Air Quality Area**
Bend	Bend Metropolitan Planning Organization Contact: Tyler Deke at 541-693-2113 or tdeke@ci.bend.or.us	No	No
Central Lane	Lane County, Lane Transit, cities of Eugene and Springfield, and the Lane Council of Governments (LCOG). MPO E-mail: mpo@lcog.org	Yes	No
Corvallis Area	Benton County, City of Corvallis, Corvallis Transit District, Cascades West Council of Governments (CWCOG). Contact: Carl Switzer, MPO Projects Coordinator cswitzer@ocwcog.org	No	No
Kelso-Longview-Rainier	In Oregon: Columbia County, City of Rainier, Port of St. Helens. Contact: Ali Bonakdar, CAMPO Director abonakda@ocwcog.org and Theresa Conley, Transportation Planning Technician tconley@ocwcog.org	No	No
Metro	Metro, Clackamas, Multnomah and Washington counties, all	Yes	Yes

MPO	Jurisdictions/Agencies	TMA	Air Quality Area
	incorporated cities in Metro area, Tri-Met, and SMART. Contact: Transportation Planning trans@metro-region.org		
Rogue Valley	Jackson County, cities of Ashland, Central Point, Eagle Point, Medford, Phoenix, and Talent, Medford Transit District, and Rogue Valley Council of Governments (RVCOG). Contact: 541-664-6674 or http://www.rvmpo.org/ContactUs.asp	No	Yes
Salem-Keizer Area	Marion and Polk counties, cities of Salem and Keizer, Turner, Salem Transit District, and Mid Willamette Valley Council of Governments (MWVCOG). MPO E-mail: mwvcog@mailopen.org MPO Website: http://www.mwvcog.org/cog/mwvcog.asp	Yes	No

G. STATE LEVEL TRANSPORTATION PLANS

State-level transportation plans are statewide planning documents that are used to determine which projects are included in the STIP.

1. Metropolitan Area Transportation Plans

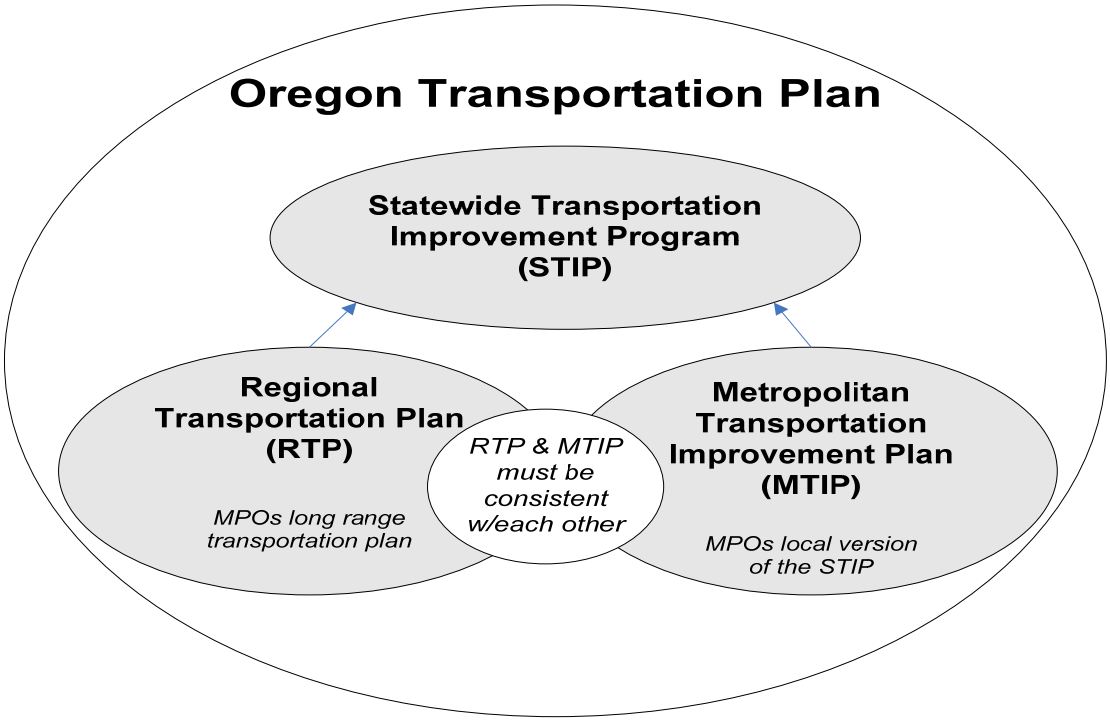
a. Regional Transportation Plan (RTP)

The RTP is the MPO's long range transportation plan. The RTP lists projects on state highways and city and county arterial streets, as well as transit needs and improvements related to other alternative modes such as bike lanes and sidewalk improvement projects. In developing the RTP each MPO is required to demonstrate that it satisfies metropolitan planning requirements established by 23 USC 134.

b. Metropolitan Transportation Improvement Program (MTIP)

MPOs are responsible for developing, in cooperation with the state and transit operators, their own local version of the STIP, called a MTIP that is consistent with the RTP. All projects in an MPO using Title 23 or Title 49 USC must be included in the MTIP in order to proceed. ODOT works with the MPOs to make sure that state highway projects are included in the MTIP. After the MTIP is adopted by the MPO Board and approved by the Governor, the projects are added to the STIP, just as they appear in the MTIP.

The following diagram illustrates how the TMAs and MPOs must integrate their projects with the MTIP and RTP in the overall development of the STIP.



H. PLANNING REQUIREMENTS

The STIP, as well as the MTIPs developed by TMAs and MPOs, must:

- Be updated and approved by the MPO and Governor at a minimum every four years. In Oregon, MTIPs are generally updated and approved every two years.
- List all projects, including pedestrian and bicycle transportation facilities, to be funded by Title 23 or Title 49 USC.
- Have reasonable opportunity (e.g. 45 days) for public comment prior to approval.
- Include a list of projects with costs corresponding to anticipated available funding in each year of the plan.
- Include a financial plan that demonstrates which projects can be implemented using current revenue sources and which projects are to be implemented using proposed revenue sources, while the existing system is being adequately operated and maintained.
- Include only projects that are consistent with the RTP.
- Include all regionally significant projects for which an FHWA or FTA approval is required, whether or not they are funded under Title 23 or Title 49 USC.

MPO areas that are subject to air quality maintenance rules have additional requirements for their MTIPs.

Additionally, projects funded only with state or local sources **may** be included in the MTIP. For consistency in planning and coordination of projects, agencies are encouraged to include all projects for which funding is **secured**.

I. LOCAL AREA TRANSPORTATION PLANS

1. Non-Metropolitan Area Transportation Plans

Outside of metropolitan areas, there are three important planning processes that are the source documents for projects listed in the STIP:

- Highway corridor plans
- Refinement plans
- (Local) Transportation System Plans (TSPs)

a. Highway Corridor and Refinement Plans

Highway corridor and refinement plans are adopted as part of the related city or county TSP. This planning process is usually conducted separately from the TSP process, but local agencies generally amend their TSP by adopting these plans as new parts of the plan because the TSP typically has already been completed and more detail is necessary. Most modernization projects that are constructed outside of metropolitan areas are developed through an ODOT highway corridor or refinement planning process. As noted, these plans may be conducted outside of the TSP process but local government normally need to amend their TSP do to these plans and the resultant actions.

For modernization projects, the corridor or refinement plan itself may be listed as a project in the STIP. These projects, which are funded from the Region's modernization program, are usually listed in the Development STIP (D-STIP). This refinement planning effort occurs inside or outside an MPO, inside an MPO it is done jointly with the appropriate MPO. The D-STIP includes projects that typically will take more than four years to develop and for which construction funds have not obtained. (Note, some corridor plans are not programmed in the D-STIP, but are funded with planning money that is given to each Region). It is important to note that regardless of the funding, if there is a problem related to capacity on the state highway system, the solution needs to be developed through an ODOT approved corridor or refinement plan that is adopted as part of the local TSP.

b. Transportation System Plans

Local TSPs are the heart of the state's transportation planning process. TSPs are elements of local comprehensive land use plans and are developed to identify multi-modal transportation solutions to serve future population and employment levels. In most communities, getting a project listed in the TSP is the first step toward advancing a specific solution. TSPs include a list of capital improvement projects and service investments that may include transit system development, bike and pedestrian system improvements, and street and highway improvements.

Most TSPs are implemented either through a local capital improvement process that determines the sequence, funding, and timing of transportation improvements, or through the local budget process. These expenditures are often integrated into local system development charge programs, development bond programs, and/or applications for state and federal grants.

J. LOCATING OREGON'S STATE-LEVEL PLANS

The following table lists plans and websites. These documents include both policies and specific system improvement needs. The policies determine how system needs are prioritized. These statewide plans generally take a program-level approach to addressing transportation needs. They often are refined through other, more detailed plans. For example, the policy framework of the Oregon Highway Plan may lead to a corridor plan that details a series of improvement needs, each need requiring another study to determine a solution.

Document	Content	Location
Oregon Transportation Plan	Policy and system investment analysis for the state's transportation infrastructure.	http://www.oregon.gov/ODOT/TD/TP/ortransplanupdate.shtml
*Oregon Highway Plan**	Policies and performance standards for the state highway system.	http://www.oregon.gov/ODOT/TD/TP/orhwyplan.shtml
*Oregon Bicycle and Pedestrian Plan**	Analysis of statewide conditions, system and facility standards, and strategies.	http://www.oregon.gov/ODOT/HWY/BIKEPED/planproc.shtml
*Oregon Public Transportation Plan**	Goals, policies, and strategies for the state's public transportation system.	http://www.oregon.gov/ODOT/TD/TP/OPTP.shtml
*Oregon Transportation Safety Action Plan**	Strategies for improving the safety of Oregon's transportation system.	http://www.oregon.gov/ODOT/TS/tsap.shtml
*Oregon Rail Plan**	State's goals and objectives for rail transporation of people and goods.	http://www.oregon.gov/ODOT/RAIL/Forms_Publications.shtml
*Oregon Freight Plan**	Goals, policies and strategies for the transportation of goods in Oregon.	http://www.oregon.gov/ODOT/TD/FREIGHT/FREIGHT_PLAN.shtml
Intelligent Transportation Systems Strategic Plan	Strategies to increase the efficiency of existing transportation infrastructure.	http://www.oregon.gov/ODOT/HWY/ITS/
Statewide Congestion Overview	Analysis of congestion problems and recommended solutions.	http://www.oregon.gov/ODOT/TD/TPAU/CMref.shtml

**An element of the Oregon Transportation Plan*

K. FEDERAL FUNDING PROGRAMS IN OREGON

As noted earlier in Section D of this chapter, there are several federal funding programs used in Oregon. The subsequent fact sheets provide specific information including particular eligibility and matching funding requirements for the following programs.

1. Surface Transportation Program (STP)

Purpose	The purpose of the STP program is to develop, improve, and/or preserve an integrated transportation system that encourages multimodal choices to the public.
Description	STP is a program that may be used by local agencies for any roads, including National Highway System (NHS), that are functionally classified, except for those

	classified as rural minor collectors and local roads and streets. These roads are now collectively referred to as federal-aid highways. Bridge, safety, and railroad projects are not restricted to federal-aid highways, but may be used on any public road.
Eligible Projects	Projects (unless satisfying specific exemptions) must be on roads federally functional classified higher than rural minor collector and local access roads. All transportation modes may be eligible. Types of projects include: • Construction, seismic retrofit, operational improvements, 3-R, and 4-R, including the National Highway System and bridges. • Capital costs for transit projects eligible for FTA funding. • Fringe and corridor parking, carpool, vanpool, bicycle, and pedestrian facilities. • Highway and transit safety improvements. • Highway and transit research and technology transfer. • Capital and operating costs for traffic monitoring, management and control facilities, and programs. • Surface transportation planning. • Transportation Enhancement activities. • Certain Clean Air Act transportation control measures (TCMs). • Development and establishment of management systems. • Wetlands mitigation (i.e., surface drainage and banking). • Sodium acetate/formate or other environmentally acceptable, minimally corrosive anti-icing and de-icing compositions. • Programs to reduce extreme cold starts. • Environmental restoration and pollution abatement projects, including retrofit or construction of stormwater treatment facilities. • Natural habitat mitigation, but specifies that if wetland or natural habitat mitigation is within the service area of a mitigation bank, preference will be given to use the bank. • Privately owned vehicles and facilities that are used to provide intercity passenger service by bus. • Modifications of existing public sidewalks (regardless of whether the sidewalk is on a federal-aid highway right of way), to comply with the requirements of the Americans with Disabilities Act. • Infrastructure based intelligent transportation system capital improvements; • Advanced truck stop electrification systems. • Projects relating to intersections that have disproportionately high accident rates, have high congestion, and are located on a federal-aid highway. • Environmental restoration and pollution abatement – on a 4R project the expenditures for this activity may not exceed 20 percent of the total cost of the project. • Control of terrestrial and aquatic noxious weeds and establishment of native species. Contact the ODOT Regional Local Agency Liaison if clarification of eligibility is needed (FHWA reserves approval on eligibility determinations).

