

ATP Working Group Meeting – Sacramento

Thursday, October 17 at 10:00 a.m.
Caltrans, 1120 N Street, Room 2116,
Sacramento, CA

Below are meeting notes from the taken by CTC and Caltrans staff. We attempted to capture the essence of the comments, recognize that the notes may be some inaccuracies. Please contact Mary Burns at mary.burns@dot.ca.gov to make corrections and clarifications.

PROCESS

Once the draft guidelines are out for review and comment sub-groups may be formed.

FOLLOW-UP FROM LAST MTG – FUNDING FLOW CHART – Accuracy will be confirmed before made available. Final numbers will be in an ATP fund estimate to be adopted by the CTC in December.

FUNDING DISTRIBUTION:

- If the \$7M Environmental Enhancement and Mitigation (EEM) Program is included in the Active Transportation Program (ATP), should we be looking at guidelines that support EEM?

That piece was not brought into the ATP and is dealt with by the Resources Agency. Resources Agency awards the projects this year – not the CTC.

Caltrans will no longer be involved with the EEM Program from FY12/13 and forward. However, Caltrans will continue administering and closing out EEM projects prior to FY12/13.

- Are there any distribution rules for the MPOs who award, such as SCAG?

Criteria consider geographic equity. There are statutory requirements specific to SCAG.

- Should a large MPO be competing with small rural and urban areas?
- Small rural and urban areas within large MPOs will be left out if they don't get money from the MPOs for bike and/or pedestrian projects.
- Why not have the small urban and rural areas eligible for the 40% as well? Is that the intent of legislation?

If able to distribute to large MPOs based on population, then expect that they cover the small rural and urban areas within. While Federal law allows these areas to compete for TAP funds it also allows for geographic distribution to be considered. Will look into the portion of the rural and small urban areas that are within the large MPOs.

- What will the differences between State and Federal funding be and how will they be allocated?

Funding splits are not in statute, but the state funds will probably be distributed in the same percentage as the federal funds.

It may be necessary to look into a state only funding policy but without data and which projects that might be – most initial projects would have to be federalized.

- What is the formula for the 40% distribution?

The 40% will be distributed to MPOs based on relative population. There are potentially two (2) options: total population or population for urbanized areas over 200k.

- Will agencies be able to compete in multiple pots?

It would be preferable if there were a way to limit the duplicative review of applications. There are limitations to eligibility. For example, MPOs cannot compete where they're awarding but may be eligible in the statewide competitive portion of the program.

- The main intent of ATP is to improve efficiency, and the deficiencies are in the small rural and urban areas.
- Agencies should be able to apply for the statewide competition and if not selected then try for the 40%.

The preference in general is to provide flexibility where we can for the MPOs, not more restrictions but flexibility to run their program in their best interest for that area. Consistency may not be the most beneficial geographically.

Performance reports may change this for future projects...It is important to evaluate the program, and maybe build something in the evaluation measures for MPOs to report on small rural and urban areas.

There are likely to be some different rules for the first round and different in the future. For example, no project planning will be eligible for the first round – only shovel ready projects. There may be only nine (9) months to allocate two (2) years of projects. The next cycle(s) may address issues and add flexibility.

- Planning is most effective way to address disadvantaged communities. Can there be a balance between shovel ready and planning?
- Can funds be set aside for technical assistance so someone from state can provide planning?
- The Technical Assistance Resource Center is not the same as planning – mainly provides assistance in paperwork for obligation (CEQA, etc.).

ELIGIBLE PROJECTS

- Would a JPA constitute as special district?

Non-profit agencies must enter into a master agreement, if they cannot a partnership is necessary. For tribal governments partnership will not be required but recommended.

It will be distinguished in the guidelines who should partner.

- Will there be contract requirements for Safe Routes to School funds for non-infrastructure projects?

Will address the non-infrastructure requirements in a later meeting.

- If Caltrans applies they should have partnership with local jurisdiction? Make requirement for eligibility?
- In terms of flexibility some areas are tight. Can we use a broader definition bike parking locations...i.e. people should be able to walk/bike everywhere?
- Bike sharing should be eligible.

Eligible projects are included but not limited to. Just because a type of project isn't listed as eligible - if you're project meets ATP goals then it should be eligible.

Demonstration of need is important.

Maintenance of bikeways and walkways is something we may want to tighten down on. Paying for routine maintenance is not the goal of the program. However, should bringing a substandard facility into state of desperate repair be eligible?

- Legislation addresses safety and even though routine maintenance wasn't the intention – sometimes maintenance is a safety issue.
- Federal funds cannot be used for maintenance.
- How does federal law define maintenance?
- Recreational Trails allows maintenance only for motorized portions of projects and not non-motorized.

Routine Maintenance probably won't score well.

MATCHING REQUIREMENTS

Should a match be required? Should MPOs be given flexibility? Seems to be challenging for disadvantaged communities have a match requirement...

- If match is required, disadvantaged communities should have a match waiver.
- It would be helpful if leveraged is allowed with local funds and not penalize for inability to provide match.
- Match can be required for projects of a certain size (threshold), and if not in the first cycle then subsequently.

In every program there will be state fund that could be use to meet the federal match requirement. Already enough state in every pot that toll credits aren't necessary.

- ATP funds cannot be matched with Congestion Mitigation and Air Quality (CMAQ) funds because they're both are federal funds.

Matching funds may be used for scoring and not a hard requirement. MPOs may have flexibility in their guidelines.

- If match is used for scoring and not a threshold then there will be less great projects? Match shows commitment and support.

SEQUENTIAL SELECTION PROCESS

- If agencies are only allowed to apply in one pot, how is the will the state know if an application they received wasn't also applied for at the MPO? Projects that MPOs don't select should be put into the state pot. Apply for Safe Routes to School projects separately and those that aren't selected put into the general pool.
- It may be preferable for the state administered process to go first.
- Can someone apply with many different project components (SR, RT, etc.)?

The preference is for one process not different applications and different processes.

The need for the CTC to approve MPO guidelines may lead to a sequential selection processes.

DISADVANTAGED COMMUNITIES

Disadvantaged communities will be addressed in the guidelines and flexibility may be provided for the MPOs. For example, if disadvantaged communities don't meet our standards they may have the ability to justify why they are.