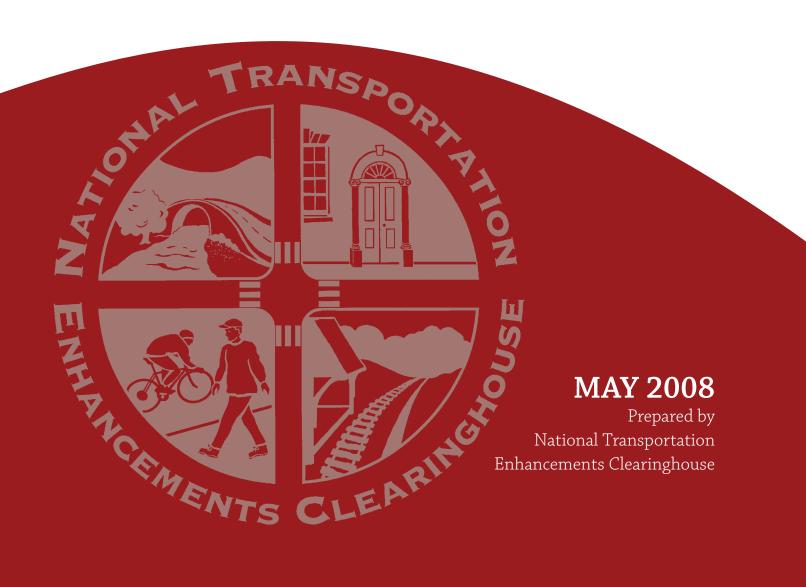
Transportation Enhancements

Summary of Nationwide Spending as of FY 2007



For transportation enhancement activities.

—In a fiscal year, the greater of 10 percent of the funds apportioned to a State under section 104(b)(3) for such fiscal year, or the amount set aside under this paragraph with respect to the State for fiscal year 2005, shall only be available for transportation enhancement activities.

23 U.S.C. 133(d)(2)

ACKNOWLEDGEMENTS

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Executive Summary

ransportation Enhancements: FY 2007 Summary of Nationwide Spending is a report prepared annually by the National Transportation Enhancements Clearinghouse (NTEC). This report provides an overview of how states spent Transportation Enhancements (TE) funds from fiscal year (FY) 1992 through the end of FY 2007 with a detailed emphasis on the past seven years.

These dates span the period of time since TE was established as a dedicated funding source in the Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991. Funding of TE continued in the Transportation Equity Act for the 21st Century (TEA-21), which officially ran through September 30, 2003. Funding of TE continued through a series of short-term extensions. The Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) continued TE funding when enacted on August 10, 2005.

NTEC uses benchmark figures to assess the status of TE spending at the national and state level. The report also addresses the distribution of these funds across the 12 eligible TE activities, which are detailed on page 18. This NTEC report provides an assessment of how TE activities are being funded and, ultimately, implemented for the benefit of communities across the nation.

Spending Analysis

There are six distinct phases of spending that NTEC uses to evaluate how states use TE funds:

Cumulative Available: available funds are a 10 percent set aside of Surface Transportation Program (STP) funds plus funds from the Equity Bonus Program and the Revenue Aligned Budget Authority (RABA) that are distributed to the STP or the 2005 apportionment if it is higher than the current year, less amounts transferred. These data are collected at the state level from the Fiscal Management Information System (FMIS).

Programming: amount for selected/planned projects. NTEC collects these data from the states on a voluntary basis.

Obligations: amount authorized to spend. Data collected from FMIS.

Reimbursements: amount paid to sponsor for completed work. Data collected from FMIS.

Transfers: amount transferred from TE to other transportation programs. Data collected from FMIS.

Rescissions: Funds returned to the Federal Government from the state's unobligated balance of funds, as mandated by Congress. Data collected from FMIS.

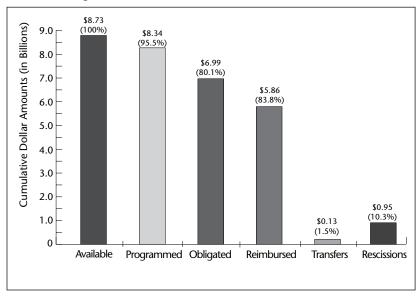
Figure 1 on page 3 illustrates the status of the six funding phases at the national level. Using data obtained from FMIS, NTEC calculated that \$8.73 billion has been made available to the states for use on TE activities since 1992. Using data from NTEC's nationwide project listing, updated most recently in the spring of 2008, NTEC determined that state Departments of Transportation (DOTs) programmed 95.5% percent of cumulative available funds for more than 23,500 projects through FY 2007.

FMIS also reports that state DOTs cumulatively obligated 80.1 percent of available funds, a slight increase from the 79.1 percent obligation rate reported at the end of FY 2006. Reimbursements of obligated funds through FY 2007 are at 83.8 percent, up from 82.3 percent in FY 2006.

Obligation and reimbursement rates are noteworthy because they are indicative of the relative progress with which projects move from selection to implementation. This also provides a measure of the lag between project selection and implementation.

In FY 2007, rescissions accounted for a \$246 million reduction of the cumulative available TE funds. The 2006 and 2007 rescissions—representing 89.2 percent of total rescis-

Figure 1: Cumulative Transportation Enhancements Financial Summary: Available, Programmed, Obligated, Reimbursed, Transfers, and Rescissions. FY 1992 through FY 2007



sions of TE funds in the history of the program—largely account for the high in the cumulative obligation rate in FY 2007.

Distribution of Funds Across the TE Activities

NTEC's national project data indicate that the distribution of funds across the 12 activities has changed only slightly since FY 1999. Bicycle and pedestrian facilities, combined with rail-trails and Bike/Ped Safety, comprise 55.7 percent of programmed funds between FY 1992 and FY 2007. Historic preservation and preservation of historic transportation facilities received 14.3 percent of TE funds. Landscaping and scenic beautification received 18.2 percent of TE funds. Together, these five categories account for 88.2 percent of programmed federal funds.

Conclusion

The high demand for TE funds and the variety and number of projects that have already been selected testify to the popularity of TE activities. As NTEC's project data show, many different types of projects are being funded across the 12 eligible activities. Nationwide TE spending has shown a gradual increase over the life of the TE Program. The lower obligation and reimbursement rates, relative to other federal-aid highway programs indicate, however, that state DOTs, FHWA divisions, and project sponsors face obstacles in actually implementing TE projects. State-specific hurdles, whether they be political support or sponsor preparedness, should be identified and remedied to more efficiently deliver TE projects to communities.

Background and Introduction

he Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) was the authorizing legislation that established a dedicated funding stream for a set of 10 newly defined TE activities under the Federal-aid Highway Program. Ten percent of the Surface Transportation Program (STP) funds, plus 10 percent of the portion of Minimum Allocation funds and Revenue Aligned Budget Authority (RABA) that were distributed to the STP are set aside for these activities.

The dedication of a portion of federal-aid highway funds specifically for TE demonstrated a significant shift in national transportation policy. Prior to ISTEA, only a few of these activities had been eligible for federal-aid highway funding, and they were often excluded from the normal routine of planning and building highways. Under ISTEA, Congress ensured that funding would be available for the bicycle and pedestrian modes of transportation and for the preservation and enhancement of many of the nation's scenic, historic, and environmental resources that exist in a transportation context.

In 1998, Congress reauthorized federal-aid highway programs through the Transportation Equity Act for the 21st Century (TEA-21). The 10 percent set-aside for TE continued with Minimum Guarantee replacing Minimum Allocation funds, and funding levels increased by 40 percent. Two TE activities were expanded and two new TE activities were added to the list of eligible activities. The complete list is shown on page 18. Furthermore, TEA-21 added a requirement that TE projects must relate to surface transportation. Four extensions were enacted after TEA-21 expired.

On August 10, 2005, Congress enacted the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU). Several small changes were incorporated into the statutory language of the 12 eligible activities. The list on page 18 incorporates these changes. SAFETEA-LU continues the 10 percent set-aside for TE with Equity Bonus replacing Minimum Guarantee funds, but it additionally requires that TE apportionments for each fiscal year meet or surpass FY 2005 funding levels.

The majority of projects that use TE funds are small-scale projects with an average federal share of \$344,475. They are most often initiated at the local level by city or county governments or community-based organizations, referred to as sponsors. Projects funded with TE dollars can also be initiated by state DOTs, other state agencies, federally-recognized tribal governments, or federal agencies.

Administration of TE Funds and Projects

Like other components of the Federal-aid Highway Program, TE activities are federally funded and state administered. The Federal Highway Administration (FHWA) division offices provide guidance, stewardship, and oversight for the use of TE funds.

Transportation Enhancement activities are funded through a minimum 10 percent set aside of each state's (and District of Columbia's) annual STP funds (plus the Equity Bonus Program and RABA amounts distributed to the STP) or at the 2005 apportionment level depending on which is greater.* State DOTs administer appor-

^{*} Puerto Rico has not received funds from Federal-aid apportioned programs since 1998 (TEA-21 §1103(n) and SAFETEA-LU §1120(c)).

tioned TE funds. The FHWA division offices in each state determine project eligibility according to guidance developed by FHWA Headquarters, Office of Natural and Human Environment. For a project to be eligible, federal law states that it must be included on the list of 12 eligible activities and it must relate to surface transportation. States may have additional eligibility requirements.

Federal transportation law provides flexibility to states in regard to managing and administering TE funds. State DOTs use a wide range of approaches to the various aspects of TE management, including soliciting and selecting TE projects; involving local sponsors; administering the various federal options for financing matching funds; managing project development; and construction contracting. Collectively, these approaches and procedures are now commonly referred to as TE programs. Every state publishes a document describing its unique program guidelines and policies. Detailed information about a particular state's TE program can also be found on the NTEC Web site, along with contact information for the TE Manager in each state.

FY 2007 Summary of Nationwide Spending

The National Transportation Enhancements Clearinghouse (NTEC) presents this report for use by all interested in Transportation Enhancements (TE). The report provides a detailed description of the status of funding both at the state and national levels. This report is updated annually and allows an assessment of how TE activities are being funded and implemented.

