From: Tim Young
To: County Commissioners; Brian Schilling; Sean O"Malley
Subject: Fwd: Repurpose Teton County Pathway Earmark
Date: Thursday, December 08, 2016 10:13:38 AM

Hi all,
I've been chasing after this lost earmark, and some good news, looks like WYDOT is proposing to use the funds towards Jackson-South. It all helps.

However, I still believe that the South 89 pathway should be build as part of the project as federal law allows and FHWA Policy encourages, not just a Teton County expense.

Tim
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Begin forwarded message:

From: "Dailey, Joseph (FHWA)" <Joseph.Dailey@dot.gov>
Subject: RE: Repurpose Teton County Pathway Earmark
Date: December 8, 2016 at 10:07:10 AM MST
To: Tim Young <tim@wyopath.org>
Cc: Gregg Fredrick <gregg.fredrick@wyo.gov>, keith.compton <keith.compton@wyo.gov>, MARK GILLETT <mark.gillett@wyo.gov>

Thanks for the nudge Tim. I'm happy to report that WYDOT is in the process of recovering approx $178K that I believe will be applied to paths associated with the Jackson South Project.

Joe

From: Tim Young <tim@wyopath.org>
Sent: Wednesday, December 7, 2016 11:38:01 AM
To: Dailey, Joseph (FHWA)
Subject: Re: Repurpose Teton County Pathway Earmark

Hi Joe,
Hope all is well. I wanted to follow up on this question to see if you have heard more information on the status of the actual balance and the repurpose opportunity.

Thanks,
Tim

--
Tim Young
Executive Director
Wyoming Pathways
tim@wyopath.org

307-413-8464
www.wyopath.org
--

On Jul 12, 2016, at 2:37 PM, Dailey, Joseph (FHWA) <Joseph.Dailey@dot.gov> wrote:

The earmark in question was transferred to WFLHD. Unfortunately their systems don't directly interface with the US DOT's accounting system (where the balance number you cite came from) which is why we are working to determine the actual balance.

Joe

From: Tim Young [mailto:tim@wyopath.org]
Sent: Tuesday, July 12, 2016 2:18 PM
To: Dailey, Joseph (FHWA)
Cc: Gregg Fredrick; Jerkins, Cindy (FHWA); Potter, Lee (FHWA)
Subject: Re: Repurpose Teton County Pathway Earmark

Joe,
Thanks very much for your reply.

One follow up thought, could be wrong but I don't think that WFLH administered this project; Teton County worked directly with WYDOT on all agreements, project accounting, reimbursement; not with WFLH. Other earmarks from the late 2000's might have been through WFLH, but this one is from 1998 TEA-21 High Priority Projects and ran through WYDOT and your office.

Thanks again,
Tim

On Jul 12, 2016, at 1:56 PM, Dailey, Joseph (FHWA) <Joseph.Dailey@dot.gov> wrote:

The first step is to confirm that the funds are indeed available. My staff has been working with Western Federal Lands (who administered the project) to determine the actual amount remaining unfortunately this is taking longer than expected due to paper records and staff turnover.

We'll continue to work the issue and let you know when we get to an answer.

Hope that your summer is going well.

Joe Dailey
Division Administrator
FHWA, Wyoming Division
2617 East Lincolnway, Suite D
Cheyenne, WY 82001-5671
Ph: 307-771-2940
Cell: 307-631-7424
Fax: 307-772-2011

joseph.dailey@dot.gov
www.fhwa.dot.gov/wydiv/

From: Tim Young [mailto:tim@wyopath.org]
Sent: Tuesday, July 12, 2016 1:50 PM
To: Dailey, Joseph (FHWA)
Subject: Repurpose Teton County Pathway Earmark

Hi Joe,
Hope your summer is going well. I have a question about an orphaned Earmark that remains from the Teton County WY-390 Moose-Wilson Pathway project, constructed in the early 2000's. The earmark is called "**Construct Jackson-Teton Pathway in Teton County**".

This is old "**High Priority Projects**" funding from the TEA-21 bill enacted June 1998. Senator Thomas and Rep. Cubin secured this funding for the WY-390 pathway from Stilson to the Teton Village and the park boundary. We understand Congress directed FHWA in the Consolidated Appropriations Act of 2016 that the balance of funds remains available, and can be repurposed.

The Teton County project shows $177,706 balance remaining. The guidance states it must be used within a 50 mile radius. Can you please confirm if this is correct, and if so, what is the process for Teton County and/or WYDOT to request repurposing it?

Thanks for your help.

Best regards,
Tim
--
Tim Young
Executive Director
Wyoming Pathways
tim@wyopath.org
307-413-8464
www.wyopath.org
--

Background:

1. Copied below is the actual bill language and section, this might help check on it. It's spelled out clearly in the law as high priority project #165.
http://www.fhwa.dot.gov/tea21/h240subf.htm
TEA-21 - Transportation Equity Act for the 21st Century

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SEC. 1602. PROJECT AUTHORIZATIONS.

    Subject to section 117 of title 23, United States Code, the amount
listed for each high priority project in the following table shall be
available (from amounts made available by section 1101(a)(13) of the
Transportation Equity Act for the 21st Century) for fiscal years 1998
through 2003 to carry out each such project:

165. Wyoming                          Construct Jackson-
                                        Teton Pathway in
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Teton County..... 1.5m

2. Attached is copy of the 2001 WYDOT project agreement with Teton County that shows the project number and details the funding amounts, which match the description. It shows that the total funding was then not known for FY2002 and 2003, and could go up with RABA, which in fact it did, that's why there is money remaining.

Here is the funding table copied from that WYDOT/Teton County 2001 Project agreement:

TABLE A				
FUNDING AUTHORIZATION FOR HIGH PRIORITY DEMONSTRATION PROJECTS JACKSON-TETON PATHWAY				
YEAR	%	AVAILABLE FUNDS	RABA	TOTAL FUNDS TO DATE
1998	11	$147,015.00		$147,015.00
1999	15	$198,675.00		$345,690.00
2000	18	$235,170.00	$14,423.00	$595,283.00
2001	18	$237,330.00	$25,078.00	$857,691.00
2002	19	$250,515.00	?	$1,108,206.00
2003	19	$250,515.00	?	$1,358,721.00
TOTAL	100			$1,358,721.00

"Note: Revenue Aligned Budget Authority (RABA) funds in 2002 and 2003 may increase the total funds available."