M e m o r a n d u m

Tab 18

To: CHAIR AND COMMISSIONERS

CTC Meeting: January 22, 2015

Reference No.: 4.6
Information

From: SUSAN BRANSEN
Interim Executive Director

Subject: **DRAFT 2015 ACTIVE TRANSPORTATION PROGRAM (ATP) GUIDELINES**

ISSUE:

The Active Transportation Program (ATP) guidelines describe the policy, standards, criteria and procedures for the development, adoption and management of the ATP. The guidelines are developed in cooperation with Caltrans, regional transportation planning agencies, local agencies, and active transportation stakeholders in accordance with Streets & Highways Code 2382.

At the March 20, 2014 Commission meeting, the 2014 ATP Guidelines were adopted. The ATP guidelines may be amended by the Commission after conducting at least one public hearing.

Workshops were held on December 2, 2014 and January 8, 2015 to discuss possible revisions to the guidelines. The main topics of discussion at these workshops included match requirements, project eligibility, the definition of disadvantaged community, evaluation criteria and project scoring. The workshops were well attended, with representatives from Regional Transportation Planning Agencies, Metropolitan Planning Organizations, Caltrans, walking, biking and health advocates, and others. In addition, staff received multiple e-mails and letters with suggestions for changes to the guidelines, and a sampling of these are attached.

The attached draft guidelines were prepared to address the issues discussed at the workshops and brought forward in letters and e-mails. Staff expects there may be additional recommendations received and, if necessary, will schedule another workshop in February. The final 2015 ATP Guidelines will be brought to the Commission for adoption at the March 2015 meeting.

BACKGROUND:

On September 26, 2013, the Governor signed legislation creating the Active Transportation Program (Senate Bill 99, Chapter 359 and Assembly Bill 101, Chapter 354). This legislation requires the Commission, in consultation with an Active Transportation Program Workgroup, to develop program guidelines. The Commission guidelines are to describe the policy, standards, criteria, and procedures for the development, adoption and management of the Active Transportation Program.

The goals of the Active Transportation Program are to:

- Increase the proportion of biking and walking trips.
- Increase safety for non-motorized users.
- Increase mobility for non-motorized users.
- Advance the efforts of regional agencies to achieve greenhouse gas reduction goals.
- Enhance public health, including the reduction of childhood obesity through the use of projects eligible for Safe Routes to Schools Program funding.
- Ensure disadvantaged communities fully share in program benefits.
- Provide a broad spectrum of projects to benefit many types of active transportation users.

Attachments

DRAFT

2015

ACTIVE TRANSPORTATION PROGRAM GUIDELINES

January 22, 2015

California Transportation Commission

CALIFORNIA TRANSPORTATION COMMISSION
DRAFT 2015 ATP GUIDELINES
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I. Introduction

1. Background

The Active Transportation Program was created by Senate Bill 99 (Chapter 359, Statutes of 2013) and Assembly Bill 101 (Chapter 354, Statutes of 2013) to encourage increased use of active modes of transportation, such as biking and walking.

These guidelines describe the policy, standards, criteria, and procedures for the development, adoption and management of the Active Transportation Program. The guidelines were developed in consultation with the Active Transportation Program Workgroup. The workgroup includes representatives from Caltrans, other government agencies, and active transportation stakeholder organizations with expertise in pedestrian and bicycle issues, including Safe Routes to School programs.

The California Transportation Commission (Commission) adopted the initial Active Transportation Program guidelines on March 20, 2014. The Commission may amend the adopted guidelines after conducting at least one public hearing. The Commission must make a reasonable effort to amend the guidelines prior to a call for projects or may extend the deadline for project submission in order to comply with the amended guidelines.

2. Program Goals

Pursuant to statute, the goals of the Active Transportation Program are to:

- Increase the proportion of trips accomplished by biking and walking.
- Increase the safety and mobility of non-motorized users.
- Advance the active transportation efforts of regional agencies to achieve greenhouse gas reduction goals as established pursuant to Senate Bill 375 (Chapter 728, Statutes of 2008) and Senate Bill 391 (Chapter 585, Statutes of 2009).
- Enhance public health, including reduction of childhood obesity through the use of programs including, but not limited to, projects eligible for Safe Routes to School Program funding.
- Ensure that disadvantaged communities fully share in the benefits of the program.
- Provide a broad spectrum of projects to benefit many types of active transportation users.

3. Program Schedule

The guidelines for ~~an initial two-year~~ **the second** program of projects must be adopted by March 26, ~~2014~~ **2015.** ~~(within six months of enactment of the authorizing legislation). No later than 45 days prior to adopting the initial set of guidelines for the Active Transportation Program, the Commission must submit the draft guidelines to the Joint Legislative Budget Committee.~~

This second program of projects must be adopted by the Commission by December 2015. Subsequent programs must be adopted not later than April 1 of each odd-numbered year; however, the Commission may alternatively elect to adopt a program annually.

The following schedule lists the major milestones for the development and adoption of the 2014 Active Transportation Program **(ATP)**:

Draft ATP Guidelines **presented to Commission**	**January 22, 2015**
Commission adopts Fund Estimate	**March 25-26, 2015**
~~Guidelines submitted to the Joint Legislative Budget Committee~~	~~February 3, 2014~~
Commission **hearing and adoption of ATP** Guidelines	**March 25-26, 2015**
Call for projects	**March 26, 2015**
Project applications to Caltrans **(postmark date)**	**June 1, 2015**
Large MPOs submit optional guidelines to ~~Caltrans~~ **Commission**	**June 1, 2015**
Commission approves or rejects MPO guidelines	**June 24-25, 2015**
Staff recommendation for statewide and rural/small urban portions of the program	**Sept. 15, 2015**
Commission adopts statewide and rural/small urban portions of the program	**Oct. 21-22, 2015**
Projects not programmed distributed to large MPOs based on location	**Oct. 22, 2015**
Deadline for MPO project programming recommendations to the Commission	**Nov. 16, 2015**
Commission adopts MPO selected projects	**Dec. 9-10, 2015**

*Dates coincide with the Commission's adopted 2015 CTC meeting calendar.

II. Funding

4. Source

The Active Transportation Program is funded from various federal and state funds appropriated in the annual Budget Act. These are:

- 100% of the federal Transportation Alternative Program funds, except for federal Recreation Trail Program funds appropriated to the Department of Parks and Recreation.
- $21 million of federal Highway Safety Improvement Program funds or other federal funds.
- State Highway Account funds.

In addition to furthering the goals of this program, all Active Transportation Program projects must meet eligibility requirements specific to at least one of the Active Transportation Program's funding sources.

5. Distribution

State and federal law segregate the Active Transportation Program into multiple, overlapping components. The Active Transportation Program Fund Estimate must indicate the funds available for each of the program components. Consistent with these requirements, the Active Transportation Program funds must be distributed as follows:

- Forty percent to Metropolitan Planning Organizations (MPO) in urban areas with populations greater than 200,000.

  These funds must be distributed based on total MPO population. The funds programmed and allocated under this paragraph must be selected through a competitive process by the MPOs in accordance with these guidelines.

  Projects selected by MPOs may be in either large urban, small urban, or rural areas.

  A minimum of 25% of the funds distributed to each MPO must benefit disadvantaged communities.

  The following statutory requirements apply specifically to the Southern California Association of Governments (SCAG)

  - SCAG must consult with county transportation commissions, the Commission, and Caltrans in the development of competitive project selection criteria.
  - The criteria used by SCAG should include consideration of geographic equity, consistent with program objectives.
  - SCAG must place priority on projects that are consistent with plans adopted by local and regional governments within the county where the project is located.
  - SCAG must obtain concurrence from the county transportation commissions.

- Ten percent to small urban and rural areas with populations of 200,000 or less, with projects competitively awarded by the Commission to projects in those regions. Federal law segregates the Transportation Alternative Program into separate small urban and rural competitions based upon their relative share of the state population. Small Urban areas are those with populations of 5,001 to 200,000. Rural areas are those with populations of 5,000 or less.

  A minimum of 25% of the funds in the Small Urban and Rural programs must benefit disadvantaged communities.

  Projects within the boundaries of an MPO with an urban area with a population of greater than 200,000 are not eligible for funding in the Small Urban or Rural programs.

- Fifty percent to projects competitively awarded by the Commission on a statewide basis.

  A minimum of 25% of the funds in the statewide competitive program must benefit disadvantaged communities.

~~In the initial program, a~~ **Additional minimums may be applied, such as a minimum** ~~minimum of $24 million per year of the statewide competitive program is available~~ for safe routes to schools projects~~, with at least $7.2 million for non-infrastructure grants, including funding for a state technical assistance resource center,~~ **subject to the annual State Budget Act.**

6. Matching Requirements

~~Projects must include at least 11.47% in matching funds except for projects predominantly benefiting a disadvantaged community, stand-alone non-infrastructure projects and safe routes to schools projects. The source of the matching funds may be any combination of local, private, state or federal funds.~~ **Although the Commission encourages the leveraging of additional funds for a project, matching funds are not required. If an agency chooses to provide match funds, those** ~~Matching funds must be expended in the same project phase (permits and environmental studies; plans, specifications, and estimates; right-of-way capital outlay; support for right-of-way acquisition; construction capital outlay; and construction engineering) as the Active Transportation Program funding. Matching~~ **funds cannot be expended prior to the Commission allocation of Active Transportation Program funds in the same project phase (permits and environmental studies; plans, specifications, and estimates; right-of-way capital outlay and support; and construction capital outlay and support).** Matching funds~~, except matching funds over and above the required 11.47%,~~ must be expended concurrently and proportionally to the Active Transportation Program funds. The Matching funds ~~over and above the required 11.47%~~ may be adjusted before or shortly after contract award to reflect any substantive change in the bid compared to the estimated cost of the project.

Large MPOs, in administering a competitive selection process, may require a ~~different~~ funding match for projects selected through their competitive process. Applicants from within a large MPO should be aware that the match requirements may differ between the MPO and statewide competitive programs.

7. Funding for Active Transportation Plans

Funding from the Active Transportation Program may be used to fund the development of **community wide** bike, pedestrian**,** safe routes to schools, or active transportation plans in disadvantaged communities. **A list of the components that must be included in an active transportation plan can be found in Section 13, subsection E.**

The Commission intends to set aside up to 5% of the funds in the statewide competitive ~~program~~ **component** and in the ~~rural and~~ small urban **and rural** ~~program~~ **component** for funding active transportation plans in ~~communities~~ predominantly disadvantaged **communities**. A large MPO, in administering its portion of the program, may make up to 5% of its funding available for active transportation plans in disadvantaged communities within the MPO boundaries.

The first priority for the funding of ~~active transportation~~ plans will be for cities, counties, county transportation commissions, regional transportation planning agencies, MPOs, school districts, or transit districts that have neither a bicycle plan, a pedestrian plan, a safe routes to schools plan, nor an active transportation plan. The second priority for the funding of active transportation plans will be for cities, counties, county transportation commissions, regional transportation planning agencies, or MPOs that have a bicycle plan or a pedestrian plan but not

both. The lowest priority for funding of active transportation plans will be for updates of active transportation plans older than 5 years.

The Commission intends to reassess the Active Transportation Plan set aside in future program cycles.

Applications for plans may not be combined with applications for infrastructure or other non-infrastructure projects.

8. Reimbursement

The Active Transportation Program is a reimbursement program for **eligible** costs incurred. Reimbursement is requested through the invoice process detailed in Chapter 5, Accounting/Invoices, Local Assistance Procedures Manual. Costs incurred prior to Commission allocation and, for federally funded projects, Federal Highway Administration project approval (i.e. Authorization to Proceed) are not eligible for reimbursement.

III. Eligibility

9. Eligible Applicants

The applicant **and/or implementing agency** for Active Transportation Program funds assumes responsibility and accountability for the use and expenditure of program funds. Applicants **and/or implementing agencies** must be able to comply with all the federal and state laws, regulations, policies and procedures required to enter into a Local Administering Agency-State Master Agreement (Master Agreement). Refer to Chapter 4, Agreements, of the Local Assistance Procedures Manual for guidance and procedures on Master Agreements. The following entities, within the State of California, are eligible to apply for Active Transportation Program funds:

- Local, Regional or State Agencies- Examples include city, county, MPO*, and Regional Transportation Planning Agency.
- Caltrans*
- Transit Agencies - Any agency responsible for public transportation that is eligible for funds under the Federal Transit Administration.
- Natural Resources or Public Land Agencies - Federal, Tribal, State, or local agency responsible for natural resources or public land administration. Examples include:
    - State or local park or forest agencies
    - State or local fish and game or wildlife agencies
    - Department of the Interior Land Management Agencies
    - U.S. Forest Service
- Public schools or School districts.
- Tribal Governments - Federally-recognized Native American Tribes.
- Private nonprofit tax-exempt organizations may apply for projects eligible for Recreational Trail Program funds recreational trails and trailheads, park projects that facilitate trail linkages or connectivity to non-motorized corridors, and conversion of

abandoned railroad corridors to trails. Projects must benefit the general public, and not only a private entity.

- Any other entity with responsibility for oversight of transportation or recreational trails that the Commission determines to be eligible.

For funding awarded to a tribal government, a fund transfer to the Bureau of Indian Affairs may be necessary. A tribal government may also partner with another eligible entity to apply if desired.

* *Caltrans and MPOs, except for MPOs that are also regional transportation planning agencies, are not eligible project applicants for the federal Transportation Alternative Program funds appropriated to the Active Transportation Program. Therefore, funding awarded to projects submitted directly by Caltrans and MPOs are limited to other Active Transportation Program funds. Caltrans and MPOs may partner with an eligible entity to expand funding opportunities.*

10. Partnering With Implementing Agencies

Entities that are unable to apply for Active Transportation Program funds or that are unable to enter into a Master Agreement with the State must partner with an eligible applicant that can implement the project. Entities that are unfamiliar with the requirements to administer a Federal-Aid Highway Program project may partner with an eligible applicant that can implement the project. If another entity agrees to assume responsibility for the ongoing operations and maintenance of the facility, documentation of the agreement **(e.g., letter of intent)** must be submitted with the project application, and a copy of the Memorandum of Understanding or Interagency Agreement between the parties must be submitted with the first request for allocation.

The implementing agency will be responsible and accountable for the use and expenditure of program funds.

11. Eligible Projects

All projects must be selected through a competitive process and must meet one or more of the program goals. Because the majority of funds in the Active Transportation Program are federal funds, ~~most~~ projects must be federal-aid eligible:

- Infrastructure Projects: Capital improvements that will further the goals of this program. This typically includes the ~~planning~~ **environmental**, design, **right-of-way,** and construction ~~of facilities~~ **phases of a capital (facilities) project**. **A new infrastructure project will not be programmed without a complete project study report (PSR) or PSR equivalent. The application may be considered a PSR equivalent if it defines and justifies the project scope, cost and schedule. Though the PSR or equivalent may focus on the project components proposed for programming, it must provide at least a preliminary estimate of costs for all components.**

  A capital improvement that is required as a condition for private development approval or permits is not eligible for funding from the Active Transportation Program.

- **Plans: The development of a community wide bicycle, pedestrian, safe routes to school, or active transportation plan in a disadvantaged community.**

- Non-infrastructure Projects: Education, encouragement, **and** enforcement~~, and planning~~ activities that further the goals of this program. The Commission intends to focus funding for non-infrastructure projects on pilot and start-up projects that can demonstrate funding for ongoing efforts. The Active Transportation Program funds are not intended to fund ongoing program operations. Non-infrastructure projects are not limited to those benefiting school students.
- Infrastructure projects with non-infrastructure components.

A. Example Projects

Below is a list of projects considered generally eligible for Active Transportation Program funding. This list is not intended to be comprehensive; other types of projects that are not on this list may also be eligible if they further the goals of the program.

