



U.S. Department
of Transportation

**Federal Highway
Administration**

Notice

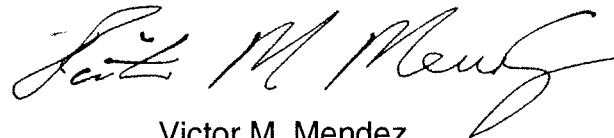
Subject:

**REVISED APPORTIONMENT OF FISCAL YEAR (FY) 2009
RECREATIONAL TRAILS PROGRAM FUNDS**

Classification Code	Date	Office of Primary Interest
N4510.740	December 23, 2011	HCFB-1

1. **What is the purpose of this Notice?** This Notice transmits the revised certificate of apportionment of Recreational Trails Program funds authorized for FY 2009 pursuant to the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), Public Law 109-59. The apportionment is effective immediately.
2. **Does this Notice cancel FHWA Notice 4510.690?** Yes. This Notice cancels FHWA Notice 4510.690, Apportionment of Fiscal Year (FY) 2009 Recreational Trails Program Funds, dated October 1, 2008. The revision to the apportionment is required due to corrected data for the non-highway recreational fuel use factor. United States Comptroller General (Comp. Gen.) Decision B-275490 (December 5, 1996) requires that incorrect apportionments be appropriately adjusted to ensure compliance with the statutory formula for apportioning Federal highway funds enacted by Congress. See also 41 Comp. Gen. 16 (1961). All adjustments made based on the revised apportionments will be entered into the Fiscal Management Information System as adjustments to the FY 2012 apportionments to the extent possible.
3. **What is the availability of these funds?**
 - a. The Recreational Trails Program funds resulting from this apportionment are available for obligation until September 30, 2012. Any amounts not obligated by the State on or before September 30, 2012, shall lapse.
 - b. The funds resulting from this apportionment are available for obligation immediately and will be subject to obligation controls in force at the time of obligation.
 - c. The Federal share for all projects will be in accordance with section 120 of title 23, United States Code (U.S.C.).
 - d. The program code to be used when obligating these funds is L940.
4. **What is the background information?**
 - a. Section 1101(a)(8) of SAFETEA-LU authorizes a total of \$85,000,000 in contract authority for the Recreational Trails Program for FY 2009.

- b. Section 1109 of SAFETEA-LU amends section 104(h)(1) of title 23, U.S.C., to require a deduction of \$840,000 for administrative, research, technical assistance, and training expenses from the amount authorized for the Recreational Trails Program.
 - c. The total contract authority available for distribution in FY 2009 for the Recreational Trails Program net of the reduction is \$84,160,000.
5. **What is the requirement for the Recreational Trails Program?** Pursuant to section 206(d)(3) of title 23, U.S.C., of the amount apportioned to each State for the Recreational Trails Program, not less than 40 percent shall be used for projects to facilitate diverse recreational trail use, not less than 30 percent shall be used for motorized recreation (except that a State with a total land area of less than 3,500,000 acres shall be exempt from this requirement), and not less than 30 percent shall be used for non-motorized recreation (except that a State with a total land area of less than 3,500,000 acres shall be exempt from this requirement).
6. **What action is required?** Division Administrators should ensure that copies of this Notice are provided to the State departments of transportation.



Victor M. Mendez
Administrator

Attachments

**REVISED CERTIFICATE OF APPORTIONMENT FROM
THE SUM OF \$85,000,000 AUTHORIZED TO BE APPROPRIATED
FOR THE RECREATIONAL TRAILS PROGRAM
FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2009**

TO—

The Secretary of the Treasury of the United States and the State departments of transportation:

Pursuant to section 9503 of the Internal Revenue Code of 1986, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, title 23, United States Code, and the delegation of authority from the Secretary of Transportation to the Federal Highway Administrator, section 1.48 of title 49, Code of Federal Regulations, I certify—

First, that the Secretary of the Treasury has made the estimate required by section 9503(d) of the Internal Revenue Code of 1986 and, based on that estimate, I have determined that the amount that can be apportioned for the Recreational Trails Program for the fiscal year ending September 30, 2009, pursuant to subsection 1101(a)(8) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, is \$85,000,000, which is 100 percent of the amount authorized to be appropriated for the fiscal year.

Second, pursuant to section 104(h)(1) of title 23, United States Code, I have determined that it will be necessary to deduct \$840,000 from the amount authorized to be appropriated for the fiscal year ending September 30, 2009, by section 1101(a)(8) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, for administrative, research, technical assistance, and training expenses of the

Recreational Trails Program under section 206 of title 23, United States Code, and I have deducted said amount from the sum of \$85,000,000 authorized to be appropriated for the fiscal year ending September 30, 2009, by section 1101(a)(8) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users. The resulting amount is \$84,160,000.

Third, that after making the deduction, I have computed the apportionment to each State and the District of Columbia of the remainder of the amounts authorized to be appropriated for the Recreational Trails Program in the manner provided by law in accordance with the formula set forth.

Fourth, that subject to the foregoing deduction, the sums that are hereby apportioned to each State and the District of Columbia, effective immediately, are respectively as follows:


U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

REVISED APPORTIONMENT OF FUNDS FOR
THE RECREATIONAL TRAILS PROGRAM
AUTHORIZED FOR FISCAL YEAR 2009

<u>STATE</u>	<u>AMOUNT</u>
ALABAMA	\$1,749,787
ALASKA	1,527,922
ARIZONA	1,934,863
ARKANSAS	1,493,969
CALIFORNIA	5,756,189
COLORADO	1,591,652
CONNECTICUT	962,216
DELAWARE	905,680
DIST. OF COL.	825,098
FLORIDA	2,602,532
GEORGIA	1,740,137
HAWAII	960,464
IDAHO	1,710,560
ILLINOIS	1,525,297
INDIANA	1,201,709
IOWA	1,374,817
KANSAS	1,384,250
KENTUCKY	1,424,395
LOUISIANA	1,517,643
MAINE	1,442,741
MARYLAND	1,123,620
MASSACHUSETTS	1,186,729
MICHIGAN	2,853,955
MINNESOTA	2,416,048
MISSISSIPPI	1,361,924
MISSOURI	1,663,399
MONTANA	1,606,705
NEBRASKA	1,217,387
NEVADA	1,357,950
NEW HAMPSHIRE	1,267,944
NEW JERSEY	1,226,757
NEW MEXICO	1,429,831
NEW YORK	2,204,556
NORTH CAROLINA	1,613,560
NORTH DAKOTA	1,131,881
OHIO	1,671,851
OKLAHOMA	1,787,083
OREGON	1,610,153
PENNSYLVANIA	1,991,266
RHODE ISLAND	865,034
SOUTH CAROLINA	1,211,220
SOUTH DAKOTA	1,137,193
TENNESSEE	1,640,613
TEXAS	3,994,822
UTAH	1,561,852
VERMONT	1,028,010
VIRGINIA	1,527,161
WASHINGTON	1,886,270
WEST VIRGINIA	1,311,075
WISCONSIN	2,167,754
WYOMING	1,474,476
TOTAL	\$84,160,000

APPROVED EFFECTIVE

12/23/2011


FEDERAL HIGHWAY ADMINISTRATOR