<table>
<tr>
<td>New Program Features with SAFETEA-LU</td>
<td>For fiscal year 2005, the set-asides for safety programs, Transportation Enhancements (TE) and the allocations to sub-state areas continue, except the ability to use STP funds from the set-aside for areas with less than 5,000 population on rural minor collectors does not continue.

For 2006 and thereafter:

• The safety set-aside is eliminated as the new Highway Safety Improvement Program takes over the funding of the safety programs. [SAFETEA-LU Section 1113(b)] See the Highway Safety Improvement Program fact sheet later in this chapter for more details.
• The TE set-aside is modified to be the greatest of 10 percent of the state's STP apportionment or the dollar amount of the TE set-aside for the state for 2005. [SAFETEA-LU Section 1113(c)]
• 62.5 percent of the amount remaining after the TE set-aside is divided among sub-state areas based on population. [SAFETEA-LU Section 1113(b)]

The provision requiring states to make available obligation authority to urbanized areas over 200,000 population in two three-year increments (2004-2006 and 2007-2009) is extended. [SAFETEA-LU Section 1113(d)]</td>
</tr>
<tr>
<td>Funding</td>
<td>Funding for Major STIP programs for 2006 to 2009 (for state program only):

<table>
<tr><td>Preservation</td><td>$471.1 million</td></tr>
<tr><td>Bridge</td><td>$318.1 million</td></tr>
<tr><td>Modernization</td><td>$216.7 million</td></tr>
<tr><td>Safety</td><td>$105.3 million</td></tr>
<tr><td>*Special Programs</td><td>$70.1 million</td></tr>
</table>

Transportation Management Areas
Transportation Management Areas (MPOs with a population over 200,000) receive a required allocation of STP funds through ODOT under a formula contained in federal law.

Other Local Agencies
Oregon voluntarily distributes STP funds to cities with populations over 5000 that are not in an MPO, counties, and MPOs with populations of 50,000 to 200,000 under a working agreement [link to http://www.oregon.gov/ODOT/HWY/LGS/docs/Agreements/23007_AOC_LOC.pdf] developed with cities and counties. In 2008, counties received $11,263,484 in STP funds under this agreement, and cities and the smaller MPOs received $8,301,478.</td>
</tr>
</table>

	Fund Exchange Agencies receiving STP funds under the working agreement (cities, counties, and smaller MPOs) are eligible for the fund exchange program, under which ODOT provides 94 cents in state funds for every dollar in STP funds the agency would have received. Contact the ODOT Regional Local Agency Liaison for further information regarding fund exchange. *Includes Bicycle/Pedestrian, Transportation Enhancement, and other programs.
Matching Requirements	The basic program is 80 percent federal/20 percent local. However, in Oregon this is modified to 89.73 percent/10.27 percent due to adjustments for public lands in Oregon (known as sliding scale). Also, certain safety improvements listed in 23 USC 120(c) and 130 have a federal share of 100 percent.
Project Selection Process	Projects must be included in the approved Statewide Transportation Improvement Program (STIP). Projects are proposed by local agencies and the State for selection. Specific criteria and application procedures are established by the Transportation Management Area (TMA), Metropolitan Planning Organization (MPO), or local agency.
Significant Dates	The schedules for nomination may vary. Please access the STIP User's Guide online for more details.
Relevant Statutes	SAFETEA-LU Section(s): 1101(a)(4), 1103(f), 1113, 1603, 1960, 6006 23 USC 133, 104(b)(3), 140 and ORS 184.
Key Decision-Makers	Area Commissions on Transportation (ACTs), MPOs, ODOT, FHWA, Federal Transit Administration (FTA) and Environmental Protection Agency (EPA).
Contacts for Information and Assistance	ODOT, Regional Local Agency Liaisons, and the STIP User's Guide
Related Publications/ Websites	ODOT, STIP: http://www.oregon.gov/ODOT/HWY/STIP/ Federal Highway Administration: http://www.fhwa.dot.gov/federalaid/projects.cfm ODOT Local Government Section: http://www.oregon.gov/ODOT/HWY/LGS/ SAFETEA-LU: http://www.fhwa.dot.gov/safetealu/ SAFETEA-LU / STIP Fact Sheet: http://www.fhwa.dot.gov/safetealu/factsheets/stp.htm Financing Federal-aid Highways: http://www.fhwa.dot.gov/reports/finfedhy.htm

2. Transportation Enhancement (TE) Program

Purpose	The purpose of the TE program is to strengthen the cultural, aesthetic, or environmental value of the transportation system by providing funds for projects in 12 specific TE activities (see list under "Eligible Projects" below).
Description	The intent of the federal TE program is for such transportation improvements to become a common part of transportation investment policy and to integrate them into many projects.
Eligible Projects	TE activities must go beyond what is routine or customarily provided in transportation projects. Such projects must be related to surface transportation and fit one or more of the following qualifying activities: 1. Pedestrian or bicycle facilities. 2. Provision of safety and educational activities for pedestrians and bicyclists. 3. Acquisition of scenic easements or scenic historic sites (including historic battlefields). 4. Scenic or historic highway programs (including provision of tourist and welcome center facilities). 5. Landscaping and other scenic beautification. 6. Historic preservation. 7. Rehabilitation and operation of historic transportation buildings, structures, or facilities - including historic railroad facilities and canals. 8. Preservation of abandoned railway corridors -including the conversion and use of the corridors for bicycle or pedestrian trails. 9. Inventory, control and removal of outdoor advertising. 10. Archaeological planning and research. 11. Environmental mitigation (i) to address water pollution due to highway runoff; or (ii) reduce vehicle-caused wildlife mortality while maintaining habitat connectivity. 12. Establishment of transportation museums.
Funding	Oregon will receive an appropriation of about $9 million per year for fiscal years 2005 through 2009. Oregon awards funds on a two-year cycle through a statewide competitive process, and at other times through the "Director's Discretionary" process. The minimum Transportation Enhancement award is $200,000 and the maximum is typically around $1.5 million. About 70 percent of awards fall between $400,000 and $1 million.
Matching Requirements	Minimum local match is 10.27 percent.
Project Selection Process	All eligible projects must be approved by FHWA and must be included in the Statewide Transportation Improvement Program (STIP). Oregon enhancement projects are selected through a competitive application process. Cities, counties, and other interested parties receive notice of opportunities to apply, with information about the eligibility requirements and the application/selection process for each round of funding. Local agencies

	contact the ODOT Enhancement Program Manager to be added to the mailing list for these notifications. Current application packets, a list of recently funded projects, and dates for the next application opportunity may be found on the ODOT Transportation Enhancement website.
Significant Dates	Please contact ODOT's Enhancement Program Manager or check ODOT's website as noted above to verify the schedule.
Relevant Statutes	SAFETEA-LU Section: 1113 23 USC 133, 101
Key Decision-Makers	Transportation Enhancement Program Manager, Transportation Enhancement Advisory Committee, Oregon Transportation Commission and FHWA.
Contacts for Information and Assistance	ODOT Transportation Enhancement Program Manager in the Local Government Section – 503-986-3528.
Related Publications/ Websites	ODOT Transportation Enhancement Program: http://www.oregon.gov/ODOT/HWY/LGS/enhancement.shtml Federal Highway Administration: http://www.fhwa.dot.gov/federalaid/projects.cfm SAFETEA-LU: http://www.fhwa.dot.gov/safetealu/ FHWA website for Transportation Enhancement: http://www.fhwa.dot.gov/environment/te National Transportation Enhancement Clearinghouse: http://www.enhancements.org

3. Railway/Highway Grade Crossing Program

Purpose	The purpose of the Rail/Highway Grade Crossing program is to reduce the number of fatalities and injuries at public highway-rail grade crossings through the elimination of hazards and/or the installation/upgrade of protective devices at crossings.
Description	This program reduces the number and severity of highway accidents by eliminating hazards to vehicles, pedestrians, and train crews at existing railroad crossings. Railroad/highway at-grade crossing improvement projects include, but are not limited to installation and upgrade of railroad protection systems to a state-of-the-art condition for at-grade crossings and grade crossing eliminations.
Eligible Projects	An existing crossing on any public road is eligible to receive federal funds. Projects are selected based on a state-wide analysis of all public crossings using an accident prediction model. The model uses physical parameters of the crossing, existing safety devices, number and speed of trains, number and speed of vehicle traffic, and accident history. The type of work on selected projects include installation train activated flashing light and automatic gates, closing of redundent crossings,standard signs and markings, roadway approach work, illumination for safety, etc. Additonally with the passage of SAFETEA-LU:

	• Up to 2 percent of the funds apportioned to a state may be used for compilation and analysis of data for the required annual report to the Secretary on the progress being made to implement the Railway-Highway Crossings Program. • Activities funded under this program are also eligible for funding under the broader eligibilities of the Highway Safety Improvement Program (HSIP).
Funding	Apportioned funds are to be distributed among the states based on the following factors [1401, 23 USC 130(f)]: • 50 percent based on the formula factors for the Surface Transportation Program in 23 USC 104(b)(3)(A) and • 50 percent based on the number of public railway-highway crossings. Each state is to receive a minimum of ½ percent of the program funds. 50 percent of each state's apportionment must be set-aside for the installation of protective devices at railway-highway crossings. [SAFETEA-Lu Section 1401; 23 USC 130(e)] For Oregon, the estimated annual program level is $2,100,000. Federal share payable = 100 percent [SAFETEA-LU Section 1401; 23 USC 130(f)(3)]
Matching Requirements	No matching requirements.
Project Selection Process	Project Selection – All public crossings are evaluated based on an accident prediction formula that utilizes physical crossing parameters, existing safety devices, train vehicle exposures and a ten year accident history. ODOT staff selects the highest ranking crossings for eligibility. The railroad, public authority, and other involved parties meet at the crossing to determine: • If there is a safety problem. • If so, what alterations are needed? • The possibility of closing any crossings in the area. Projects are not solicited directly from local agencies or from railroads.
Significant Dates	Projects are selected yearly based on available funds in the STIP Grade Crossing Safety bucket of funds.
Relevant Statutes	SAFETEA-LU Section(s): 1401; 23 USC 130
Key Decision-Makers	ODOT is responsible for administration of this program.
Contacts for Information and Assistance	ODOT Regional Local Agency Liaison, ODOT Rail Division, ODOT Local Government Program.
Related Publications/	ODOT Rail Division: http://www.oregon.gov/ODOT/RAIL/about_us.shtml ODOT Local Government Section: http://www.oregon.gov/ODOT/HWY/LGS/

Websites	Federal Highway Administration http://www.fhwa.dot.gov/federalaid/projects.cfm SAFETEA-LU Railway/Highway Grade Crossing Program Fact Sheet: http://www.fhwa.dot.gov/safetealu/factsheets/railcrossings.htm Federal Railway Administration (FRA): http://www.fra.dot.gov Federal Rail Administration Highway-Rail Crossing Program: http://www.fra.dot.gov/us/content/86 FHWA "Status of the Nation's Highways, Bridges, and Transit: 2002 Conditions and Performance Report" http://www.fhwa.dot.gov/policy/2002cpr/ch26.htm