The report is structured in two main sections. The Data Collection Process section summarizes TE spending figures, cites sources, explains the methodology of data collection, and explores state-specific data issues. The Major Findings section presents an analysis of TE activities at the end of fiscal year (FY) 2007 based on the traditional benchmarks of state spending. Also covered are trends within the TE activities themselves, such as distribution of funds across the 12 eligible activities. The report also contains three appendices that provide supplemental information.

TEA-21 expired on September 30, 2003. Funding for TE continued through a series of short-term extensions, with full reauthorization of new transportation legislation, SAFETEA-LU, enacted in August 2005. The delay in reauthorization influenced the project selection process for several states during the periods of TEA-21 extensions.

While this report provides a national perspective on the status of TE, readers with questions about the TE program in a specific state should contact their state Department of Transportation (DOT) directly. Contact information for state DOT TE managers is available on the NTEC Web site at www.enhancements.org.

Common abbreviations used in this report:

TE: Transportation Enhancement Activities

FHWA: Federal Highway Administration

NTEC: National Transportation Enhance-

ments Clearinghouse

DOT: Department of Transportation

FMIS: Fiscal Management Information

System

ISTEA: Intermodal Surface Transportation Efficiency Act of 1991

Efficiency Act of 1991

TEA-21: Transportation Equity Act for the 21st Century of 1998

SAFETEA-LU: Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users of 2005

STP: Surface Transportation Program

FY: Fiscal Year

Data Collection Process

he information in this report is based on data collected and maintained by the National Transportation Enhancements Clearinghouse (NTEC). In 1993, Rails-to-Trails Conservancy developed a database of TE projects funded by each state. This project listing has been managed and updated by NTEC since 1998 as part of its cooperative agreement with FHWA. TE spending data are compiled annually by NTEC staff. Data for this report were collected between October 2007 and April 2008. Data are provided to NTEC by two sources: FHWA's Fiscal Management Information System (FMIS) and State DOTs.

- **FMIS** provides NTEC with the cumulative and fiscal year activity for every state for funds available, obligated, and reimbursed. Every state is required to report its obligations and reimbursements through the FMIS system.
- **State DOTs** provide NTEC with programming (selected/planned project) data, including project name, TE activity type, location, and funding levels. This allows NTEC to analyze the distribution of funds by TE category and state match rates for TE funding. States are not required to provide NTEC with this information.

The national list of programmed TE projects now contains 23,500 projects selected from FY 1992 to FY 2007. NTEC's database also contains 966 programmed projects for future fiscal years (FY 2008 to FY 2013). Altogether, the list contains 24,466 programmed TE projects. The national TE project list can be viewed on the NTEC Web site at www.enhancements.org. Since NTEC's database of projects is the only existing central resource for information on TE projects nationwide, the participation of each state DOT is crucial for the accuracy and completeness of NTEC's information. During the most recent data collection, 46 states and the District of Columbia provided NTEC with programming information.

State Participation During FY 2007

A breakdown of state participation during the FY 2007 data collection follows.

- Submitted a complete update of older project data and submitted new project data: Alabama, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, North Carolina, North Dakota, Ohio, Oregon, Rhode Island, South Dakota, Tennessee, Texas, Vermont, Virginia, Washington, West Virginia, and Wyoming.
- Submitted an update of new project data only: Maine and New Mexico
- Updated old data, but reported no new data to submit: Hawaii, New Jersey, New York, Pennsylvania, and Wisconsin.
- Submitted incomplete data: Georgia.
- Did not participate: Alaska, Oklahoma, South Carolina, and Utah.

he findings of this report are based on data obtained from the Federal Highway Administration's (FHWA) Fiscal Management Information System (FMIS) and NTEC's national list of TE projects. The data analyzed in this report are up-to-date as of September 30, 2007, and used to identify trends over the lifetime of the TE program. The following section, Major Findings, covers three areas of interest and importance to TE. The first part addresses cumulative monetary levels of the stages of funding. The second part discusses nationwide trends across and within the 12 TE activities. The third part provides project award and match rate trends. This section concludes with an analysis of future fiscal year programming and a brief discussion of state obligation policies.

Available

Available funds are the amount apportioned to the state DOTs exclusive of the amount transferred from TE to other allowable transportation programs. In FY 2007, Apportionments stayed roughly the same as in FY 2006 for all states except a half dozen that had small increases. FY 2007 apportionments were about \$815 million.

From FY 1992 through FY 2007, the cumulative amount made available to all states was \$8.73 billion. The distribution among states is shown in Table 1. States are typically not authorized to obligate all apportioned funds due to annual congressionally mandated limitations on obligations.

Programming

Each year NTEC asks state DOTs to provide information on programmed projects. Programmed projects are those approved to receive TE funding by individual states. As a result, NTEC's database now covers 15 fiscal years of TE programming. Table 1 indicates that the cumulative level of programming for FY 1992 through FY 2007 is \$8.34 billion, which represents 95.5 percent of all available funds. Since there are four states for which NTEC does not have current programming numbers, the actual programming level is most likely higher than the amount documented in the NTEC database.

NTEC's data also show that 19 states and the District of Columbia have selected projects for future fiscal years. The database now has 699 future-programmed projects worth \$230 million in federal TE funds. The future programming data suggests that there are more requests for project funding than can be accommodated each year.

There are some important issues to note regarding programming data. While NTEC makes every effort possible to accurately reflect state project selection, it is likely that some errors occur because of data reporting problems. For example, for 10 states, NTEC's programming figures are lower than actual obligations. The reasons for this could include:

- Older project data were not completely reviewed or updated (some states report an inability to track older, ISTEA-era projects);
- The project data provided to NTEC did not include all selected projects;

• Differences in methodology for tracking projects.

Another issue to note is that 21 states have programming totals that are higher than apportionments. Possible reasons for this include:

- States program more than their apportionments with the expectation that some projects will be dropped;
- Older project data were not updated, so projects that have been dropped or had their funding levels changed are not accounted for;
- Years assigned to projects may be incorrect, and some future-year programmed projects may be included with past projects; and
- States may combine a TE project with other federal or state funds, but not differentiate these in their data submission to NTEC.

Every year as NTEC collects data, efforts are made to increase the accuracy of the data-base. However, without a full review and reconciliation at the state level, discrepancies in programming figures will continue to exist. Nonetheless, the database and programming figures are useful tools for the purposes of this report, and provide a centralized, national source of information about programmed projects that does not exist elsewhere.

Obligations: Background

An obligation is a commitment by the federal government to reimburse states for the federal share of a project's cost. Obligation occurs when a formal project agreement is executed between the federal government and the state. Obligated funds are then committed to a particular project. State DOTs are required to report obligations to FMIS. NTEC obtains obligation figures from FMIS for each state at the close of the fiscal year.

States have tremendous flexibility in determining how to spread their funding among transportation programs. This flexibility allows states latitude in meeting needs that arise on a year to year basis. For example, it might be more cost-effective to over-obligate a particular program in a given year in order to finish a complex, large project such as a highway or bridge. The flexibility that allows for over-obligation also allows for under-obligation. The logic behind the flexibility is that over-obligations and under-obligations should balance over time. Balance is not always reached. Unobligated funds are added to the available balance.

A simplified example might help to explain how this relates to the obligation rate. The available balance obligation rate represents a percentage of the available balance of funds versus the year's obligated funds. This shows the extent to which states are expending available resources. Let's say that in the year 2000, a state had \$10 million available and obligated \$8 million dollars. Its obligation rate would then be 80% that year. The available balance obligation rate equals the available balance of funds divided by the year's obligated funds.

In future years, however, the cumulative outstanding balance of \$2 million is not erased. It still sits on the books and is available the next year. If a state does not pro-

