Tab 21

M e m o r a n d u m

To: CHAIR AND COMMISSIONERS

CTC Meeting: March 26, 2015

Reference No.: 4.11
Action

From: WILL KEMPTON
Executive Director

Subject: **ADOPTION OF THE 2015 ACTIVE TRANSPORTATION PROGRAM (ATP) GUIDELINES RESOLUTION G-15-04, AMENDING RESOLUTION G-14-05**

ISSUE:

The proposed 2015 Active Transportation Program (ATP) Guidelines are provided as Attachment 1 for adoption by the Commission. A draft version of the 2015 ATP Guidelines was presented to the Commission at the January 22, 2015 meeting. Since that meeting the draft guidelines were slightly modified to clarify language and respond to public comment.

To prepare the 2015 ATP Guidelines, workshops were held on December 2, 2014 and January 8, 2015. The main topics of discussion at these workshops included match requirements, project eligibility, definition of disadvantaged communities, 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 proposed 2015 ATP Guidelines represent a general consensus of interested stakeholders.

RECOMMENDATION:

Staff recommends that the Commission adopt the 2015 Active Transportation Program Guidelines as proposed in Attachment 1.

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 Active Transportation Program Workgroup includes Regional Transportation Planning Agencies, Metropolitan Planning Organizations, Caltrans, walking, biking and health advocates, and others.

The goals of the Active Transportation Program are to:

- Increase the proportion of biking and walking trips.
- Increase safety for nonmotorized users.
- Increase mobility for nonmotorized 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 (25% of program).
- Provide a broad spectrum of projects to benefit many types of active transportation users.

Attachments

1. Proposed 2015 Active Transportation Program Guidelines
2. CTC Resolution G-15-04, Amending Resolution G-14-05
3. Correspondence

2015

ACTIVE TRANSPORTATION PROGRAM GUIDELINES

March 26, 2015

California Transportation Commission

CALIFORNIA TRANSPORTATION COMMISSION
2015 ATP GUIDELINES
TABLE OF CONTENTS

I. Introduction 1
1. Background 1
2. Program Goals 1
3. Program Schedule 1

II. Funding 2
4. Source 2
5. Distribution 3
6. Matching Requirements 4
7. Funding for Active Transportation Plans 4
8. Reimbursement 5

III. Eligibility 5
9. Eligible Applicants 5
10. Partnering With Implementing Agencies 6
11. Eligible Projects 6
12. Minimum Request For Funds 8
13. Project Type Requirements 8

IV. Project Selection Process 12
14. Project Application 12
15. Sequential Project Selection 12
16. MPO Competitive Project Selection 12
17. Screening Criteria 13
18. Scoring Criteria 14
19. Project Evaluation Committee 15

V. Programming 16

VI. Allocations 17

VII. Project Delivery 18
20. Federal Requirements 19
21. Design Standards 19
22. Project Inactivity 20
23. Project Reporting 20

VIII. Roles And Responsibilities 21
24. California Transportation Commission (Commission) 21
25. California Department of Transportation (Caltrans) 21
26. Metropolitan Planning Organizations (MPOs) With Large Urbanized Areas 22
27. Regional Transportation Planning Agencies (RTPAs) Outside an MPO with Large Urbanized Areas and MPOs without Large Urbanized Areas 23
28. Project Applicant 23

IX. Program Evaluation 23

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~~ **2015** Active Transportation Program **(ATP)**:

Draft ATP Guidelines **presented to Commission**	**January 22, 2015**
Commission adopts ATP Fund Estimate	**March 26, 2015**
~~Guidelines submitted to the Joint Legislative Budget Committee~~	~~February 3, 2014~~
Commission **hearing and adoption of ATP** Guidelines	**March 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 small urban and rural portions of the program	**Sept. 15, 2015**
Commission adopts statewide and small urban and rural 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 source~~s~~.

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; and construction).** 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 active transportation plans in disadvantaged communities, including** bike, pedestrian**,** safe routes to schools, or **comprehensive** 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~~ a comprehensive 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 set aside for plans 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 will 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. PSR guidelines are posted on the Commission's website: http://www.catc.ca.gov/programs/ATP.htm.**

  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. **Components of an otherwise eligible project may not be eligible. For information on ineligible components, see the Department's Local Assistance/ATP website.**

- 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 **direct, meaningful, and assured** 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**, or how the project connects a disadvantaged community to outside resources or amenities.**

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 t~~**T**rail projects that are primarily recreational ~~to be eligible for Active Transportation Program funding, the projects~~ ~~must~~ **should** 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 **(bicycle, pedestrian, safe-routes-to-school, or comprehensive)**. 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, **including a description of bicycle facilities that serve public and private schools and, if appropriate, a description of how the five Es (Education, Encouragement, Enforcement, Engineering, and Evaluation) will be used to increase rates of bicycling to school.**
- 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 **and those that serve public and private schools and, if appropriate, a description of how the five Es (Education, Encouragement, Enforcement, Engineering, and Evaluation) will be used to increase rates of walking to school.** ~~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/). **The copy may be hard copy or electronic – check with your regional agency or county commission for their preference.**