4. Highway Safety Improvement Program (HSIP)

Purpose	The purpose of HSIP is to provide federal-aid funds to achieve a significant reduction in traffic fatalities and serious injuries on all public roads.
Description	The Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) creates a new Highway Safety Improvement Program (HSIP) and replaces the previous Hazard Elimination Program (STPS or HEP). HSIP is intended to make significant progress in reducing highway fatalities and serious injuries. Federal funding for HSIP was increased significantly over the previous HEP program.
Eligible Projects	Projects must meet the requirements listed in Oregon's HSIP Guide. This includes the requirement that project must improve or correct a known hazard such a Safety Priority Index System (SPIS) site or HSIP segment or must be shown to have a Benefit to Cost ratio greater than 1.0 (see HSIP Guide for cost/benefit analysis). HSIP funds can be used on any public road or publicly owned bicycle or pedestrian pathway or trail, except for those funds specifically set-aside for high risk rural roads and railway-highway crossings. Eligible projects may include, but are not limited to: • Intersection improvements • Curve realignment • Traffic calming • Improved delineation or marking • Fixed object removal • Slope flattening and clear zone improvements • School zone safety improvements • Pedestrian and bicycle safety improvements • Installation or improvement of signs
Funding	The estimated annual program level for Oregon is approximately $14 million with increasing amounts in future years. The federal share is 90 percent, with a 10 percent match required, subject to the sliding scale adjustment, except that the federal share is 100 percent for certain

	safety improvements listed in 23 USC 120(c). Oregon's share of the federal apportionment is divided among ODOT's Regions based on the percentage of top 15 percent SPIS sites in each Region.
Matching Requirements	In Oregon, the minimum matching share is 7.78 percent of total project costs but higher contributions or matching funds help in priority. Also, certain safety improvements listed in 23 USC 120(c) and 130 have a federal share of 100 percent.
Project Selection Process	Application Procedures: 1. During STIP update cycles, Regional Local Program Liaisons or Region Traffic Managers may solicit project proposals from local agencies. 2. The request for submittal of project proposals outlines general requirements that projects must meet in order to be considered for funding (see ODOT HSIP Guide for further clarification of information required). 3. All submittals are prioritized. The number of projects selected depends upon the availability of funds. 4. Agencies are notified regarding funding for their projects.
Significant Dates	The schedules for nomination vary statewide. Please contact the ODOT Regional Local Agency Liaison to verify the schedule.
Relevant Statutes	SAFETEA-LU Section(s): 1101(a)(6), 1401 23 USC Section 148
Key Decision-Makers	ODOT and FHWA
Contacts for Information and Assistance	ODOT Region Traffic Managers and ODOT Regional Local Agency Liaisons.
Related Publications/ Websites	ODOT Traffic Engineering and Operations Section: http://www.oregon.gov/ODOT/HWY/TRAFFIC/ Federal Highway Administration: http://www.fhwa.dot.gov/federalaid/projects.cfm ODOT Local Government Program: http://www.oregon.gov/ODOT/HWY/LGS/ Additional information is available in the *Highway Safety Improvement Program, A Guide to Developing Federally Funded Roadway Safety Projects*, available from ODOT's Traffic Engineering and Operations Section: http://www.oregon.gov/ODOT/HWY/TRAFFIC/publications.shtml SAFETEA-LU Highway Safety Improvement Program Fact Sheet: http://www.fhwa.dot.gov/safetealu/factsheets/hsip.htm Highway Safety Improvement Program (HSIP): http://www.apwa.net/Documents/Advocacy/SAFETEA/FHWA-Safety-QAs-9-14-05.pdf#search='federal%20aid%20hazard%20elimination%20safety%20program

5. High Risk Rural Roads (HR3)

Purpose	The purpose of the HR3 Program is to carry out improvement projects on rural roads, with identified safety issues, to achieve a significant reduction in traffic fatalities and serious injuries.
Description	HR3 is a federally-funded set-aside program within the Highway Safety Improvement Program (HSIP) for safety improvements on rural roads. HSIP is managed by ODOT.
Eligible Projects	**HR3 Definition (from SAFETEA-LU)** HR3 – The term "high risk rural road" means any roadway functionally classified as a rural major or minor collector or a rural local road: a) On which the accident rate for fatalities and incapacitating injuries exceeds the statewide average for those functional classes of roadway. b) That will likely have increases in traffic volume that are likely to create an accident rate for fatalities and incapacitating injuries that exceeds the statewide average for those functional classes of roadway. **Core Principles** **1. HR3 safety provision is dedicated exclusively to rural roads** The HSIP includes a set-aside for construction and operational improvements to address safety problems and opportunities on HR3. This set-aside of $90 million nationally each fiscal year for HR3 is limited to roadways functionally classified as a rural major or minor collector or as a rural local road. **2. HR3 are identified as follows:** • Roadways functionally classified as a rural major or minor collector or as a rural local road are eligible. • The roadway must have a crash rate for fatalities and incapacitating injuries that exceeds the statewide average for those functional classes of roadways. • Roadways whereby future traffic volumes are projected to increase causing a projected increase in the crash rate for fatalities and incapacitating injuries exceeding the statewide average. *Note: to determine whether a roadway is eligible based on its crash rate, the statewide average crash rate for fatalities and incapacitating injuries for each functional class of roadway is compared to either the existing or projected crash rate of the rural road in question. Flexibility will be allowed to use different types of crash rates depending on the data available. Some examples include crashes per vehicle miles traveled, crashes per mile etc.* **3. HSIP safety funds can be used on roads owned and operated by local units of government as follows:**

	• Section 148 of SAFETEA-LU states that HSIP funds are eligible for use on any public road. • Funds have been specifically set-aside for high risk rural roads and railway-highway crossings, which have further eligibility requirements. • Also, improvements at any public highway-rail grade crossings are eligible under Section 130. **4. Acceptability of HR3 funding for project development.** As long as the project will ultimately involve a construction or operational improvement which is identified as part of State's HSIP process, funds from the set-aside for high risk rural roads for preliminary engineering, (including environmental approvals and final design, would be eligible for federal reimbursement.
Funding	Approximately one million dollars of federal funding is available each federal fiscal year in Oregon for high risk rural roads (depending on the amount of Obligation Limitation for each federal fiscal year).
Matching Requirements	FHWA will reimburse costs at 92.22 percent, which requires a match of 7.78 percent. Also, certain safety improvements listed in 23 USC 120(c) and 130 have a federal share of 100 percent.
Project Selection Process	Contact the ODOT Regional Local Agency Liaison for current and detailed information, but in general: 1. HR3 is a four-year $100,000,000 annual federally-funded program designed to carry out safety improvement projects on rural roads, with identified safety issues, to achieve a significant reduction in traffic fatalities and serious injuries. 2. It is assumed that the HR3 program will continue in future federal authorizations. 3. The goal of ODOT's HR3 program is to fund five to ten projects each year. 4. Projects will be selected to obligate four years of HR3 funding ($4 million total). 5. Projects will be developed using the current ODOT/Local agency federal-aid project delivery process. 6. An HR3 Steering Committee comprised of FHWA, ODOT, Association of Counties (AOC), and County Road Officials has been formed to develop Oregon's HR3 program and project selection criteria. 7. HR3 funding is federally-funded; therefore, projects need to conform to American Association of State Highway and Transportation Officials (AASHTO) standards. The AASHTO Low Volume Road Guide is the AASHTO standard for very low volume rural, e.g. roads with average daily trips (ADTs) less than or equal to 400. Exceptions to AASHTO standards will be processed using the current FHWA/ODOT/Local Agency design exception process. Since HR3 projects are intended to meet a specific safety need the scope of work is limited to features that are directly impacted as a result of addressing this

	specific need. Each feature constructed in a HR3 project must be built to the applicable standard for new construction. Elements of HR3 projects that are not directly being impacted need not be brought up to current standards. For example, a signing upgrade along a rural corridor will generally not necessitate shoulder widening.
Significant Dates	The schedules for nomination may vary. Please contact the ODOT Regional Local Agency Liaison to verify the schedule.
Relevant Statutes	SAFETEA-LU, Section 1401; 23 USC Section 148
Key Decision-Makers	ODOT, FHWA HR3 Steering Committee comprised of representatives from FHWA, ODOT, and the Association of Oregon Counties.
Contacts for Information and Assistance	ODOT Local Government Section and Regional Local Agency Liaison. In addition, the HR3 program is managed jointly by: 1. ODOT's Traffic Engineering and Operations Section - responsible for guidance and reporting. 2. ODOT's Regions - responsible for fund management and project selection.
Related Publications/ Websites	*A Summary of the High Risk Rural Roads (HR3) Program for Rural Roads in Oregon: http://www.oregon.gov/ODOT/HWY/LGS/docs/HR3_Flyer_6-5-06.doc* ODOT Local Government Program / Region contact information: http://www.oregon.gov/ODOT/HWY/LGS/ Federal Highway Administration: http://www.fhwa.dot.gov/federalaid/projects.cfm *Hazard Elimination Program, A Guide to Developing Federally Funded Roadway Safety Projects*, see ODOT's Traffic Management Section: http://www.oregon.gov/ODOT/HWY/TRAFFIC/publications.shtml SAFETEA-LU: http://www.fhwa.dot.gov/safetealu FHWA guidance for the High Risk Rural Roads program at: http://safety.fhwa.dot.gov/safetealu/hrrrpattachment.htm Highway Safety Improvement Program – 23 USC 148 Requirements, HAS-1 Memorandum, August 26, 2005: http://safety.fhwa.dot.gov/safetealu/legis_comp.pdf#search='8%2F26%2F05%20HSA1%20memorandum Questions and Answers - Highway Safety Improvement Program: http://www.apwa.net/Documents/Advocacy/SAFETEA/FHWA-Safety-QAs-9-14-05.pdf#search='federal%20aid%20hazard%20elimination%20safety%20program

6. Highway Bridge Program (HBP)

Purpose	The purpose of HBP (formerly the Highway Bridge Replacement and Rehabilitation Program – HBRRP), is to rehabilitate or replace bridges that have substantial structural deficiencies, physical deterioration, or are inadequate for current traffic conditions.
Eligible Projects	Bridges on public roads classified as deficient by federal guidelines based on National Bridge Inventory data may be eligible for funding for rehabilitation or replacement.

	Bridges are defined as any highway structure with an opening measured along the centerline of the roadway of more than 20 feet. It may include multiple pipes where the clear distance between openings is less than half of the smaller contiguous opening. The work done must result in the removal of all deficiencies, or any deficiency left in place must be covered by a design exception. Exception: Eligible structural steel bridges can be painted and any highway bridge located in a high seismic area can be retrofitted for seismic loads without removing other deficiencies. Any highway bridge in a high seismic risk zone may be retrofitted to resist seismic loads regardless of its eligibility status for rehabilitation or replacement. Bridges to be painted must meet the same eligibility requirements as bridges being replaced or rehabilitated; that is, they must be deficient and have a sufficiency rating less than 80. Also, even though seismic retrofit and painting can be done as sole work items, FHWA recommends that safety defects be corrected, especially if there is a history of accidents at the bridge. The eligibility determination has two steps: **Step I**. The bridge first must be classified as either Structurally Deficient or Functionally Obsolete based on the most recent routine National Bridge Inspection Standards (NBIS) inspection. The entire bridge inventory is submitted to FHWA each April. FHWA makes the determination if a bridge is deficient. This determination is based on both the current condition, and the original design. • Structurally Deficient - A structurally deficient bridge is inadequate to carry legal loads, whether caused by obsolete design standards, structural deterioration, or waterway inadequacy. • Functionally Obsolete – A functionally obsolete bridge is inadequate to properly accommodate traffic due to inadequate vertical or horizontal clearance, approach roadway alignment, structural condition, or waterway adequacy. **Step II**. After deficiency is established, the bridge is considered eligible for either replacement or rehabilitation depending on the value of the sufficiency rating. A sufficiency rating of 80 or less qualifies for rehabilitation and a sufficiency rating of 50 or less qualifies for replacement. **Exception:** Deficient bridges with sufficiency ratings between 50 and 80 may be replaced if it can be shown to be more cost effective than rehabilitation using a life-cycle cost analysis. Since eligibility is not exempt from FHWA review, the analysis must be reviewed and approved by both ODOT and FHWA. Bridges replaced or rehabilitated to current standards are not eligible for federal funding for a 10-year period, unless the work is part of a specially approved phased construction project. Particular care must be taken when programming work on major structures, where multiple construction projects may be necessary to fully rehabilitate the structure. The 10-year rule does not apply to projects which include only seismic retrofit or structural steel painting. **Typical Projects** - projects eligible for funding may include (but are not limited to) the following:

	1. rehabilitation and replacement projects; 2. increasing vertical clearance and widening bridges; 3. maintenance and preservation; 4. seismic retrofitting; and 5. scour mitigation. The decision to rehabilitate versus replace should be based on a study of alternatives considering cost, safety, service life, and level of service. Rehabilitation alternatives are necessary only when considered feasible. All deficiencies must be corrected including safety features such as bridge rail, approach rail, and transitions. This requirement does not apply to projects which include only seismic retrofit or structural steel painting, although FHWA recommends safety defects be corrected if possible. The standards by which deficiencies are determined will depend on the system. • National Highway System (NHS) – state standards (meets or exceeds American Association of State Highway and Transportation Officials, AASHTO). • Other state highways – state standards. • Local agency roads – AASHTO or ODOT- approved local standards.
Funding	The HBP was reauthorized in 2005 under the Safe, Accountable, Flexible, Efficient Transportation Equity Act – A Legacy for Users (SAFETEA-LU) and is administered by FHWA. HBP funds are allocated to the States according to a formula. Each deficient bridge is place into one of the following categories: 1. On-system federal aid bridges eligible for replacement. 2. On-system federal aid bridges eligible for rehabilitation. 3. Off-system bridges eligible for replacement. 4. Off-system bridges eligible for rehabilitation. 5. Big bridges over 30,000 square feet that are on-system. 6. Big bridges over 30,000 square feet that are off-system. Using the formula, the square footage of deficient bridges in each category is multiplied by the respective unit price on a state-by-state basis and the total cost in each state divided by the total cost of the deficient bridges nationally determines the allocation of HBP funding. For each year federal funds are allocated for this program, the ODOT Bridge Program Unit analyzes the system needs of all deficient and eligible bridges in Oregon. This analysis provides the basis for the allocation of available HBP funds between on – and off – system projects and between state and local bridge projects.