Table 1: State TE Program Benchmarks for FY 1992 to FY 2007

	Cumulative Available	Programn	ned	Obligate	d	Reimburs	ed	Rescind	led
State	FY92-07	FY92-07	Rate	FY92-07	Rate	FY92-07	Rate [‡]	FY92-07	Rat
Alabama	\$155,954,475	\$196,375,722	125.9%	\$151,876,874	97.4%	\$118,235,329	77.8%	\$45,463,117	29.2
Alaska	\$123,249,914	\$118,495,231	96.1%	\$123,249,914	100.0%	\$119,453,057	96.9%	\$6,742,684	5.5
Arizona	\$176,917,873	\$157,374,238	89.0%	\$127,685,378	72.2%	\$111,514,951	87.3%	\$177,511	0.1
Arkansas	\$106,886,008	\$100,806,162	94.3%	\$94,086,153	88.0%	\$87,586,546	93.1%	\$21,438,089	20.1
California	\$800,973,869	\$840,929,857	105.0%	\$651,410,848	81.3%	\$525,301,918	80.6%	\$34,385,412	4.3
Colorado	\$130,499,577	\$109,651,991	84.0%	\$96,436,430	73.9%	\$87,572,135	90.8%	\$9,548,354	7.3
Connecticut	\$105,297,536	\$114,567,842	108.8%	\$104,272,031	99.0%	\$86,114,021	82.6%	\$28,433,903	27.0
Delaware	\$49,623,641	\$44,904,591	90.5%	\$47,152,739	95.0%	\$41,389,706	87.8%	\$302,252	0.0
District of Columbia	\$34,243,114	\$33,815,692	98.8%	\$28,301,551	82.6%	\$22,831,532	80.7%	\$7,509,802	21.
Florida*	\$496,085,787	\$396,335,580	79.9%	\$382,463,191	77.1%	\$345,507,007	90.3%	\$39,470,754	8.
Georgia	\$366,270,101	\$270,842,396	73.9%	\$227,305,119	62.1%	\$201,088,979	88.5%	\$6,050,314	1.
Hawaii	\$68,812,296	\$51,257,633	74.5%	\$57,273,419	83.2%	\$44,181,155	77.1%	\$4,113,871	6.
Idaho	\$51,747,383	\$54,909,204	106.1%	\$50,569,830	97.7%	\$41,632,384	82.3%	\$14,890,935	28.
Illinois	\$336,591,671	\$314,014,470	93.3%	\$239,964,846	71.3%	\$209,015,807	87.1%	\$22,915,970	6.
Indiana	\$250,524,605	\$260,855,742	104.1%	\$206,539,646	82.4%	\$178,603,632	86.5%	\$6,343,418	2.
lowa	\$125,231,320	\$133,753,261	106.8%	\$118,667,725	94.8%	\$97,860,630	82.5%	\$4,338,445	3.
Kansas	\$127,441,686	\$145,968,158	114.5%	\$121,291,311	95.2%	\$99,180,857	81.8%	\$4,131,192	3.
Kentucky	\$160,438,300	\$159,721,384	99.6%	\$140,571,567	87.6%	\$114,297,550	81.3%	\$411,167	0.
Louisiana	\$125,202,203	\$104,724,442	83.6%	\$70,542,048	56.3%	\$59,061,464	83.7%	\$18,172,797	
Maine	\$42,219,529	\$44,957,621	106.5%	\$36,222,748	85.8%	\$34,729,363	95.9%	\$8,263,867	
Maryland	\$149,825,941	\$162,142,717	108.2%	\$122,469,197	81.7%	\$92,733,028	75.7%	\$142,430	0.
Massachusetts	\$135,797,545	\$80,288,410	59.1%	\$51,131,626	37.7%	\$37,375,831	73.1%	\$20,145,633	
Michigan	\$297,094,527	\$279,606,166	94.1%	\$246,424,804	82.9%	\$204,243,420	82.9%	\$20,091,047	6.
Minnesota [†]	\$180,131,230	\$196,428,254	109.0%	\$166,186,343	80.9%	\$151,747,003	91.3%	\$20,091,047	0.
Mississippi	\$122,156,392	\$83,927,654	56.9%	\$91,259,575	61.9%	\$80,955,240	88.7%	\$2,146,360	1.
Missouri	\$203,579,496	\$203,725,348	100.1%	\$146,263,393	71.8%	\$125,346,993	85.7%	\$3,751,405	1.
Montana	\$85,465,203	\$57,111,751	66.8%	\$62,973,872	73.7%	\$54,159,384	86.0%	\$5,751,405	0.
Nebraska	\$70,512,173	\$79,822,13	113.2%	\$61,537,973	87.3%	\$51,194,364	85.3%	\$15,823,007	22
Nevada	\$63,858,452	\$79,022,13	116.1%	\$55,462,283	86.9%	\$47,335,441	85.3%	\$8,491,979	13
New Hampshire	\$53,201,011	\$45,594,928	85.7%	\$49,157,366	92.4%	\$40,920,097	83.2%	\$46,151	0.
•	\$183,087,715	\$136,163,786	74.4%		75.6%	\$115,093,196	83.2%	\$22,601,922	
New Jersey New Mexico	\$77,961,090		129.1%	\$138,331,584 \$74,940,142	96.1%	\$64,172,630	85.6%	\$22,001,922	27
		\$100,626,067							
New York	\$380,034,263	\$343,692,839	90.4%	\$269,929,160	71.0%	\$196,137,974	72.7%	\$346,924	0
North Carolina	\$259,392,865	\$265,084,575	102.2%	\$229,597,163	88.5%	\$198,108,461	86.3%	\$22,527,558	8
North Dakota	\$58,291,721	\$56,300,153	96.6%	\$56,213,176	96.4%	\$50,842,175	90.4%	\$9,336,371	16.
Ohio	\$256,475,343	\$334,055,386	130.2%	\$239,652,923	93.4%	\$220,965,979	92.2%	\$39,491,596	15
Oklahoma	\$146,508,012	\$118,049,129	80.6%	\$117,034,410	79.9%	\$95,822,420	81.9%	\$24,954,146	17
Oregon	\$83,763,872	\$93,591,496	111.7%	\$70,146,254	83.7%	\$63,956,984	91.2%	\$32,761,519	39
Pennsylvania	\$285,044,896	\$414,352,786	145.4%	\$237,059,387	83.2%	\$181,715,937	76.7%	\$1,216,934	0.
Rhode Island	\$47,423,158	\$62,157,348	131.1%	\$46,883,969	98.9%	\$41,777,772	89.1%	\$45,994	0
South Carolina	\$174,366,254	\$82,812,711	47.5%	\$117,746,834	67.5%	\$104,518,392	88.8%	\$175,736	0.
South Dakota	\$45,754,616	\$44,191,060	96.6%	\$42,740,660	93.4%	\$40,087,608	93.8%	\$26,692,802	
Tennessee	\$205,791,921	\$202,856,295	98.6%	\$152,153,725	73.9%	\$113,831,520	74.8%	\$7,324,889	3.
Texas	\$563,770,135	\$627,170,371	111.8%	\$438,506,522	77.8%	\$384,549,148		\$232,926,994	41.
Utah	\$68,299,451	\$67,847,551	99.3%	\$68,119,200	99.7%	\$57,751,056	84.8%	\$6,973,628	10.
Vermont	\$46,147,919	\$47,429,564	102.8%	\$40,725,077	88.2%	\$32,350,206	79.4%	\$43,815	0.
Virginia	\$215,283,857	\$230,175,536	106.9%	\$207,023,357	96.2%	\$120,327,324	58.1%	\$7,707,649	3
Washington [†]	\$144,567,006	\$180,462,244	124.8%	\$122,003,560	74.9%	\$101,408,506	83.1%	\$9,599,577	6
West Virginia	\$74,835,223	\$72,629,270	97.1%	\$66,998,161	89.5%	\$49,183,691	73.4%	\$157,125	0
Wisconsin	\$138,430,756	\$149,010,687	107.6%	\$119,701,304	86.5%	\$108,336,665	90.5%	\$84,363,827	
Wyoming	\$54,939,461	\$49,871,771	90/8%	\$54,518,139 \$6,995,206,226	99.2% 80.1%	\$48,468,123	88.9%	\$43,258	0

^{*} Florida's reported programmed figures result from their unique FY system, which begins and ends in June rather than September.

[†] Minnesota and Washington figures have been adjusted for STP Pilot.

[‡] Reimbursement rates are calculated from obligated funds.

portionately increase the size of its program to include these unobligated funds, its obligation rate will go down. In the present example, if the state again had a single year \$10 million apportionment and obligated at the same amount as the previous year (\$8 million), the new obligation rate would go down to 66.6% (\$12 million available divided by \$8 million obligated). If this same process continues over the course of 5 years, the state's obligation rate would go down to 44.4% and leave 10 million dollars on the table. This \$10 million conceptually represents a full year of TE funding. This example, of course, does not take into account the obligation limitation. Its potential impact is discussed on page 15.

Figure 2, below, illustrates the accumulation of TE Funds as described above and shows how a state could obligate the same amount every year and run up a large available balance.

Obligation, Obligation Rates, & Rescissions

This report elaborates and analyzes obligation rates in three separate ways. Method one is to compare the cumulative dollar amount obligated to the cumulative available amount. This rate figure has been the benchmark figure NTEC has reported previously and that FHWA has used to measure the effectiveness of the TE program. This rate is reported nationally and for each state in Table 1, page 9. The national cumulative obligation rate (FY 1992–FY 2007) is 80.1 percent.

The second method is to compare the amount obligated in the fiscal year to the fiscal year apportionment, as shown in Table 2, page 14. This rate shows how much of the years apportionment has been obligated. NTEC has calculated this rate for each year since FY 2002 using annual FMIS data. This rate shows how the TE programs operate from year to year. This rate can be quite variable between years. It is possible for a state to obligate more than a hundred percent of last year's apportionment because a state has the ability to obligate previously unobligated funds up to an

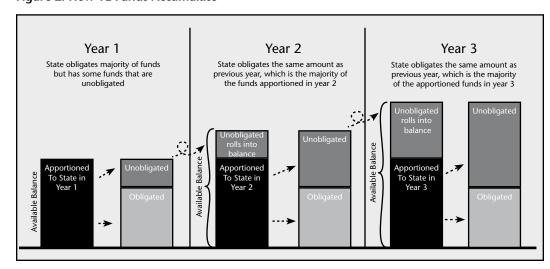


Figure 2: How TE Funds Accumulate

amount equal to the available balance.

The third method is to compare the amount obligated in the fiscal year to the available balance. The available balance amount is the amount each state has available to it to obligate. The available balance is the current year's apportionment amount plus the funds from past years that have not been obligated minus transfers and funds that have expired. NTEC has calculated this rate for each year since FY 2002 using annual FMIS data. It is illustrated in Figure 4, page 12, or by state in Table 2, page 14.

Obligation Trends

Table 1, page 9, shows that as of September 30, 2007, 80.1 percent of all available TE funds (cumulative FY 1992 through FY 2007) had been obligated. This is a slight increase from FY 2006 (and a big increase from FY 2005). These increases are almost entirely due to the \$247 million dollar rescission in FY 2007 (and the \$600 million rescission in FY 2006) that reduced the cumulative available amount that is used to calculate the obligation rate. The cumulative obligation rate combines the past 16 years of the TE program and minimizes changes from year to year. NTEC recognizes that the cumulative obligation rate has been the primary benchmark by which the TE program has been measured. However with such significant changes in the benchmark measurement unrelated to the states' commitment amounts, NTEC has crafted other ways to represent the State TE program spending.