- Development of new bikeways and walkways that improve mobility, access, or safety for non-motorized users.
- Improvements to existing bikeways and walkways, which improve mobility, access, or safety for non-motorized users.
    - Elimination of hazardous conditions on existing bikeways and walkways.
    - Preventative maintenance of bikeways and walkways with the primary goal of extending the service life of the facility.
- Installation of traffic control devices to improve the safety of pedestrians and bicyclists.
- Safe Routes to School projects that improve the safety of children walking and bicycling to school, in accordance with Section 1404 of Public Law 109-59.
- Safe routes to transit projects, which will encourage transit by improving biking and walking routes to mass transportation facilities and school bus stops.
- Secure bicycle parking at employment centers, park and ride lots, rail and transit stations, and ferry docks and landings for the benefit of the public.
- Bicycle-carrying facilities on public transit, including rail and ferries.
- Establishment or expansion of a bike share program.
- Recreational trails and trailheads, park projects that facilitate trail linkages or connectivity to non-motorized corridors, and conversion of abandoned railroad corridors to trails.
- Development of a **community wide** bike, pedestrian, safe routes to schools, or active transportation plan in a disadvantaged community.
- Education programs to increase bicycling and walking, and other non-infrastructure investments that demonstrate effectiveness in increasing active transportation, including but not limited to:
    - Development and implementation of bike-to-work or walk-to-work school day/month programs.
    - Conducting bicycle and/or pedestrian counts, walkability and/or bikeability assessments or audits, or pedestrian and/or bicycle safety analysis to inform plans and projects.
    - Conducting pedestrian and bicycle safety education programs.

- Development and publishing of community walking and biking maps, including school route/travel plans.
- Development and implementation of walking school bus or bike train programs.
- Components of open streets events directly linked to the promotion of a new infrastructure project.
- Targeted enforcement activities around high pedestrian and/or bicycle injury and/or fatality locations (intersections or corridors). These activities cannot be general traffic enforcement but must be tied to improving pedestrian and bicyclist safety.
- School crossing guard training.
- School bicycle clinics.
- Development and implementation of programs and tools that maximize use of available and emerging technologies to implement the goals of the Active Transportation Program.

12. Minimum Request for Funds

In order to maximize the effectiveness of program funds and to encourage the aggregation of small projects into ~~a~~ **one larger** comprehensive ~~bundle of~~ project~~s~~, the minimum request for Active Transportation Program funds that will be considered is $250,000. This minimum does not apply to non-infrastructure projects, Safe Routes to Schools projects, ~~and~~ Recreational Trails projects, **and plans**.

MPOs, in administering a competitive selection process, may use a different minimum funding size. Use of a minimum project size greater than $500,000 must be approved by the Commission prior to an MPO's call for projects.

13. Project Type Requirements

As discussed in the Funding Distribution section (above), State and Federal law segregate the Active Transportation Program into multiple, overlapping components. Below is an explanation of the requirements specific to these components.

A. Disadvantaged Communities

For a project to contribute toward the Disadvantaged Communities funding requirement, the project must clearly demonstrate a benefit to a community that meets any of the following criteria:

- The median household income is less than 80% of the statewide median based on the most current census tract level data from the American Community Survey. Data is available at:

  http://factfinder2.census.gov/faces/nav/jsf/pages/index.xhtml

- An area identified as among the most disadvantaged ~~10~~**25**% in the state according to the **CalEPA and based on the** latest version of the California Communities Environmental Health Screening Tool (CalEnviroScreen) scores. **This list can be found at the following link under SB 535 List of Disadvantaged Communities:**

http://www.calepa.ca.gov/EnvJustice/GHGInvest/

- At least 75% of public school students in the project area are eligible to receive free or reduced-price meals under the National School Lunch Program. Data is available at http://www.cde.ca.gov/ds/sd/sd/filessp.asp. Applicants using this measure must indicate how the project benefits the school students in the project area or, for projects not directly benefiting school students, explain why this measure is representative of the larger community.

If a project applicant believes a project benefits a disadvantaged community but the project does not meet the aforementioned criteria, the applicant must submit for consideration a quantitative assessment of why the community should be considered disadvantaged.

MPOs, in administering a competitive selection process, may use different criteria for determining which projects benefit Disadvantaged Communities if the criteria are approved by the Commission prior to an MPO's call for projects.

B. Safe Routes to School Projects

For a project to contribute toward the Safe Routes to School funding requirement, the project must directly increase safety and convenience for public school students to walk and/or bike to school. Safe Routes to Schools infrastructure projects must be located within two miles of a public school or within the vicinity of a public school bus stop. Other than traffic education and enforcement activities, non-infrastructure projects do not have a location restriction.

C. Recreational Trails Projects

For trail projects that are primarily recreational to be eligible for Active Transportation Program funding, the projects must meet the federal requirements of the Recreational Trails Program as such projects may not be eligible for funding from other sources (http://www.fhwa.dot.gov/environment/recreational_trails/). Multi-purpose trails and paths that serve both recreational and transportation purposes are generally eligible in the Active Transportation Program, so long as they are consistent with one or more goals of the program.

D. Technical Assistance Resource Center

~~In 2009, the University of California, San Francisco was awarded federal Safe Routes to School funds to act as the Technical Assistance Resource Center for the purpose of building and supporting local regional Safe Routes School non-infrastructure projects.~~
Typical **Technical Assistance Resource** Center roles ~~have~~ include~~d~~:

- Providing technical assistance and training to help agencies deliver existing and future projects and to strengthen community involvement in future projects including those in disadvantaged communities.
- Developing and providing educational materials to local communities by developing a community awareness kit, creating an enhanced Safe Routes to Schools website, and providing other educational tools and resources.
- Participating in and assisting with the Safe Routes to Schools Advisory Committee.
- Assisting with program evaluation.

The Commission intends to ~~comply with the statutory requirement to~~ fund a state technical assistance center by programming funds to the Department, who will administer contracts to

~~expanding the existing Safe Routes to Schools Technical Assistance Resource Center interagency agreement to serve~~ **support** all **current and potential** Active Transportation Program ~~non-infrastructure projects~~ **applicants.**

E. Active Transportation Plan

A city, county, county transportation commission, regional transportation planning agency, MPO, school district, or transit district may prepare an active transportation plan. An active transportation plan prepared by a city or county may be integrated into the circulation element of its general plan or a separate plan which is compliant or will be brought into compliance with the Complete Streets Act, Assembly Bill 1358 (Chapter 657, Statutes of 2008). An active transportation plan must include, but not be limited to, the following components or explain why the component is not applicable:

- The estimated number of existing bicycle trips and pedestrian trips in the plan area, both in absolute numbers and as a percentage of all trips, and the estimated increase in the number of bicycle trips and pedestrian trips resulting from implementation of the plan.
- The number and location of collisions, serious injuries, and fatalities suffered by bicyclists and pedestrians in the plan area, both in absolute numbers and as a percentage of all collisions and injuries, and a goal for collision, serious injury, and fatality reduction after implementation of the plan.
- A map and description of existing and proposed land use and settlement patterns which must include, but not be limited to, locations of residential neighborhoods, schools, shopping centers, public buildings, major employment centers, and other destinations.
- A map and description of existing and proposed bicycle transportation facilities.
- A map and description of existing and proposed end-of-trip bicycle parking facilities.
- A description of existing and proposed policies related to bicycle parking in public locations, private parking garages and parking lots and in new commercial and residential developments.
- A map and description of existing and proposed bicycle transport and parking facilities for connections with and use of other transportation modes. These must include, but not be limited to, **bicycle** parking facilities at transit stops, rail and transit terminals, ferry docks and landings, park and ride lots, and provisions for transporting bicyclists and bicycles on transit or rail vehicles or ferry vessels.
- A map and description of existing and proposed pedestrian facilities, **including those** at major transit hubs. ~~These~~ **Major transit hubs** must include, but are not limited to, rail and transit terminals, and ferry docks and landings.
- A description of proposed signage providing wayfinding along bicycle and pedestrian networks to designated destinations.
- A description of the policies and procedures for maintaining existing and proposed bicycle and pedestrian facilities, including, but not limited to, the maintenance of smooth pavement, **ADA level surfaces**, freedom from encroaching vegetation, maintenance of traffic control devices including striping and other pavement markings, and lighting.
- A description of bicycle and pedestrian safety, education, and encouragement programs conducted in the area included within the plan, efforts by the law enforcement agency having primary traffic law enforcement responsibility in the area to enforce provisions of

the law impacting bicycle and pedestrian safety, and the resulting effect on ~~accidents~~ **collisions** involving bicyclists and pedestrians.

- A description of the extent of community involvement in development of the plan, including disadvantaged and underserved communities.
- A description of how the active transportation plan has been coordinated with neighboring jurisdictions, including school districts within the plan area, and is consistent with other local or regional transportation, air quality, or energy conservation plans, including, but not limited to, general plans and a Sustainable Community Strategy in a Regional Transportation Plan.
- A description of the projects and programs proposed in the plan and a listing of their priorities for implementation, including the methodology for project prioritization and a proposed timeline for implementation.
- A description of past expenditures for bicycle and pedestrian facilities and programs, and future financial needs for projects and programs that improve safety and convenience for bicyclists and pedestrians in the plan area. Include anticipated revenue sources and potential grant funding for bicycle and pedestrian uses.
- A description of steps necessary to implement the plan and the reporting process that will be used to keep the adopting agency and community informed of the progress being made in implementing the plan.
- A resolution showing adoption of the plan by the city, county or district. If the active transportation plan was prepared by a county transportation commission, regional transportation planning agency, MPO, school district or transit district, the plan should indicate the support via resolution of the city(s) or county(s) in which the proposed facilities would be located.

A city, county, school district, or transit district that has prepared an active transportation plan may submit the plan to the county transportation commission or transportation planning agency for approval. The city, county, school district, or transit district may submit an approved plan to Caltrans in connection with an application for funds **for** active transportation facilities which will implement the plan.

Additional information related to active transportation plans can be found in the sections on Funding for Active Transportation Plans and Scoring Criteria.

IV. Project Selection Process

14. Project Application

Active Transportation Program project applications will be available at: www.dot.ca.gov/hq/LocalPrograms/atp/index.html.

A project application must include the signature of the Chief Executive Officer or other officer authorized by the applicant's governing board. Where the project is to be implemented by an agency other than the applicant, documentation of the agreement between the project applicant and implementing agency must be submitted with the project application. A project application must also include documentation of all other funds committed to the projects.

Project applications should be addressed or delivered to:

Caltrans
Division of Local Assistance, MS-1
Attention: Chief, Office of Active Transportation and Special Programs
P.O Box 942874
Sacramento, CA 95814

Except for applications submitted through an optional MPO supplemental call for projects, the Commission will consider only projects for which five hard copies and one electronic copy (via cd or portable hard drive) of a complete application are ~~received~~ **postmarked** by ~~May 21, 2014~~ **the application deadline**. By the same date, an additional copy must also be sent to the Regional Transportation Planning Agency or County Transportation Commission within which the project is located and to the MPO (a contact list can be found at www.dot.ca.gov/hq/tpp/offices/orip/).

15. Sequential Project Selection

All project applications, except for applications submitted through an optional MPO supplemental call for projects, must be submitted to Caltrans for consideration in the statewide competition. The Commission will consider approval of a competitive grant only when it finds that the grant request meets the requirements of statute and that the project has a commitment of any supplementary funding needed for a full funding plan.

Projects not selected for programming in the statewide competition must be considered in the large MPO run competitions or the state run Small Urban ~~or~~ **and** Rural competitions.

A large urban MPO may elect to have a supplemental MPO specific call for projects. The projects received in this call must be considered along with those not selected through the statewide competition.

16. MPO Competitive Project Selection

As stated above, projects not selected for programming in the statewide competition must be considered by the MPOs in administering a competitive selection process.

An MPO choosing to use the same project selection criteria and weighting, minimum project size, match requirement, and definition of disadvantaged communities as used by the Commission for the statewide competition may ~~defer~~ **delegate** its project selection to the Commission. An MPO ~~deferring~~ **delegating** its project selection to the Commission may not conduct a supplemental call for projects.

An MPO, with Commission approval, may use a different project selection criteria or weighting, minimum project size, match requirement, or definition of disadvantaged communities for its competitive selection process. Use of a minimum project size of $500,000 or less, or of a different match requirement than in the statewide competitive program does not require prior Commission approval. An MPO may also elect to have a supplemental MPO specific call for projects. The projects received in this call must be considered along with those not selected through the statewide competition.

In administering a competitive selection process, an MPO must use a multidisciplinary advisory group to assist in evaluating project applications. Following its competitive selection process, an

MPO must submit its programming recommendations to the Commission along with the ~~list of the members of its multidisciplinary advisory group.~~ **following:**

- **Project applications that were not submitted through the statewide program**
- **List of the members of its multidisciplinary advisory group**
- **Description of unbiased project selection methodology**
- **Program spreadsheet with the following elements**
    - **All projects evaluated**
    - **Projects recommended with total project cost, request amount, fiscal years, phases, state only funding requests**
- **Board resolution approving program of projects**
- **Updated Project Programming Requests (PPRs)**

~~If the MPO submitted a project application and that project is recommended for programming, the MPO must explain how its evaluation process resulted in an unbiased evaluation of projects.~~

17. Screening Criteria

Demonstrated needs of the applicant: A project that is already fully funded will not be considered for funding in the Active Transportation Program. ~~The Commission will make an exception to this policy by allowing the supplanting of federal funds on a project for the 2014 Active Transportation Program~~. **ATP funds cannot be used to supplant other committed funds.**

Consistency with a regional transportation plan: All projects submitted must be consistent with the relevant adopted regional transportation plan that has been developed and updated pursuant to Government Code Section 65080. **Applicants must provide the supporting language cited from the adopted regional transportation plan that shows that the submitted project is consistent with the plan.**

18. Scoring Criteria

Proposed projects will be ~~rated~~ **scored** and ranked on the basis of applicant responses to the below criteria. Project programming recommendations may not be based strictly on the rating criteria given the various components of the Active Transportation Program and requirements of the various fund sources.

- Potential for increased walking and bicycling, especially among students, including the identification of walking and bicycling routes to and from schools, transit facilities, community centers, employment centers, and other destinations; and including increasing and improving connectivity and mobility of non-motorized users. (0 to 30 points)
- Potential for reducing the number and/or rate of pedestrian and bicyclist fatalities and injuries, including the identification of safety hazards for pedestrians and bicyclists. (0 to 25 points)

- Public participation and Planning. (0 to 15 points)

  Identification of the community-based public participation process that culminated in the project proposal, which may include noticed meetings and consultation with local stakeholders. Project applicants must clearly articulate how the local participation process resulted in the identification and prioritization of the proposed project.

  For projects costing $1 million or more, an emphasis will be placed on projects that are prioritized in an adopted city or county bicycle transportation plan, pursuant to Section 891.2, pedestrian plan, safe routes to school plan, active transportation plan, trail plan, or circulation element of a general plan that incorporated elements of an active transportation plan. In future funding cycles, the Commission expects to make consistency with an approved active transportation plan a requirement for large projects.

- Improved public health through the targeting of populations with high risk factors for obesity, physical inactivity, asthma or other health issues. (0 to 10 points)
- Benefit to disadvantaged communities. (0 to 10 points)
- Cost-effectiveness. (0 to ~~10~~**5** points)

  Applicants must:

  - Discuss the relative costs and benefits of the range of alternatives considered.
  - Quantify the safety and mobility benefit in relationship to both the total project cost and the funds provided.

  Caltrans ~~must~~ **has developed a first generation** benefit/cost model for infrastructure and non-infrastructure active transportation projects in order to improve information available to decision makers at the state and MPO level ~~in future programming cycles~~. ~~by September 30, 2014.~~ **Applicants must make every effort to use this model when responding to this criterion. However because this is a first generation model that will be unfamiliar to applicants, applicants who cannot successfully use the benefit cost model may use an alternative method as long as the method is fully explained, including why the alternative provides a logical assessment of the projects cost-effectiveness. Applicants using an alternative method must also provide an explanation of why use of the benefit/cost model was not possible.**

- **Leveraging of non-ATP funds for ATP eligible expenses on the project or project segment proposed. (0 to 5 points)**
- Use of the California Conservation Corps or a qualified community conservation corps, as defined in Section 14507.5 of the Public Resources Code, as partners to undertake or construct applicable projects in accordance with Section 1524 of Public Law 112-141. Points will be deducted if an applicant does not seek corps participation or if an applicant intends not to utilize a corps in a project in which the corps can participate. (0 **or** ~~to~~ -5 points)

  The California Conservation Corps can be contacted at ccc.ca.gov. Community conservation corps can be contacted at californialocalconservationcorps.org.

  Direct contracting with the California Conservation Corps or a qualified community conservation corps without bidding is permissible provided that the implementing agency demonstrates cost effectiveness per 23 CFR 635.204 and obtains approval from Caltrans. A copy of the agreement between the implementing agency and the proposed

conservation corps must be ~~included in the project application as supporting documentation~~ **provided to the Department**.