Matching Requirements	Local agency STIP projects currently being approved shall not have a state contribution to the matching funds. The local agencies will be responsible for the 10.27 percent match to receive HBP funds. The federal HBP can pay up to 89.73 percent of the total project cost. See the *LAG* chapter, Bridge Selection, Scoping and Design for more details.
Approach Work and Funding	Off-System – Up to 89.73 percent of the eligible project costs will be paid for with federal HBP funds. The local agencies will contribute a 10.27 percent match. On-System – Up to 89.73 percent of the Preliminary Engineering and Right of Way costs will be paid with HBP funds. All items considered Bridge Work under "Construction" below will be paid with HBP funds. The local agencies will contribute a 10.27 percent match. The roadway items will be paid with other federal funds, such as through the Surface Transportation Program (STP) or local funds. Construction - The guidelines provided by FHWA for classification of HBP project work items is what will be used by FHWA to monitor the amount of HBP funded approach work and miscellaneous work compared to the amount of HBP bridge work. The guidelines are as follows: (1) Bridge Items – HBP Funded: (a) Bridge substructure and superstructure items. (b) Structural excavation required to construct the bridge. (c) Approach guardrail designed to protect traffic from the bridge rail ends. (d) End panel (e) Slope protection (riprap) used to protect the slopes at substructure units and abutment wingwalls, within the right of way. (f) Rock blankets needed to protect substructure units from erosion or scour. (g) Bridge removal (h) Mobilization, the percentage of this item attributable to bridge work. (i) Traffic control, including temporary detour bridges. (j) Stream channel work necessary for the bridge construction, as appropriate. (k) Retaining walls (generally up to 20 feet maximum distance from the abutment) – retaining walls are structural elements that serve the same function as the standard wing walls and are designed by bridge engineer. Retaining walls beyond these limits are considered approach work, unless they reduce the structure length based on a cost effectiveness analysis. (l) Bridge drainage – this includes the drainage components necessary to carry water from the structure. (2) Roadway and Surface Items – Non-HBP funded (except for off-system projects). This normally includes other contract work items included in the approach work plus the following: (a) Excavation required to construct approach roadway. (b) Roadway embankment

	(c) Surfacing outside the limits of bridge approach slab. (d) Mobilization attributed to roadway and surfacing items. (e) Roadway retaining walls (3) Miscellaneous work – HBP Funded: (a) Seeding & mulching (b) Cross drainage (c) Fencing (d) Embankment protection (e) Clearing & grubbing (f) Signing & marking (g) Lighting (h) Traffic signals (i) Construction engineering (j) Training (k) Right of way Local – The State Bridge Engineer provides each local agency with a list of all bridges maintained by that agency that are eligible for HBP funding. ODOT receives completed applications for local bridge projects and reviews and ranks the projects based on the criteria established by the Local Agency Bridge Selection Committee (LABSC). The LABSC recommends approval of the final project selections for the STIP.
Project Selection Process	The LABSC includes representatives from the League of Oregon Cities (LOC), the Association of Oregon Counties (AOC), FHWA (in an advisory role) and ODOT. Each of the three organizations has three voting members. The LABSC develops selection criteria and distribution methodology for the Local HBP. Under the current ODOT allocates HBP Working Agreement with LOC and AOC, funds to local governments based on their percentage of deficient bridges in Oregon. Per the agreement, ODOT will also inventory local agency bridges and enter the results into the Bridge Management System (BMS). Currently 27 percent of the federal funds go to local bridges but this percentage is reassessed each STIP cycle. Application Procedure: 1. Follow the directions in the ODOT Bridge Section letter that is sent every two years at the start of the STIP development process. 2. Contact the Regional Local Agency Liaison regarding procedures for applying for seismic retrofitting or painting categories. 3. Agencies are notified of project selection.
Significant Dates	Please contact the ODOT Regional Local Agency Liaison to verify the schedule.
Relevant Statutes	SAFETEA-LU Sections 1101(a)(3), 1114; 23 USC Section 144
Key Decision-Makers	ODOT, FHWA and the Oregon HBP Local Agency Bridge Selection Committee.

Contacts for Information and Assistance	ODOT Bridge Program Unit, ODOT Regional Local Agency Liaisons, ODOT Local Government Section.
Related Publications/ Websites	ODOT – Bridge Engineering / Local Agency Bridge Projects: http://www.oregon.gov/ODOT/HWY/BRIDGE/local_agency.shtml ODOT – Local Government Section / Regions: http://www.oregon.gov/ODOT/HWY/LGS/ Federal Highway Administration: http://www.fhwa.dot.gov/federalaid/projects.cfm SAFETEA-LU: http://www.fhwa.dot.gov/safetealu/ SAFETEA-LU Highway Bridge Program Fact Sheet: http://www.fhwa.dot.gov/safetealu/factsheets/bridge.htm FHWA's HBRR Program: http://www.fhwa.dot.gov/bridge/hbrrp.htm

7. Congestion Mitigation and Air Quality Improvement Program (CMAQ)

Purpose	The purpose of the CMAQ program is to fund transportation projects and programs that will contribute to attainment and maintenance of National Ambient Air Quality Standards (NAAQS).
Description	The CMAQ program was reauthorized in 2005 under Safe, Accountable, Flexible, and Efficient Transportation Act – A Legacy for Users (SAFETEA-LU) to fund transportation projects or programs that contribute to attainment or maintenance of National Ambient Air Quality Standards (NAAQS). Projects funded under the CMAQ program must be expected to result in tangible reductions of carbon monoxide (CO), ozone precursors, or particulate matter (PM) pollution.
Eligible Projects	*General Eligibility* The Oregon Transportation Commission (OTC) has elected to make the CMAQ program a local program, allowing federal funds to go to eligible local governments. Areas in Oregon that qualify for CMAQ funds are: • Portland Metro Area (CO maintenance area). • Medford/Ashland Metro Area (CO and PM-10 maintenance area). • Klamath Falls (CO and PM-10 maintenance area). • Grants Pass (CO and PM-10 maintenance area). • La Grande (PM-10 maintenance area). • Lakeview (PM-10 maintenance area). • Oakridge (PM-10 maintenance area). Although the Salem and Eugene-Springfield areas are designated as nonattainment or maintenance for CO, these areas do not qualify for CMAQ funding due to the following reason: Areas which were designated

	nonattainment prior to December 31, 1997, but were not classified in accordance with the Clean Air Act [Sections 181(a), 186(a) or 188(a) or (b)] are not eligible to receive CMAQ funds. These include but are not limited to areas that were formerly considered as ozone "transitional" and "incomplete data" areas and CO "not classified" areas. SAFETEA-LU allows continued eligibility to use funds in former one-hour ozone areas which are required to prepare maintenance plans (Portland-METRO area). To be eligible for CMAQ funds all projects must meet the following general conditions. • All projects must be included in a conforming transportation plan and TIP, and conform to the requirements of the Clean Air Act. • Projects must complete National Environmental Policy Act (NEPA) requirements and basic eligibility requirements for funding under Title 23 and 49 of USC. • Projects must also be a part of the Statewide Transportation Improvement Program (STIP). FHWA establishes general project eligibility guidelines for CMAQ projects. CMAQ projects/programs identified for funding will need FHWA and FTA approval prior to their inclusion in the STIP. All transit-related projects need FTA approval, while other projects require FHWA approval. Before a CMAQ project gets approved into the STIP, the appropriate qualifying area is responsible and must submit an estimate of pollutant emissions benefits for the project to ODOT, FHWA, and FTA. The emissions benefits must demonstrate that the project will have a direct effect on reducing pollutant emissions in qualifying areas. Emissions benefits should be reported for at least one or more of the following pollutants: CO, volatile organic compounds (VOCs), nitrogen oxides (NOx), PM-10, and/or PM-2.5. The estimate of emissions benefits are to be reported for the appropriate pollutant and expressed in kilograms/day. Approval may be obtained by submitting the following with the project prospectus: 1. Memo or attached documentation showing how the project meets general CMAQ eligibility conditions and stating the specific CMAQ eligible activity that will be funded. 2. A quantitative (qualitative may be used in certain cases) analysis of air quality benefits to be derived from project implementation. 3. ODOT's CMAQ project reporting form (Refer, to ODOT's CMAQ reporting form – currently in development).

	Assistance with the project eligibility determination and reporting procedures is available from ODOT's Regional Local Agency Liaisons.
	
	Types of projects that may be eligible for CMAQ funding are listed in the October 2008 CMAQ Final Program Guidance (available at the following link:
	
	http://www.fhwa.dot.gov/environment/air_quality/cmaq/policy_and_guidance/cmaq08gd.pdf.
	
	Examples of such projects include, but are not limited to:
	
	• Transportation activities in an approved State Implementation Plan or maintenance plan.
	• Transportation Control Measures (TCMs).
	• Extreme low-temperature cold start programs.
	• Public/private initiatives.
	• Alternative fuels.
	• Traffic flow improvements such as:
	  o Regional multimodal traveler information systems.
	  o Traffic signal control systems/synchronization. projects/Intelligent Transportation Systems.
	  o Freeway, transit, or incident management systems.
	  o Electronic fare and toll collection systems.
	• Transit projects:
	  o New or enhanced mass transit systems.
	  o Acquisition of new transit vehicles (bus, rail, van).
	  o Operating assistance – new additions to transit systems.
	  o Fare subsidies.
	• Bicycle and pedestrian facilities and programs.
	• Travel demand management systems.
	• Outreach and rideshare activities.
	• Telecommuting
	• Fare/fee subsidy programs.
	• Intermodal freight.
	• Planning and project development activities.
	• Emission inspection/maintenance programs.
	• Magnetic Levitation Transportation Technology Deployment program projects.
	• Experimental pilot projects: other projects and programs may also be considered for funding if the activities are innovative and based on promising technologies and feasible approaches which will improve air quality.
	• Paving projects for dust control are eligible in areas where PM non attainment has been attributed to transportation sources.

	Under SAFETEA-LU, eligibility has been expanded to include: • Establish or operate advanced truck stop electrification systems. • Improve transportation systems management and operations that mitigate congestion and improve air quality. • Involve the purchase of integrated, interoperable emergency communications equipment. • Involve the purchase of diesel retrofits that are for motor vehicles or non-road vehicles and non-road engines used in construction projects located in ozone or particulate matter non-attainment or maintenance areas and funded under Title 23 USC. • Conduct outreach activities that provide assistance to diesel equipment and vehicle owners and operators regarding the purchase and installation of diesel retrofits. • Operation of additional rail service between Eugene and Portland [SAFETEA-LU Section 1808(j)].
Funding	*Federal* The federal share payable is 89.73 percent. Certain other activities, including carpool/vanpool projects, priority control systems for emergency vehicles and transit vehicles and traffic control signalization receive a federal share of 100 percent. CMAQ funds cannot supplant existing funds. If CMAQ eligible work is included within a project that is funded by another federal fund source, the CMAQ eligible work must be funded using the federal fund source for the rest of the project. *Oregon* The CMAQ funds are apportioned to Oregon annually base on a formula that includes the population of each CO nonattainment or maintenance area multiplied by a CO pollutant weighting faction as described in the CMAQ program guidance. PM-10 and PM-2.5 areas are eligible to receive funding but these areas were not included in the CMAQ statutory apportionment calculation under SAFETEA-LU. For Oregon, the program currently directs around $14 million per year to eligible projects and program. Oregon has a CMAQ committee that provides the funding distribution methodology for Oregon's CMAQ program. The fund distribution is based on a formula that considers population, pollutant levels and the percentage of the emissions inventory contributed by vehicles by pollutant category. The formula applies to the qualifying CO nonattainment/maintenance areas (METRO, Rogue Valley Council of Governments (RVCOG), Grants Pass, and Klamath Falls). Exclusive PM areas of Lakeview, La Grande and Oakridge are provided with a lump sum distribution.