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 **(including the participation of disadvantaged community stakeholders)** 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, **with a description of the intended health benefits of the proposed project.** (0 to 10 points)
- Benefit to disadvantaged communities. (0 to 10 points)

  Applicants must:

  - **Demonstrate how the project connects the disadvantaged community(ies) to commonly identified resources or amenities such as medical facilities, employers, parks, community centers and grocery stores.**
  - **Provide a map that delineates the specific disadvantaged census tract(s) or school(s) that will benefit from the project in relationship to the project site.**
- 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 use the benefit/cost model for active transportation projects developed by Caltrans when responding to this criterion (a link to the model is posted on the Commission's website under Programs/ATP). Applicants are encouraged to provide feedback on instructions, ease of use, inputs, etc. This input will be useful in determining future revisions of the model.** ~~**[applicants who cannot successfully use this first-generation model, must explain why the Caltrans benefit/cost model could not be used, and may use an alternative method if how it assesses the project's cost-effectiveness is fully explained.]**~~

- **Leveraging of non-ATP funds on the ATP project scope 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~~ **atp@ccc.ca.gov.**

  Qualified community conservation corps can be contacted at ~~californialocalconservationcorps.org~~ **inquiry@atpcommunitycorps.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; (4) support for right-of-way acquisition~~; and (~~5~~ **4**) construction ~~capital outlay; 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 **ATP** 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.

Any amount allocated for environmental may also be expended for design. In addition, 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 **allocated** ~~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 Code Section 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 **selection** ~~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.
- **In consultation with Regional Agencies and Caltrans, 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.
- **Facilitate the Program Advisory Committee**.
- **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 as they arise**.
- **Assist as needed to** 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.

CALIFORNIA TRANSPORTATION COMMISSION
Adoption of 2015 Active Transportation Program Guidelines
March 26, 2015

RESOLUTION G-15-04, AMENDING RESOLUTION G-14-05

1.1 WHEREAS the Active Transportation Program was created by Senate Bill 99 (Chapter 359, Statutes of 2013) to encourage increased use of active modes of transportation, such as biking and walking, and

1.2 WHEREAS Streets and Highways Code section 2382(a) requires the Commission to develop guidelines for the Active Transportation Program, and

1.3 WHEREAS Streets and Highways Code section 2382(d) requires the Commission to hold at least one public hearing prior to adopting amended guidelines, and

1.4 WHEREAS Streets and Highways Code section 2382(a) requires the Commission form an Active Transportation Program Workgroup to provide guidance on matters including the development of guidelines, and

1.5 WHEREAS the Commission convened the Active Transportation Program Workgroup and held two workgroup meetings in December 2014 and January 2015 to discuss proposed amendments to the guidelines, and

1.6 WHEREAS a draft of proposed guidelines was presented at the January 22, 2015 Commission meeting and the Commission held a public hearing on the guidelines on March 26, 2015, and

2.1 NOW THEREFORE BE IT RESOLVED that the Commission adopts the 2015 Active Transportation Program guidelines, as presented by staff on March 26, 2015, and

2.2 BE IT FURTHER RESOLVED that the purpose of these guidelines is to identify the Commission's policy and expectations for the Active Transportation Program and thus to provide guidance to applicants, implementing agencies, and Metropolitan Planning Organizations, and

2.3 BE IT FURTHER RESOLVED that these guidelines do not preclude any project nomination or any project selection that is consistent with the implementing legislation, and

2.4 BE IT FURTHER RESOLVED that the Commission directs staff to post these guidelines on the Commission's website.

Correspondence

Waters, Laurie@DOT

From: bikerick [bikerick@att.net]
Sent: Monday, January 19, 2015 8:39 AM
To: Waters, Laurie@DOT
Subject: comments on ATP Guidelines

Hi: Please accept these comments on the draft *2015 Active Transportation Program Guidelines*. I will not be able to attend the January 22, 2015 Transportation Commission meeting. But, I would be happy to discuss any of these ideas with you and provide additional input in the future. I have decades of experience in this field. Thanks for your consideration.

RE:

Call for projects	**March 26, 2015**
Project applications to ~~Caltrans~~ **Commission**	**May 31, 2015**

This is too short a time period for the bicycling and larger community to have meaningful input. Two months is barely enough time for local staff to prepare a project application and have it endorsed by local decision-makers. This means that local citizens can not suggest potentially better projects; they have to accept the project proposals that local staff have deemed to be highest priority. This is because by the time the application reaches a public meeting agenda where citizen testimony may suggest applying for another project instead, the local staff won't have time to prepare another application. Possible remedies would be to either send out a call for projects now noting the previous guidelines may be changed in the ways similar to shown on this draft, or use the current guidelines for this round of funding, or extend the project application deadline.