- Applicant's performance on past grants. This may include project delivery, project benefits (anticipated v. actual), and use of the California Conservation Corps or qualified community conservation corps (planned v. actual). Applications from agencies with documented poor performance records on past grants may be excluded from competing or may be penalized in scoring. (0 **or** ~~to~~ -10 points)

19. Project Evaluation Committee

Commission staff will form a multidisciplinary Project Evaluation Committee to assist in evaluating project applications. In forming the Project Evaluation Committee, staff will seek participants with expertise in bicycling and pedestrian transportation, including Safe Routes to Schools type projects, and in projects benefiting disadvantaged communities, and will seek geographically balanced representation from state agencies, large MPOs, regional transportation planning agencies, local jurisdictions in small urban and rural areas, and non-governmental organizations. Priority for participation in the evaluation committee will be given to those who do not represent a project applicant, or will not benefit from projects submitted by others.

In reviewing and selecting projects to be funded with federal Recreational Trails program funds, the Commission **and/or Caltrans** staff will collaborate with the Department of Parks and Recreation to evaluate proposed projects.

MPOs, in administering a competitive selection process, must use a multidisciplinary advisory group, similar to the aforementioned Project Evaluation Committee, to assist in evaluating project applications.

V. Programming

Following at least one public hearing, the Commission will adopt a program of projects for the Active Transportation Program, by April 1 of each odd numbered year. However, for the 2015 program, the deadline for programming is December 31, 2015. The Active Transportation Program must be developed consistent with the fund estimate and the amount programmed in each fiscal year must not exceed the amount identified in the fund estimate.

The program of projects for each fiscal year will include, for each project, the amount to be funded from the Active Transportation Program, and the estimated total cost of the project. **In the case of a large project delivered in segments, include the total cost of the segment for which ATP funds are requested.** Project costs in the Active Transportation Program will include all project support costs and all project listings will specify costs for each of the following components: (1) completion of all permits and environmental studies; (2) preparation of plans, specifications, and estimates; (3) right-of-way capital outlay and support ~~(4) support for right-of-way acquisition~~; and (4) construction capital outlay and support~~; and (6) construction management and engineering, including surveys and inspection~~. The cost of each project component will be listed in the Active Transportation Program no earlier than in the fiscal year in which the particular project component can be implemented.

When proposing to fund only preconstruction components for a project, the applicant must demonstrate the means by which it intends to fund the construction of a useable segment,

consistent with the regional transportation plan or the Caltrans interregional transportation strategic plan.

When project design, right-of-way or construction are programmed before the implementing agency completes the environmental process, updated cost estimates, updated analysis of the project's cost effectiveness, and updated analysis of the project's ability to further the goals of the program must be submitted to the Commission following completion of the environmental process. If this updated information indicates that a project is expected to accomplish fewer benefits or is less cost effective as compared with the initial project application, future funding for the project may be deleted from the program. For the MPO selected competitions, this information must be submitted to the MPO. It is the responsibility of the MPO to recommend that the project be deleted from the program if warranted.

The Commission will program and allocate funding to projects in whole thousands of dollars and will include a project only if it is fully funded from a combination of Active Transportation Program and other committed funding. The Commission will regard funds as committed when they are programmed by the Commission or when the agency with discretionary authority over the funds has made its commitment to the project by ordinance or resolution. For federal formula funds, including Surface Transportation Program, Congestion Mitigation and Air Quality Improvement Program, and federal formula transit funds, the commitment may be by Federal approval of the Federal Statewide Transportation Improvement Program. For federal discretionary funds, the commitment may be by federal approval of a full funding grant agreement or by grant approval.

If the program of projects adopted by the Commission does not program the full capacity identified in the fund estimate for a given fiscal year, the balance will remain available to advance programmed projects. Subject to the availability of federal funds, a balance not programmed in one fiscal year will carry over and be available for projects in the following fiscal year.

The intent of the Commission is to consolidate the allocation of federal funds to as few projects as practicable. Therefore, the smallest project may be designated, at the time of programming, for state-only funding.

VI. Allocations

The Commission will consider the allocation of funds for a project when it receives an allocation request and recommendation from Caltrans in the same manner as for the STIP (see section 64 of the STIP guidelines). The recommendation will include a determination of project readiness, the availability of appropriated funding, and the availability of all identified and committed supplementary funding.

Where the project is to be implemented by an agency other than the applicant, the allocation request must include a copy of the Memorandum of Understanding or Interagency Agreement between the project applicant and implementing agency.

The Commission will approve the allocation if the funds are available and the allocation is necessary to implement the project as included in the adopted Active Transportation Program.

In order to ensure the timely use of all program funds, the Commission will, in the last quarter of the fiscal year, allocate funds to projects programmed in a future fiscal year on a first-come, first

served basis. If there are insufficient funds, the Commission may delay the allocation of funds to a project until the next fiscal year without requiring an extension. Should requests for allocations exceed available capacity, the Commission will give priority to projects programmed in the current-year.

Allocation requests for a project in the MPO selected portion of the program must include a recommendation by the MPO.

In compliance with Section 21150 of the Public Resources Code, the Commission will not allocate funds **for a non-infrastructure project or plan, or** for design, right-of-way, or construction **of an infrastructure project,** prior to documentation of environmental clearance under the California Environmental Quality Act. As a matter of policy, the Commission will not allocate funds, **other than for the environmental phase,** ~~for design, right-of-way, or construction of~~ **for** a federally funded project prior to documentation of environmental clearance under the National Environmental Policy Act. Exceptions to this policy may be made in instances where federal law allows for the acquisition of right-of-way prior to completion of National Environmental Policy Act review.

If an implementing agency requests an allocation of funds in an amount that is less than the amount programmed, the balance of the programmed amount may be allocated to a programmed project advanced from a future fiscal year. An MPO, in administering its competitive portion of the Active Transportation Program, must determine which projects to advance and make that recommendation to the Commission. Unallocated funds in one fiscal year will carry over and be available for projects in the following fiscal year.

A local agency may expend an amount allocated for environmental, design, right of way, or construction for another allocated project component, provided that the total expenditure shifted to a component in this way is not more than 20 percent of the amount actually allocated for either component. This means that the amount transferred by a local agency from one component to another may be no more than 20 percent of whichever of the components has received the smaller allocation from the Commission.

VII. Project Delivery

Active Transportation Program allocations must be requested in the fiscal year of project programming, and **construction allocations** are valid for award for six months from the date of allocation unless the Commission approves an extension. Applicants may submit and the Commission will evaluate extension requests in the same manner as for STIP projects (see section 66 of the STIP guidelines) except that extension to the period for project allocation and for project award will be limited to twelve months. Extension requests for a project in the MPO selected portion of the program must include a recommendation by the MPO, consistent with the preceding requirements.

If there are insufficient funds, the Commission may delay the allocation of funds to a project until the next fiscal year without requiring an extension.

Whenever programmed funds are not allocated within the fiscal year they are programmed or within the time allowed by an approved extension, the project will be deleted from the Active Transportation Program. Funds available following the deletion of a project may be allocated to a programmed project advanced from a future fiscal year. An MPO, in administering its competitive portion of the Active Transportation Program, must determine which projects to

advance and make that recommendation to the Commission. Unallocated funds in one fiscal year will carry over and be available for projects in the following fiscal year.

The implementing agency must enter into a cooperative agreement with Caltrans and, if the project is federally funded, obligate the federal funds within six months.

Funds allocated for project development or right of way costs must be expended by the end of the second fiscal year following the fiscal year in which the funds were allocated. After the award of a contract, the implementing agency has up to 36 months to complete (accept) the contract. At the time of fund allocation, the Commission may extend the deadline for completion of work and the liquidation of funds if necessary to accommodate the proposed expenditure plan for the project. The implementing agency has six months after contract acceptance to make the final payment to the contractor or vendor, prepare the Final Report of Expenditures and submit the final invoice to Caltrans for reimbursement.

It is incumbent upon the implementing agency to develop accurate project cost estimates. If the amount of a contract award is less than the amount allocated, or if the final cost of a component is less than the amount awarded, the savings generated will not be available for future programming.

Caltrans will track the delivery of Active Transportation Program projects and submit to the Commission a semiannual report showing the delivery of each project phase.

20. Federal Requirements

Unless programmed for state-only funding, project applicants must comply with the provisions of Title 23 of the U.S. Code of Federal Regulations and with the processes and procedures contained in the Caltrans Local Assistance Procedures Manual and the Master Agreement with Caltrans. Below are examples of federal requirements that must be met when administering Active Transportation Program projects.

- National Environmental Policy Act (NEPA) compliance and documentation is required on all projects. Refer to Chapter 6, Environmental Procedures, of the Local Assistance Procedures Manual for guidance and procedures on complying with NEPA and other federal environmentally related laws.
- Project applicants may not proceed with the final design of a project or request "Authorization to proceed with Right-of-Way" or "Authorization to proceed with Construction" until Caltrans has signed a Categorical Exclusion, a Finding of No Significant Impact, or a Record of Decision. Failure to follow this requirement will make the project ineligible for federal reimbursement.
- If the project requires the purchase of right of way (the acquisition of real property), the provisions of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 apply. For more information, refer to Chapter 13, Right of Way, of the Local Assistance Procedures Manual.
- If the project applicant requires the consultation services of architects, landscape architects, land surveyors, or engineers, the procedures in the Chapter 10, Consultant Selection, of the Local Assistance Procedures Manual must be followed.
- Contract documents are required to incorporate applicable federal requirements such as Davis Bacon wage rates, competitive bidding, Disadvantaged Business

Enterprises/Equal Employment Opportunity provisions, etc. For more information, refer to Chapter 9, Civil Rights and Disadvantaged Business Enterprises, and Chapter 12, Plans, Specifications & Estimate, of the Local Assistance Procedures Manual

- Failure to comply with federal requirements may result in the repayment to the State of Active Transportation Program funds.

21. Design Standards

Streets and Highways Code Section 891 requires that all city, county, regional, and other local agencies responsible for the development or operation of bikeways or roadways where bicycle travel is permitted utilize all minimum safety design criteria established by Caltrans, **except that an agency may utilize other minimum safety design criteria if specific conditions are met, as described in Streets and Highways CodeSection 891(b).** *Chapter 11, Design Standards, of the Caltrans Local Assistance Procedures Manual describes statewide design standards, specifications, procedures, guides, and references that are acceptable in the geometric, drainage, and structural design of Local Assistance projects. ~~The chapter also describes design exception approval procedures, including the delegation of design exception approval authority to the City and County Public Works Directors for projects not on the state highway system.~~ These standards and procedures, including the exception approval process, must be used for all Active Transportation Program projects.*

For capital projects off the state highway system, the project applicant will be responsible for the ongoing operations and maintenance of the facility. If another entity agrees to assume responsibility for the ongoing operations and maintenance of the facility, documentation of the agreement must be submitted with the project application, and a copy of the Memorandum of Understanding or Interagency Agreement between the parties must be submitted with the request for allocation.

All facilities constructed using Active Transportation Program funds cannot revert to a non-Active Transportation Program use for a minimum of 20 years or its actual useful life as documented in the project application, whichever is less, without approval of the Commission.

22. Project Inactivity

Once funds for a project are encumbered, project applicants are expected to invoice on a regular basis (for federal funds, see 23 CFR 630.106 and the Caltrans' Inactive Obligation Policy). Failure to do so will result in the project being deemed "inactive" and subject to deobligation if proper justification is not provided.

23. Project Reporting

As a condition of the project allocation, the Commission ~~will~~ require**s** the implementing agency to submit semi-annual reports on the activities and progress made toward implementation of the project and a final delivery report. An agency implementing a project in the MPO selected portion of the program must also submit copies of its semi-annual reports and of its final delivery report to the MPO. The purpose of the reports is to ensure that the project is executed in a timely fashion and is within the scope and budget identified when the decision was made to fund the project.

Within one year of the project becoming operable, the implementing agency must provide a final delivery report to the Commission which includes:

- The scope of the completed project as compared to the programmed project.
- Before and after photos documenting the project.
- The final costs as compared to the approved project budget.
- Its duration as compared to the project schedule in the project application.
- Performance outcomes derived from the project as compared to those described in the project application. This should include before and after pedestrian and/or bicycle counts, and an explanation of the methodology for conducting counts.
- Actual use of the California Conservation Corps or qualified community conservation corps as compared to the use **described** in the project application.

Please note that the final delivery report required by this section is in addition to the aforementioned Final Report of Expenditures.

For the purpose of this section, a project becomes operable when the construction contract is accepted or acquired equipment is received, or in the case of non-infrastructure activities, when the activities are complete.

Caltrans must audit a sample of Active Transportation Program projects to evaluate the performance of the project, determine whether project costs incurred and reimbursed are in compliance with the executed project agreement or approved amendments thereof; state and federal laws and regulations; contract provisions; and Commission guidelines, and whether project deliverables (outputs) and outcomes are consistent with the project scope, schedule and benefits described in the executed project agreement or approved amendments thereof. A report on the projects audited must be submitted to the Commission annually.

VIII. Roles And Responsibilities

24. California Transportation Commission (Commission)

The Commission responsibilities include:

- Adopt guidelines and policies for the Active Transportation Program.
- Adopt Active Transportation Program Fund Estimate.
- Evaluate, **score and rank** projects, including ~~the~~ forming **and facilitating** ~~of~~ the Project Evaluation Committee.
- **Recommend and** adopt a program of projects, including:
    - The statewide **component** of the Active Transportation Program,
    - The small urban & rural **component** of the Active Transportation Program, and
    - The MPO selected **component** of the program based on the recommendations of the MPOs.
    - Ensure that at least 25% of the funds benefit disadvantaged communities.
- **Post recommendations and final adopted list of approved projects on the Commission's website.**

- Allocate funds to projects.
- Evaluate and report to the legislature.

25. California Department of Transportation (Caltrans)

Caltrans has the primary responsibility for the administration of the **adopted** Active Transportation Program. Responsibilities include:

- Provide statewide program and procedural guidance (i.e. provide project evaluation of materials and instructions), conduct outreach through various networks such as, but not limited to, the Active Transportation Program website, and at conferences, meetings, or workgroups.
- Provide program training.
- Solicit project applications for the program.
- **Assist in** facilitating the Project Evaluation Committee.
- Perform eligibility **and deliverability** reviews of Active Transportation Program projects **and inform the Commission of any identified issues**.
- Evaluate **and** score~~, and rank~~ applications.
- ~~Recommend projects to the Commission for programming and allocation.~~
- Notify **successful** applicants of ~~the results~~ **their next steps** after each call for projects.
- **Recommend project allocations (including funding type) to the Commission.**
- Track and report on project implementation, **including project completion**.
- Audit a selection of projects
- Serve as the main point of contact in project implementation, including **administering the contract(s) for** the technical assistance resource center. ~~after notifying successful applicants of award~~.

26. Metropolitan Planning Organizations (MPOs) With Large Urbanized Areas

MPOs with large urbanized areas are responsible for overseeing a competitive project selection process in accordance with these guidelines. The responsibilities include:

- Ensure that at least 25% of the funds in each MPO must benefit disadvantaged communities.
- If using different project selection criteria or weighting, minimum project size **greater than $500,000**, match requirement, or definition of disadvantaged communities for its competitive selection process, the MPO must obtain Commission approval prior to the MPO's call for projects. ~~Use of a minimum project size of $500,000 or less, or of a different match requirement than in the statewide competitive program does not require prior Commission approval.~~
- If electing to have a supplemental MPO specific call for projects, the projects within the MPO boundaries that were not selected through the statewide competition must be considered along with those received in the supplemental call for projects. An MPO must notify the Commission of their intent to have a supplemental call no later than ~~May 21, 2014~~ **the application deadline**.

- In administering a competitive selection process, an MPO must use a multidisciplinary advisory group to assist in evaluating project applications.
- In administering a competitive selection process, an MPO must explain how the projects recommended for programming by the MPO include a broad spectrum of projects to benefit pedestrians and bicyclists. The explanation must include a discussion of how the recommended projects benefit students walking and cycling to school.
- An MPO choosing to use the same project selection criteria and weighting, minimum project size, match requirement, and definition of disadvantaged communities as used by the Commission for the statewide competition may ~~defer~~ **delegate** its project selection to the Commission. An MPO ~~deferring~~ **delegating** its project selec**tion** to the Commission must notify the Commission **b**y ~~May 21, 2014~~ **the application deadline**, and may not conduct a supplemental call for projects.
- ~~Approve amendments to the MPO selected portion of the program prior to Commission approval.~~ **If electing to have a contingency list of projects to be amended into the program in the event a programmed project is delivered for less or fails, approve and recommend such amendments for Commission approval. This contingency list will be provided to the Commission and will be in effect only until the adoption of the next statewide program.**
- Recommend allocation requests for a project in the MPO selected portion of the program.
- Determine which projects to advance and make that recommendation to the Commission.
- Submit an annual assessment of its portion of the program it terms of its effectiveness in achieving the goals of the Active Transportation Program.