Matching Requirements	CMAQ is a reimbursement program that requires applicants to provide non-federal matching funds that are at least 10.27 percent of the project cost with a higher match rate for projects that are public-private partnerships. Also, an adopted provision that provides states the flexibility to waive matching requirements for CMAQ projects undertaken in FY 2008 or 2009 is continued in legislation extending SAFETEA-LU.
Project Selection Process	SAFETEA-LU includes a directive that states and Metropolitan Planning Organizations (MPOs) shall give priority to diesel retrofits and other cost-effective emission reduction activities, and cost-effective congestion mitigation activities that provide air quality benefits. Decisions over which projects and programs are selected are made through the qualifying local agency. Each qualifying area develops its own project selection criteria. For Oregon, there are two MPO areas that qualify for CMAQ funding, the Portland Metro area and the RVCOG. These two MPOs govern the CMAQ application process. The RVCOG also assists the Grants Pass area. ODOT provides guidance to the non-MPO areas; however, projects are selected and coordinated locally. The project selection process typically includes a project application period, public involvement, a project ranking process, and finally project selection. The application cycle is every two years in conjunction with the STIP update process. Some examples of the project selection criteria that an area may use include: • Total non-attainment/maintenance area motor vehicle pollutants reduced. • Vehicle miles traveled (VMT) reduction through multi-modal use; • Cost effectiveness. • Administrative factors (e.g., timeframe, funding overmatch, project readiness, etc.). • Addressing land use objectives. Before a CMAQ project gets approved into the STIP, the appropriate qualifying area is responsible and must submit an estimate of pollutant emissions benefits for the project to ODOT, FHWA, and FTA. The emissions benefits must demonstrate that the project will have a direct effect on reducing pollutant emissions in qualifying areas.
Significant Dates	Please contact the ODOT Regional Local Agency Liaison or ODOT's Air Quality Program Manager to verify the schedule.
Relevant Statutes	SAFETEA-LU Section(s): 1101(a)(5), 1103(d), 1808 23 USC 149, 104(b)(2), 126(c).

	To assist in meeting statutory obligations, ODOT is required to prepare annual reports for FHWA and FTA that specify how CMAQ funds have been spent and the expected air quality benefits. Annual reporting is based on the federal fiscal year and is due February 1st of each year. For example, year 2006 annual reporting was due February 1, 2007. ODOT obtains the necessary reporting information from qualifying areas submission of the CMAQ project reporting forms and obtains financial information (funding obligations and FTA financial transfers) from ODOT's Transportation Program Office.	
Key Decision-Makers	Entities	Roles and Responsibilities
	Environmental Protection Agency (EPA)	Initiates nationwide air quality monitoring; selects monitoring sites and determines how frequently Monitoring will occur to classify both "nonattainment" and "maintenance" areas for CMAQ funding.
	FHWA	Provides final determination of eligibility for all proposed projects prior to consideration, selection, and prioritization by the CMAQ Advisory Committee.
	Federal Transit Administration	Performs project delivery tracking for all transit-related CMAQ projects.
	ODOT CMAQ Program Manager	Develops and evaluates program policy implementation; develops and implements improvements related to project selection, delivery, and funding. Coordinates and serves on the CMAQ Advisory Committee. Develops (in conjunction with the CMAQ Advisory Committee) project selection process, performance measurements, and change management process. Performs initial eligibility determinations on projects; submits to FHWA for final approval. Develops and maintains project tracking data (including obligations and other financial transactions) for all CMAQ projects; conducts monthly review of amended Statewide

		Transportation Improvement Program (STIP), Local Program Financial Plan, Federal Management Information System (FMIS), and other project delivery reporting tools. Administers change management process to monitor “scope creep” and minimize project slippage. Establishes and maintains CMAQ web site. Prepares and conducts program training for ODOT and local agency staff. Represents the Oregon Department of Transportation at all national, state, and local meetings and conferences generally addressing transportation’s role in air quality emissions reduction, or more specifically focusing on the CMAQ Program and its effectiveness Provides scheduled CMAQ status reports and other testimony as requested to ODOT executive management, other state agencies, Oregon Transportation Commission, Oregon Legislature, FHWA, and other federal agencies. Provides other technical and procedural guidance as needed to funding recipients. Prepares and submits an annual summary of all project changes and financial transactions to FHWA at the end of each federal fiscal year.
		Provide guidance to project sponsors with respect to project programming, prospectus and IGA documentation completion, and funding authorization request procedures. Serve as project leaders (as needed)

		for local agency CMAQ projects; duties generally include consultant selection coordination, scope of work refinement, any associated project technical assistance and reviews, and payment approval. ODOT Local Agency Liaison Advise project sponsors on eligible uses for CMAQ funding, other program requirements, project scope, and cost estimates. Advise CMAQ Program Manager on any issues involving program policy implementation, project identification, application submission procedures, IGA preparation, and project status.
	CMAQ Advisory Committee	The CMAQ Advisory Committee is primarily responsible for defining the direction and priorities of the statewide CMAQ Program in accordance with FHWA's October 2008 Final Program Guidance. The CAC also performs the following duties: • Develops, reviews, and approves changes to the funding distribution methodology. • Develops specific project selection criteria and project delivery policies. • Serves as the evaluation and selection committee for CMAQ projects eligible for funding. • Develops public participation and stakeholder input strategies for integration into CMAQ program implementation.
	Metropolitan Planning Organizations (MPOs)	• Provide input to the CMAQ Advisory Committee regarding the relative priority of eligible projects under consideration from within their jurisdictions.

		• Ensure that projects selected for funding are incorporated into their regional or metropolitan transportation improvement programs (RTIP – MTIP) in accordance with the Transportation Conformity Rule (40 CFR Parts 51 and 93, as amended), and then amended into the Statewide Transportation Improvement Program (STIP). • Review proposed updates to CMAQ program implementation, project selection, and project delivery processes under consideration by the CMAQ Advisory Committee.
Contacts for Information and Assistance	CMAQ Program and Local Agency Contacts: • ODOT CMAQ Program Manager: David Galati, 503-986-3441; • Portland METRO area: Ted Leybold, 503-797-1759; • RVCOG area: Vicki Guarino 541-423-1338 and Dan Moore 541-423-1361; • Grants Pass area: Scott Lindberg 541-474-6360; • Klamath Falls area: Mark Wilrett 541-883-5364; • La Grande area: Norm Paulus 541-962-1325; • Lakeview area: Ray Simms 541-947-2029; and • Oakridge area: Gordon Zimmerman 541-782-2258.	
Related Publications/ Websites	ODOT Local Government Section, Federal-aid Funding: http://www.oregon.gov/ODOT/HWY/LGS/funding.shtml#Federal_Aid_Programs Federal Highway Administration: http://www.fhwa.dot.gov/federalaid/projects.cfm SAFETEA-LU: http://www.fhwa.dot.gov/safetealu/ SAFETEA-LU Fact Sheet on CMAQ: http://www.fhwa.dot.gov/safetealu/factsheets/cmaq.htm FHWA's CMAQ Improvement Program: http://www.fhwa.dot.gov/environment/cmaqpgs	

8. High Priority Projects (HP)/Transportation Improvements (TI)

Purpose	The purpose of HP and TI is to provide federal funding for particular projects at the local level.
Description	High Priority Projects (HP) and Transportation Improvements (TI) are federal-aid highway programs that provide funding for projects named in federal law through congressional action. Such projects are included as earmarks in the six-year transportation authorization acts, which include a general description and authorized fund amount for each project. Most recently, the Safe, Accountable, Flexible, Efficient Transportation Equity Act – A Legacy for Users (SAFETEA-LU) reauthorized programs, funding and policies for FHWA programs that were last authorized in previous legislation, the Transportation Equity Act for the 21st Century (TEA-21). Annual appropriations bills passed by Congress also include earmarks in a number of programs, including Interstate Maintenance Discretionary, Public Lands Highways, and the Transportation, Community and System Preservation program. Each program is subject to different requirements. This section provides information on the HP/TI programs, which provide the vast majority of the earmarked funding secured by local governments.
Eligible Projects	HP projects are restricted to those types of projects eligible under Title 23. Interchange improvements, grade crossing improvements, safety projects, bridges, and park and ride projects are all examples of projects funded with HP project funds. HP project funds are allocated to specific projects by law. The proposed project must therefore match the legislated project description and fund amount. It is also the responsibility of the project sponsor to assure the accuracy of the project description and fund amount. All funds dedicated to a specific HP project may only be used on a project with a scope consistent with the original legislated description. Any changes to the legislated project description or funding must be approved by congressional action. The funds may be used for one project or several separate projects adding up to the available funding limit.
Funding	HP funds authorized in SAFETEA-LU are available in 20% increments each federal fiscal year from 2005 through 2009, while TI funds are released at a slightly different rate over the same time period. The yearly allocations for HP projects are only available after passage of the respective annual appropriations acts. The yearly allocations are subject to the annual limits set by Congress in the appropriations act. Such annual spending limitations, known as the obligation limitation, generally range from 85 percent to 95 percent of the authorized amount. This means that even though a certain amount of funds are authorized, the appropriations act sets limits on how much can actually be spent. HP projects are funded by contract authority, available until expended. Advance construction, using state funds until federal funds are available, remains an allowable method for states to construct High Priority Projects.

Matching Requirements	The federal share remains at 80 percent, except in Oregon (and the states of Alaska, Montana, Nevada, North Dakota, and South Dakota) where the sliding scale provision of 23 USC 120(b) applies. In these states, the base local matching share of the project cost is 10.27 percent. In Oregon, to determine the approximate amount of match required for federal funds on a project, that is funded 89.73 percent federal and 10.27 percent sponsor match, multiply the amount of available federal funding by 0.114454 (this is the ratio of 0.1027/0.8973). Note: The amount of federal funds is limited and may not cover the entire cost of a project, so the entire local contribution may be more. Further, the amount of federal funds actually will be reduced by funding limitations. All earmarked projects are subject to availability and reductions in the amount of funds, even though a full funding amount is shown in SAFETEA-LU. Matching funding must be applied in advance of the implementation of the HP project. Project sponsors are responsible to provide additional funding for projects that do not have adequate funding. All additional project expenditures and over-runs to complete the obligated project are the responsbility of the project sponsor. Earmarked project funds must be used for the project indicated in the legislation. If the project costs are lower than the earmarked project funds, reimbursement will be limited to the project costs only, subject to availablity of funds. Any excess project funds may not be diverted to other projects.
Project Selection Process	High Priority Projects/Transportation Improvements are initiated by Congress, usually at the request of constituents within a given congressperson's district. The agency, interest group or individual that requests the project through a congressperson is known as the project sponsor.
Relevant Statutes	SAFETEA-LU Section(s): 1101(a)(16), 1701, 1702, 1913, 1935, 1936, 1964, 1102, 23 USC 117
Key Decision-Makers	US Congress
Contacts for Information and Assistance	ODOT's Local Government Section and Regional Local Agency Liaisons.
Related Publications/ Websites	*Federal-aid Funding for High Priority Project Sponsors,* by ODOT's Local Government Section: http://www.oregon.gov/ODOT/docs/LocalProjectSponsorsGuide.pdf Federal Highway Administration: http://www.fhwa.dot.gov/federalaid/projects.cfm SAFETEA-LU Public Law: http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=109_cong_public_laws&docid=f:publ059.109.pdf SAFETEA-LU Fact Sheet, High Priority Projects Program: http://www.fhwa.dot.gov/safetealu/factsheets/highpriproj.htm SAFETEA-LU High Priority Projects Program Implementing Guidance (Dec. 2005): http://www.fhwa.dot.gov/programadmin/122305att.pdf FHWA, High Priority Projects Program: http://www.fhwa.dot.gov/programadmin/hpp.cfm

	ODOT Local Government Section / Regions: http://www.oregon.gov/ODOT/HWY/LGS/index.shtml

9. Recreational Trails Program

Purpose	The Recreational Trails Program provides funds for the states to develop and maintain recreational trails and trail-related facilities for both non-motorized and motorized recreational trail uses.
Description	(SAFETEA-LU continues the Recreational Trail Program and provides funding for recreational trails nationally as depicted in the funding section within this fact sheet.
Eligible Projects	Funds are available to develop, construct, maintain, and rehabilitate trails and trail facilities. Trail uses include 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. Under SAFETEA-LU, continued eligibilities include: • Maintenance and restoration of trails.* • Development and rehabilitation of trailside and trailhead facilities. • Purchase and lease of trail construction and maintenance equipment. • Construction of new trails (with some limits on federal lands). • Acquisition of easements and fee simple title to property. • Assessment of trail conditions for accessibility and maintenance. • Development and dissemination of publications and operation of trail safety and trail environmental protection programs (including non-law enforcement monitoring and patrol programs and trail-related training), not to exceed 5 percent of the annual apportionment. • State costs for administering the program, not to exceed seven percent of the annual apportionment. New eligible activities include: • Assessment of trail conditions for accessibility and maintenance. • Clarification that educations funds may be used for publications, monitoring and patrol programs and for trail-related training. *Oregon does not allow trail maintenance that is categorized as “general” or “annual” maintenance.