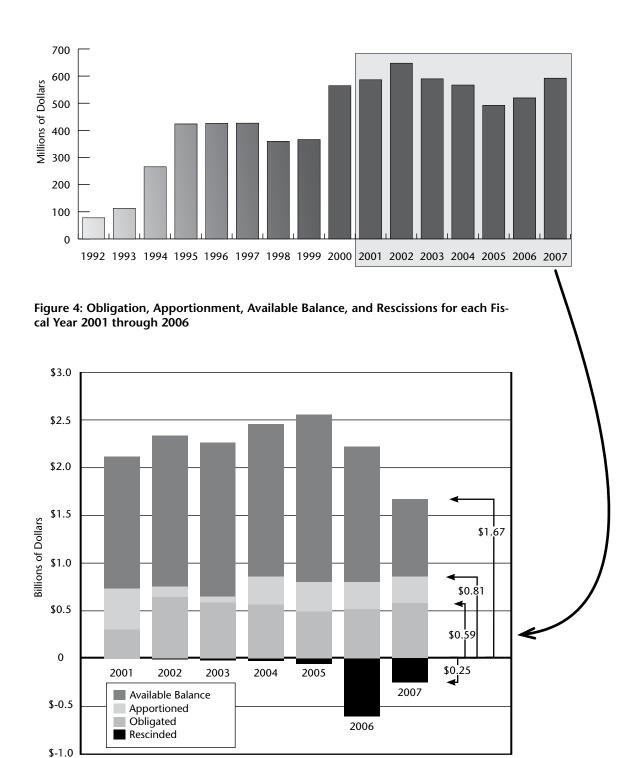
Table 2 provides yearly fiscal year obligation rates compared to the amount apportioned that year since 2002. In 2007 the national yearly obligation rate is 73.0 percent, an increase over FY 2006, and still short of the FHWA cumulative goal of 75 percent for the program.

The dollar amount states obligated during FY 2007 increased slightly in FY 2007 over the amount obligated in FY 2006. Figure 3 on page 12 illustrates the amount obligated in dollar amounts since 1992. Uncertainty with the reauthorization of the transportation bill after TEA-21 expired in 2003 is the likely cause of the obligation decreases seen between FY 2003 and FY 2005.

Figure 4 on page 12 graphs the TE programs yearly obligation amount compared to the amount apportioned for the year, the available balance and the total amount rescinded. This graph, and the accompanying Table 2, page 14, show the available balance, that is the amount of money from past years still available to be obligated by the states. This number is the sum of all unobligated funds.

In recent years, many states have made great strides in moving their programmed projects to completion and have developed more effective methods for obligating TE funds. For example, Kansas, which in 2003 had a large unobligated balance, has in the last three years obligated more than it was apportioned for the year. This has significantly reduced its unobligated balance. Likewise, Rhode Island, which has obligated over 100 percent of its yearly apportionment for the past five years, reports prioritized and concentrated efforts to get TE projects accomplished as the key to their increased obligations.

Figure 3: TE Funds Obligated Each Fiscal Year FY 1992 through FY 2007



Obligations: Issues

The national obligation rate can be used to track the status of TE spending nationally. However this does not provide a clear picture of an individual state's TE Program. It is not NTEC's intention to rate or grade state programs. There are states that have demonstrated a clear commitment to TE projects and yet have lower obligation rates. Additionally, there are many TE-eligible projects being funded from sources other than TE. While trends can be outlined at the national level, obligation rates are best explained in terms of state-specific policies and procedures for implementing TE projects. NTEC solicits feedback from all state TE managers in order to better understand the reasons why state obligation rates vary considerably. Insightful information on some of the problems states face in obligating TE funds reveal some of the factors that contribute to low obligation rates. Frequently mentioned were:

- **Obligation limitation.** Congress, in its annual appropriations acts sets the annual obligation limitation for the overall amount of federal-aid highway funds that can be obligated. FHWA informs the states of these limits and monitors for compliance. State DOTs choose how they will manage the required obligation limitation across their programs at their discretion.
- Accounting practices. State procedures for obligating projects and varying accounting practices impact the obligation rate. Some states obligate project funds in stages as they are ready to proceed. Some states pay for only the construction phase of TE projects and release full obligation authority once construction is ready to occur. States with lower obligation rates often use one of these methods. States that release full project obligation for all stages earlier in the process tend to have higher obligation rates.
- Level of design detail and environmental review. Some DOTs reportedly treat TE projects more like highways, requiring a level of design detail and environmental review that can be at odds with the small-scale nature of most TE projects and at odds with federal recommendation that encourages a streamlined approach. Such strict requirements slow down the implementation of projects, thus creating a lag between the programming and obligation stages.
- **Inexperienced sponsors.** Problems in the project development process that have led to significant project delay are often the result of inexperienced project sponsors that lack the preparation and support to implement projects in a timely manner. States do not obligate funds when expected due to delays resulting from inaccurate cost estimates, the inability to raise matching funds, unfamiliarity with environmental and historic preservation review requirements, and the use of inappropriate design standards. Some states have effectively dealt with this problem by providing more support to project sponsors during the application process as well as during implementation by developing training programs, increasing staff resources, and hiring consultants
- **Right-of-way acquisition.** Some states have faced costly legal actions due to right-of-way issues and have subsequently adopted more stringent requirements. To combat this problem, some states require applicants to obtain a written right-of-way agreement prior to project selection.

Table 2: Yearly Obligation Rates by Fiscal Year 2002–2007 (Obligation shown as a percent of the available balance and years apportionment)

	FY	702	F	703	F	704	F'	Y05	FY	706	FY	′07
State	Avail. Rate	Apport. Rate										
Alabama	27.4%	75.2%	24.3%	82.2%	36.0%	106.1%	28.7%	67.9%	24.9%	47.4%	75.9%	74.1%
Alaska	80.7%	79.7%	90.1%	110.8%	43.8%	44.7%	83.9%	107.5%	98.5%	69.4%	100.0%	7.2%
Arizona	15.8%	57.4%	20.6%	95.0%	31.0%	114.9%	30.7%	110.5%	27.2%	94.8%	14.5%	50.4%
Arkansas	46.8%	128.4%	75.3%	205.9%	5.9%	6.0%	19.4%	27.1%	37.2%	30.6%	24.4%	37.0%
California	38.1%	105.9%	16.8%	47.3%	32.6%	87.4%	23.5%	67.7%	25.2%	68.2%	27.8%	77.3%
Colorado	23.1%	60.7%	33.7%	109.5%	19.9%	52.2%	17.0%	57.2%	23.9%	70.3%	6.7%	21.3%
Connecticut	18.6%	43.4%	16.0%	43.7%	29.9%	56.7%	13.5%	20.4%	35.6%	41.7%	88.4%	88.4%
Delaware	40.9%	144.7%	22.0%	74.7%	29.5%	93.3%	39.3%	133.2%	87.0%	265.9%	46.3%	61.4%
District of Columbia	40.7%	70.4%	100.0%	217.0%	-3.6%	-3.6%	17.9%	38.2%	-120.9%	-114.2%	20.8%	49.2%
Florida	42.2%	71.2%	16.1%	33.4%	2.3%	5.2%	22.7%	72.9%	19.8%	64.3%	23.0%	68.7%
Georgia	28.6%	69.9%	52.0%	158.5%	8.7%	18.0%	3.4%	10.1%	3.7%	14.3%	8.8%	39.9%
Hawaii	-7.6%	-32.2%	54.6%	345.9%	10.1%	32.2%	6.8%	28.9%	0.0%	0.0%	34.3%	162.6%
Idaho	17.5%	74.8%	16.4%	78.4%	24.6%	66.6%	17.4%	55.0%	67.8%	72.4%	81.6%	95.2%
Illinois	10.1%	36.6%	15.0%	71.9%	27.0%	111.6%	15.5%	64.4%	7.8%	30.4%	14.3%	58.5%
Indiana	26.8%	69.7%	32.9%	106.9%	39.5%	104.0%	14.9%	39.6%	33.3%	105.2%	27.8%	75.6%
lowa	27.3%	111.4%	39.3%	174.7%	26.3%	79.2%	47.2%	164.9%	71.3%	171.4%	59.2%	99.9%
Kansas	77.2%	172.0%	-3.0%	-4.8%	4.5%	10.1%	35.2%	119.6%	49.5%	158.6%	74.1%	166.0%
Kentucky	38.6%	81.0%	47.2%	117.5%	51.6%	94.7%	69.2%	133.1%	-10.8%	-16.0%	41.3%	109.4%
Louisiana	14.5%	69.9%	12.0%	68.1%	9.9%	46.8%	8.4%	47.4%	9.3%	43.0%	8.5%	44.2%
Maine	17.9%	64.0%	6.2%	25.0%	19.8%	65.0%	11.6%	48.7%	22.0%	104.1%	42.3%	128.0%
Maryland	46.1%	119.4%	19.9%	52.1%	29.1%	74.2%	22.0%	65.3%	21.8%	72.3%	42.6%	165.0%
Massachusetts	2.9%	17.8%	5.5%	43.7%	8.0%	49.8%	1.4%	10.2%	3.0%	24.6%	8.1%	62.5%
Michigan	24.0%	75.9%	31.3%	122.6%	24.9%	76.1%	19.2%	68.2%	27.5%	91.7%	40.2%	126.9%
Minnesota	84.4%	83.3%	87.1%	102.6%	67.8%	75.6%	30.4%	43.1%	47.3%	90.3%	44.0%	68.2%
Mississippi	32.4%	102.5%	40.2%	143.6%	28.4%	67.6%	20.0%	51.6%	22.1%	67.7%	12.6%	42.0%
Missouri	35.7%	133.9%	33.7%	121.5%	31.9%	90.7%	14.0%	42.0%	17.6%	60.4%	17.3%	63.7%
Montana	27.6%	75.1%	17.4%	58.4%	17.4%	55.4%	13.2%	49.5%	16.4%	69.7%	14.6%	66.6%
Nebraska	21.6%	70.0%	21.1%	83.7%	32.2%	91.6%	32.8%	66.8%	9.0%	10.1%	28.0%	52.3%
Nevada	26.1%	104.0%	24.3%	107.7%	16.0%	58.5%	26.9%	120.1%	18.2%	66.9%	40.8%	105.4%
New Hampshire	42.6%	113.4%	37.9%	105.6%	44.8%	103.1%	39.3%	93.6%	52.9%	129.5%	51.6%	111.1%
New Jersey	23.3%	58.1%	31.1%	96.1%	16.5%	41.5%	7.2%	23.1%	14.9%	49.6%	17.5%	52.2%
New Mexico	23.2%	57.7%	18.9%	61.1%	16.8%	50.7%	21.3%	64.2%	30.6%	50.9%	59.0%	61.1%
New York	28.5%	64.7%	51.4%	146.0%	-12.3%	-23.7%	5.8%	19.5%	10.3%	43.2%	19.0%	89.1%
North Carolina	44.8%	115.6%	36.6%	94.9%	37.4%	83.8%	21.7%	53.3%	22.1%	52.1%	44.2%	99.9%
North Dakota	39.2%	116.9%	31.1%	97.6%	20.1%	55.5%	25.2%	85.5%	35.6%	107.6%	64.5%	86.5%
Ohio	18.6%	58.3%	22.4%	88.8%	43.7%	121.3%	22.7%	60.7%	69.1%	51.0%	51.8%	62.5%
Oklahoma	46.5%	102.7%	52.9%	105.4%	38.0%	55.6%	33.8%	66.2%	20.7%	34.7%	-14.3%	-25.4%
Oregon	18.6%	70.0%	13.9%	63.0%	17.5%	69.4%	10.2%	49.8%	42.0%	73.0%	22.2%	43.3%
Pennsylvania	16.2%	57.6%	22.3%	100.9%	25.5%	90.1%	34.5%	120.4%	44.0%	141.6%	36.9%	100.2%
Rhode Island	28.2%	115.6%	55.7%	247.6%	70.7%	182.8%	79.0%	151.2%	93.1%	130.6%	84.8%	93.0%
South Carolina	33.9%	103.0%	33.8%	113.3%	33.3%	89.4%	17.6%	51.2%	8.7%	28.6%	6.2%	24.5%
South Dakota	13.3%	66.2%	13.4%	75.2%	8.8%	36.3%	13.1%	45.1%	43.0%	48.8%	65.1%	107.2%
Tennessee	30.5%	120.2%	30.6%	129.2%	23.4%	74.8%	14.2%	48.5%	19.2%	72.1%	24.6%	94.2%
Texas	18.3%	75.7%	_	68.0%		45.5%	6.8%	27.9%	21.0%		33.9%	
Utah	28.2%		13.9%		13.1%		29.8%		96.5%	39.5% 252.9%		84.2%
Vermont	49.8%	83.2% 89.5%	13.8% 17.1%	47.7%	16.8% 29.1%	54.7% 67.2%	29.6%	106.1%	28.2%	86.4%	97.3% 46.5%	106.1% 149.0%
				33.5%				86.0%				
Virginia	66.3%	234.7%	32.3%	78.6%	72.4%	159.1%	85.5%	141.9%	85.0%	89.6%	12.1%	5.0%
Washington	47.6%	96.7%	29.8%	66.8%	13.7%	28.9%	8.5%	27.0%	35.3%	107.3%	33.1%	88.5%
West Virginia	37.1%	79.1%	46.9%	124.5%	41.3%	77.7%	42.4%	94.9%	18.7%	42.7%	51.3%	138.7%
Wisconsin	12.9%	65.2%	15.2%	89.4%	14.2%	68.7%	12.0%	64.1%	21.4%	51.3%	22.4%	29.3%
Wyoming	95.9%	96.3%	97.6%	102.3%	61.4%	62.7%	62.9%	88.2%	80.4%	122.1%	91.0%	118.1%
TOTAL	28.0%	85.9%	25.9%	91.0%	23.5%	66.0%	19.1%	61.3%	23.3%	64.6%	26.3%	73.0%