In addition, the following statutory requirements apply specifically to the Southern California Association of Governments (SCAG):

- SCAG must consult with county transportation commissions, the Commission, and Caltrans in the development of competitive project selection criteria. The criteria should include consideration of geographic equity, consistent with program objectives.
- SCAG must place priority on projects that are consistent with plans adopted by local and regional governments within the county where the project is located.
- SCAG must obtain concurrence from the county transportation commissions.

27. Regional Transportation Planning Agencies (RTPAs) Outside an MPO with Large Urbanized Areas and MPOs without Large Urbanized Areas

These Regional Transportation Planning Agencies and MPOs **(outside the nine large MPOs)** may make recommendations or provide input to the Commission regarding the projects within their boundaries that are applying for Active Transportation Program funding.

28. Project Applicant

Project applicants nominate Active Transportation Program projects for funding consideration. If awarded Active Transportation Program funding for a submitted project, the project applicant (or partnering implementing agency if applicable) has contractual responsibility for carrying out the

project to completion and complying with reporting requirements in accordance with federal, state, and local laws and regulations, and these guidelines.

For **infrastructure** ~~capital~~ projects off the state highway system, the project applicant will be responsible for the ongoing operations and maintenance of the facility. If another entity agrees to assume responsibility for the ongoing operations and maintenance of the facility, documentation of the agreement must be submitted with the project application, and a copy of the Memorandum of Understanding or Interagency Agreement between the parties must be submitted with the request for allocation.

IX. Program Evaluation

The Active Transportation Program will be evaluated for its effectiveness in increasing the use of active modes of transportation in California. Applicants that receive funding for a project must collect and submit data to Caltrans as described in the "Project Reporting" section.

~~By December 31, 2014, the Commission will post on its website information about the initial program of projects, including a list of all projects programmed and allocated in each portion of the program, by region, and by project type, along with information on grants awarded to disadvantaged communities,~~

~~After 2014, t~~**T**he Commission will include in its annual report to the Legislature a discussion on the effectiveness of the program in terms of planned and achieved improvement in mobility and safety and timely use of funds, and will include a summary of its activities relative to the administration of the Active Transportation Program including:

- Projects programmed,
- Projects allocated,
- Projects completed to date by project type,
- Projects completed to date by geographic distribution,
- Projects completed to date by benefit to disadvantaged communities, and
- Projects completed to date with the California Conservation Corps or qualified community conservation corps.

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January 14, 2015

Mr. Carl Guardino, Chair
c/o Laurie Waters, Senior Transportation Planner
California Transportation Commission
1120 N Street, MS-52
Sacramento, CA 95814

2015 Active Transportation Program Guidelines
Bicycle, Pedestrian and Safe Routes to School Planning

Dear Chair Guardino and Commissioners,

Thank you for your leadership in the creation and successful implementation of the California Active Transportation Program (ATP), the state's largest source of funding for walking, biking and safe routes to school projects and programs. The Los Angeles County Bicycle Coalition (LACBC) serves a county that has immense need for these funds, as demonstrated by our competitiveness in the first cycle of funding. LACBC was pleased to participate in crafting the guidelines for Cycle 1 and is again appreciative of your staff's excellent work for Cycle 2. This letter aims to provide you with historical context for the careful decisions that were made in the Cycle 1 guidelines that we hope you will carry forward in future cycles.

ATP Guidelines' Context: Historical Lack of Bike & Ped Planning

LACBC serves all 89 local jurisdictions in Los Angeles County, working in partnership with City and County governments, Metro and SCAG to improve planning for pedestrian and bicycle transportation. Over the past five years, we have prioritized creating bicycle and pedestrian plans because these serve as the road map for how local jurisdictions can strategically invest to make their communities more bike-friendly. The City of Los Angeles led with the adoption of its ambitious Bicycle Plan in early 2011 and the County of Los Angeles followed in 2012. However, these two plans only serve half of the county's 10 million residents—of the remaining 87 local jurisdictions, less than half have bicycle plans. Only a handful of cities have pedestrian plans. Only one or two jurisdictions have complete active transportation plans addressing both bicycle and pedestrian needs. This is despite a concerted effort by LACBC, SCAG and Metro to fill in these planning gaps.

Our experience here in Los Angeles County shows that we need to increase resources for bicycle and pedestrian planning, which is why we were eager to participate in the planning subcommittee for the ATP guidelines last year. As a result, we are strong supporters of the planning incentives and requirements in the guidelines, as well as the current five percent set-aside for planning in disadvantaged communities. The guidelines were intentionally designed to incentivize planning in those jurisdictions that have adequate resources while strategically investing in planning in disadvantaged communities to ensure they are not left behind. This two-pronged strategy is

essential for achieving our goal of having every local jurisdiction in Los Angeles County (and the State of California) adopt an active transportation plan.

Planning is Critical for Achieving State Goals

It should go without saying that informed investment decisions require good planning and community engagement—at all levels of government. Planning processes are community-wide conversations wherein stakeholders can engage with city staff and expert consultants, learn about the many benefits of more pedestrian and bike-friendly communities, and become personally invested in achieving these outcomes. (Education and encouragement conducted concurrently with planning are effective community engagement tools and should continue to be eligible.) Jurisdictions that create active transportation plans learn which projects have community support (and are therefore implementable) and what neighborhoods have the greatest needs. Given the general lack of available data for bike and pedestrian travel, community input is the primary mechanism by which city staff learn of safety concerns and priorities. Projects that are identified through citywide plans are most likely to meet the CTC's criteria of project readiness and public support. Good planning produces better projects.

More importantly, planning that meets the ATP requirements leverages more non-ATP funds for walking and biking, one of the State's goals in creating the new program. These plans become part of cities' general plans and capital improvement programs where they are incorporated into *all* transportation projects as part of complete streets policies. SB375 mandates that regions plan for more sustainable land-use and transportation, however without strong local planning in place, SCAG's 2012 RTP/SCS was largely uninformed as to the need for investment in active transportation. Fine-grain active transportation planning complements and informs the Regional Transportation Plan for each MPO, which in turn informs the CTC's overall assessment of funding needs for all modes of transportation. The foundation of regional and statewide planning is therefore high-quality local plans and it is in the State's interest that plans be adopted and periodically updated by all local jurisdictions.

Planning is a Wise Use of Limited ATP Funds

With the understanding ATP funding is limited, the Cycle 1 guidelines planning subcommittee determined that State resources are best invested in underserved communities that otherwise would not have the capacity. The prospect of ATP funding with no local match requirement has sparked many conversations with our partners in disadvantaged communities that historically have not applied for State grants. In fact, LACBC is currently working with five adjacent disadvantaged cities that have never adopted bicycle or pedestrian plans. We were able to bring all five cities to the table solely because of the potential for ATP funding. With so much demonstrated demand for these resources, we strongly urge you to maintain the current five percent set-aside for planning in these communities.

Future Evolution of ATP Planning Requirements

These guidelines were designed to respond to current planning needs. As the program matures and more jurisdictions have completed active transportation plans, we would support revisiting these guidelines in two specific ways:

First, the current scoring incentives for projects that are in adopted plans should become mandates—local jurisdictions should be required to have current active transportation plans in order to be eligible to apply for ATP. This requirement allowed the Bicycle Transportation Account program to have a significant effect despite its relatively small size and created a standardized format for bicycle plans that has proved mutually beneficial for jurisdictions and planning consultants. The ATP should intentionally replicate this success by incorporating pedestrian and safe routes to school planning.

Second, as more jurisdictions complete plans, there should be a commensurate decrease in the need for State planning funds. However, there will be a recurring need to update plans at regular intervals so it is unlikely that ATP should ever eliminate planning funds. Before adjusting the five percent set-aside, the CTC should conduct an inventory of qualifying local active transportation plans and assess the need for continued planning funds.

LACBC supports our state advocacy partners in their efforts to grow the ATP into a significant share of California's transportation budget and promote networks of protected bikeways and safe routes to school. We are about to see projects funded through Cycle 1 on the ground in our communities and couldn't be more excited for these improvements. Thank you for the CTC's careful administration of the ATP in its inaugural year and we look forward to working with you as this program matures. If you have any questions about these comments, I can be reached at (213) 639-2142, ext. 127 or eric@la-bike.org.

Sincerely,

Eric Bruins
Planning & Policy Director

Los Angeles County
Metropolitan Transportation Authority

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Metro

January 14, 2015

Ms. Laurel Janssen
Associate Deputy Director
California Transportation Commission
1120 N Street, MS-52
Sacramento, CA 95814

Attn: laurel.janssen@dot.ca.gov

Dear Ms. Janssen,

Metro would like to thank the California Transportation Commission for providing the opportunity to comment on the draft 2015 Active Transportation Program (ATP) Guidelines. The second cycle of the Active Transportation Program is an important second opportunity to fund projects for greater mobility and safety for non-motorized users, in addition to planning and constructing new bicycle and pedestrian projects throughout our State. Please accept our comments and recommendations for the 2015 draft ATP Guidelines.

1. On page 7, under Eligible Projects, we recommend the addition of the following project types to be eligible for ATP funding:

    a. Pavers: we suggest making pavers an eligible project type. Pavers are a sustainable design choice. They provide better groundwater recharge, in addition to providing better path recognition. Pavers can be very long-lasting (up to 80 years) and are easier to remove and reinstall maintenance than other surface treatments, which can be helpful when performing utility work or relocation.

    b. Open Streets: current Example Projects lists "Components of Open Streets events" as an eligible project type, however, it is not clear which components to the project is eligible. Please clarify this example listing and detail the components of open streets events that would be eligible.

    c. Incidentals: we recommend including the list of incidental items or a link to such a list in the guidelines. Knowing there is a cap on certain expenses is very important information. It should be presented explicitly in the guidelines in order to ensure that all applicants see and conform to it.

d. Landscaping: we request that landscaping with functional benefits be exempted from the 10% incidental limit. Landscaping can have important functional benefits to active transportation projects, such that they should not be categorized as incidental costs. Trees, for instance, provide comfort for users in the form of shade. In parts of Los Angeles County, and particularly in the summer, it is frequently so hot that active transportation is not practical or safe without shade. Trees also serve as a natural barrier between pedestrians and street traffic. Planters may also be used as a barrier to protect and delineate an active transportation alignment. Landscaping is one of most important aspects of improving the character of a project and may be the most visible sign that a pedestrian improvement has been implemented, thus it is an important tool for attracting users to a new active transportation facility. Finally, plants are a natural sink for greenhouse gases, helping to meet the greenhouse gas reduction goals referenced in SB 99.

2. On page 13, under Scoring Criteria, we recommend the following:

   a. We support the points distribution in the Commission's December 23, 2014 draft of the ATP Guidelines, including 5 points as an incentive and reward to applicants who supply local match. We believe local match is beneficial in helping to stretch limited state funding to deliver additional mobility. Additionally, local match can be an indicator of project readiness and deliverability, as it means that an agency has taken the time to plan for and make a public investment decision in a project.

   b. In the first criterion in regards to the project's "potential for increased walking and bicycling, *especially among students*, including the identification of walking and bicycling routes to and from schools, transit facilities, community centers, employment centers, and other destination," the phrase "especially among students" should apply only when reviewing Safe Routes to School projects. For the Active Transportation to be successful in meeting the goals set for it, it should be well-balanced and provide benefits to many types of users and access to many kinds of locations.

3. On page 20, Section 24, Roles and Responsibilities – CTC - second to the last bullet, we recommend that the Commission develop alternative allocation procedures for grants under $1 million. The goal would facilitate project delivery by reducing administrative time to award contracts. This is particularly important when project sponsors have more than one phase programmed in a single fiscal year, and given that CTC meetings are now held only 7 times per year, such that meetings are almost 2 months apart, increasing the likelihood of delay.

4. On page 20, for Eligibility Review and Caltrans Roles, we would recommend for eligibility and deliverability review of ATP projects recommended for funding to occur prior to the programming action. By the time of the programming action, both the Commission and the project sponsor should be clear and in agreement on and the project elements that are to be implemented, the amount of funds being granted, and the amount of local match and/or other funding required.

5. Finally, as an additional tool to facilitate project delivery, particularly for project sponsors who are transit operators, we ask that the State work with the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) to develop protocols allowing grants to be allowed to be flexed to the FTA.

Thank you again for this opportunity to comment on the 2015 draft ATP Guidelines. Should you have any questions, please contact Patricia Chen at (213) 922-3041.

Sincerely,

William Ridder
Deputy Executive Officer
Strategic Financial Planning and Programming
Countywide Planning and Development

AARP®
Real Possibilities

January 9, 2015

Andre Boutros
Executive Director
Commissioner Carl Guardino, Chair
California Transportation Commission
1120 N. Street
Room 2221 MS-52
Sacramento, CA 95814

RECD BY CTC
JAN 13 2014

Re: 2015 Active Transportation Program Guidelines Comments from AARP

On behalf of the 3 million AARP members in California, I would like to commend you for your leadership of the California Transportation Commission and for the hard work in implementing the Active Transportation Program and awarding grants in 2014. We have reviewed the draft Active Transportation Program (ATP) Guidelines of 2015 and would like to suggest to the CTC Commissioners to include language that takes into consideration the fact that California's population is aging. The number of people age 60 and over will continue to grow to approximately 13.9 million by 2050, an increase of 128 percent from 2010. While approximately 607,000 Californians are 85 or older today, by 2050 an estimated 2.49 million individuals will be in this age group, a dramatic 310 percent increase. This rapid growth has many implications for individuals, families, communities, and government.

AARP's Policy on Livable Communities strongly aligns with the ATP Program goals;

- Increase the proportion of trips accomplished by biking and walking
- Increase safety and mobility of non-motorized users
- Advance active transportation efforts of regional agencies to achieve greenhouse gas reduction goals
- Enhance public health
- Ensure that disadvantaged communities fully share in the benefits
- Provide a broad spectrum of projects to benefit many types of active transportation users.

However, people want to age in place and they want to be as independent as possible for as long as possible. Therefore, as part of the 2015 ATP Guidelines, AARP would like to recommend an inclusion of *Complete Streets* as a model for projects that may be listed as an "Example of Projects Section 11.A". Complete Streets are designed and operated for safe, comfortable, and convenient travel by pedestrians, bicyclists, motorists, and transit riders of all ages and abilities. They are augmented by

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200 South Los Robles Avenue, Suite 400 Pasadena, CA 91101 phone 866-448-3615 fax 626-583-8500
150 Post, Suite 450 San Francisco, CA 94108 phone 415-986-3468 fax 415-986-3467
Jeannine English, President Jo Ann Jenkins, C.E.O. www.aarp.org

transportation networks that provide a variety of services, thus allowing consumers a broad choice in how to travel safely and in line with their personal preferences, schedules, and budgets.

Walking and bicycling are important both as transportation modes under the Complete Streets model and as activities that promote physical and mental health. However, the design of many communities does not encourage walking or bicycling, nor does it provide for the safety of people who travel by foot or bicycle.

We also recommend including language in the ATP 2015 Guidelines that requires a transparent and inclusive process at every level of the process that represents transportation users of all ages and abilities.

AARP looks forward to working with local entities including Metropolitan Planning Organizations to be the voice for older transportation users, especially pedestrians and bicyclists, who are also users of the ATP projects. Thank you for the opportunity to comment on the ATP 2015 Guidelines. Should you have any questions you may contact me at (916) 556-3021 or bcastro@aarp.org

Sincerely,

Blanca E. Castro
Advocacy Director

Dan [illegible] 1/9/15 pg 1 of 2

ATP-2-comments

Topic	Column 2

General Comments

- The ATP guidelines document, and to an even greater degree, the ATP application form, use acronyms, abbreviations and transportation/engineering terms without definition or without definition in close proximity to the use. Either these should not be used, or there should be a glossary of these provided along with the documents.
- The Recreation Trails Program is so different from the rest of the ATP program that it does not make sense to use the same guidelines and application. The enabling legislation requires that recreation trails be part of the ATP program, but it does not require that it be part of the same application process.