RE: 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.

This is a welcome provision but as written could just encourage a permitting agency to not require the improvement upon the developer's offer to help the agency get an ATP grant for the improvement. Thus, the wording should be to the effect:

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

- RE: Public participation and Planning. (0 to ~~15~~**10** 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.

This is also a welcome provision in concept, but in need of more definition and more than a maximum of 10 points. The "may" wording is problematic. Noticed public meetings must be mandatory, as required by the Brown Act – any other community-based public participation process would be illegal. Local stakeholders should be identified, specifically those who will use or participate in the project. Where there is a local or regional bicycle advisory committee, it needs to be consulted, and any resultant bicycle committee recommendations need to be factored into the CTC's score, because these are the people who know best. The CTC and its staff can not be expected to fully understand local conditions and priorities without this input. Therefore, this criteria should be revised along the following lines:

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

  Identification of the community-based public participation process that culminated in the project proposal, which ~~may~~ <u>shall</u> include noticed meetings and consultation with local stakeholders<u>, including any local or regional bicycle advisory committee</u>. Project applicants must clearly articulate how the

local participation process resulted in the identification, endorsement, prioritization of the proposed project.

RE: 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.

The emphasis and eventual requirement to be consistent with a bicycle plan is positive, but consideration should be given to making the referenced Section 981.2 provisions more relevant, such as by:
- setting goals for the number of commuting cyclists;
- proposing safety and educational programs and enforcement strategies;
- recommending adjustments of existing transportation network, facilities and ordinances to accommodate and not inhibit nor penalize cyclists;
- containing measures to encourage more cycling;
- establishing mechanisms to periodically evaluate the needs of -- and successes of programs for --cyclists and then adjust projects and programs to respond to such evaluations.

Correspondingly, some of the provisions could be revised or eliminated for the following reasons:
- the requirement for land use map and corresponding information in a bicycle transportation plan is duplicative of General Plan law.
- the requirement for a map of all bike parking is cumbersome.
- most of the required components of a bicycle transportation plan are to include categories of information, but with no guidance nor minimum standards for using the information; for example a map and description of bicycle parking is necessary, but there is no requirement to determine if, where and how much more and what types of bicycle parking should be proposed in the plan.
- there is no requirement for a bicycle policy element -- the result can be a bicycle plan with a list of physical bikeway projects, but no complementary policy support.
- there is a requirement to plan for bikeways, but no requirement to address necessary improvements to streets that do not and are not planned to have bike lanes or are not bike routes (e.g., by fixing pot holes or traffic signal detectors).
- there is no requirement for an implementation component, such as a time frame in which to achieve the projects, who in the city or county is to follow through on these, etc.
- the requirement for prioritization only covers the listed bicycle projects in the bicycle transportation plan; there is no requirement to prioritize these among other transportation projects that a city or county is also planning.

There are many examples of local bicycle plans that are more comprehensive than what the Section 981.2 provisions require. Since the draft Guidelines allow funding a variety of educational and other projects, it would follow that bicycle or active transportation plans be more comprehensive, such as by including educational components. Thus, I recommend that, as future ATP guidelines requiring plan conformity are prepared, state officials undertake a corresponding exercise to revamp the bicycle transportation plan requirements to make them more meaningful and relevant.

Please share these suggestions with the Commissioners and my thanks for their consideration.

Rick Hyman
Santa Cruz, CA

OCTA

AFFILIATED AGENCIES

Orange County Transit District

Local Transportation Authority

Service Authority for Freeway Emergencies

Consolidated Transportation Service Agency

Congestion Management Agency

Service Authority for Abandoned Vehicles

January 22, 2015

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

Subject: **Active Transportation Program Cycle 2 Guidelines**

Dear Ms. Janssen:

The Orange County Transportation Authority (OCTA) appreciates the California Transportation Commission's (CTC) early consultation on the draft Active Transportation Program's (ATP) Cycle 2 Guidelines (guidelines). The ATP Cycle 2 will allow Orange County to delivery necessary bicycle, pedestrian and non-motorized transportation projects, and improve safety, mobility, public health, and assist California agencies with meeting greenhouse gas reduction goals.

Provided below is a list of comments and suggestions for the guidelines for your consideration.

- Allocation: OCTA recommends the CTC consider a modified and expedited allocation procedure. The current procedure requires applicants to significantly advance project schedules up to a full year to meet allocation deadlines. An expedited allocation process will reduce the burden on applicants and allow them to focus on project delivery.