Avail. Rate is the percent of the available balance obligated in the fiscal year. Apport. Rate is the percent of the year's apportionment obligated in the fiscal year. Data for both rates is reported by FMIS in the fiscal year shown.

Obligation Limitation

Along with annual apportionments, Congress sets a limitation on obligations for that year to control annual federal expenditures of the Federal-Aid Highway Program. Obligation authority is then distributed among the states. Obligation Limitation is a requirement applied to the entire Federal-Aid Highway Program. Though simplified for this report the nature of the limitation is one of macro proportions, and is not tracked by FHWA at the level of programs such as TE. Within the state's overall limitation, each state has discretion to choose how to use funds among the various Federal-aid Highway programs as long as the total obligations do not exceed the set limit. Therefore, while it may appear that states are not obligating all of their apportionment, not all of these funds may be accessible in a given year. For example, in FY 2003 Congress imposed an overall obligation limitation such that approximately 86 percent of total apportionments could be obligated. Many state DOTs cite obligation limitation for restricting TE programs. That said, the DOTs are largely responsible (23 U.S.C. 145) for how they distribute the limitation among federal-aid programs. Congress mandates that the states manage how their funding limits impact specific federal aid highway programs such as TE.

Some state DOTs evenly distribute the obligation limitation across all programs, while other DOTs place lower limitations on some programs. Some state TE managers have reported that in their state's DOT TE is considered a lower priority.

Limitations on obligations should be kept in mind as this report discusses TE obligation rates. The cumulative obligation rate and the rate of the year's apportionment obligation are calculated without considering obligation limitations.

Rescissions

Since 2002, Congress has passed rescissions to the Federal-Aid Highway Program. Rescissions are funds removed from apportionments. When funds are removed in this manner, they are no longer counted as apportioned funds: it's as though they never occurred. While Congress sets the total rescission amount, FHWA calculates the share each state is responsible for based on the original distribution of Federal-Aid funds. The states in turn are required to return those funds.

In 2007, \$246 million was rescinded nationally from TE alone, as shown in Figure 5, page 16. This is important because it affects the cumulative obligation rate: since rescinded funds are erased, they lower cumulative available funds. This in turn raises the cumulative obligation rate even without changes in obligated funds. The rescission alone accounts for an 2.8 percent reduction in national cumulative available TE funds.

States have discretion on how they assign the rescissions among their Federal-Aid programs. In FY 2007, some states chose to evenly distribute the rescissions among their programs, while others disproportionately distributed the rescission reductions to their TE programs. Rescissions by state are shown in Appendix C, Table 4, page 27. This distribution of rescissions has made the traditional measure of using cumulative obligation rates for the states far more problematic due to nonprogrammatic changes that have affected cumulative obligation rates. NTEC developed yearly ob-

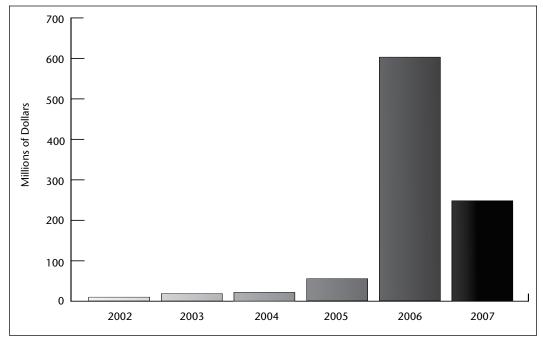


Figure 5: TE Rescissions by Year

ligation rates which limit the impact of rescissions on obligation rates to the year it occurred, shown in Table 2, page 14. Together with Table 4, page 27, a clearer picture of state TE program spending is reached.

Reimbursements

The final stage of TE project funding is reimbursement. The FHWA reimburses states for projects that are completed. This process can be long and, when projects are stalled or are not separated into phases, can be delayed while the project is implemented. Table 1, on page 9, shows the cumulative reimbursement rate (as a percentage of obligated funds) at the end of FY 2007. In the past, reimbursement rates have been calculated as a percentage of available funds. However, this does not provide a clear picture of reimbursements as only obligated projects can be reimbursed: the remaining available funds are not applied to projects and therefore not reimbursable. It is likely that the reimbursement rate will continue to increase in future fiscal years as authorized work on TE projects is completed.

Table 1 shows that the cumulative (1992-2007) reimbursement rate nationally was 83.7 percent, which is slightly higher than in 2006 (82.5 percent). Reimbursement rates range among states from a low of 58.1 percent in Virginia to a high of 96.9 percent in Alaska.

Differences in reimbursement rates can be explained a number of ways. A low reimbursement rate, together with a high obligation rate in recent years, could indicate that many TE projects in that state are ongoing. A high reimbursement rate, together with a low obligation rate in recent years, could indicate that few TE projects are im-

plemented but that they are done efficiently. Overall, it is important to understand that reimbursement rates alone are an insufficient benchmark for TE funding. Only as a part of the whole TE funding process, from available to obligated, can these data be properly interpreted.

Transfers

The Uniform Transferability Provision (23 U.S.C. 126) limits the amounts of funds that can be transferred from TE to other federal-aid highway programs in a given year. States can transfer up to 25 percent of the portion of the annual TE funding that is above the state's FY 1997 TE apportionment level. States are also permitted to transfer TE funds to the Federal Transit Administration (FTA) under the requirements of Chapter 53 of title 49 U.S.C. There is no limit on the amount that can be transferred to FTA; however, the transferred funds must be used for TE-eligible activities.

In FY 2007, twelve states transferred a total of \$27.9 million out of TE and into other programs as allowed by Uniform Transferability Provision. This is a slight decrease from 2006, when \$35.3 million were transferred. All funds transferred in FY 2007 were transferred to the FTA for TE-eligible activities, or to the National Highway System or the Recreational Trails Program. Table 5, in Appendix C, on page 28, provides a comparison of transfers from TE since FY 2001. The majority of all funds transferred since FY 2001, \$94.4 million, have gone to the FTA.

The amount of money transferred is small in comparison to the total funds available for TE projects during FY 2007. The amount transferred to date, \$127.7 million, accounts for about one and a half percent of cumulative available funds. Transfers are thus a very small percentage of available funds and do not significantly detract from the funding of TE activities. Furthermore TE funds transferred to the FTA, NHS and recreational trails are used for TE-eligible projects.

The 12 Types of Transportation Enhancement Activities

The term Transportation Enhancement Activity means any of the following as they relate to surface transportation.