Guidelines

- Cost/Benefit Model: The Caltrans cost/benefit model, promised for Cycle 1, is still not available for Cycle 2. It must be in place at least two months before the call for projects since many agencies will be working on their application before the call goes out. There is a concern among many applicants that a model developed by Caltrans will weight infrastructure projects more highly than non-infrastructure projects and thereby reduce the competitiveness of non-infrastructure projects.
- CCC and local CC information, page 20, should provide exact contact information, not just the websites, because the websites provide no information about how to go about requests.
- Disadvantaged communities
  - A clear and fair definition of "disadvantaged communities" should be included in the guidelines.
  - The definition should include but not be overly dependent on the CalEnviroScreen scores. The predominance of awards to southern California in Cycle 1 may have been due in part to an over dependence on CalEnviroScreen scores.
  - Adoption of the SB 535 cap-and-trade ARB Interim Guidance for Investments to Benefit Disadvantaged Communities is a reasonable approach, however, its use should be evaluated after Cycle 2 awards to quantify the appropriateness.
- Match
  - It is good that the match requirement has been removed in round 2, however, the ability of the MPOs to still require a match is supported.
- Allowable expenses
  - Caltrans should supply a list of unallowable expenses by the call for projects (March 26); the list should have legal references to federal or other documents, and if no reference an be provided, an item should not be on the list
  - Caltrans has claimed such a list is already available, but it is not on the Caltrans ATP website
  - San Juan USD would specifically like to know about:
    - bicycle racks
    - skateboard/scooter racks
    - security fencing for bicycle and skateboard/scooter storage
    - kick scooters for education programs
    - curb paint for curbs and on-campus crosswalks
    - signing for on-campus drop-off/pick-up areas
    - signing for on-campus and adjacent bus loading and unloading areas
  - During the previous SRTS program, Caltrans denied payment of conference and registration fees for the Safe Routes to School National Conference held in Sacramento, for all grant holders. No legal justification was provided. This remains an outstanding issue of concern to grant holders, that reasonable professional development expenses will be denied.
- CEQA
  - There should be a categorical finding of no significant impact for all Safe Routes to School non-infrastructure projects. No purpose is served by having Caltrans impose this requirement, which does not exist in state law, on these types of applicants.
- Right-of-way
  - There should be a categorical right-of-way exclusion for all solely non-infrastructure projects. There is no reason that solely non-infrastructure grants should be doing right-of-way paperwork.
- Subcontracts
  - Caltrans has verbally insisted that all subcontracts will have to go through a competitive bidding process. This is an unreasonable request, and does not match the best practices established by most agencies which prohibit the process for contacts under a certain size. The purpose of these best practices is to preclude expending large amounts of administrative funds on small

Dan Allison pg 2 of 2

Topic	Column 2

contracts. For example, San Juan USD would like to subcontract for $3000 of services, but the administrative cost of a competitive bidding process would be about $1000. A minimum should be set, perhaps $20K.

- For non-infrastructure grants, subcontract services are likely to be fulfilled by nonprofit community organizations which helped develop the grant applications. While it is not appropriate to guarantee service contracts to these partners, it is an unfair burden to both the applicant and the subcontractor to require competitive bids for small amounts.

Application Form

- Caltrans should revise documents to eliminate the infrastructure bias, or create separate documents for non-infrastructure grants.
- Electronic submission of applications should be accepted. It is an unreasonable burden on smaller applicants to provide multiple hard copies of the application and supporting documents. If a grant reviewer needs a hard copy, they should print it and, if necessary, request reimbursement for printing costs.
- The draft Cycle 2 application has the same non-displayable/non-printable characters on page 16 that the Cycle 1 application had.
- In the 2014-12-02 working group meeting, Caltrans stated that they were going to require work plans as part of the application rather than afterwards. This is a reasonable request, but the form needs to be revised so that it works for non-infrastructure projects and contains information that is useful to both the applicant and reviewers.

Other Issues

Required documents

- Caltrans should supply a checklist of all forms and documents that will be required of applicants between award and authorization to proceed, no later than the application deadline.
- Caltrans should revise documents to eliminate the infrastructure bias, or create separate documents for non-infrastructure grants.

Funding sources

- Caltrans should communicate clearly about the advantages and disadvantages of state-only funding.

Indirect Costs

- School districts use an indirect cost calculation that is determined by and assigned by the California Department of Education. This calculation bases indirect on nearly all expenses, whereas the Caltrans 3-R form implies that indirect is only based on salary, which is different from the common understanding of indirect. School districts should be able to use the CDE indirect processes and calculations.

Master Agreement

Financial documentation

- Caltrans should accept the financial procedures of grant applicants if they already meet GAAP (General Accepting Accounting Principles) established by the Federal Accounting Standards Advisory Board.
- San Juan USD not only meets these standards but is also in compliance with additional standards imposed by the California Department of Education and the federal Department of Education
- Requiring an audit under these circumstances is a waste of resources for both the district and Caltrans.

LASSEN LAND & TRAILS TRUST

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January 8, 2015

Mr. Carl Guardino
Chair, California Transportation Commission
1120 N Street, MS-52
Sacramento, CA 95814

RE: Comments on the draft 2015 Active Transportation Program Guidelines

Dear Mr. Guardino:

We are unable to attend one of the workshops for the draft 2015 Active Transportation Program (ATP) Guidelines, but would like to offer comments for your consideration.

p. 4, Section I, Introduction, item #6: We concur with the proposed change that matches are not required.

p. 5, Section III Eligibility, item #9: add a new bullet after Tribal Governments to read: "*Nonprofit, tax-exempt organizations with responsibility for the oversight of transportation or recreational trails.*"

We recommend the final Guidelines clearly state nonprofits that own land and manage roads and trails can apply to all ATP programs. This situation is becoming more frequent as nonprofits, like land trusts and trail associations, acquire thousands of acres of land and manage them for public recreational opportunities.

This would require nonprofits, as the implementing entity, to sign a letter of intent and Memorandum of Understanding with a local administering agency as described under item #10 on p. 6 (federal, state, county or city). As currently written with the last bullet on p. 5, it is not clear if nonprofits can apply.

p. 6, item #11: Please provide more information on the project study report (PSR). Perhaps post an example on the ATP website.

Thank you for the opportunity to comment on the draft 2015 ATP Guidelines.

Sincerely,

Louise Jensen
Executive Director

Waters, Laurie@DOT

From: Jim Baross [jimbaross@cox.net]
Sent: Wednesday, January 07, 2015 7:26 PM
To: Waters, Laurie@DOT
Subject: Re: 2015 ATP Guidelines 2nd Workshop

I will probably be unable to attend and participate in the Guidelines Workshop Jan 8.

I wish to contribute to the further development of the ATP with some recommendations for inclusion in the category of Education Programs:

1. Require re-training for traffic enforcement personnel regarding bicycle traffic law; the rights and responsibilities of those using bicycles on pulbic roadways.
REASON: currently available training is inadequate. Special emphasis on CVC 21200 and 21202. Training preparation should address widespread misinterpretation, misunderstanding and inappropriate citation for so-called "impeding traffic," "two-abreast riding," "inoperative traffic actuated traffic signals," etc.

2. Develop and provide traffic enforcement staff - including judges, City and District attorneys - with training/educational materials concerning the rights of people bicycling on public roadways.
REASON: lack of information leads to inappropriate application of existing law, infringing on the rights of people to use bicycles, and discouraging such use.

3. Ease the establishment and operation of bicycle infraction/citation diversion programs.
REASON: Citation diversion programs exist for motor vehicle citations, but not for bicycle traffic violators. Diversion programs can provide information for better and safer bicycling. Also, with a bicycle citation diversion program in place some traffic enforcement officers will be more likely to issue citations; knowing that the substantial monetary penalty can be avoided and safety education information provided.

4. Develop, print and distribute a Bicycle Driver Handbook through Calif. DMV similar to Driver and Motorcycle handbooks.

Thank you for considering these recommendations.

Jim Baross
CABO President
League Cycling Instructor
3335 North Mtn. View Dr.

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619-280-6908

On Tue, Dec 23, 2014 at 2:31 PM, Waters, Laurie@DOT <laurie.waters@dot.ca.gov> wrote:

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January 6, 2015

Ms. Susan Bransen
Acting Executive Director
Attn: Laurel Janssen, Deputy Director
California Transportation Commission
1120 N Street, MS-52
Sacramento, CA 95812

Re: 2015 Active Transportation Program (ATP Cycle 2) Guidelines

Dear Ms. Bransen:

Thank you for the opportunity to comment on the draft statewide guidelines for the 2015 Active Transportation Program (ATP Cycle 2). Through the implementation of the 2014 ATP (Cycle 1), the Metropolitan Transportation Commission (MTC) learned a number of best practices that can be applied to the next cycle. Based on this experience, MTC submits the following comments on the draft 2015 ATP Guidelines.

Extend Contingency List Validity Until Adoption of the Regional Program
The region appreciates the new language discussing the adoption and expiration of a contingency list for the large MPO share of ATP. MTC adopted a contingency list for ATP Cycle 1, which we will utilize if there are any project savings, failures, or amendments resulting in unprogrammed ATP funds. The contingency list is an important tool to ensure next priority projects are funded with unused funds to expedite delivery of the program. MTC agrees that projects on the contingency list should not have any advantages in the next ATP programming cycle, and recommends that any contingency list be valid until adoption of the next large MPO program of ATP, rather than the adoption of the statewide program. This fully utilizes the opportunities of the contingency list, while making clear that projects on the contingency list must still re-compete for funds in the next ATP cycle.

Ensure Consistency of Disadvantaged Communities Definition with Cap and Trade
Senate Bill 535 (Statutes of 2012) requires that a certain percentage of Cap and Trade funds be spent on projects benefiting Disadvantaged Communities (DACs). Further, SB 535 tasked the California Environmental Protection Agency (CalEPA) with developing the definition of DACs. The current definition is the top 25% of communities identified in the CalEnviroScreen 2.0 model. The current draft ATP Guidelines continues to use the top 10% of communities identified in the CalEnviroScreen model as one definition. For consistency with the Cap and Trade Program, MTC recommends CTC use the top 25% of CalEnviroScreen 2.0 instead of the lower, current amount, while retaining the other definitions of DACs, including the "define-your-own" option.

Change Score Weighting to Reflect Lessons Learned from Cycle 1
MTC recognizes the lengthy discussions for ATP Cycle 1's agreed-upon score weighting. Now that the first cycle has been completed, the CTC can consider lessons learned to improve on the current score weighting. First, MTC recommends reducing the number of points given for the Disadvantaged Communities category from the current ten to no more than five. Since 86% of funding benefited DACs in the ATP Cycle 1 Statewide Share, and 69% for the MTC share, the additional ten points given to DACs seem redundant. Second, MTC agrees with the current guidelines proposal to add points under cost effectiveness to reward applicants who leverage outside money to construct ATP projects. This is especially appropriate given CTC staff's current proposal to eliminate a match requirement for all projects.

Keep Sequential Project Selection with Additional Options
The sequential project selection process in Cycle 1 worked well for MTC. However, in order to reduce application submittal confusion, MTC requests the option to release a call for projects at the same time as the statewide call for projects, with adoption of the Regional ATP program after CTC adoption of the Statewide Program. The Guidelines should not rule out this option. Further, the guidelines should make clear that the application requirements for the Regional ATP may differ from the Statewide ATP. MTC will consider applications that were unsuccessful in the Statewide Competition only if they fully meet the Regional ATP application requirements.

Explore Streamlined Alternative Allocation Options
MTC continues to recommend the CTC explore streamlined options for the allocation of ATP funds. The current STIP allocation process was developed for large highway projects that needed multiple levels of review by the State. Since ATP projects are more numerous and much smaller than highway projects, a streamlined allocation process would not only save time, but would also reduce confusion for project sponsors. Many ATP project sponsors include smaller jurisdictions and school districts that are not familiar with the STIP allocation/ federal obligation process for Federal Highway Administration funding. Any relief we can provide to enhance delivery efficiency would be welcome. Options may include a lump sum allocation (like for federal local assistance funds), delegated authority to the Executive Director or Caltrans, or similar, with regular reporting to the Commission.

MTC looks forward to participating in upcoming workshops to discuss the draft Guidelines, and working with Caltrans and CTC staff to finalize the Guidelines and Application. If you have any questions about our comments or our planned process for the large MPO share of ATP Cycle 2, please contact Kenneth Kao of my staff at (510) 817-5768, or by email at kkao@mtc.ca.gov.

Sincerely,

Alix A. Bockelman
Deputy Executive Director, Policy

AAB:KK

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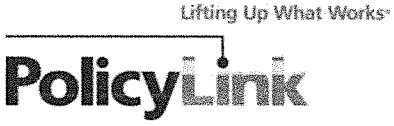


Mostly related to disadvantaged communities

December 19, 2014

Carl Guardino, Chair
Andre Boutros, Executive Director
California Transportation Commission
1120 N Street, Room 2221 (MS-52)
Sacramento, CA 95814

RE: Recommendations to Strengthen SB 99 Equity Provisions in 2015 ATP Guidelines

Dear Executive Director Boutros and Chair Guardino,

On behalf of the undersigned organizations, we commend the California Transportation Commission (CTC) for your leadership in the implementation of the Active Transportation Program (ATP) as a comprehensive statewide commitment to expand safe, active travel--especially for disadvantaged communities, schools, and residents—and achieve California's climate and public health goals. Throughout the development of the 2014 Cycle 1 ATP Guidelines and Application, we have appreciated the opportunity to provide feedback on the disadvantaged communities (DACs), public health, safety, and public participation sections to ensure that our most vulnerable communities fully share in the benefits of this program.

As the process to revise the ATP guidelines gets underway, we thank you for this opportunity to submit recommendations for improving the program for the next funding cycle in order to maximize the ATP's equity, public health, safety, and climate outcomes across California. Please see below for our specific recommendations. The blue italicized text below refers to language we recommend be incorporated into the Guidelines.

- **Clearly Define "Benefit to Disadvantaged Communities" in Scoring Criteria Section of Guidelines**

  To ensure that benefits of the ATP truly reach California's most vulnerable and underserved communities as outlined in SB 99, the Guidelines should provide a clear and thorough description to applicants of what it means for projects to benefit DACs.

Evaluation of Cycle 1 projects for benefits to DAC was particularly difficult without clear guidance on how "benefit" is defined. For example, many applications, based on our sample review, incorrectly assumed that geographic location within a DAC sufficiently satisfied this scoring criteria and did not explain how DAC residents would access, use, or otherwise benefit from the project. This difficulty is magnified for projects located physically outside of a DAC claiming to provide benefit to a DAC.

Applications often did not provide maps or greater detail as to the location of the community of residents who would benefit and the distance they were to the project or the location/proximity between the Cal EnviroScreen community and the project. We recommend incorporating the following language (highlighted in blue italicized text below) into the Guidelines under "Benefit to Disadvantaged Communities" Scoring Criteria, page 13. This language builds on the standard definition adopted by the California Air Resources Board (CARB) in their Guidance on Investments to Benefit Disadvantaged Communities for the Greenhouse Gas Reduction Fund programs and the criteria that benefits to DACs must address "important needs commonly identified by these communities".

Benefit to disadvantaged communities. (0 to 10 points)
Benefits to disadvantaged communities must be direct, meaningful, and assured. Projects that provide benefits to DACs must demonstrate that they specifically prioritize vulnerable residents living in DACs, directly address commonly identified needs in DACs, and ensure DACs have access to the benefits of the project.

Applicants must also provide map(s) that delineate the specific disadvantaged census tracts that will benefit from project in relationship to the project site.

Moreover, applications for all infrastructure projects benefitting disadvantaged communities, including large projects defined as greater than $1 million, that provide benefits to <u>both</u> vulnerable and middle to high income communities, should identify strategies for improving or increasing vulnerable populations' access to and use of the proposed facility. Suggested strategies include:

- *Ensure that the access points of project have been identified by disadvantaged community members as accessible based on their location of residence and their transportation needs to critical resources, amenities, and recreation opportunities within or near their communities.*
- *Address potential barriers to accessing project including, physical (e.g. distance, the presence of highways, fencing, barricades, etc.), and safety barriers (e.g. dangerous crossings, walking along high speed roads, passing through known areas of gang violence, traversing hazardous terrain, etc.).*

Applicants are encouraged to solicit community feedback on strategies during their public participation process.

For non-infrastructure projects serving both vulnerable and middle to high income communities, the applicant must explain how the project identifies and prioritizes disadvantaged neighborhoods or residents for project implementation.

Our suggested language provides unambiguous guidance and clear direction to potential applicants and reviewers to assess what it means for projects to clearly benefit DACs, while also ensuring that projects ultimately awarded and credited as benefitting DACs fulfill SB 99's statutory objective and intent. This will also yield more complete information in applications and will enable reviewers to determine and rank effectively how projects will impact targeted communities and provide a real benefit to a specific DAC(s). Further, this language builds greater consistency between the ATP and other State carbon emission reduction programs that are charged with determining which potential projects meet the program funding requirement to provide benefits to disadvantaged communities.