<table>
<tr><td>Funding</td><td>SAFETEA-LU provides funding for recreational trails nationally as depicted in the following table.

<table>
<tr><th>Year</th><th>2005</th><th>2006</th><th>2007</th><th>2008</th><th>2009</th></tr>
<tr><td>Authorization</td><td>$60 M</td><td>$70M</td><td>$75M</td><td>$80M</td><td>$85M</td></tr>
</table>

Funds are distributed to the States by the following formula:

• 50 percent of the amount will be apportioned equally among eligible states.
• 50 percent of the amount will be apportioned among eligible states proportionate to the amount of non-highway recreational fuel used in each state during the preceding year.</td></tr>
<tr><td>Matching Requirements</td><td>While federal share would normally be determined in accordance with 23 USC 120(b), Oregon has retained its authority to determine matching requriements. Oregon requires a 20 percent match for Recreational Trails projects. Funds from other federal programs outside the U.S. Department of Transportation may be used to fulfill the non-federal share requirement.

Recreational Trails Program funds may be used to match other federal program funds for purposes that would be eligible under the Recreational Trails Program.</td></tr>
<tr><td>Project Selection</td><td>Oregon Parks and Recreation Department manages the grant program distributing Recreational Trails funding. They have annual grant selections. A letter of intent is required, typically in December. An application is usually due 60 days after the letter of intent. Grant Workshops are offered to assist applicants in the process. More information can be found at: http://egov.oregon.gov/OPRD/GRANTS/trails.shtml.

Oregon Parks and Recreation Department has two staff people assigned to the program: the State Trails Coordinator and the Recreational Trails Program Grant Coordinator.

The Recreation Trails Program Advisory Committee prioritizes the applications based on scoring criteria. The scoring criteria are based off of the Oregon Trails 2005-2014: A Statewide Action Plan. The Oregon Parks and Recreation Department Commission approves the prioritization list.

Project periods are typically two years in length.</td></tr>
<tr><td>Relevant Statutes</td><td>SAFETEA-LU Section(s): 1101(a)(8), 1109; 23 USC 104(h) & 206.</td></tr>
<tr><td>Contacts for Information and Assistance</td><td>ODOT Regional Local Agency Liaison & ODOT Local Government Section.

Oregon Parks and Recreation Department
State Trails Coordinator or RTP Grant Coordinator 503-986-0707</td></tr>
</table>

Related Publications and Websites	ODOT Local Government Section / Regions: http://www.oregon.gov/ODOT/HWY/LGS/ Federal Highway Administration: http://www.fhwa.dot.gov/federalaid/projects.cfm SAFETEA-LU Information: http://www.fhwa.dot.gov/safetealu/ Oregon Parks and Recreation Department: http://egov.oregon.gov/OPRD/GRANTS/trails.shtml.

10. Safe Routes to Schools Program (SRTS)

Purpose	The purpose of the Safe Routes To School program is to provide funds to states to substantially improve the ability of primary and middle school students to walk and bicycle to school safely. Additionally, program funds are used: 1. To enable and encourage children, including those with disabilities, to walk and bicycle to school. 2. To make bicycling and walking to school a safer and more appealing transportation alternative, thereby encouraging a healthy and active lifestyle from an early age. 3. To facilitate the planning, development, and implementation of projects and activities that will improve safety and reduce traffic, fuel consumption, and air pollution in the vicinity (approximately two miles) of primary and middle schools (Grades K-8).
Description	**SAFETEA-LU** – The Safe, Accountable, Flexible, and Efficient Transportation Equity Act – A Legacy for Users makes funds available nationally. Using funds set aside for the administrative costs of the program, the U.S. Secretary shall: • Make grants to a national nonprofit organization engaged in promoting safe routes to school to operate a National Safe Routes to school clearinghouse, develop information and educational programs on safe routes to school, and provide technical assistance and disseminate techniques and strategies used for successful safe routes to school programs. • Establish a National Safe Routes to school task force, composed of leaders in health, transportation, and education, to study and develop a strategy for advancing safe routes to school programs nationwide. The Secretary was to report to Congress by March 31, 2006, on the results of the study and a description of the strategy developed, along with information regarding the use of program funds for infrastructure and non-infrastructure purposes. However the March 31, 2006, was an optimistic deadline and the report became available in July 2008.

<table>
<tr><td></td><td>Oregon State Legislation (HB 2742 passed in 2005, now ORS 184.740 and 184.741) – Creates a statewide program for SAFETEA-LU appropriation (about $5 million in federal funds anticipated for 2005-2009). HB 2742 requires ODOT to work with the Oregon Transportation Safety Committee in developing the Safe Routes to School Program along the guidelines set forth in SAFETEA-LU.</td></tr>
<tr><td>Eligible Projects</td><td>Identified projects that will reduce barriers and hazards to children, K-8, walking or bicycling within two miles of their school include the following:

• Infrastructure projects.
• Sidewalk improvements.
• Traffic calming.
• Speed reduction improvements.
• Pedestrian and bicycle crossing improvements.
• On-street bicycle facilities.
• Secure bicycle parking facilities.
• Traffic diversion improvements within two miles of school.
• Non-infrastructure activities encouraging walking and bicycling to school.
• Public awareness campaigns.
• Outreach to press and community leaders.
• Traffic education and enforcement within two miles of school.
• Student sessions on bicycle and pedestrian safety, health, & environment.
• Funding for training, volunteers, and managers of safe routes to school programs.</td></tr>
<tr><td>Funding</td><td>SAFETEA-LU – The Safe, Accountable, Flexible, Efficient, Transportation Equity Act – A Legacy for Users makes funds available nationally as depicted in the following table:

<table>
<tr><td>Year</td><td>2005</td><td>2006</td><td>2007</td><td>2008</td><td>2009</td></tr>
<tr><td>Authorization</td><td>$54 M</td><td>$100 M</td><td>$125 M</td><td>$150 M</td><td>$183 M</td></tr>
</table></td></tr>
<tr><td>Matching Requirements</td><td>The federal share is 100 percent. The estimated amount available for Oregon award funding during 2005-2009 is about $5 million. Potentially this amount could be shared among the 198 total school districts in Oregon with 983 schools serving K-8 students.</td></tr>
</table>

Project Selection	The state program is administered by the ODOT Transportation Safety Division (TSD). The program provides reimbursement awards for education, engineering (transportation project construction) and enforcement projects and activities. The award process must follow criteria set forth in administrative rule. To assist TSD in the program's early stages with developing the administrative rules and providing guidance in SRTS program areas, the Oregon Transportation Safety Committee directed TSD to form a Safe Routes to School Committee. The 9-member Safe Routes Advisory Committee was endorsed by the OTSC in February 2006. It represents school districts; health districts; traffic safety committees; law enforcement; parent organizations and others interested in Safe Routes to School. The following is the link to SRAC Committee Members: http://www.oregon.gov/ODOT/TS/saferoutes.shtml#Advisory_Committee
Relevant Statutes	Federal: SAFETEA-LU Section(s): 1101(a)(17), 1404. State: Reducing barriers for pedestrian and bicycle access to schools: ORS 195.115. State: Safe Routes to Schools: ORS 184.740; ORS 184.741. Oregon Administrative Rules, Division 25, Safe Routes to School Fund: 737-025-0000 to 737-025-0080.
Contacts for Information and Assistance	ODOT, Safe Routes to School State Coordinator, Transportation Safety Division; Regional Local Agency Liaison; ODOT Local Government Section.
Related Publications and Websites	ODOT Safe Routes to School Program: http://egov.oregon.gov/ODOT/TS/saferoutes.shtml#Program_Information Federal Highway Administration: http://www.fhwa.dot.gov/federalaid/projects.cfm National Center for Safe Routes to School: http://www.saferoutesinfo.org/index.cfm National Safe Routes to School Task Force and the July 2008 Report: http://www.saferoutesinfo.org/task_force/ ODOT - STIP User's Guide: http://www.oregon.gov/ODOT/TD/TP/0811stip.shtml#STIP_Users__Guide ODOT Local Government Section / Regions: http://www.oregon.gov/ODOT/HWY/LGS/ SAFETEA-LU Information: http://www.fhwa.dot.gov/safetealu/

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. A brief description of these programs follows.

11. Construction of Ferry Boats and Ferry Terminal Facilities Program

Purpose	The Ferry Boat Discretionary (FBD) Program provides a special funding category for the construction of ferry boats and ferry terminal facilities.
Description	The Safe, Accountable, Flexible, and Efficient Transportation Equity Act – A Legacy for Users (SAFETEA-LU) makes money available for construction of ferry boats and ferry boat terminals.
Eligible Projects	FBD funds are available for improvement to ferry boats, ferry boat terminals and activities where: • The ferry facility is providing a link on a public road (other than Interstate) or the ferry facility is providing passenger only ferry service. • The ferry and/or ferry terminal to be constructed or improved is either publicly owned, publicly operated, or a public authority has majority ownership interest where it is demonstrated that the ferry operation provides substantial public benefits. • The ferry does not operate in international water except for ferries between a state and Canada. Except as permitted under 23 USC 129(c)(5), ferry operations cannot be operated in foreign or international waters. Oregon has three ferries, Canby, Wheatland and Buena Vista. All of these existing ferries or appropriately proposed new ferries would be eligible for funding under this program.
Funding	Funded by contract authority, funds are to remain available until expended. Funds are subject to the overall federal-aid obligation limitation. In addition to the authorizations provided in SAFETEA-LU Section 1101, there is funding authorized from the General Fund of the Treasury of such sums as may be necessary to carry out the provisions of the program for fiscal years 2006 through 2009. These funds are subject to annual appropriation. (SAFETEA-LU Section 1801). For fiscal years 2005 through 2009, $20M of each year's authorization is set-aside for projects within the marine highway systems that are part of the NHS. Each year the $20 million setaside will be distributed in the following manner: • $10M to the State of Alaska. • $5M to the State of New Jersey.

	• $5M to the State of Washington. Priority shall be given to projects that: • Provide critical access to areas not well served by other modes of surface transportation. • Carry the greatest number of passengers and vehicles. • Carry the greatest number of passengers in passengers-only service.
Matching Requirements	In Oregon, the local match required is 10.27 percent.
Program Features	The Secretary of Transportation is required to establish a national ferry database. The database must be compiled within one year of enactment of SAFETEA-LU, be updated every two years, and be readily available to the public. Funding to establish and maintain the database will be provided by a takedown of up to $500,000 from Bureau of Transportation Statistics funds (Section 5101). The database will contain information regarding routes, vessels, passengers and vehicles carried, funding sources, and other useful information.
Relevant Statutes	SAFETEA-LU Section(s): 1101(a)(13), 1801; 23 USC 147 & 129(c).
Contacts for Information and Assistance	ODOT's Local Government Section and the ODOT Regional Local Agency Liaison.
Related Publications and Websites	ODOT's Local Government Section / Regions: http://www.oregon.gov/ODOT/HWY/LGS/ Federal Highway Administration: http://www.fhwa.dot.gov/federalaid/projects.cfm SAFETEA-LU Information: http://www.fhwa.dot.gov/safetealu/

12. Emergency Relief (ER) Program

Purpose	The ER Program provides assistance to states and local agencies when state and local resources are inadequate to cope with widespread natural disasters or catastrophic failures.
Description	The ER Program assists local agencies with the repair or reconstruction of roadways and bridges on federal-aid routes which have suffered serious damage as a result of natural disasters such as floods, hurricanes, tidal waves, earthquakes, severe storms, landslides, or catastrophic failures from any cause. When an emergency exceeds the capability of state and local government, federal assistance can be requested from FHWA (Emergency Relief -ER and Emergency Relief for Federally Owned Roads - ERFO) and the Federal Emergency Management Agency (FEMA) for the purposes noted below: • FHWA under Title 23, USC, Section 125 provides ER funds for the restoration of damaged roads and bridges on federally functionally classified routes except for rural minor collectors and local roads and streets.