- Disadvantaged Communities: The current ten percent threshold for the Cal Environscreen tool excludes many disadvantaged communities and is not consistent with other State of California funding programs. OCTA is supportive of using a 25 percent threshold to allow communities that were excluded in ATP Cycle 1 to apply for funding and bring greater competition to the program, ensuring the best possible projects are selected.

- Plans: OCTA recommends the CTC consider allowing all agencies to apply for funding for community wide bicycle, pedestrian, safe routes to school, or active transportation plans. The current guidelines only allow disadvantaged communities to apply for plans. The previous Bicycle Transportation Account (BTA) funded bicycle plans, in order to make all agencies eligible for future BTA cycles. Should the CTC choose to require active transportation plans for future cycles of the ATP, allowing

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all agencies to apply for plans will increase the number of communities with active transportation master plans and will help local agencies engage their community in identifying and prioritizing projects.

In addition, OCTA recommends the CTC clarify the term "community wide" for planning documents. Typically, Safe Routes to School Master Plans are not community wide and may be clustered based on positive participation by a school district or collection of schools. Additionally, Complete Streets Plans are typically prepared for a corridor or collection of corridors. It is not clear if projects such as safe routes to school plans or complete streets plan would satisfy the "community wide" terminology.

- Match: OCTA is supportive of including up to five points for applicants that provide match. The match incentive will help deliver more projects with the limited state resources and provide an opportunity for agencies in non-disadvantaged communities to submit competitive applications.

- Cost-effectiveness: The California Department of Transportation is currently developing a cost effectiveness analysis tool. OCTA recommends the tool include a standardized approach to forecast increased biking and walking trips to avoid complicated and subjective analysis throughout the state by each applicant. If the cost effectiveness analysis tool does not address forecasted biking and walking trips, then we recommend CTC provide guidance on a uniform forecast methodology.

OCTA looks forward to the release of ATP Cycle 2 and completion of future active transportation projects. Please contact Adriann Cardoso, Capital Programming Manager, at (714) 560-5915, or Louis Zhao, Transportation Funding Analyst, at (714) 560-5494, with any questions.

Sincerely,

Kurt Brotcke

Kurt Brotcke
Director, Strategic Planning

KB:lz

GREAT SHASTA RAIL TRAIL

Great Shasta Rail Trail Association

P O Box 221
McCloud, CA 96057

askus@GreatShastaRailTrail.org

Developing 80 Miles of Public Recreation Trail between McCloud & Burney

Board of Directors
April Gray, *President*
Tina Peluso, *Vice President*
Ben Miles, *Treasurer*
Beth Freeman, *Secretary*
Jerry Harmon
Henry Patterson
Elizabeth Norton

January 30, 2015

RECD BY CTC

Ms. Susan Bransen
Interim Executive Director, California Transportation Commission
1120 N Street, MS-52
Sacramento, CA 95814

RE: Comments on the draft 2015 Active Transportation Program Guidelines

Dear Ms Bransen:

I was unable to attend one of the workshops for the draft 2015 Active Transportation Program (ATP) Guidelines, but would like to offer my comments for your consideration. I am particularly pleased that matches will not be required. This will make many deserving projects more likely to become a reality.

Specifically, on p. 4, Section I, Introduction, item #6, I concur with the proposed change that matches are not required. It would be helpful to us if, on p. 5, Section III Eligibility, item #9 you add a new bullet after Tribal Governments to read: *"Nonprofit, tax-exempt organizations with responsibility for the oversight of transportation corridors or recreational trails."*

I 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.

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

Sincerely,

April Gray
President

RCTC
Riverside County Transportation Commission

4080 Lemon Street, 3rd Floor • Riverside, CA 92501
Mailing Address: P. O. Box 12008 • Riverside, CA 92502-2208
(951) 787-7141 • Fax (951) 787-7920 • www.rctc.org

February 5, 2015

Mr. Will Kempton
Executive Director
California Transportation Commission
1120 N Street, MS-52
Sacramento, CA 95814

Dear Mr. Kempton: Will,

Thank you for the opportunity to provide comments and participate in the workshops regarding the development of the 2015 Active Transportation Program (ATP) guidelines. ATP Cycle 1 was a great start in focusing funding on bicycle and pedestrian facilities, which will improve and enhance public health in addition to the transportation system and goals of SB 375. The Riverside County Transportation Commission (Commission) is submitting comments that mainly focus on streamlining the process. The Commission feels every effort should be made to streamline the process for projects that are low cost and mostly categorically excluded from the California Environmental Quality Act/National Environmental Policy Act. Implementing bicycle and pedestrian projects can and should be done quickly and efficiently.