Additionally, we will compile examples of Cycle 1 projects that "clearly demonstrate a benefit to a disadvantaged community" and how the applicant thoroughly described benefits to the DAC in its application. We encourage the CTC and CalTrans to provide such examples to potential applicants in the application as an attachment or part of a FAQs document.

- **Establish Safeguards for Write-In Disadvantaged Communities (DAC) Definition**
  Because many small disadvantaged communities throughout the state neither have accurate median household income data nor are captured by the CalEnviroScreen tool, the write-in DAC definition should remain an option on the application. However, CTC must ensure this option is not abused.

  The Cycle 1 Scoring Rubric left full discretion to the reviewers to determine whether a write-in DAC definition "meets the CTC Guideline criterion." However, the guidelines are unclear as to who is required to review the proposed definition, requiring simply that an applicant "submit for consideration a quantitative assessment of why the community should be considered disadvantaged." While CTC oversight should not create additional barriers for already burdened communities, transparency and fairness in how CTC evaluates the DAC write-in definition is critical for the program's integrity. Given that proposed MPO changes to the DAC definition require CTC approval, we STRONGLY recommend that a CTC-led process or body (e.g., a CTC ATP Advisory Committee)--with meaningful external stakeholder input--be charged with providing further clarification and guidance on what constitutes a "quantitative assessment," including required elements/components, for the purposes of the write-in DAC definition PRIOR to the release of the next ATP call for projects. This would allow for write-in DAC definitions to better conform to CTC guidelines' intent, rather than leaving all discretion to individual reviewers.

  Additionally, as the CTC is ultimately responsible for ensuring that the ATP meets SB 99's minimum DAC funding target, this added layer of review by the CTC demonstrates the Commission's due diligence in ensuring that the ATP meets its equity goals and objectives.

- **Strengthen Public Participation and Planning**
  The overall success of ATP projects that benefit disadvantaged communities will largely depend on the extent that projects meet the needs and priorities of the community residents, receive community wide support, and expand public access and use. A critical and effective strategy for achieving this is the meaningful participation of community

residents in the planning and design of projects. We greatly appreciate the focus on public participation in the ATP and would like to see this area strengthened in the Guidelines.

Under the public participation and planning scoring criteria on page 13, we recommend that the Guidelines direct applicants to explain what steps were taken to ensure a culturally and linguistically appropriate public participation process and how meetings were accessible for low-income communities lacking transportation and those with nontraditional family and employment schedules (e.g. through the provision of child care, meetings located within community or walking distance to transit, scheduling meetings outside of traditional work hours, etc.). Please see blue italicized text below for specific language:

Public participation and Planning. (0 to 15 points)
Identification of the community-based public participation process *and outreach* that culminated in the project proposal, which may include noticed meetings and consultation with *a variety of* local stakeholders. *Project applicants shall explicitly include language access, cultural competency, outreach methodologies (e.g. radio announcements, flyers, community organizing with local CBOs) and community convenience (e.g. child care provisions, meeting locations within walking distance to residents, scheduling meeting times outside of traditional work hours, etc.) considerations in describing their public participation efforts.* Project applicants must *also* clearly articulate how the local participation process resulted in the identification and prioritization of the proposed project, *including a discussion of how the project design reflects community identified priorities and needs.*

Strategies for Organizing Well-Attended Meetings and Encouraging Resident Participation:

- *Partner with community leaders and organizations that can assist with outreach.*
- *Ensure that outreach and meeting materials are in appropriate languages*
- *Providing food, child care, and other incentives to attend is a proven technique that agencies have used to increase turnout. Make the incentives clear in the invitations.*
- *Schedule multiple meetings to accommodate residents with different employment and family schedules. Weekend or evening hours are ideal.*
- *Use meeting locations preferably within walking distance for residents. Neighborhood/community based organizations and schools may let you use their meeting space.*
- *Post flyers in high foot traffic areas (if needed, use different languages and explain that an interpreter will be available at the meetings).*
- *Door-to-door in-person invitations.*
- *Mail invitations (same language idea noted above).*
- *Distribute notices at local schools, and community events, such as community festivals, cookouts, and other events that attract residents.*
- *Add to the meeting agendas of neighborhood/community-based organizations, school site meetings, etc. to facilitate a meeting where residents will be available.*

These recommendations will ensure community-wide, safe use of active transportation projects, thus maximizing SB 99's climate, public health, equity, and safety goals.

- **Clarify that Funding for Active Transportation Plans is Targeted to the Most Under-Served Communities**
  We appreciate the prioritization of "disadvantaged communities" in active transportation planning; however, because "predominantly disadvantaged communities" is not concretely defined, we are concerned that this funding could be used for communities that DO NOT lack resources for planning. Accordingly, we recommend that "predominantly" be removed from this section on page 4 to ensure that funding is targeted only to disadvantaged, underserved, and vulnerable communities.

  Longstanding patterns of disinvestment and lack of political power have frequently left disadvantaged communities without the most basic elements of a safe and healthy environment, including the inability to implement comprehensive land use and active transportation planning. Based on American Community Survey (ACS) 2007-2011 5 year estimate data, there are 543 disadvantaged places (cities, towns, and Census Designated Places) in California, defined as having a median household income at or below 80 percent of the state's median household income. Further, given the limited state funds dedicated to active transportation planning, it is imperative that they be used only for communities of overwhelming, unmet need that will benefit the most from having access to planning resources.

- **Preserve Matching Requirement (with exemption for DAC and SRTS projects) to Leverage State and Federal Dollars for Active Transportation; and Extend Match Exemption for DACs and SRTS projects in Regional ATP Shares.**
  Requiring a match by applicants will leverage the State's investment in active transportation and will encourage localities to prioritize active transportation, further aligning with and advancing California's climate and public health priorities.

  Despite the overall statewide need for active transportation that is upwards of $1 billion based on Cycle 1 applications and worsening impacts of climate change, California continues to focus the vast majority of transportation spending on auto mobility on highways and local roads. Requiring a match would leverage much needed state and federal dollars for the ATP and maximize public health, climate, and safety outcomes across the State. Further, we appreciate that disadvantaged communities and Safe Routes to Schools projects were exempted from this requirement during Cycle 1 and recommend that this exemption continue during Cycle 2 to ensure that vulnerable communities can participate in this program. We also recommend that this exemption for DACs and SRTS projects be extended to the Regional ATP program as well. Unfortunately during Cycle 1 several regions across the state either removed or created potential new barriers for DACs through their region-specific match requirements.

  Cycle 2 may also provide an opportunity to increase matching funds for ATP across California as a result of stronger criteria and greater direction to applicants regarding whether their project qualifies as clearly benefitting a disadvantaged community and would, thus, be able to meet this exemption.

- **Prioritize DACs for Targeted and Robust Technical Assistance (including Grant Writing Assistance)**
  While we commend the Commission's commitment to the Technical Assistance Resource Center (TARC) to assist "current and potential Active Transportation Program applicants," we **strongly recommend that the Guidelines clearly instruct TARC to prioritize disadvantaged communities for these limited technical assistance resources first**.

  Despite their overwhelming and unmet infrastructure needs, disadvantaged communities often lack the resources and capacity to develop and submit competitive and successful proposals. Many simply do not have planning, engineering or other support staff dedicated specifically to grant writing.

  Access to technical assistance resources during the application process, including grant writing assistance, can help overcome this barrier and increase the number of objectively competitive, successful awards that benefit low-income, underserved, disadvantaged communities. For example, prior to the ATP, TARC developed the SRTS Mapping tool with UCB SafeTREC--every community can download a map of active transportation collisions, injuries, fatalities, overlaid w/ school and student income (free and reduced lunch eligibility) and prior SRTS projects/programs, now used in submitting ATP applications. Without such technical assistance, these communities will continue to fall even further behind in developing equitable and healthy transportation infrastructure and programs.

- **Align CalEnviroScreen Disadvantaged Communities (DAC) Definition to Current CalEPA Guidance**
  The 10% CalEnviroScreen cutoff used in the ATP Cycle 1 guidelines was based on the best available data and guidance from CalEPA at the time, and is now outdated. CalEnviroScreen 2.0 has transitioned from zip code level analysis to Census tracts and a cutoff of 25% has been recommended for all Greenhouse Gas Reduction Fund programs. To better align with the updated CalEnviroScreen tool and with other state grant programs, we **recommend that the CalEnviroScreen cutoff used to determine a DAC in the Guidelines be raised from the top 10% to the top 25% of census tracts**.

- **Increase Geographic Equity of the Program:** Regions of the state continue to be underrepresented in the Program. Many of these regions have historically been underrepresented by transit and active transportation programs, and therefore this program is acting in some instances to exacerbate historic inequality.

  The SCAG region, which represents over 25% of the population of California, faces clear challenges in ensuring residents of rural communities can benefit from the Program. Within the SCAG region, rural DACs are left at a competitive disadvantage to accessing ATP funds allocated at the regional level. There are a number of rural agricultural communities found in the southeastern end of the SCAG region, for example Eastern Riverside and Imperial Counties are marked by isolated communities of agricultural workers who, more often than not, are completely isolated and lack basic access to safe streets and other forms of active transportation.

These communities, however, were unable to benefit from Cycle 1 funding. One lone project serving a population of 5,000 or less in Imperial County was awarded funding in Cycle 1. Only one successful rural project highlights the need to counterbalance the urban and small urban bias in SCAG. **We recommend a 10% set aside of all regional funds allocated to SCAG be set aside for rural, isolated communities within the boundaries of the MPO.**

***

Incorporating these recommendations into the ATP Guidelines for future ATP Cycles will greatly strengthen the equity goals outlined in SB 99 and will ensure that all Californians can safely walk and bicycle to school, to work and to access critical services and amenities. We thank you again for your continued leadership and commitment to this work and we respectfully ask for your support of these important recommendations as this program moves forward.

Questions or concerns regarding this letter can be addressed to Chione Flegal, Director at PolicyLink at chione@policylink.org or (510) 663-4311.

Sincerely,

Phoebe Seaton
Co-Director and Attorney at Law
Leadership Counsel for Justice and Accountability

Wendy Alfsen
Executive Director
California Walks

Jeanie Ward-Waller
Senior California Policy Manager
Safe Routes to Schools National Partnership

Judith Bell
President
PolicyLink

Sarah de Guia
Executive Director
California Pan-Ethnic Health Network

CITY OF
SAN JOSE
CAPITAL OF SILICON VALLEY

Parks, Recreation and Neighborhood Services
ADMINISTRATIVE DIVISION

December 17, 2014

Laurie Waters, Senior Transportation Planner
California Transportation Commission
1120 N Street, Room 2221 (MS-52)
Sacramento, CA 95814

SUBJECT: Comments about Active Transportation Program
San Jose Trail Program

Ms Waters,
Thank you for managing the Active Transportation Program. San Jose finds grant funding opportunities critical to advancing development of its 100-mile interconnected trail network. The consolidation of various grant programs as part of the Active Transportation Program has presented opportunities and challenges.

With this letter, I wish to highlight a few challenges that we faced with our grant applications as part of the last cycle. I hope efforts to continuously improve the program will take into consideration the following:

- The uncertainty about the award of State or Federal funding left us uncertain on how to budget for, and schedule for the environmental review component of a project. The Federal NEPA requirements greatly impacts trail projects that are often developed within sensitive riparian zones. The studies and supplemental work required by NEPA can significantly increase project costs and the schedule. **We propose one of two options: 1) Commit State funds to projects of this type to facilitate their development, and/or 2) Confirm Federal funds as the assumed source so that all grants are submitted based on consistent assumptions. Applicants receiving State funds be awarded a reduced amount due to reduced environmental work and scheduling impacts.**

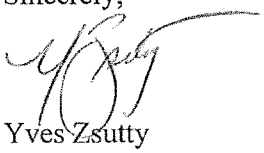
- The focus on social equity and distribution works well for projects that serve an immediate neighborhood. But this approach can leave gaps in regional-serving projects like a trail system. An affluent neighborhood may be framed by lower income neighborhoods. In this instance, lower income residents find a gap in the trail network because the trail they wish to use may be ineligible or non-competitive for funding. With funding prioritized on social equity rather than common good, trail systems can be left with gaps that prevent all persons from travelling for recreation and commuting. **We propose that regional serving projects consider the variety of communities served and do not necessarily rule out a higher-income area if the project is shown to serve a broader population.**

200 E. Santa Clara St., 9th Floor Tower San José, CA 95113 *tel* (408) 793-5505 *fax* (408) 292-6416
www.sanjoseca.gov/prns

- The application process appeared to ask very similar questions and we feared that repeating content might harm competitiveness. The many similar questions may have also made grant reading and scoring more lengthy and challenging for the ranking panels. We recommend a stream-lined application process that focuses on the core issues for competitiveness. **We propose that the grant application include a matrix so that applicants can more clearly show the wide variety of constituents served by a project, rather than respond to similar questions about each constituent need. This matrix approach may make the judging process more streamline and equitable as well.**

Please feel free to contact me at 408 793 5561 if you have questions regarding my comments. We look forward to future cycles of the ATP to develop San Jose's trail network.

Sincerely,



Yves Zsutty
Trail Network Manager

c.
Laurel Janssen, Deputy Director
Marybeth Harasz, Division Manager, SJ-PRNS
Paul Smith, Division Manager, SJ-DOT
Laura Cohen, Rails to Trails Conservancy

Tahoe
Metropolitan
Planning
Organization

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(775) 588-4547 ◆ Fax (775) 588-4527

December 16, 2014

Ms. Laurel Janssen
Deputy Director
California Transportation Commission
1120 N Street
Room 2221, MS 52
Sacramento, CA 95814

Re: Comments on Draft Active Transportation Program (ATP) Guidelines for 2015

Dear Ms. Janssen,

Thank you for the opportunity to submit comments on the draft California Active Transportation Program Round 2 Grant Guidelines. The TMPO has reviewed the proposed guidelines with and gathered comments from other jurisdictions and entities in the Lake Tahoe Basin. This letter represents a compilation of the specific comments received from the California Tahoe Conservancy, Tahoe Transportation District, South Shore Transportation Management Association, Sustainable Community Advocates, and the Community Mobility Group of the Lake Tahoe Sustainability Collaborative.

General Comments:
The Tahoe Region participated actively in the first round of the ATP for which we were eligible. We observed the types of problems typically associated with the launch of such a large and complex new grant program. **It is imperative that the CTC reflect carefully on the experiences of the first round, listen to input, and incorporate a full range of changes that will make for a better program in 2015.** We look forward to being a part of the discussion.

Specific Comments:

Scoring Criteria

Project Funding Leverage and Readiness. We support the removal of the matching fund requirement but feel that specific scoring credit should be awarded to a grant application that brings other funding sources to the project. There should also be credit given for project readiness. For example, Tahoe submitted a package of projects for which $25 million in federal funding has been secured. We applied for ATP to use as matching funds for construction, but our package failed to score high enough to earn a grant award. CTC should leverage ATP funds to maximize the benefits of the program and, wherever possible, seek to ensure shovel-ready projects are constructed.

Safety Criteria. The scoring criteria system provides a large incentive for projects that document the ability to improve safety. This is an important benefit for transportation projects, yet it is unclear how new projects, particularly separated bike trails that may not be directly adjacent to a roadway, can demonstrate and earn scoring credits for improvements in safety. Comments by Round 1 reviewers

identified how confusing it was to apply a score evaluating the safety features of new facilities. The criteria for safety should offer a clear methodology for appropriately evaluating the safety features of new projects.

Potential for Increased Walking and Bicycling. The current scoring criteria in this category seem to indicate that an equal weight and consideration shall be given for projects increasing visitor travel as well as for other types of travel, which we support. However, it is not clear whether projects increasing walking and bicycling for visitors (in addition to local residents) were given equal weight in actual practice. We recommend that the potential for increased visitor walking and biking be considered at the same level as other types of use in this category, such as commuting or running errands, since in many places, such as Lake Tahoe, visitor travel accounts for a substantial amount of overall travel.

Disadvantaged Communities. We appreciate that the ATP guidelines provide several different methodologies for determining Disadvantaged Communities and recommend retaining the language that states, "...the project must clearly demonstrate a benefit to a community that meets **any** of the following criteria..." (Emphasis added).

Proposed Use of a Caltrans Benefit/Cost Model yet to be completed. There is a great deal of curiosity and concern about the pending Caltrans Benefit/Cost Model. Overall we feel that cost effectiveness is an important evaluation criterion and appreciate the need for a consistent methodology for calculating this benefit. However, the idea that all applications will be required to use a tool that we will not be able to review and understand prior to the opening of the grant application period is problematic.