	• FHWA's Western Federal Lands Highway Division Office directly handles ERFO funds for repairs to federal roads maintained by federal agencies (Forest Service, Park Service, etc.) that were damaged by a disaster and determined to be eligible by the FHWA Administrator. • FEMA provides federal funds under Public Law 93-288, as amended, "Robert T. Stafford Disaster Relief and Emergency Assistance Act, Nov. 1988," for restoration of damaged roads and bridges off the eligible federal-aid classified routes.
Eligible Projects	The Governor must have a declared emergency. Costs must be in excess of $750,000 to be eligible for federal ER funds. The types of events that qualify for ER funding are: • A widespread natural disaster. Examples include floods, hurricanes, severe storms, earthquakes, volcanic eruptions, landslides, or tidal waves. • A catastrophic failure. This is defined as the sudden and complete failure of a major element or segment of roadway system that causes a disastrous impact to transportation services. The cause must be external to the facility, such as a barge hitting a bridge and causing it to collapse. ER funds apply to emergency related repairs on federal-aid routes only, with serious damage resulting from natural disasters or catastrophic failure. Eligible expenditures are those for preliminary engineering, right of way, and permanent and emergency construction to restore essential travel, protect remaining facilities, and restore facilities to pre-disaster conditions. Only that work which exceeds heavy maintenance, is extraordinary, and restores the facility to its previous level of service is eligible.
Funding	Annually, about $100 million is available nationwide for ER projects. The amount available to an individual state varies each year depending on disasters experienced by the states.
Matching Requirements	Federal reimbursement of eligible costs for emergency repairs accomplished: • Within 180 days after the actual occurrence of the disaster, will be funded at the rate of 100 percent. • Beyond 180 days of the occurrence, will be funded at the current program participation ratio for the federal-aid program affected. Permanent restorations or reconstruction will be funded at the current participation ratio regardless of when constructed. However the funds must be obligated within two years of the declaration to be eligible for reimbursement.
Project Selection Process	Emergency opening work and preliminary engineering for restoration can begin immediately, and reimbursement is retroactive to the beginning of the disaster and an authorization to proceed must be approved before any construction for restoration can begin.

	Local Agency Process. Outlined below are the initial steps a local agency follows immediately after a disaster. a. *Initial Notification.* A local Emergency Management Office immediately notifies the Oregon Office of Emergency Management (OEM) via the fastest means possible. b. *Local Agency Proclamation*. A proclamation is signed by elected official(s) in accordance with the Oregon Emergency Management Plan. In accordance with ORS 401, the state and each political subdivision (e.g., Local Agency) have prepared a Comprehensive Emergency Plan which is put into effect when a disaster occurs. c. *Recording Site Specific Costs*. It is very important to document all expenses incurred by a local agency in coping with the disaster or catastrophe. Records must be site specific, identified by route, mile post and/or by cross street identifiers within the route. Cost records must have supporting documentation for labor, equipment, and materials. Failure to document costs as outlined above is a major reason for ineligibility findings. d. *Additional Data Gathering*. Local agencies should gather evidence of the disaster such as newspaper clippings and photos. This information is helpful in the preparation of the field reports to request emergency relief funds. e. *Requesting State Assistance*. During and immediately after the disaster, the local Emergency Management Office conducts "damage assessments" to determine the magnitude, dollar value, effects, and impacts of the emergency/disaster. It is very important to make timely and accurate damage reports to the OEM. These reports should describe the disaster and any local response. The "Incident Report" and "Disaster Analysis Report" forms provided by OEM and completed by the local agency (see Emergency Management Plan) are approved means of providing such a report. In addition, this notification should include the local agency's "Proclamation of Emergency." f. *Proclamation by the Governor*. From the information received, OEM will inform the Governor's Office. If the situation warrants state assistance, OEM will coordinate the state response to supplement the efforts of local governments. The Governor will proclaim a state of emergency when necessary. The Governor's proclamation is required to obtain assistance under both ER and FEMA. From this point on, the processing of ER or FEMA projects are different.

Process for ER Projects	The process for FHWA approval of an event for the initial allocation of ER funding is as follows: **Step** **Activity** 1 ODOT submits letter of intent to FHWA division office. 2 FHWA division office issues acknowledgement letter to ODOT. 3 Disaster assessment (three methods, see page 25 of ER Manual). 4 ODOT requests ER funding (normally in a letter to the FHWA division office). 5 FHWA Division Administrator approves/disapproves ODOT's request and advises ODOT. 6 If ODOT's request is approved, FHWA division office advises Office of Program Administration, HIPA, (with information on the event, estimated cost, counties, U.S. Congressional districts) and requests ER funding to cover ER obligations for the current fiscal year. 7 ODOT and FHWA will perform a field assessment with the local agency to determine eligibility.
Process for FEMA Projects	FEMA provides funding for restoration of damaged roads and bridges not eligible for ER, individual assistance and public assistance. Off-system roads, bridges and trails (no matter where the initial funding came from) are eligible for FEMA reimbursement. Although neither FHWA nor ODOT is involved in disaster relief project funding for non-federal-aid roads/streets, this section has been included for informational purposes. Additional information is available at the FEMA website. The FEMA program provides federal reimbursement of eligible costs to repair, restore, reconstruct or replace damaged roadway facilities not eligible for ER. This includes emergency opening and permanent restoration. Before funds are made available, the Governor must proclaim a state of emergency and request assistance from the President. The President must declare either an emergency or a major disaster. The Disaster Recovery Manager of FEMA and the State of Oregon's Governor Authorized Representative are responsible for determining program eligibility based on criteria established by the federal government. The Governor's Representative is responsible for the program's administration. **Applying for Federal Assistance** a. *Governor's Request for Federal Assistance*. Based on the preliminary damage assessments, the OEM prepares the Governor's request letters, for the Governor's signature, which are submitted through FEMA to the President of the United States. b. *Presidential Declaration*. If the President determines that the situation warrants federal assistance, the President declares either an emergency or major disaster and invokes the applicable sections of the FEMA regulations. c. *Federal/State Agreement*. After the President makes the declaration of emergency, the Governor and the FEMA Administrator sign a federal/state agreement for federal, state and local participation.

	Actions After Federal Funding Approval a. *Preparation of Damage Survey Reports*. OEM and FEMA jointly establish disaster field offices to coordinate federal and state response. b. *Applicant Briefings - Eligibility Determination*. The Governor's Representative and Federal Disaster Recovery Manager will conduct applicant briefings. These briefings are for local elected officials, program administrators and accountants/bookkeepers. Local representatives are told what kind of assistance they will receive and the process to obtain the assistance. The ODOT Regional Local Agency Liaison or the liaison's representative will attend the briefing to discuss the ER program. c. *Determination Review*. In most cases, if not all, the Governor's Representative and the Disaster Recovery Manager will review and determine eligibility of the DSRs in the disaster field office. Those not determined in the disaster field office will be followed up by both the Governor's Representative and the Disaster Recovery Manager at a later date. d. *State Requirements*. The Governor's Representative will coordinate with fisheries and wildlife departments to review each project's DSR and determine if a hydraulic permit approval is required. **e.** *Project Modifications*. The applicant does the work and if a time extension, scope, or fiscal modification is required, the applicant makes a request to the Governor's Representative for consideration. f. *Project Closure*. When the work has been completed, the applicant submits a Statement of Documentation to the Governor's Representative. The Governor's Representative determines whether or not final inspections need to be conducted based on program guidelines. Projects will be audited as part of the Single Audit Act by the State Auditor's Office. Once all the program requirements have been met and final payment made, the Governor's Representative will send a close-out letter to the applicant.
Significant Events	• Governor's declaration that a disaster exists. • Presidential declaration that a disaster exists. • Secretary of Transportation Approval of FHWA Division Field Report.
Relevant Statutes	Title 23 U.S.C., Subpart A, Chapter1, Section 120(d), and Section 125.
Key Decision-Makers	U.S. President, Oregon State Governor, FHWA, ODOT, Local Agencies, TMAs and MPOs.
Contacts for Information and Assistance	ODOT, Local Government Section, Regional Local Agency Liaisons and ODOT's Emergency Manager.
Related Publications/ Websites	ODOT Local Government Section / Regions ODOT Local Government Section – *A Summary of Emergency Relief (ER) Procedures for Federal-Aid Highways* Federal Highway Administration

	Emergency Relief Disaster Assistance Manual, from FHWA, April 2004 For additional information on ER projects, refer to the *Emergency Relief Manual (Federal aid Highways)* USDOT/FHWA, Interim Update August 2003. Federal Emergency Management Agency (FEMA) website.

13. Federal Lands Highways Programs (FLHP)

Purpose	The primary purpose of FLHP is to provide funding for a coordinated program of public roads that serve the transportation needs of the federal lands which are not a state or local government responsibility.
Description	The FLHP, as an adjunct to the Federal-Aid Highway Program, covers highway programs in cooperation with Federal land managing agencies. The FLHP provides funds for highways, roads, parkways and transit facilities that provide access to or are within public lands, national parks, wildlife refuges and Indian reservations. Approximately 30 percent of the land in the United States is under jurisdiction of the federal government. The FLHP was created with the 1982 Surface Transportation Assistance Act as an extension of similar programs going back to the Federal-Aid Road Act of 1916. Currently, the Safe, Accountable, Flexible, Efficient Transportation Equity Act – A Legacy for Users (SAFETEA-LU) reauthorizes programs, funding and policies for FHWA programs, including the FLH program, that were last authorized in previous legislation, the Transportation Equity Act for the 21st Century (TEA-21). This program contains five categories funded under the Highway Trust Fund: • Indian Reservation Roads • Park Roads and Parkways • Forest Highways • Public Lands Highways • Refuge Roads Specific information on these five categories is available at: http://www.fhwa.dot.gov/flh/flhprog.htm The FLHP is administered through partnerships and interagency agreements among the FHWA, Bureau of Indian Affairs, U.S. Forest Service, National Park Service, Bureau of Land Management and the U.S. Fish and Wildlife Service. Other Federal land management agencies such as the Military Surface Deployment and Distribution Command, and the Bureau of Reclamation also

	participate in the program. The FLHP also has the responsibility for administering the Emergency Relief program for federal roads (ERFO), Defense Access Roads, and for promoting the development of new technology including the Coordinated Federal Lands Highway Technology Implementation Program (CTIP). CTIP is a cooperative technology deployment and sharing program between the FHWA Federal Lands Highway office federal land management agencies.
Eligible Projects	FLHP funds are avialable for transportation planning, research, engineering, and construction of the hgihways, roads, and parkways, or of transit facilities within the federal lands and may also include: • Transportation planning for tourism and recreational travel, including the National Forest Scenic Byways Program, Bureau of Land Management Back Country Byways Program, National Trail System Program, and other similar federal programs that benefit recreational development; • Adjacent vehicluar parking areas. • Interpretive signage. • Acquisition of necessary scenic easements and scenic or historic sites; • Provision for pedestrians and bicycles. • Construction and reconstruction of roadside rest areas, including sanitary and water facilities. • Other appropriate public road facilites such as visitor centers.
Funding	FLHP authorizations thru 2009 for Indian Reservation Roads (IRR), Park Roads and Parkways, Refuge Roads, and Public Lands Highways total $4.5 billion. Direct transfer of apportioned funds to a federal agency upon state request is now allowed.
Matching Requirements	The federal share of the costs for any project eligible under this program is 100 percent. Local match is not required; however, some FLHP programs consider the type and amount of voluntary match when selecting and prioritizing projects. FLHP funds can be used as the state/local match for federal-aid highway or transit projects that provide access to or within federal or Indian lands.
Project Selection	A "Tri-Agency" group consisting of FHWA's Western Federal Lands Highways Division, ODOT, a representative of Oregon Counties and the U.S. Forest Service selects projects under the Forest Highway's Program. Oregon projects from all FLHP appear in Oregon's STIP but for some FLHP, the selection process and project administration are done by other agencies. Although there are not any statutory criteria, FHWA considers national geographic distribution among all of the programs as well as congressional direction.
Relevant Statutes	SAFETEA-LU Section(s): 1119; and 23 USC 202, 203, 204.
Contacts for Information and Assistance	ODOT's Local Government Section and ODOT's Regional Local Agency Liaisons. For specific information contact Forest Highway – ODOT Transportation Enhancement Program Manager