- Pedestrians and bicycle facilities: New or reconstructed sidewalks, walkways, curb ramps, bike lane striping, paved shoulders, bike parking, bus racks, off-road trails, bike and pedestrian bridges and underpasses.
- **Safety and educational activities for pedestrians and bicyclists:** Programs designed to encourage walking and bicycling by providing potential users with education and safety instruction through classes, pamphlets, and signs.
- Acquisition of scenic easements and scenic or historic sites, including historic battlefields: Acquisition of scenic land easements, vistas, and landscapes, including historic battlefields; purchase of building in historic districts or historic properties.
- **Scenic or historic highway programs including tourist and welcome center facilities:** Construction of turnouts, overlooks, visitor centers, and viewing areas, designation signs, and markers.
- **Landscaping and other scenic beautification:** Street furniture, lighting, public art, and landscaping along street, highways, trails, waterfronts, and gateways.
- Historic preservation: Preservation of buildings and façades in historic districts; restoration and reuse of historic building for transportation-related purposes; access improvements to historic sites and buildings.
- Rehabilitation and operation of historic transportation buildings, structures, or facilities: Restoration of historic railroad depots, bus stations, canals, canal towpaths, historic canal bridges, and lighthouses; rehabilitation of rail trestles, tunnels and bridges.
- Preservation of abandoned railway corridors and the conversion and use of the corridors for pedestrian or bicycle trails: Acquiring railroad rights-of-way; planning, designing and constructing multi-use trails; developing rail-with-trail projects; purchasing unused railroad property for reuse as trails.
- Inventory, control, and removal of outdoor advertising: Billboard inventories or removal of nonconforming billboards.
- **Archaeological planning and research:** Research, preservation planning and interpretation; developing interpretive signs, exhibits, guides, inventories, and surveys.
- Environmental mitigation to address water pollution due to highway runoff or to reduce vehicle-caused wildlife mortality while maintaining habitat connectivity: Runoff pollution mitigation, soil erosion controls, detention and sediment basins, river cleanups, and wildlife crossings.
- **Establishment of transportation museums:** Construction of transportation museums, including the conversion of railroad stations or historic properties to museums with transportation themes and exhibits, or the purchase of transportation related artifacts.

The examples in this list are not comprehensive. Although the federal government provides guidance and ensures compliance, states are responsible for selecting projects.

DISTRIBUTION ACROSS THE 12 TRANSPORTATION ENHANCEMENT ACTIVITIES

One of the most important uses of NTEC's national TE project list is interpreting how TE funds are being spent across the 12 eligible activities. The funding levels represented in this database are programming numbers, not obligations. In order to more fully understand the programming data results, it is important to note that programming numbers are obtained through a voluntary survey of state DOTs.

Data Results by Transportation Enhancement Activity

Figure 6 illustrates the distribution of funds across all 12 activities for FY 2007. Overall, the percentages have shifted only slightly from previous years. Bicycle and pedestrian facilities (Activity 1) received almost half of all programmed funds at 47.7 percent. The average Activity 1 project funding award is \$340,427, lower than for the average TE project including all categories (\$354,961).

Activities 4, 5, 6 and 7 (grouped together) account for the second largest percentages of funding. Activity 5, landscaping and scenic beautification, accounts for 18.2 percent of TE funds. The majority of projects in the landscaping and scenic beautification category involve landscaping along highways and at interchanges, including native wildflower planting. Streetscape projects are also popular in this category, and their numbers have been increasing. The average Activity 5 project funding award is \$308,089, lower than for the average project. Landscaping and scenic beautification projects generally require less preliminary engineering, right-of-way acquisition, and

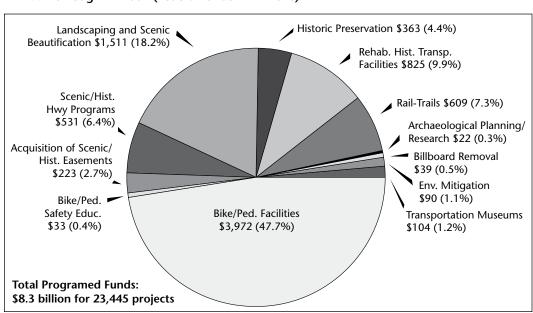
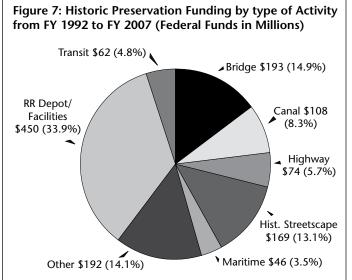


Figure 6: Distribution of Federal Funds by TE Activity FY 1992 through FY 2007 (Federal funds in millions)

permitting than other types of TE projects and generally can be completed more quickly.

Average funding for Activity 4 projects, scenic or historic highway programs, was \$500,528, higher than the average TE project. Over one third of these projects are visitor centers. Many also pertain to restoration of historic highway facilities such as gas stations, stagecoach inns, ferry landings or other highway related infrastructure.

Activities 6 and 7, historic preservation and rehabilitation of historic transportation facilities together account for 14.3 percent of funding. While this percentage has continued to decrease since



Total Programed Funds for identified Preservation projects: \$1.3 billion for 3,491 projects.

FY 2000, funding for these projects continues to be awarded to a wide variety of transportation related facilities that contribute to the understanding of transportation history and serve as essential components of local, state, and national heritage. Figure 7 illustrates the distribution of TE programmed funds to historic preservation activities (primarily but not limited to categories 6 and 7) roughly categorized by transportation facility types. This figure also includes other TE projects with a strong historic preservation component of buildings that relate to surface transportation by enhancing the travel experience, but do not serve primarily as transportation facilities.

The category labeled other, which includes schools, city halls, and historic houses, encompasses a significant portion of TE historic preservation projects and funding; however, the preservation and rehabilitation of railroad station/depots comprises the largest share of the funding for these projects. Projects that involve historic streetscapes, bridges, highways, maritime facilities (lighthouses, historic ships, boats, docks) canals, transit, and other railroad facilities (locomotives, maintenance shops, and other railroad infrastructure) also receive a substantial amount of TE funding, useful for the protection and maintenance of the historical integrity of these resources.

Bicycle and Pedestrian Project Subtypes

Historically, bicycle and pedestrian facilities have had the largest percentage shares of programmed TE funds. NTEC tracks the distribution of funds within these activities as "subtypes" of the activities. State DOTs provide information on the subtype for each bicycle and pedestrian project in the project listing. Figure 8 presents the distribution of federal programmed funds to TE project categories with a strong

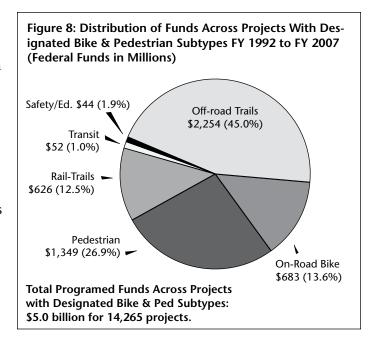
Table 3: Cumulative Programmed Federal Awards and Matching Funds FY 1992 through FY 2007

State	Project Count	Federal Awards	Avg. Federal Award	Matching Funds	Match Rate*
Alabama	833	\$179,992,586	\$216,078	\$42,218,697	19.0%
Alaska	240	\$115,298,330	\$480,410	\$13,836,205	10.7%
Arizona	401	\$157,374,238	\$392,454	\$40,767,986	20.4%
Arkansas	426	\$100,806,162	\$236,634	\$47,921,379	32.2%
California	1297	\$839,749,857	\$647,456	\$447,732,023	34.8%
Colorado	517	\$107,344,759	\$207,630	\$39,680,201	27.0%
Connecticut	174	\$111,727,842	\$642,114	\$27,624,808	19.8%
Delaware	122	\$43,681,991	\$358,049	\$46,321,627	51.5%
District of Columbia	82	\$33,310,192	\$406,222	\$8,497,367	20.3%
Florida	1036	\$379,677,680	\$366,484	\$15,867,382	4.0%
Georgia	588	\$270,842,396	\$460,616	\$66,581,334	19.7%
Hawaii	37	\$51,257,633	\$1,385,341	\$18,883,572	26.9%
Idaho	124	\$39,858,880	\$321,443	\$9,794,700	19.7%
Illinois	458	\$303,246,041	\$662,109	\$79,149,146	20.7%
Indiana	470	\$260,439,742	\$554,127	\$116,634,106	31.0%
lowa	541	\$120,534,940	\$222,800	\$103,373,278	46.2%
Kansas	270	\$138,560,641	\$513,188	\$34,455,734	19.9%
Kentucky	715	\$159,721,384	\$223,387	\$50,117,587	23.9%
Louisiana	359		\$291,712	\$21,040,834	16.7%
Maine	179	\$104,724,444			26.0%
	247	\$39,773,817	\$222,200	\$14,001,967	
Maryland		\$162,142,717	\$656,448	\$241,033,020	59.7%
Massachusetts	242	\$80,288,410	\$331,770	\$21,926,962	21.4%
Michigan	1204	\$279,606,166	\$232,231	\$123,960,873	30.7%
Minnesota	448	\$170,213,173	\$379,940	\$138,578,491	44.9%
Mississippi	195	\$83,927,654	\$430,398	\$27,823,753	24.9%
Missouri	797	\$203,725,348	\$255,615	\$97,077,847	32.3%
Montana	566	\$57,111,751	\$100,904	\$24,107,508	29.2%
Nebraska	575	\$73,628,137	\$128,049	\$27,377,821	27.1%
Nevada	130	\$67,214,391	\$517,034	\$17,476,532	20.6%
New Hampshire	207	\$45,594,928	\$220,265	\$11,762,008	20.5%
New Jersey	358	\$136,163,786	\$380,346	\$78,633,640	36.4%
New Mexico	375	\$100,626,067	\$268,336	\$33,550,522	25.0%
New York	518	\$343,692,839	\$663,500	\$173,601,532	33.4%
North Carolina	871	\$237,571,775	\$272,757	\$64,855,411	21.4%
North Dakota	224	\$51,376,353	\$229,359	\$22,353,273	30.3%
Ohio	581	\$271,106,499	\$466,620	\$78,243,382	22.4%
Oklahoma	313	\$118,049,129	\$377,154	\$29,715,131	20.1%
Oregon	184	\$93,591,496	\$508,649	\$37,009,194	28.3%
Pennsylvania	952	\$413,072,786	\$433,900	\$60,296,896	18.9%
Rhode Island	227	\$62,157,348	\$273,821	\$13,396,514	17.7%
South Carolina	572	\$82,812,711	\$144,777	\$36,527,097	30.6%
South Dakota	191	\$39,178,060	\$205,121	\$20,835,088	34.7%
Tennessee	544	\$202,856,295	\$372,898	\$48,505,889	19.3%
Texas	516	\$630,045,485	\$1,221,018	\$146,986,026	19.2%
Utah	116	\$47,187,181	\$406,786	\$17,376,503	26.7%
Vermont	291	\$47,429,564	\$162,988	\$16,195,687	25.5%
Virginia	1171	\$230,175,536	\$196,563	\$430,378,204	65.2%
Washington	716	\$180,462,244	\$252,042	\$107,152,907	37.3%
West Virginia	422	\$72,629,270	\$172,107	\$18,157,337	20.0%
Wisconsin	562	\$149,010,687	\$265,144	\$42,679,323	22.3%
Wyoming	316	\$47,804,726	\$151,281	\$9,590,271	16.7%
TOTAL	23500	\$8,338,376,068	\$354,825	\$3,461,664,574	29.3%

^{*} Match rate is calculated from total project funding (Federal and match)

bicycle and pedestrian component (primarily, but not limited to, TE Activities 1, 2, and 8*). As shown at right, off-road trails comprise the majority of projects in these categories. Projects that focus on pedestrian facilities account for the second largest share of programmed TE funds, while respectively, on-road bicycle facilities and rail-trails comprise the next largest shares.