Recommendation 1: State-only Funding for Projects Under $1 Million
Projects under $1 million should be designated for state-only funds at the time of programming, not allocation. The process and requirements for state and federal funds are very different and time can be saved if the project sponsor knows up front whether or not state or federal funds will be programmed. Allowing projects under $1 million to be funded with state-only funds will also lessen the burden on Caltrans Local Assistance by reducing the amount of federal projects required to undergo the federal process.

Recommendation 2: Streamline the Allocation Process for Projects Under $1 Million
Many local agencies are unaware of the allocation process and program funds on each project phase-project approval/environmental document; plans, specifications, and estimates; right of way; and construction. The eight-week lead time to place a project on the California Transportation Commission (CTC) agenda for allocation could add up to an eight-month delay if allocating for each phase. This also disrupts the momentum of the project each time it starts then stops. Minor ATP projects, especially those under $1 million that can be funded with state-only funds, should be able to receive an allocation for the entire project in such a way the state highway operation and protection program (SHOPP) minor program receives its allocations. Allocating projects under $1 million similar to the SHOPP minor program will also lessen the burden on Caltrans Local Assistance as this would reduce the number of allocation requests for review and processing.

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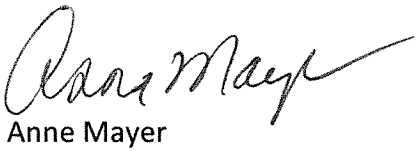
FEB 17 2015

Recommendation 3: Project Schedule Reviews
Prior to CTC approval, the draft funding recommendations should be reviewed by respective regional transportation planning agencies (RTPA) for accuracy of project scheduling. The RTPA could then recommend the appropriate programming year(s) based on experience with programming requirements for state and federal funds.

Recommendation 4: Further Review of Scores Needed to Resolve Discrepancies
Further review of final scores is needed to ensure scores are not skewed so much there is a difference of more than 25 points on a single project. Allowing time for evaluators to meet and discuss application scores would help resolve large discrepancies. This meeting can be done via teleconference and should include Caltrans and CTC staff.

The Commission has other administrative-type comments that we will share with you and your staff through a separate communication. Thank you again for the opportunity to comment on the Draft 2015 ATP Guidelines. Please contact Shirley Medina at (951) 787-7141 if you have any questions.

Sincerely,



Anne Mayer
Executive Director

c: Laurel Janssen, CTC
Teresa McWilliam, Caltrans HQ

625 Burnell Street • Napa, CA 94559-3420
Tel: (707) 259-8631
Fax: (707) 259-8638

February 8, 2015

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

RE: ATP Cycle 2 Guidelines

Dear Chair Guardino,

The Napa County Transportation and Planning Agency (NCTPA) appreciates the opportunity to comment on the Active Transportation Program Cycle 2 Guidelines. NCTPA is a joint powers authority comprised of the cities, town, and county of Napa. NCTPA serves as the congestion management agency and public transit provider in Napa.

III. Eligibility, 11. Eligible Projects, pg. 6

Of particular concern is the requirement that a Project Study Report (PSR) be completed prior to project programming. PSR's can be costly and time consuming, which is a significant challenge for smaller or more disadvantaged jurisdictions with limited budgets and staff.

The guidelines specify a project application "may" be considered a PSR equivalent if it "defines and justifies the project scope, cost and schedule." If an application includes those components, it should be considered. Changing the language to read "will" rather than "may" will give the opportunity for those jurisdictions without the ability or budget to provide a time-consuming PSR to apply for funding by including what the guidelines describe as a PSR equivalent.

Another concern for smaller jurisdictions is the requirement that all projects *must* be federal aid eligible. Although the majority of funding is from federal sources, having language that allows flexibility for smaller jurisdictions with smaller projects to use State-only funds would encourage and promote active transportation projects in these locations.

IV. Project Selection Process, 14. Project Application pg. 11

Consider allowing electronic application submissions in lieu of five hard copies. Not only will this aid in timely application submission, but show the commitment of the Commission towards environmental sustainability.

VI. Allocations: Paragraph 6, pg. 16

Page 6 of the guidelines states that ATP funds can be used for, "environmental, design, right-of-way, and construction phases of a capital (facilities) project, yet paragraph 6 on page 16 of the guidelines states, "the commission will not allocate fund 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."

Requiring that environmental documentation be complete at the time of application significantly limits project eligibility due to the significant cost associated with completion of environmental clearances. Please clarify whether or not multi-phase projects can be submitted that include requests for ATP funds for environmental phases along with subsequent phases.

VII. Project Delivery, Paragraph 1, pg. 16

It is unclear whether program allocations for multi-phase infrastructure projects must be requested within the first six months for all project phases, or just the initial project phase for that program year. Please clarify language in the guidelines.

We appreciate the opportunity to comment on the draft guidelines and would appreciate the Commission's consideration of the above comments prior to adoption of the final guidelines in March.