If it is going to be used for 2015, we strongly urge Caltrans to complete development of the Benefit/Cost Model and release it for public comment no later than the first week of February. Modeling is not a simple process and should always be put through a rigorous peer review process – allowing time for those who will use the model to test it and identify needed modifications will only strengthen the final product and lend support to the fairness of the scoring criteria. The two-month timeframe currently identified to prepare and submit ATP applications is already short given the scope and depth of the information requested. The timeframe will be made more difficult if we are unable to know what data and analysis will be required for the Cost/Benefit model in time to properly prepare the information.

In order to keep the model simple and not create an undue cost burden to applicants, we recommend that it contain default multipliers that may be modified if warranted by applicants based on local circumstances. We would also like the flexibility to define our own user group, as user-types of bike trails may vary based on local conditions.

Another consideration is that there can be a dramatic difference in project cost based on local factors. Specific to the Tahoe region, construction costs are higher due to regulatory limitations (limited construction season, multiple agency project reviews and compliance measures, etc.), the mountainous terrain that often requires more expensive designs to meet grade standards, and the high cost of providing offsetting environmental improvements required at Tahoe by the State of California through the Tahoe Regional Planning Compact. The benefits of this elevated level of environmental and design scrutiny and the cost to protect a valued natural resource are accrued throughout the State. We hope

the Cost/Benefit Model will allow us the ability to take into account these unique requirements and the wide range of benefits they provide.

Finally, the cost-effectiveness criteria should continue to take into account both the ratio of benefits relative to the total project cost, and relative to funds requested, as was specified in ATP Round 1. However, the scoring criteria should more clearly spell out how both of these ratios will be evaluated. The wording in Round 1 provided no direction to evaluators as to whether one or both of these ratios needed to be considered in the scoring.

Use of the California Conservation Corps. We recommend that this scoring criterion be removed from the application entirely, and instead transferred to a contracting requirement, once a project has been successfully awarded. We understood from the December 2 workshop that the CCC would not determine whether it would participate on a project until after the project was selected, in order to reduce administrative burden. With that change, we see no reason to continue the additional administrative burden of many unnecessary phone calls to the CCC and local conservation corps merely to establish that the applicant has been in contact with the Corps.

Project Selection Process. We strongly support the sequential nature of review and consideration, where successful projects are first removed from one program with remaining projects moving on to a second program, rather than applicants being forced to choose to which program to apply. We agree that discussion should continue for future rounds as to whether the Large MPO and Small Urban/Rural competitions should come first or second.

When the Commission's staff recommendations are published, a separate excel spreadsheet with the selected projects clearly showing the project scores should be made available to the public. In the 2014 ATP, the scores were only shown in the list of all submitted projects, making it difficult for the public to easily understand what scores were necessary in order for a project to be selected, and to verify that indeed only projects with the highest scores were selected. It should also be made clear whether there is a threshold score for being considered in the small urban/rural pool.

We encourage the Commission to accept digital applications on the due date, followed by hard copy applications submitted with a postmark on the due date. All applications submitted through the US Postal Service should be by registered mail.

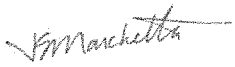
Programming. The guidelines specify that un-programmed funds will remain available to advance programmed projects. The guidelines should also clarify what happens if the un-programmed funds exceed the needs of programmed projects. Would these remaining funds go to the next highest scoring project on a waiting list, or do they return to the pool for the next round of funding?

Project Evaluation Committee. We strongly encourage the Commission to develop and implement an evaluator training program prior to the application due date. Comments by Round 1 reviewers during the recent draft ATP 2015 guidelines workshop illustrated the high degree of independence exercised by reviewers, leading in some cases to a confusing variability between different scores on the same project. Additionally, we urge that as a matter of fairness and equity, the same number of evaluators should review all applications.

RTPAs outside an MPO with Large Urbanized Areas and an MPO without Large Urbanized Areas. This section indicates that MPOs may make recommendations or provide input to the Commission regarding the priority of projects within their boundaries that are applying for ATP funding. However, it is not clear how the Commission will solicit and provide this input for CTC consideration. The guidelines should make clear the process for receiving this input from MPOs and how these regional recommendations will be used to inform CTC grant award decisions. The same process for recommending regional priorities should be provided for in all ATP grant categories.

Thank you again for the opportunity to comment on the draft 2015 ATP grant guidelines and for your diligence in learning from the experiences and input from Round 1. We appreciate the complexity of managing such a large-scale and high profile grant program and are glad that such a program exists for encouraging bicycling and walking throughout the State of California.

Sincerely,



Joanne S. Marchetta
Executive Director

Cc:
Susan Bransen, California Transportation Commission
Laurie Waters, California Transportation Commission
Nick Haven, Tahoe Metropolitan Planning Organization
Patrick Wright, Executive Director, California Tahoe Conservancy
Carl Hasty, Executive Director, Tahoe Transportation District
Gavin Feiger, Acting Executive Director, Sierra Nevada Alliance
Steve Teshara, South Shore Transportation Management Association
Mark Watts, Partner, Smith, Watts & Martinez
State Senator Ted Gaines, 1st District
Assembly Member Brian Dahle, 1st Assembly District
Assembly Member Frank Bigelow, 5th Assembly District

Central Coast Coalition
Moving California's Economy

December 15, 2014

Mr. Andre Boutros
Executive Director
California Transportation Commission
1120 N Street, Room 2233 (MS-52)
Sacramento, CA 95814

RE: Input on Cycle 2 of the Active Transportation Program

Dear Mr. Boutros,

The Central Coast Coalition would like to submit comments to the California Transportation Commission on the draft Cycle 2 guidelines of the State Active Transportation Program. The Coalition consists of the regional transportation planning agencies in San Benito, Santa Cruz, Monterey, San Luis Obispo, and Santa Barbara counties and the Association of Monterey Bay Area Governments.

Cycle 1 of the Active Transportation Program proved to be very popular and competitive statewide. We would like to thank the Commission and your staff for all the leadership provided and effort devoted to implementing a brand new program for the state of California. Cycle 1 of the program will help fund and deliver many critical projects that will improve the quality of life for residents of the Central Coast and California. However, we believe that improvements can and should be made to the call-for-projects process for Cycle 2.

Recommendation #1: Include Regional Transportation Planning Agencies/Metropolitan Planning Organizations with review and evaluation of project applications

The Coalition recommends that Regional Transportation Planning Agencies and Metropolitan Planning Organizations have an enhanced and defined role in the selection of projects from the small urban/rural and statewide pots for Cycle 2 of the Active Transportation Program.

An enhanced role by RTPAs for Cycle 2 would prove to be beneficial to the Commission. By including regional agency review and scoring of applications, local knowledge of which projects would meet the goals of ATP would be provided and would be beneficial for the success of the program. Knowledge of disadvantaged communities in a region could also be applied. Including regional agency review is also recommended since regional agencies and MPOs are responsible for development of Sustainable Communities Strategies and Regional Transportation Plans which undergo significant public review and identify regional priorities for delivering critical projects that help meet state and federal goals. A regional evaluation or screening process would help ensure applications are complete and consistent with SCS and RTPs. Regional agencies could also confirm if project sponsors are able to complete activities required for implementing their ATP-funded projects.

A model where regional agency evaluation is applied already exists. The regional agencies assist the state with evaluation and prioritization of project applications submitted for the Federal Transit Administration (FTA) 5310 Elderly and Disabled Program. Under this process, applications are submitted to regional agencies for review and scoring using statewide scoring criteria. After scoring, projects are prioritized by the regional agency and submitted to the state for final review and adoption by the CTC. The FTA 5310 scoring process has been used for many years and has been an efficient and reliable process that allows regional agencies to assist the state in scoring and prioritization of projects.

Other models that could be considered:

- Regional and State Agencies Score different sections

  Under this model, applications would be submitted to the regional agency and the state. The regional agencies would be responsible for scoring a percentage of the application, with the state responsible for scoring the remainder of the application. Caltrans and Commission staff would then share scores with applicants prior to approval by the Commission.

- Caltrans District Level Scoring with MPO representation

  Under this model, applications would be submitted to the Caltrans District in which the project is located. Project applications would be reviewed and scored by Caltrans District staff, and MPO/RTPA and Local Agency staff members. The high and low score would be disregarded and remaining scores would be averaged to get a final project score that is presented to Caltrans Headquarters and the Commission.

Recommendation #2: Maintain flexibility with definition of Disadvantaged Communities

For Cycle 2 and future ATP cycles, the Coalition requests that the CTC maintain the flexible definition of Disadvantaged Communities as included in the Cycle 1 program guidelines. Allowing a project sponsor to demonstrate a benefit to a community with the three identified criteria in the guidelines or the option to submit a qualitative assessment of why a project does not meet the aforementioned criteria is very important as disadvantaged communities can be defined in very different manners.

Recommendation #3: Develop a shorter & less complex application

We appreciate the work Caltrans has already initiated to streamline and provide clarity in the project application. Feedback received from project sponsors was that the Cycle 1 application proved to be extremely cumbersome. The Coalition looks forward to working with the CTC and Caltrans to develop a shorter and simpler application that is less time consuming and will allow applicants with limited resources to prepare stronger applications and will assist the review team when evaluating hundreds of applications. We recommend that the CTC and Caltrans make it very clear within the application the scoring rubric that will be used to evaluate individual questions.

Recommendation #4: Development of a contingency list of projects

The Coalition supports development of a contingency list of projects. Cycle 1 of the Active Transportation Program did not provide a contingency list of projects that were near the cut off line for funding. Allowing a contingency list, similar to the Federal Transit Administration Elderly and Disabled Program, would provide the CTC with a list of projects that could be allocated funds in case projects previously ranked higher face unknown challenges after they are approved for funding.

Recommendation #5: Modify Scoring Criteria to Increase Biking/Walking

The primary goal of the Active Transportation Program (ATP) is to increase the proportion of trips accomplished by biking and walking, however scoring criteria directly linked to this goal was only 30% of the score in Cycle 1. The Coalition recommends that the CTC modify scoring to increase points for how much a project will increase biking/walking over existing use levels to at least 50% of the overall score.

Recommendation #6: Streamline and Expedite Project Delivery

The Coalition urges the CTC to streamline the allocation and project implementation process in order to reduce red tape and expedite project delivery. We strongly support modifying the guidelines to clarify the project type/color of funds (state or federal) that each project is receiving at programming. Since the CTC does not meet monthly, in order to minimize project delays, the CTC could also delegate allocation authority to the CTC Executive Director or Caltrans for pre-construction phases. We further recommend that the CTC modify the guidelines to allow matching funds to be used in advance of allocation of ATP funds for pre-construction phases and for advertising construction, in order to allow agencies to begin work as quickly as possible. For federally funded projects, this could be done using Advance Construction (AC).

Thank you for your consideration of these comments and suggestions. We look forward to providing additional input on the Cycle 2 guidelines. If you have any further questions, please contact Sarkes Khachek at the Santa Barbara County Association of Governments at 805-961-8913.

Sincerely,

Jim Kemp, Executive Director
Santa Barbara Association of Governments

Ron DeCarli, Executive Director
San Luis Obispo Council of Governments

Debra L. Hale, Executive Director
Transportation Agency for Monterey County

George Dondero, Executive Director
Santa Cruz Co. Regional Transportation Commission

Mary Gilbert, Interim Executive Director
San Benito Council of Governments

Maura Twomey, Executive Director
Association of Monterey Bay Area Governments

cc: Renee Devere-Oki, Moderator, Regional Transportation Planning Agencies
Jerry Barton, Chair, Rural Counties Task Force

Working w/ the corps

Waters, Laurie@DOT

From: Wolsey, Julie@CCC
Sent: Monday, December 15, 2014 10:40 AM
To: Nitsos, April M@DOT; Waters, Laurie@DOT
Cc: Clark, Virginia@CCC; Wallace, Melanie@CCC; Diepenbrock, Martha@CCC
Subject: ATP Workshop - CCC questions

Dear Laurie and April,

Virginia, Melanie and I were listening in on the December 2, 2014 ATP Guidelines Workshop and we wanted to address a couple of comments that came up:

It was difficult to discern but one comment seemed to center on whether an applicant has to route their plans to corps. Or perhaps they were asking if they had to submit their plan to a corps if they were just asking for a planning grant. From the CCC's perspective, we need to see the applicant's plan in order to determine if we can do the work requested in the grant. If the applicant is requesting a planning grant, the corps would not need to see the plans.

Another comment was centered on whether corps are ready to handle the volume of applications for the next round. As you may be aware, the CCC turned around 95% of the applications within 8 hours. However, we'd love to work with you to make sure the process is smooth for the applicants, as well as for you and corps. Perhaps we add a timeline in the application process.

What is the best way for corps to address the concerns with all stakeholders? Are you planning to organize a q/a for the guidelines/application process?

April, we'd love to get together to de-brief this past funding cycle and see what improvements can be made. Both corps are in the process of reviewing the recommended changes to the Guidelines and Application and will be sharing our thoughts with you within the next couple of weeks.

Thanks so much for your support of corps programs!

Waters, Laurie@DOT

From: Wendy Alfsen [wendy@californiawalks.org]
Sent: Friday, December 12, 2014 3:44 PM
To: Waters, Laurie@DOT
Cc: Tony Dang
Subject: ATP Guidelines Request for small edits to (draft p. 10) III. E.13.F. Active Transportation Plan required components

Laurie, In reviewing the draft ATP Guidelines, I wanted to raise and find out if a few non-controversial items under Active Transportation Plan components could be informally agreed to and included in the final draft Guidelines.

The edits requested are to the required components list on p. 10 of the draft Guidelines under Section III. Eligibility, F. Active Transportation Plan, to clarify and add the following:

"* A map and description of existing and proposed pedestrian transportation facilities."
after the fourth bullet,
"*A map of existing and proposed bicycle facilities."

Similarly under the maintenance tenth bullet to add "ADA level surfaces" after "smooth pavement" to read:

"* A description of the policies and procedures for maintaining existing and proposed bicycle and pedestrian facilities, including but not limited to, the maintenance of smooth pavement and ADA level surfaces."

And, finally in the eleventh bullet on safety, education and encouragement programs, change "accidents" to "collisions" or "crashes" in greater recognition that such events are avoidable and preventable, such that the language from bullet 11 is consistent with the language of the second bullet and reads, at the end of the 11th bullet:
"'...,and the resulting effect on collisions involving pedestrians and/or bicyclists."

Thanks for letting me know if these edits are acceptable and will be incorporated in the next draft.
If needed, I can raise them at the January workshop, but didn't think they really require much discussion as merely clarifying.

Hope you have wonderful holidays and I look forward to seeing you at January's ATP Guidelines Workshop,
Wendy

Wendy Alfsen
Executive Director
California Walks
510-684-5705 cell

Stepping Up for Health, Equity, & Sustainability

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California Association of Bicycling Organizations

California Bicycle Coalition

California Department of Public Health

Metropolitan Transportation Commission

City of Davis

Shasta Regional Transportation Agency

Bike Bakersfield

San Diego County Bicycle Coalition

City of San Luis Obispo Public Works

Silicon County Bicycle Coalition

December 10, 2014

Keith Williams
Representative of the California Bicycle Advisory Committee
Shasta Regional Transportation Agency (SRTA)
1255 East Street, Suite 202
Redding, CA 96001

RECD BY CTC
DEC 16 2014

Laurel Janssen Deputy Director
California Transportation Commission
1120 N Street, Room 2221 (MS-52)
Sacramento, CA 95814

Dear Ms. Janssen:

On behalf of the California Bicycle Advisory Committee (CBAC), I want to thank you for your leadership in conducting the Active Transportation Program (ATP) workshops and for welcoming participation and input from government agencies, advocacy groups, and advisory committees like the CBAC. At the December 4th CBAC meeting, our committee discussed the ATP Cycle II guidelines and updates we would like the California Transportation Commission to consider before the next call for projects.

I am writing to offer our specific suggestions and recommendations:

1. The CBAC is very interested in seeing disadvantaged communities compete well for ATP funding. However, there is some concern that some projects awarded ATP funding stretched the definition of what constitutes a disadvantaged community. The CBAC is ***not*** interested in altering the definition or scoring for disadvantaged communities. However, the CBAC ***is*** interested in introducing a "disadvantaged community auditor" at some level in the application review. The disadvantaged community auditor would verify the accuracy of the claim for 'disadvantaged community' status.