The cumulative amount of TE funds devoted to rail-trails has dropped from 14 percent in FY 1999 to 7.3 percent in FY 2007. The average rail-trail project



received \$488,232 in TE funds. This figure is larger than funding for the average TE project. Rail-trail projects are often more complex and take longer to realize than other types of TE projects which may contribute to their declining numbers.

Future Programming

Nineteen states and the District of Columbia programmed 699 projects for future years (beyond 2007). Bicycle and pedestrian facilities account for 64.8 percent of future programmed funds, and landscaping projects will receive 20.11 percent, more than their current cumulative programming share. The percentage of funds programmed for all other types of projects are slightly lower than their current cumulative programming levels.

While these figures show a shift across TE activities, they should not be interpreted as a prediction of where TE funds will be programmed by all states in future fiscal years since not all states programmed projects for future years. These numbers only provide an interesting glimpse into any future funds that have been committed.

PROGRAMMED FEDERAL AWARDS AND MATCH RATES

The national project list provides funding information on a project-by-project basis. These data allow NTEC to analyze the average project award in each state.

^{*} Category 5 is not included this year as a primary category, however numerous category 5 projects were included in the subtype count (when designated as a bicycle and pedestrian subtype).

Table 3, page 21, illustrates that in FY 2007 the average federal project award was \$354,825 nationwide. Average awards by state varied from \$100,904 in Montana to \$1.385.341 in Hawaii.

The Federal-aid Highway Program requires that federal highway funds be matched with funds from other sources. These funds are commonly referred to as the nonfederal share of project costs even though the match can come from another federal agency using the TÉ "innovative financing" provision under 23 U.S.C. 133(e)(5)(C). In general, projects receive a maximum 80 percent federal share and minimum 20 percent non-federal share. However, states with large federal land holdings receive more than an 80 percent federal share on a sliding scale. Statutory provisions allow the ratios to vary on a project-by-project basis provided that for a given fiscal year, the program as a whole reflects an average 20 percent non-federal share, subject to the sliding scale.

Each state DOT establishes its own guidelines and requirements for providing the non-federal share of project costs. States require local sponsors to provide a share of project costs. The amount required varies by state.

Arizona, for example, with its large federal land holdings and higher federal share, passes along the "savings" in non-federal share by requiring only a 5.7 percent match of total project costs by project sponsors.

Maryland, on the other hand, requires a 50 percent match by project sponsors in order to spread the available federal funds across more projects.

Some states (e.g. Florida, New Jersey, and Pennsylvania) use toll credits to supplement sponsor contributions and meet non-federal share requirements.

All states are allowed by law to count the value of donations (i.e. cash, land, materials, or services) towards the non-federal share. Some states recognize these in-kind donations as part of the non-federal share, others do not. An overview of state-specific policies can be found on the NTEC Web site.

States report non-federal share information to NTEC in different ways. Some states report the entire non-federal share of projects costs, while others (e.g. Florida) report only the portion of the non-federal share that the sponsor actually pays, and not the portion supplied by toll credits. Some states report the value of in-kind donations, others do not. Table 3 provides information on matching fund levels reported by each state.

In FY 2007, the average national match rate was 29.3 percent. As in previous years, this rate surpassed the Federal Share required under 23 U.S.C. 120. Table 3 shows that 37 states had a match rate higher than 20 percent, and 17 of these states had a rate higher than the national average of 29.3 percent. Overall, this higher national match rate is attributable to state policies that encourage or require a higher nonfederal share, project sponsors voluntarily providing more funds than required, or the state choosing not to use federally-approved procedures for reducing or eliminating the required non-federal share.

Conclusions

ransportation Enhancement funds continue to be in high demand. Most states report that they can not fund all of the qualified projects and many sponsors are providing larger than the required non-federal share of project costs.

The 12 TE activities were funded at similar percentages as in past years with some minor adjustments. Activity 1, bicycle and pedestrian related facilities, continues to be the highest funded activity type. The percentage of historic preservation rehabilitation projects and rail-trails declined slightly while the number of landscaping and scenic beautification projects increased.

In addition to the cumulative obligation rate methodology, NTEC provides two other methods to help clarify spending patterns. The three methods allow for a more complete understanding of TE spending trends.

- **Cumulative Obligation Rate:** FHWA's stated goal for the national cumulative obligation rate of the TE program is at least 75%. This goal was met and surpassed for the first time since the inception of the TE program in FY 2004. This year, the cumulative national obligation rate has increased to 80.1%. This year's increase in cumulative obligation rate is partially due to the 2007 rescissions.
- **Obligation of Yearly Apportionment:** Although there is fluctuation from year to year, progress is being made in increasing obligations. This new methodology highlights the progress made by states in their implementation of TE programs. Obligations of yearly apportionments increased in 2007 from 64.6% to 73.0%
- **Obligation of Available Balance:** Obligations of available balance increased slightly in 2007 from 23.3% to 26.3%. This analysis emphasizes the continuing and often increasing presence of unobligated funds.

Data indicate that there is a lag between selection and implementation of TE projects. The delay between project selection and obligation yields lower obligation figures. Delays may be caused by: lengthy review processes; unprepared and inexperienced project sponsors; and state priorities and procedures for obligating TE projects. Of these, state priorities may be the most important as indicated by the higher obligation rates in nearly every other federal-aid highway spending category. States have the flexibility to prioritize and distribute obligation limitation among the various programs. This discretion has had an impact on the overall spending of TE funds.

It is clear that once projects become obligated, states are committed to completing them and being reimbursed by FHWA. Nationwide, the cumulative reimbursement rate is above 80 percent. Unobligated funds, however, mean unrealized TE projects. These unrealized projects could bring social, economic and mobility benefits to communities. More remains to be be done to make TE projects a greater priority and bring states' obligation rates to the level of other federal-aid highway programs.

Appendix A: NTEC Resources

National Transportation Enhancements Clearinghouse (NTEC)

The National Transportation Enhancements Clearinghouse (NTEC) is funded by the Federal Highway Administration and exists to increase knowledge of the Transportation Enhancements program. The Clearinghouse provide free services to professionals, policy makers, agencies, and the media.

Available Resources and Expertise:

- **Web site** with project examples, searchable project database, contact information for professionals in each state, and downloadable documents: **www.enhancements.org**
- **State Transportation Enhancements Program Profiles** outlining project nomination, selection, and funding procedures for each state.
- **Connections**, a free quarterly newsletter featuring TE news, policies, administration, and projects.
- **Photo Library** providing high resolution images of TE projects from around the nation with background on the specific project and its location.
- **Documents** (including this report), guidebooks, reports, and manuals related to Transportation Enhancements in pdf and/or print format, all free of charge. Documents include:
 - Enhancing America's Communities: A Guide to TE

 This 40 page brochure covers the history of the TE program, how TE funds are distributed, and the project development process. It also provides fifteen case studies of outstanding TE projects across the country.
 - Communities Benefit! The Economic and Social Benefits of Transportation Enhancements

This full-color pamphlet showcases ten outstanding Transportation Enhancements projects from around the country, highlighting economic and social impacts on local communities.

• FHWA Guidance on Transportation Enhancements

This technical document guides states in the proper implementation of the TE program, and includes information on eligibility, environmental review, real estate acquisition, and more. NTEC staff can also provide answers to specific questions concerning the Guidance. Includes 10 previous FHWA Guidance Memoranda that remain valid as appendices.

Financing Federal-Aid Highways

This technical report follows the financial process from inception in an authorization act to payment from the Highway Trust Fund (HTF), and includes discussion of the congressional and Federal agency actions that occur throughout.

All publications are on the NTEC Web site (www.enhancements.org) or can be obtained by calling **888-388-NTEC** (**6838**).

Appendix B: Federal-Aid Financing Terminology

Apportionments are the funds distributed among the states as prescribed by statutory formula. Transportation Enhancements funds represent a minimum 10 percent set aside of each state's Surface Transportation Program (STP) funds, plus 10 percent of the portion of Equity Bonus Program distributed to the STP.

Programming is the first step in the formal transportation spending process. *Programmed* projects are those that have been approved at the state level by the appropriate jurisdiction, ruling body, or official. This may be the TE advisory committee, state transportation commission, legislature, state Secretary of Transportation, or Governor. Upon approval TE projects are listed in the Statewide Transportation Improvement Program (STIP) and, if appropriate, in a metropolitan area TIP as well. The figures presented in this report as *programmed* are cumulative totals beginning with the first fiscal year of ISTEA, 1992. As states make revised funding levels available for projects programmed in earlier years, these changes are reflected in the NTEC database.

Obligations represent a second step in the spending process. An obligation is the formal commitment of a specified amount of funding for a particular project. Technically speaking, it is an obligation of the FHWA to reimburse a state for costs incurred. It represents a high level of commitment on the part of both the state DOT and the FHWA to fund a project. Obligations are typically made when a project or discrete project phase is ready to have consultants or contractors begin billable work. Obligations are tracked in the FHWA financial accounting system known as the Fiscal Management Information System (FMIS). It should be noted that obligation figures by definition include a mix of both completed and soon-to-be completed work.