Sincerely,

Kate Miller
Executive Director

cc: NCTPA Technical Advisory Committee
Laurie Waters
Laurel Janssen

Janssen, Laurel@DOT

From: ATAC Williams [tmwillyatac@gmail.com]
Sent: Thursday, February 19, 2015 12:39 PM
To: Janssen, Laurel@DOT
Subject: input on 2015 Draft ATP Guidelines

Hi Laurel,

I chair our city's active transportation committee and I am writing to express my concern over the 0-5 points that are being added as a reward for supplying matching funds.

I think this may be a good idea for larger entities such as RTPAs, MPOs, large urban areas and the like.

For smaller entities that lie completely in disadvantaged areas, this is a significant challenge.

The reasons that this is a big challenge are:

1. Given the very high scores on the successful applications in round 1, these 5 points will likely be critical to being successful in round 2.

2. Minimum applications are $250,000. I'm assuming this requires relatively large matches to get the full 5 points (I have not yet seen details of how the points would be awarded).

3. Small, poorer communities such as ours (our city has 3,500 residents and the local ski park has been closed for most of the last 2 winters due to lack of snow resulting in a significant economic impact to the city coffers and to the residents) will be hard pressed to come up with the maximum match to get the 5 points needed to be competitive. We have a hard time even funding a sufficient police force!

I believe a system that promotes leveraging of funds and provides relief to rural, disadvantaged communities would be in everybody's interest. One possible implementation of this would be to automatically award the 5 points to all projects from rural, disadvantaged communities but require the wealthier and more urban communities to earn the 5 points by leveraging funds from elsewhere.

thank you for your time,

Michael Williams
Chair, Mount Shasta Active Transportation Committee
530-859-3468

StanCOG
Stanislaus Council Of Governments

City of Ceres • City of Hughson • City of Modesto • City of Newman • City of Oakdale • City of Patterson
City of Riverbank • City of Turlock • City of Waterford • County of Stanislaus

February 20, 2015

RECD BY CTC
FEB 27 2015

Mr. Will Kempton
Executive Director
California Transportation Commission
1120 N Street, Room 2221 (MS-52)
Sacramento CA 95814

RE: **2015 Active Transportation Program Guidelines Comments**

Dear Mr. Kempton:

On behalf of the Stanislaus Council of Governments (StanCOG), I want to thank the California Transportation Commission (CTC) staff for the leadership in conducting the Active Transportation Program (ATP) workshops and for welcoming participation and input regarding the 2015 ATP Guidelines. StanCOG staff has reviewed the 2015 ATP guidelines and would like the CTC to consider streamlining the ATP funds allocation process.

ATP projects with federal funding require both allocation from the CTC and authorization from Caltrans. In order to obtain these approvals, an agency must plan and invest a considerable amount of time to deliver a project.

Example on a simple sidewalk infill project

The amount of time needed to secure Design funding:

Allocation approval from CTC	**2 months**
Authorization from Caltrans E-76	**1 month**
Required National Environmental Policy Act (NEPA)	**3 - 6 months**
Missing a CTC Board meeting	**1 month (Additional)**

The table above indicates that it will take approximately 7 – 13 months to obtain design funding from both CTC and Caltrans. If the Project Approval and Environmental Documents (PA&ED), Right of Way (ROW) and Construction phases include federal funds, a project can take between to 2 – 3 years before construction begins. This schedule leads to a high investment of time and cost for agencies and does not benefit the community.

Please consider the following suggestions:

- Reduce the gap between the CTC agenda item submittal due date and the CTC meeting – currently this is 2 months.
- Combine the NEPA approval with the design phase or consider an exception that will minimize the process time to allow the commencement of design. Caltrans combines environmental and design into one phase.

In advance, I would like to thank you for the opportunity to comment on the Draft 2015 ATP Guidelines and for the consideration of StanCOGs request. Should you have any further questions regarding this request, please contact me at 209.525.4600.

Sincerely,

Carlos P. Yamzon
Executive Director
Stanislaus Council of Governments

Cc:

Susan Bransen, CTC Chief Deputy Director
Laurel Janssen, CTC Deputy Director
Laurie Waters, CTC Senior Transportation Planner
Rosa Park, StanCOG Deputy Executive Director
Jeanette Fabela, StanCOG Senior Planner

Waters, Laurie@DOT

From: Lindell Price [lindellprice@gmail.com]
Sent: Sunday, March 01, 2015 7:01 PM
To: Waters, Laurie@DOT
Cc: Janssen, Laurel@DOT; Wendy Alfsen
Subject: Re: 2015 Active Transportation Program Guidelines suggested language

Good day Laurie,

Thank you for the opportunity to give input on the 2015 ACTIVE TRANSPORTATION PROGRAM GUIDELINES. *You will find my best effort at suggested language below in blue, followed by some explanation which may be useful.*

With the goals of the ATP so heavily dependent on reliable utilitarian active transportation, the eligibility criteria and the design standards need to require the identification of appropriate planning, design, and management criteria. Suggested language under 2015 ACTIVE TRANSPORTATION PROGRAM GUIDELINES p. 19 *"21. Design Standards":*

> All facilities constructed using Active Transportation Program funds cannot revert to a nonActive 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. All facilities constructed using Active Transportation Program funds, **with the exception of projects fund using federal Recreational Trails Program funds, must continue to be maintained and operated to provide utilitarian active transportation that contributes to the complete streets network** 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.