2. The CBAC recommends introducing a pre-screening process to:
   - Weed out ineligible projects
   - Save CTC time in reviewing projects

The CBAC recommends devoting additional staff to this pre-screening process, or utilizing available staff from Caltrans or regional agencies.

Caltrans

California Department of Transportation, Bicycle Facilities Unit, Division of Local Assistance, MS-1
Sacramento, CA 94274-0001, P.O. Box 942874, Phone: (916) 653-2750

California Bicycle Advisory Committee

3. The CBAC recommends clarifying which roles the California Conservation Corps may play in completing non-infrastructure projects.

Thank you for your consideration of these comments and suggestions. We look forward to the upcoming workshops and learning how the guidelines are shaped to serve the needs of bicyclists and pedestrians even better than in Cycle I.

Sincerely,

Keith Williams

Keith Williams
Representative of the California Bicycle Advisory Committee

Caltrans

California Department of Transportation, Bicycle Facilities Unit, Division of Local Assistance, MS-1
Sacramento, CA 94274-0001, P.O. Box 942874, Phone: (916) 653-2750

Waters, Laurie@DOT

From: kdr1265@gmail.com
Sent: Thursday, December 04, 2014 9:18 PM
To: Waters, Laurie@DOT
Subject: Thoughts from ATP Workshop I

I have done a careful side by side comparison of the Guidelines and the Application and have the following comments from the point of view of a previous reviewer. Therefore, these comments will focus on the Scoring Criteria in both documents.

I see both documents to be much clearer as to their intent then last round. I believe you should keep these formats with one change. In the guidelines Scoring Criteria Public Participation the paragraph beginning "For projects costing $1 million or more ...." should be moved into the Screening Criteria section.

The point values for SC paragraphs 1 & 2 need to be consistent with the values for Questions 1 & 2.

Page 14 in the Guidelines: The correct web address for the Community Conservation Corps is www.calocalcorps.org. Plus, the corps only exist in some areas of California. A list of locations they serve is on the web site and should be included in the guidelines. Many locations have Opportunity Centers whose employees could do some of the repetitive tasks associated with a project. CTC and Caltrans should give consideration to including Opportunity Center workers in the approved projects.

Specifically about the Draft Application:

Last round there was a great deal of duplication between the early request for a description of the project followed by Question 1 in which the applicant was asked to essentially repeat the project description which the reviewers then scored. It seems that the same situation is being set up by the requirement that the applicant provide a full description of the project in a PSR then repeat the description in response to Narrative Questions 1 & 2 for the reviewers to score. Can you structure NQ 1 & 2 so that the reviewers score the responses from the PSR Project Information page and eliminate its duplication? The Funding Information should remain the role of CTC and Caltrans to evaluate.

I assume the DA will be the basis of the document reviewers will score.

I assume applicants will get the same discussion of scoring (the red comments) the scorers will get.

A CTC or Caltrans representative should sign off on page 9 of the application indicating the application is certified to be an eligible project thereby relieving the scorers of the need to make judgments on technical matters that may not be in the scope of their knowledge.

The answer to question 7 really belongs in the CTC or Caltrans sign off process on page 9. How can a reviewer determine if the applicant properly communicated to CCC?

Thank you for considering my comments,

Kenneth Ryan

Waters, Laurie@DOT

From: Elizabeth Norton [bobliz@live.com]
Sent: Monday, December 01, 2014 12:47 PM
To: Waters, Laurie@DOT
Subject: Suggested edits to 2015 ATP Guidelines

Hi Laurie, I am unable to attend the workshop tomorrow, but would like to offer the following suggestions to the guidelines before they are finalized:

p. 4, Section I, Introduction, item #6: I concur with the proposed change that matches are NOT required.

p. 5, Section III Eligibility, item #9: add a new bullet after Tribal Governments to read: "Nonprofit, tax-exempt organizations with responsibility for oversight of transportation or recreational trails."

This would require nonprofits, as the implementing entity to sign a letter of intent and MOU with the local administering agency (county or city). Maybe nonprofits can already do this with the last bullet on p. 5, and the information under item #10 on p. 6. I would just like it to be clearer that nonprofits that own land and manage trails, can apply to all ATP programs. This situation is becoming more frequent as nonprofits, like land trusts, acquire thousands of acres of land and manage them for public recreational opportunities as well as conservation.

p. 6, item #11: Clarify what the PSR is (perhaps post an example on your ATP website). What other transportation program would fund this work if a PSR equivalent has not been prepared for a proposed ATP infrastructure project?

Thank you for the opportunity to comment.

Elizabeth Norton
Chair, Trails Committee
Lassen Land and Trails Trust
Susanville, CA

RURAL COUNTY REPRESENTATIVES
OF CALIFORNIA

November 25, 2014

Mr. Andre Boutros, Executive Director
California Transportation Commission
1120 N Street, Room 2233
Sacramento, CA 95814

Mr. Carl Guardino, Chair
California Transportation Commission
1120 N Street, Room 2233
Sacramento, CA 95814

RE: Active Transportation Program – Cycle 1 Comments

Dear Mr. Boutros and Mr. Guardino,

On behalf of the Rural County Representatives of California (RCRC), I write to provide comments regarding the Active Transportation Program (ATP) Cycle 1 application process and to recommend enhancements to the 2015 ATP guidelines.

RCRC is an association of thirty-four rural California counties and the RCRC Board of Directors is comprised of elected supervisors from those member counties. As you may know, rural county supervisors are extensively involved in transportation-related issues on two primary fronts: 1) Boards of Supervisors oversee public works directors/departments and subsequently help maintain the road network of their respective county; and, 2) Many Supervisors sit as members of Regional Transportation Planning Agencies where determining and funding projects are prioritized and developed. It is with this in mind that we offer the following observations and recommendations for your consideration as you begin to contemplate the guidelines for the next round of ATP grants.

Regional Transportation Planning Agency Involvement

RCRC has heard strong concerns from our member counties that Regional Transportation Planning Agencies (RTPAs) were not provided an adequate role in the ATP application process. In many circumstances, applications that were submitted were not in compliance with Regional Transportation Plans and did not represent the regions' greatest needs as identified through the public vetting process. RCRC recommends that the RTPAs be provided an oversight role in the determination of the type and quantity of applications being submitted for their jurisdictions to ensure they meet regional priorities and that the information/data contained in the applications are fact-checked and verified – and that the project can be delivered in a timely manner. RTPAs should, at a minimum, be able to provide a low, medium, or high-priority ranking for the

1215 K Street, Suite 1650, Sacramento, CA 95814 | www.rcrcnet.org | 916.447.4806 | Fax: 916.448.3154

ALPINE AMADOR BUTTE CALAVERAS COLUSA DEL NORTE EL DORADO GLENN HUMBOLDT IMPERIAL INYO LAKE LASSEN MADERA MARIPOSA MENDOCINO
MERCED MODOC MONO NAPA NEVADA PLACER PLUMAS SAN BENITO SHASTA SIERRA SISKIYOU SUTTER TEHAMA TRINITY TULARE TUOLUMNE YOLO YUBA

California Transportation Commission (CTC) to consider when selecting projects to receive awards.

Technical Assistance:
California's rural counties are typically at a disadvantage when competing for statewide transportation grant funding. RTPAs have extremely limited staff and small budgets, and are typically unable to meet the challenging demands of preparing lengthy applications without hiring costly consultants. Even then, RTPAs must operate under great risk of losing precious funds to compete for grant funding. As a result, many RTPAs did not submit applications for the ATP. While some regions of the state may argue that all RTPAs and Metropolitan Planning Organizations (MPOs) have to operate under the same financial risks to compete for statewide grant funding, RCRC would comment that the majority of MPOs, with the exception of the State's small MPOs such as the Shasta Regional Transportation Agency, have additional funding they are able to generate to support these activities. To remedy this issue, RCRC recommends the state provide technical assistance for grant writing and/or additional training for the RTPAs and small MPOs to offset the cost of hiring consultants to prepare applications.

Scoring Criteria:
When the development of the ATP was being considered in the Legislature, and then later through the development of the ATP guidelines, RCRC advocated that funding for recreational hiking, biking, and equestrian trails be maintained and protected as a separate fund or set-aside within the overall ATP. In the end, recreational funding was ultimately consolidated into the broader ATP, and the criteria were weighted in such a way as to make it difficult for recreational projects to receive a high score. California's rural economies largely hinge upon access to recreational facilities such as lakes and parks that support a variety of recreational activities, including off-road vehicular use, hiking, skiing, camping, backpacking, biking, and other related activities. Several of our member-counties have reported concerns that we have lost a vital lifeline that supports activities that are the economic backbone of rural communities, as they have made significant shifts from resource extraction to recreation. To support recreational economies and land use, recreational infrastructure investments are necessary to avoid shifts back towards less sustainable land use alternatives.

Application Evaluators:
Several of our member-counties reported inconsistencies with the way applications were reviewed and suggested a strong need for additional training for the ATP evaluators. Many ATP evaluators submitted their own competing applications, which may have influenced the way projects were scored. For these reasons, RCRC does not support evaluators that have applications competing in the ATP process. Additionally, we recommend the State Department of Transportation (Caltrans) consider providing an opportunity for

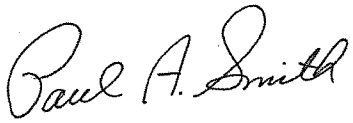
evaluators to meet to discuss application evaluations prior to final scores being submitted for review and consideration.

Application Scoring:
In limited cases, some applications were only reviewed by two evaluators, while the bulk of the applications were reviewed by three evaluators. Instead, for applications that received two scores, the CTC calculated the average of the two scores and applied it in place of the third score. This process resulted in an unfair competition for some applicants as they did not have the benefit of receiving a third objective review. RCRC recommends that during Cycle 2 of ATP, the CTC use a consistent scoring process with three individual evaluations.

Match Requirements:
California's rural counties have no realistic means – sales tax measures, public-private partnerships, etc. – to generate additional revenue beyond their limited formula funds. RCRC strongly urges the CTC to consider a reduced match requirement for projects in rural areas based on demonstrated need. Project applicants should be required to provide evidence for a reduced match as part of the ATP application process.

Thank you for time and consideration of these comments and recommendations. We look forward to working with you and your staff to support development of the ATP Guidelines and Criteria for Cycle 2. If you should have any questions or concerns, please do not hesitate to contact me at (916) 447-4806.

Sincerely,



PAUL A. SMITH
Senior Legislative Advocate

cc: Members, California Transportation Commission
Mr. Andre Boutros, Executive Director, California Transportation Commission
Ms. Laurel Janssen, Deputy Director, California Transportation Commission
Mr. Brian Kelly, Secretary, California Transportation Agency
Mr. Brian Annis, Deputy Secretary, California State Transportation Agency
Mr. Malcolm Dougherty, Director, California Department of Transportation
Ms. Alexandra Salgado, Office of Senate Pro Tempore Kevin de Leon
Ms. Farra Bracht, Senate Budget and Fiscal Review Committee
Mr. Christian Griffith, Assembly Budget Committee
Mr. Zack Olmstead, Office of Assembly Speaker Toni Atkins
Ms. Erin Riches, Senate Transportation and Housing Committee
Ms. Janet Dawson, Assembly Transportation Committee
Mr. Ted Link-Oberstar, Senate Office of Research

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CALIFORNIA WALKS

LEADERSHIP COUNSEL FOR

SAFE ROUTES to School NATIONAL PARTNERSHIP

CPEHN
California Pan-Ethnic Health Network

August 19, 2014

Andre Boutros, Executive Director
James C. Ghielmetti, Chair
California Transportation Commission
1120 N Street, Room 2221 (MS-52)
Sacramento, CA 95814

Re: Recommendations to Strengthen Equity Provisions of SB 99 within Active Transportation Program Guidelines, Application, and/or Scoring Rubric

Dear Executive Director Boutros and Chairman Ghielmetti,

On behalf of the undersigned organizations, we commend the California Transportation Commission (CTC) for your leadership in the implementation of the Active Transportation Program (ATP) as a comprehensive, statewide commitment to expand safe and active travel—especially for disadvantaged communities, schools, and residents—and achieve California's climate and public health goals. Throughout the development of the ATP guidelines and application, we have appreciated the opportunity to provide feedback on the disadvantaged communities (DAC), public health, safety, and public participation sections to ensure that our most vulnerable communities fully share in the benefits of this program. As the process to revise the ATP guidelines gets underway, we thank you for this opportunity to submit recommendations for improving the program for the next funding cycle in order to maximize the ATP's equity, public health, safety, and climate outcomes across California. Please see below for our specific recommendations.

- **Establish Safeguards for Write-In Disadvantaged Communities (DAC) Definition: (**page 9 of Application Part 2, Narrative question #6, part A, b.**)**: While the write-in DAC definition should continue to be a valid option (given that many small disadvantaged communities throughout the state do not have accurate median household income data nor are captured by the CalEnviroScreen), there should be some form of oversight to ensure that this option isn't abused. While this oversight shouldn't create one more barrier for already burdened communities, it should ensure transparency and fairness. Cycle 1 Scoring Rubric left full discretion to the reviewers to determine whether a write-in DAC definition "meets the CTC Guideline criterion." However, the guidelines are unclear as to who is required to review the proposed definition, requiring simply that an applicant "submit for consideration a quantitative assessment of why the community should be considered disadvantaged."

communities, and will provide more complete information to reviewers of the applications in determining how projects will impact targeted communities and provide a significant benefit. We recommend that the "Items to Consider" for the Disadvantaged Communities section in the Application Instructions (page 14, Q6, B.) be placed in the Application as questions that applicants are required to respond to if applicable to their project.

- **Preserve Local Match Exemption for DACs in Regional ATP Shares**: After much deliberation during the Guidelines development process, statewide consensus emerged that local match requirements constitute a de facto barrier for DACs in accessing active transportation grants. Accordingly, the adopted Guidelines provided for a local match exemption for DACs. Unfortunately, several regions across the state have either removed or created potential barriers for DACs through their region-specific match requirements, including:

  Local Match Exemption for DACs Removed Outright: Sacramento Area Council of Governments (SACOG), Fresno Council of Governments (FCOG)

  Local Match Exemption for DACs Maintained But New Barrier: While both the San Diego Association of Governments (SANDAG) and the Tulare County Association of Governments (TCAG) maintained the local match exemption for DACs, these regions have chosen to award additional points to projects with higher levels of local match. In doing so, these regions create obstacles for projects from DACs unable to generate a local match in order to be competitive.

  Local Match Exemption for DACs Removed AND New Barrier: The Los Angeles County Metropolitan Transportation Authority (LA Metro) not only removed the local match exemption for DACs but also increased the local match requirement to 20% from the state's 11.47% minimum. This policy creates extremely high barriers to entry for DACs in LA Metro's purview and likely discourages DACs from even applying for funds in the first place.

  While we recognize that the MPOs have discretion to structure their regional programs to meet their regional needs, this discretion cannot be so unfettered so as to undermine SB 99's statutorily mandated 25% DAC target. Since the 25% DAC target unambiguously applies to the MPO regional shares (ATP Guidelines, pg. 3), we recommend that the CTC remove these regional program barriers to DACs in order to ensure that the overall ATP achieves its DAC target.

- **Public Participation and Planning**: While the Cycle 1 Scoring Rubric instructed reviewers to consider how DAC residents were targeted and involved in project planning and prioritization processes, this DAC emphasis was neither reflected in the Application question nor the Application's scoring breakdown--resulting in few applications that addressed the needs of DAC residents in the planning process.

communities are not competitive at the SCAG level because they fail to provide services to high density populations. In order to counterbalance the urban and suburban bias in SCAG we recommend a 10% set aside of all regional funds allocated to SCAG be set aside for rural, isolated communities within the boundaries of the MPO.

Incorporating these recommendations into the ATP Guidelines for future ATP Cycles will greatly strengthen the equity goals outlined in SB 99 and will ensure that all Californians can safely walk and bicycle to school, to work and to access critical services and amenities. We thank you again for your continued leadership and commitment to this work and we respectfully ask for your support of these important recommendations as this program moves forward. Questions or concerns regarding this letter can be addressed to Tony Dang, Deputy Director for California Walks at tony@californiawalks.org or (510) 507-4943.

Sincerely,

Wendy Alfsen, Executive Director, California Walks

Phoebe Seaton, Co-Director, Leadership Counsel for Justice and Accountability

Judith Bell, President, PolicyLink

Jeanie Ward-Waller, California Advocacy Organizer, Safe Routes to Schools National Partnership

Sarah de Guia, Executive Director, California Pan-Ethnic Health Network