Reimbursements are the amount of funds FHWA has reimbursed to the states for completed work on TE projects, regardless of whether the project is only partially or fully complete. Reimbursement is essentially the last step in the spending process. While it is not necessarily the most accurate measure of completed projects, it is the only measure readily available on a nationwide basis.

Rescissions are funds removed from apportionments, by order of Congress. When funds are removed in this manner, they are no longer counted as apportioned funds: it's as though they never occurred. While Congress sets the total rescission amount, FHWA calculates the share each state is responsible for based on the original distribution of Federal-Aid funds. The states in turn are required to return those funds. States have discretion on how they assign the rescissions among their Federal-Aid programs.

Transfers indicate the amounts of money transferred from the TE program to other transportation programs. The Uniform Transferability Provision (23 U.S.C. 126) limits the amounts of funds that can be transferred from TE to other federal-aid highway programs in a given year. States can transfer up to 25 percent of the portion of the annual TE funding that is above the state's FY 1997 TE apportionment level. States are also permitted to transfer TE funds to the Federal Transit Administration (FTA) under the requirements of Chapter 53 of title 49, U.S.C. There is no limit on the amount that can be transferred to FTA; however, the transferred funds must be used for TE-eligible activities. Transfers are tracked by FMIS.

Table 4: Yearly Rescissions to TE

Appendix C: Additional Tables

otata			0004		2000	2227	T-4-1
State	2002	2003	2004	2005	2006	2007	Total
Alabama	-189,057	0	0	-8,102,166	-13,185,593	-25,224,536	-46,701,352
Alaska	-94,074	0	0	-727,760	-3,001,113	-6,219,737	-10,042,68
Arizona	-177,511	0	0	0	0	0	-177,51
Arkansas	-132,384	0	-60,559	-7,000,000	-14,245,146	0	-21,438,08
California	-848,478	0	0	0	-23,862,316	-9,674,618	-34,385,41
Colorado	-134,310	0	0	0	-9,414,044	-2	-9,548,35
Connecticut	-102,823	-3,409,701	-2,810,213	-7,143,860	-9,967,306	-5,000,000	-28,433,90
Delaware	-45,331	0	0	0	0	-256,921	-302,25
District of Columbia	-39,113	0	0	0	-5,654,895	-2,280,978	-7,974,98
Florida	-496,414	-838,411	0	0	-10,808,557	-27,327,372	-39,470,75
Georgia	-368,562	0	0	0	0	-5,681,752	-6,050,31
Hawaii	-46,435	0	0	0	-3,067,436	-1,500,000	-4,613,87
Idaho	-63,048	0	0	0	-13,856,506	-971,381	-14,890,93
Illinois	-312,861	0	0	-4,425,631	-14,168,260	-6,784,240	-25,690,99
Indiana	-244,721	0	0	0	-82,681	-6,016,016	-6,343,41
Iowa	-120,069	0	0	0	-4,218,376	0	-4,338,44
Kansas	-131,192	0	0	0	0	-4,000,000	-4,131,19
Kentucky	-154,167	-257,000	0	0	0	0	-411,16
Louisiana	-141,368	0	0	0	-17,630,042	-401,386	-18,172,79
Maine	-47,947	-1,376,290	-1,150,900	0	0	-5,688,730	-8,263,86
Maryland	-142,430	0	0	0	0	0	-142,43
Massachusetts	-145,633	0	0	0	0	-25,228,059	-25,373,69
Michigan	-341,340	0	0	0	-12,749,707	-7,000,000	-20,091,04
Minnesota	-171,744	0	0	0	0	-6,052,406	-6,224,15
Mississippi	-130,371	0	0	-2,015,989	0	0	-2,146,36
Missouri	-217,127	0	0	-832,963	-2,701,315	-2,691,690	-6,443,09
Montana	-70,756	0	0	0	0	0	-70,75
Nebraska	-84,127	0	0	-6,734,906	-8,003,974	-1,000,000	-15,823,00
Nevada	-66,373	0	0	0,704,300	-3,000,000	-6,802,824	-9,869,19
New Hampshire	-46,151	0	0	0	-5,000,000	-0,002,024	-46,15
New Jersey	-192,230	0	0	0	-10,658,808	-11,750,884	-22,601,92
New Mexico	-82,818	0	0	-3,229,791	-11,991,852	-7,840,000	-23,144,46
New York	-346,924	0	0	-3,229,791	-11,991,032	-7,040,000	
North Carolina							-346,92
	-274,374	-1,352,424	0	0	-13,531,164	-13,536,257	-28,694,21
North Dakota	-56,373	0			-2,279,998	-7,000,000	-9,336,37
Ohio	-317,405	0	-6,898,037	0	-32,000,000	-276,154	-39,491,59
Oklahoma	-162,558	-4,248,459	-3,543,129	0	-9,000,000	-8,000,000	-24,954,14
Oregon	-115,383	0	0	0	-32,646,136	0	-32,761,51
Pennsylvania	-313,712	0	0	0	0	-918,271	-1,231,98
Rhode Island	-45,994	0	0	0	0	0	-45,99
South Carolina	-175,736	0	0	0	0	0	-175,73
South Dakota	-63,117	-1,772,289	-1,444,567	-8,450,041	-14,962,788	0	-26,692,80
Tennessee	-207,561	-160,548	-133,228	-912,755	-3,187,086	-3,723,711	-8,324,88
Texas	-821,110	0	-5,340,000	-3,755,469	-222,951,358	-114,408	-232,982,34
Utah	-69,435	0	0	-1,504,193	-5,400,000	0	-6,973,62
Vermont	-43,815	0	0	0	0	0	-43,81
Virginia	-256,964	0	0	0	-4,075,140	-6,218,686	-10,550,79
Washington	-165,607	0	0	0	-9,433,970	-1,794,593	-11,394,17
West Virginia	-71,019	0	0	0	0	-764,084	-835,10
Wisconsin	-214,710	-4,802,646	0	0	-60,027,457	-28,833,945	-93,878,75
Wyoming	-43,258	0	0	0	0	0	-43,25
TOTAL	-9,346,020	-18,217,768	-21,380,633	-54,835,525	-601,763,022	-246,573,642	-952,116,61

Table 5: Transfers of TE Funds (to Federal Transit Administration, National Highway Program, and Recreational Trails Program)

STATE	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	Total TE Funds Transferred FY2001-2007
CALIFORNIA	\$1,966,265 (FTA)		\$7,883,000 (FTA)	\$4,561,000 (FTA)	\$3,425,500 (FTA)	\$476,000 (FTA)	\$8,204,000 (FTA)	\$26,515,765
COLORADO		\$257,292 (FTA)	\$325,000 (FTA)	\$28,000 (FTA)	\$226,872 (FTA)		\$197,000 (FTA)	\$1,034,164
CONNECTICUT							\$1,680,000 (FTA)	\$1,680,000
FLORIDA		\$168,000 (FTA)			\$500,000 (FTA)	\$600,000 (FTA)	\$432,000 (FTA)	\$1,700,000
IOWA	\$16,800 (FTA)							\$16,800
MICHIGAN	\$28,000 (FTA)	\$185,840 (FTA)				\$1,392,000 (FTA)	\$74,360 (FTA)	\$1,680,200
MISSOURI	\$1,136,805 (FTA) \$1,341,721 (NHS)	\$294,790 (FTA) \$1,340,060 (NHS)	\$1,562,800 (FTA) \$787,385 (NHS					\$6,463,561
MONTANA	\$45,513 (FTA)							\$45,513
NEW JERSEY	\$2,000,000 (FTA)		\$1,000,000 (FTA)	\$1,000,000 (FTA)		\$1,000,000 (FTA)	1,850,000 (FTA)	6,850,000
NEW YORK			\$980,000 (FTA)				\$2,000,000 (FTA)	\$2,980,000
ОНО	\$183,750 (FTA)	\$196,000 (FTA)		\$184,800 (FTA)	\$325,600 (FTA)	\$31,808,560 (FTA)		\$32,698,710
PENNSYLVANIA				\$640,150 (FTA)	\$40,024 (FTA)		\$1,422,200 (FTA)	\$2,102,374
RHODE ISLAND	\$64,000 (FTA)		\$88,800 (FTA)					\$152,800
TENNESSEE	\$661,701 (RTP)	\$790,617 (RTP)	\$225,547 (RTP)				\$100,000 (RTP)	\$1,777,865
TEXAS		\$2,752,320 (FTA)		\$1,804,741 (FTA) \$5,697,264 (NHS)	\$179,650 (NHS)			\$10,433,975
VERMONT			\$310,684 (FTA)					\$310,684
VIRGINIA	\$17,914 (FTA)	\$6,350,686 (NHS)				0,	\$10,427,515 (NHS)	\$16,796,115
WASHINGTON	\$2,615,000 (FTA)	\$1,232,333 (FTA)				\$1,044,000 (FTA)	\$1,464,947 (FTA)	\$6,356,280
WISCONSIN							\$34,400 (FTA)	\$34,400
Subtotals								
to FTA	\$8,074,047	\$7,763,575	\$12,150,284	\$8,218,691	\$4,517,996	\$35,320,560	\$17,358,907	\$94,404,060
to NHS	\$1,341,721	\$7,690,746	\$787,385	\$5,697,264	\$179,650	3	\$10,427,515	\$26,124,281
to Rec Trails	\$661,701	\$790,617	\$225,547				\$100,000	\$1,777,865
TOTAL	\$10,077,469	\$16,244,938	\$13,163,216	\$13,915,955	\$4,697,646	\$35,320,560	\$27,886,422	\$122,306,206

FY1999 and FY2000 transfers are included in the transfers total though not in the table. See the 2006 spending report on the enhancements org website for these years figures.

NATIONAL TRANSPORTATION ENHANCEMENTS CLEARINGHOUSE

A Project of the Federal Highway Administration and Rails-to-Trails Conservancy

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