Suggested language under 2015 ACTIVE TRANSPORTATION PROGRAM GUIDELINES p. 19 *"21. Design Standards"*
or elsewhere:

> **Eligible projects, must identify whether the project will be planned, designed and managed as a recreational facility, or as a utilitarian active transportation facility that provides reliable utilitarian active transportation with safety, security, hours of operation, and all-weather usability comparable with the motor vehicle transportation facilities in the same vicinity. Infrastructure projects must identify the specific source and type of design guidance that will be used.**

Of the six ATP Program Goals listed, the first three (highlighted below) depend on reliable utilitarian active transportation. The other three goals, while depending on reliable utilitarian active transportation, may also benefit to some extent from recreational trails.

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.

Note that Assembly Bill 101 (Chapter 354, Statutes of 2013) includes the word, "trail" only once in reference to "the Recreational Trails Fund." Senate Bill 99 (Chapter 359, Statutes of 2013) uses the word, "trail" in regard to the federal Recreational Trails Program funds; with the only project type, in the list of eligible projects, that appears to be eligible for federal Recreational Trails funding 2382 (e) being "(7) Recreational trails and trailheads, park projects that facilitate trail linkages or connectivity to nonmotorized corridors, and conversion of abandoned railroad corridors to trails." To interpret 2382. (e) (7) as authorizing the use of ATP funds, other than federal Recreational Trails Program funds, for facilities designed or operated only by recreational, rather than by utilitarian transportation standards is inappropriate. Using the word, "trail" other than in the context of the federal Recreational Trails Program, obscures rather than clarifies criteria for funding eligibility; see http://www.access-board.gov/guidelines-and-standards/recreation-facilities/outdoor-developed-areas/a-summary-of-accessibility-standards-for-federal-outdoor-developed-areas/appendixes.

Pedestrian Route Type	Key Elements of Design Intent
Accessible route (AR)	Connects accessible elements and spaces of a building or facility on a site
Sidewalk—pedestrian access route (PAR)	Parallel to roadway Designed for pedestrians (not bicycles) Sometimes part of the roadway
Trail	Designed for the "recreation experience" Does not connect elements and spaces on a site Generally includes a trailhead **Has limited to no transportation function**
Outdoor recreation access route (ORAR)	Connects outdoor constructed features and spaces within picnic and camping facilities, viewing areas, and trailheads **only**
Beach access route (BAR)	Crosses the surface of the beach to the shoreline Coincides with or is located in the same general area as pedestrian access points to the beach
Shared-use path (SUP)	Intended for multi-use Bicycle/transportation focus Machined, layered surface (improved)

	Located in either an "independent corridor" or public right-of-way

*Teresa McWilliam's citation of a **National Recreation Trails** definition of "trail" further illustrates that the term "trail" is being interpreted as a recreational rather than as utilitarian transportation facility.*

Although CTC's ATP Guidelines, use the word "trail" only within the context of the federal Recreational Trails Program, the ATP application inappropriately proliferated the use of the word "trail" obscuring, rather than clarifying Active Transportation Programs requirements. I suggest that facilities described as "trails" only be eligible for federal Recreational Trails Program funds. Using "trail" in the name of a facility is fine; but the type of facility should be identified for purposes of design and management criteria so that the allocation of funds will support the goals of the legislation.

Since SB 99 includes, "The guidelines shall ensure that eligible projects meet one or more of the goals set forth in Section 2380 and may give increased weight to projects meeting multiple goals" the CTC ATP Guidelines and the ATP application may provide the opportunity for applicants to include information on how their project meets multiple goals. However, projects that are only designed or operated as Recreational Trails, rather than as utilitarian transportation facilities cannot be given credit for providing utilitarian transportation; criteria for recreational trails do not ensure that recreational trails provide transportation utility. Also, see Caltrans' Deputy Directive DD-64-R2 which includes "to ensure that travelers of all ages and abilities can move safely and efficiently along and across a network of 'complete streets.'"