Related Publications and Websites	ODOT's Local Government Section / Regions: http://www.oregon.gov/ODOT/HWY/LGS/ Federal Highway Administration: http://www.fhwa.dot.gov/federalaid/projects.cfm SAFETEA-LU Public Lands Highways Program Fact Sheet: http://www.fhwa.dot.gov/safetealu/factsheets/fedlands.htm SAFETEA-LU Information: http://www.fhwa.dot.gov/safetealu/ Federal Lands Highway Programs: http://www.fhwa.dot.gov/flh/flhprog.htm

14. National Historic Covered Bridge Preservation Program

Purpose	The purpose of the National Historic Covered Bridge Preservation program is to provide for the rehabilitation, repair, or preservation of covered bridges that are listed or eligible for listing on the National Register of Historic Places.
Description	The Safe, Accountable, Flexible, Efficient Transportation Equity Act – A Legacy for Users (SAFETEA-LU) makes $10 million available nationally during 2006-2009 for designated historic covered bridges.
Eligible Projects	Eligible uses of funds are the rehabilitation, repair or preservation of a historic covered bridge, including installation of a fire protection system, installation of a system to prevent vandalism or arson, or relocation of a bridge to a preservation site. To the maximum extent practicable, projects under this program must be carried out in the most historically appropriate manner and preserve the existing structure of the historic covered bridge. The project must also provide for the replacement of wooden components with wooden components unless the use of wood is impracticable for safety reasons.
Funding	Funded by contract authority, available until expended and not transferable. Funds are subject to the overall Federal-aid highway obligation limitation.
Matching Requirements	The minimum applicant match is 10.27 percent of total project costs.
Project Selection	The U.S. Secretary of Transportation will make grants based on applications from States that demonstrate the need for assistance in carrying out one or more eligible historic covered bridge projects.
Relevant Statutes	SAFETEA-LU Section: 1804
Contacts for Information and Assistance	ODOT's Bridge Engineering Section; ODOT's Regional Local Agency Liaison; and ODOT's Local Government Section.
Related Publications and	ODOT's Bridge Engineering Section: http://www.oregon.gov/ODOT/HWY/BRIDGE/

Websites	Oregon Covered Bridges Guide: http://www.oregon.gov/ODOT/HWY/BRIDGE/covered_bridges.shtml ODOT's Local Government Section / Regions: http://www.oregon.gov/ODOT/HWY/LGS/ Federal Highway Administration: http://www.fhwa.dot.gov/federalaid/projects.cfm SAFETEA-LU Information: http://www.fhwa.dot.gov/safetealu/

15. National Scenic Byways Program

Purpose	The purpose of the National Scenic Byways Program is to recognize and enhance routes that have outstanding scenic, historic, cultural, natural, recreational, and archaeological qualities, and support state scenic byway programs.
Description	The Safe, Accountable, Flexible, Efficient Transportation Equity Act – A Legacy for Users (SAFETEA-LU) makes money available for projects along roadways designated as National Scenic Byways, All-American Roads, or State Scenic Byways. FHWA administers this program and typically requests applications once a year. Under SAFETEA-LU, nationwide funding will increase from $26 million to $43 million for federal fiscal years 2005 to 2009.
Eligible Projects	Basic eligibility requires: • Be a National Scenic Byway, All American Road or State Scenic Byway. • Must be consistent with the approved corridor management plan. • Construction projects must be located on or very close to the Scenic Byway. Scenic Byways funds are available for: • Planning, design and development of a State or Indian Tribe scenic byway program. • Development and implenmentation of a byway corridor management plan to maintain the scenic, historic, recreational, cultural, natural, and archaeological characteristics of a state designated route while accommodating increased tourism and development of related amenities. • Safety improvements to accommodate increased traffic; improvements that enhance access; and protection of resources adjacent to the byway. • Development and implementation of a marketing program. • Development and provision of tourist implementation and construction of bicycle and pedestrian facilities, overlooks, interpretive facilities and other enhancements for byway travelers.

Funding	Funded by contract authority, to remain available for four years. Funds are subject to the overall federal-aid obligation limitation. Grants and technical assistance are provided to states and Indian tribes to implement projects on highways designated as National Scenic Byways, All-American Roads, America's Byways, State scenic or Indian tribe scenic byways; and to plan, design, and develop a State or Indian tribe scenic byway program.
Matching Requirement	The required applicant match is 10.27 percent of total project cost.
Project Selection	The Oregon Scenic Byway Advisory Committee evaluates and makes recommendations on State Scenic Byway designations and prioritizes National Scenic Byway Grant applications. ODOT chairs the Committee, maintains a staff support role. Committee members include representatives from: • State Parks • Tourism Commission • U.S. Forest Service • Bureau of Land Management • League of Oregon Cities • Association of Counties • Visitor Bureaus Project selection is based on four criteria developed by the Oregon Scenic Byway Advisory Committee: • Benefits to the traveling public • Feasibility and past performance • Importance or need • Regional or statewide significance • Livability/benefit to communities • Leveraging other funding sources Application instructions, selection procedures and other information are listed in the application package on the ODOT Scenic Byway website. Project applications are typically called for each fiscal year and coordinated through ODOT. ODOT then forwards them to the FHWA Division office. FHWA uses a national competitive process to award grants. ODOT is notified of the grant decision and the project is listed in the Statewide Transportation Improvement Program (STIP) as a "Special Program," similar to a federal earmark.
Relevant Statutes	SAFETEA-LU Section(s): 1101(a)(12), 1802 23 USC 162
Contacts for Information and Assistance	ODOT's Scenic Byway Program Manager; ODOT's Regional Local Agency Liaison; ODOT's Local Government Section.

Related Publications and Websites	ODOT's Scenic Byways Program: http://egov.oregon.gov/ODOT/HWY/SCENICBYWAYS/index.shtml Oregon Scenic Byways Grant Application Packet: http://egov.oregon.gov/ODOT/HWY/SCENICBYWAYS/grants.shtml Oregon Scenic Byways Program Application and Guidebook: http://www.oregon.gov/ODOT/HWY/SCENICBYWAYS/driving_guide.shtml Map of Oregon Scenic Byways: http://www.oregon.gov/ODOT/TD/TDATA/gis/odotmaps.shtml#Statewide_Maps Federal Highway Administration: http://www.fhwa.dot.gov/federalaid/projects.cfm National Scenic Byway Program: http://www.byways.org/ ODOT - STIP User's Guide: http://www.oregon.gov/ODOT/TD/TP/stipGuide.shtml ODOT Local Government Section / Regions: http://www.oregon.gov/ODOT/HWY/LGS/

16. Transportation, Community, and System Preservation Program (TCSP)

Purpose	The purpose of the TCSP Program is to investigate and address relationships between transportation, community, and system preservation and to identify private sector-based initiatives.
Description	States, metropolitan planning organizations, local governments and tribal governments are eligible for TCSP program discretionary grants to plan and implement strategies which improve the efficiency of the transportation system, reduce environmental impacts of transportation, reduce the need for costly future public infrastructure investments, ensure efficient access to jobs, services and centers of trade, and examine development patterns and identify strategies to encourage private sector development patterns which achieve these goals.
Eligible Projects	Eligibility is broadly defined as any project or activity eligible for federal highway (Title 23) or transit funding (Title 49) or any project or activity the Secretary of Transportation determines to be appropriate to implement transit-orientated development plans, traffic calming measures, or other coordinated TCSP practices.
Funding	SAFETEA-LU makes $61.25 million available per year for FY 2006 through FY 2009 for TCSP projects and activities. Funds are subject to the overall federal-aid highway obligation limitation.

Matching Requirements	In Oregon the minimum applicant match is 10.27 percent of the total project cost. Certain safety improvements listed in 23 USC 120(c) and 130 have a federal share of 100 percent.
Project Selection	Projects receiving TCSP funding are typically determined by Congress in annual appropriations bills.
Relevant Statutes	SAFETEA-LU Section: 1117.
Contacts for Information and Assistance	ODOT's Regional Local Agency Liaison; and ODOT's Local Government Section.
Related Publications and Websites	ODOT's Local Government Section / Regions: http://www.oregon.gov/ODOT/HWY/LGS/ Federal Highway Administration: http://www.fhwa.dot.gov/federalaid/projects.cfm http://www.fhwa.dot.gov/tcsp/pi_tcsp.htm SAFETEA-LU Information: http://www.fhwa.dot.gov/safetealu/

L. RELATED STATE PROGRAM

1. Bicycle and Pedestrian Program

Purpose	The purpose of the Bicycle and Pedestrian Program is to provide safe, accessible and convenient bicycling and walking facilities and to support and encourage increased levels of bicycling and walking.
Description	The Pedestrian and Bicycle Program is a competitive grant program that provides approximately five million dollars every two years to Oregon cities, counties and ODOT regional and district offices for design and construction of pedestrian and bicycle facilities. Proposed facilities must be within the public right of way. Grants are awarded by the Oregon Bicycle and Pedestrian Advisory Committee. The process is generally very competitive; about one out of five projects typically gets funded.
Eligible Projects	Only one application per city or county will be accepted; cities with population over 200,000 may submit one pedestrian and one bicycle project. Jurisdictions with a current grant must have completed their project before applying for a new grant. Projects must be situated within the public right of way of a state highway, county road or local street. Minor right of way purchasing for widening is allowable.

	Eligible projects include sidewalk infill, pedestrian crossings, intersection improvements, streetscapes, bike boulevards, and minor roadway widening for bikeways. Projects may include landscaping, lighting, bicycle parking and other features than enhance walking and bicycling. Ineligible projects include those with substantial automobile capacity. Projects that include walkways and bikeways *as part of road construction or reconstruction* are not eligible, as walkways and bikeways must already be provided on these projects by law (ORS 366.514); however, projects that add walkways or bikeways to *road resurfacing or other maintenance projects* are encouraged, as efficiencies and cost savings can be gained with this approach.
Funding	There is no maximum grant amount per project; however, funds are limited and few projects over $500,000 will be funded.
Matching Requirements	A minimum 10 percent match is required. A voluntary match over 10 percent will be accepted and will count in scoring. A soft match (e.g. engineering and design) can be considered as match.
Project Selection Process	Environmental impacts should be minimal, or have been resolved prior to applying. Design standards count heavily in project scoring. Five foot curbside sidewalks or projects that do not adequately address a pedestrian and/or bicyclist problem do not fare well in the competitive process. Special consideration will be given to projects that: • Consider the needs of school children, the elderly, the disabled, transit users and others not well served by the current transportation system. • Show innovation in design. • Add substantively to the "quality of experience" of non-motorized transportation users. Please refer to the scoring criteria ODOT uses for technical screening to understand the factors ODOT and the Oregon Bicycle and Pedestrian Advisory Committee will consider in project selection. The scoring criteria are available online.
Significant Dates	The application timeline is available at: http://www.oregon.gov/ODOT/HWY/BIKEPED/grants1.shtml#Instructions___Information
Relevant Statutes	ORS 366.514
Key Decision-Makers	ODOT is responsible for administration of this program.
Contacts for Information and Assistance	ODOT Bicycle and Pedestrian Program; ODOT Region Local Agency Liaison, ODOT Local Government Program.
Related Publications/	Oregon Bicycle and Pedestrian Program: http://www.oregon.gov/ODOT/HWY/BIKEPED/

Websites	Oregon Bicycle and Pedestrian Plan: http://www.oregon.gov/ODOT/HWY/BIKEPED/planproc.shtml ODOT Local Government Program: http://www.oregon.gov/ODOT/HWY/LGS/

M. TRANSFER OF FUNDING TO THE FEDERAL TRANSIT ADMINISTRATION (FTA)

Provisions of Title 23 and Title 49 USC provide for the transfer of certain highway and transit program funds from one federal surface transportation agency to the other. STP and CMAQ funds may be transferred from FHWA to FTA for transit capital projects that are eligible under Title 49 USC. 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 ODOT. Park and Ride lots, Transportation Demand Management activities, and intermodal facilities might be eligible under both agencies' programs.

The matrix below illustrates the FTA transfer options:

Options for Federal Management Grantee	**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
Commute Trip Reduction	X	X
Bikeways	X	X
Intermodal Station	X	
Bus and Signal Priority	X	
Transit Maintenance and Operations	X	
Auto Ferry Vessels-Rural		X
High Priority Projects (HPP)	X	X

If the project is to be implemented through FTA, generally the whole 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 though FHWA. Generally, these projects will have their scope of work and administrative oversight administered through ODOT's Public Transit and Rail Divisions.

Once FTA has reviewed the application and it is complete and ready for approval, FTA will forward a request to ODOT for transfer. The ODOT Highway Finance Office will request the transfer of funds from FHWA to FTA. FHWA's action transfers obligation authority to FTA along with the funds.