Sincerely,

Lindell Price
(916) 804-7316 cell phone

From: **Waters, Laurie@DOT** <laurie.waters@dot.ca.gov>
Date: Tue, Feb 24, 2015 at 4:40 PM
Subject: RE: 2015 Active Transportation Program Guidelines concern
To: Lindell Price <lindellprice@gmail.com>, "Janssen, Laurel@DOT" <laurel.janssen@dot.ca.gov>
Cc: Wendy Alfsen <wendy@californiawalks.org>

Hi Lindell,

Thank you for your comments. We'd like to consider your concerns, but we are wondering if you are suggesting specific language for the 2015 ATP Guidelines, and, if so, what language would you be looking for?

Laurie Waters
~~*~

system, or will be built and operated as a recreational facility. This distinction is essential to evaluating the potential of the project to achieve the goals of the legislation.

Thank you for your attention to this matter. Please contact me if you would like further explanation.

Sincerely,

Lindell Price
3672 Millbrae Road
Cameron Park, CA 95682
(916) 804-7316

P.S. Unfortunately Teresa McWilliam has repeatedly misconstrued my input on the ATP application. Her responses indicate a plan to evaluate all ATP applications by recreational rather than utilitarian transportation criteria.

To clarify that my concern was not the name of a facility, but that the applicant identify whether the project was utilitarian or recreational

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y initial email (attached) included, "Just as streets and roads have names such as 'avenue', 'boulevard', or 'lane', some such as Pony Express Trail, the main street of Pollock Pines, are named 'trail' ", but are described, designed and maintained as a road or street, not as a 'trail.'" Teresa McWilliam's latest response, shows that she still fails to comprehend the issues. Please clarify the ATP guidance to ensure that the goals of the legislation are met.

Waters, Laurie@DOT

From: Hartegan, Mary A@DOT
Sent: Monday, March 02, 2015 3:01 PM
To: Waters, Laurie@DOT
Subject: FW: Workshop question/comment - guidelines topic (12:30 pm item on agenda)

Hi Laurie,

I'm not sure if I forwarded these comments regarding the guidelines yet...

Mary Hartegan
Associate Transportation Planner
Safe Routes to School Program (SRTS) Coordinator
Active Transportation Program (ATP) Coordinator
Office of Active Transportation & Special Programs
Division of Local Assistance
1120 N Street
Sacramento, CA 95814
(916) 653 - 6930

From: Ellen Barton [mailto:ebarton@co.sanmateo.ca.us]
Sent: Wednesday, February 25, 2015 10:53 AM
To: Hartegan, Mary A@DOT
Subject: Workshop question/comment - guidelines topic (12:30 pm item on agenda)

Scoring criteria related to disadvantaged communities, as currently written in the guidelines, substantially disqualifies projects from high-cost-of-living counties from effectively competing. This was demonstrated in Cycle 1 where the target 25% to disadvantaged communities was exceeded about three-fold. Jurisdictions in San Mateo County suggest that the scoring criteria be adjusted so that projects in these jurisdictions have a fairer chance of competing for funding.

One method suggested is that the scoring category for "Benefit to disadvantaged communities" could be edited to something like "For those projects competing for the set-aside funds for disadvantaged communities, applicants must demonstrate.. (continue as in draft guidelines)"

Even a high set-aside (e.g.,50%) could be more inclusive and equitable compared to the Cycle 1 proportion (87%) awarded to projects serving disadvantaged communities.

>>> "Hartegan, Mary A@DOT" <mary.hartegan@dot.ca.gov> 2/24/2015 3:26 PM >>>
ATP Cycle 2 Workshop: Guidelines, Application and Supporting Documents, and Advisory Committee
Time: 9:30AM – 3:30PM (Lunch 11:30-12:30)
Location: 1727 30th Street, Sacramento
Call In: (800)369-1742 **Participant Passcode:** 6795121

**If you are listening in please email questions to mary.hartegan@dot.ca.gov*. Your understanding of our limited space constraints is appreciated, thank you.

Please note this workshop is not program training. A March calendar is posted for District 2 & 4 workshops, and an April calendar will be posted shortly to offer training in each district.

All of the necessary documents for the workshop have been posted on the web:
http://www.dot.ca.gov/hq/LocalPrograms/atp/index.html
These documents include:

- ✓ Agenda
- ✓ Draft CTC Guidelines
- ✓ Draft ATP Purpose & Goals Flowchart
- ✓ Draft Concept – ATP Advisory Committee Charter
- ✓ Draft Concept – ATP Advisory Committee Org Chart
- ✓ Draft Cycle 2 Application
- ✓ Draft Engineer's Checklist
- ✓ Draft LAPG Chapter 22 – Caltrans ATP Guidelines
- ✓ Draft Form 22R

Mary Hartegan
Associate Transportation Planner
Safe Routes to School Program (SRTS) Coordinator
Active Transportation Program (ATP) Coordinator
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1120 N Street
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