

Memorandum

To: CHAIR AND COMMISSIONERS
CTC Meeting: May 16–17, 2018
Reference No.: 4.11
Information
Published Date: May 4, 2018

From: SUSAN BRANSEN
Executive Director
Prepared By: Anja Aulenbacher
Assistant Deputy Director

Subject: HEARING ON THE 2019 ACTIVE TRANSPORTATION PROGRAM GUIDELINES

SUMMARY:

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

The guidelines were developed in cooperation with Caltrans, regional transportation planning agencies, local agencies, and active transportation stakeholders in accordance with Streets & Highways Code Section 2382.

The Commission staff received input from transportation stakeholders at nine workshops held throughout the state from October 2017 through March 2018. The draft 2019 Active Transportation Program guidelines were presented to the Commission at the March 21, 2018 meeting. A tenth workshop was held on April 17, 2018, to receive further input on the guidelines. All of the program revisions have been supported by the working group.

The Active Transportation Program Guidelines may be amended by the Commission after conducting at least one public hearing. This public hearing is conducted to receive final comments on the proposed 2019 Active Transportation Program Guidelines prior to Commission adoption.

BACKGROUND:

Pursuant to statute, the program's purpose is to encourage increased use of active modes of transportation, such as biking and walking. 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.

Attachments:

Attachment A: Correspondence

Attachment A

Correspondence



METROPOLITAN
TRANSPORTATION
COMMISSION

Bay Area Metro Center
375 Beale Street, Suite 800
San Francisco, CA 94105
415.778.6700
www.mtc.ca.gov

March 28, 2018

Jake Mackenzie, Chair
Sonoma County and Cities

Scott Haggerty, Vice Chair
Alameda County

Alicia C. Aguirre
Cities of San Mateo County

Tom Azumbrado
U.S. Department of Housing
and Urban Development

Jeannie Brains
Cities of Santa Clara County

Damon Connolly
Marin County and Cities

Dave Cortese
Santa Clara County

Carol Dutra-Yernaci
Cities of Alameda County

Dorene M. Giacomini
U.S. Department of Transportation

Federal D. Glover
Contra Costa County

Anne W. Halsted
San Francisco Bay Conservation
and Development Commission

Nick Josefowitz
San Francisco Mayor's Appointee

Jane Kim
City and County of San Francisco

Sam Liccardo
San Jose Mayor's Appointee

Alfredo Pedraza
Napa County and Cities

Julie Pierce
Association of Bay Area Governments

Bijan Sartipi
California State
Transportation Agency

Libby Schaaf
Oakland Mayor's Appointee

Warren Slocum
San Mateo County

James P. Sperring
Solano County and Cities

Amy R. Worth
Cities of Contra Costa County

Steve Heminger
Executive Director

Alix Bockelman
Deputy Executive Director, Policy

Andrew B. Fremier
Deputy Executive Director, Operations

Brad Paul
Deputy Executive Director,
Local Government Services

Susan Bransen, Executive Director
California Transportation Commission
1120 N Street, Room 2221 – MS 52
Sacramento, CA 95814

RE: Active Transportation Program (ATP) Cycle 4 Comments

Susan
Dear Ms. Bransen:

Thank you for the opportunity to comment on the upcoming Active Transportation Program (ATP) Cycle 4 Guidelines proposed for adoption at the May 2018 CTC meeting. MTC would like to offer the region's comments and suggestions from our experience in administering the Bay Area's large-MPO share of ATP.

- **Caltrans Applications for the Statewide Component**

Recognizing Caltrans as an eligible applicant for ATP funds, MTC encourages the Guidelines require Caltrans-nominated projects to receive concurrence from or illustrate coordination with the local and/or regional agency. Currently, locally-nominated projects on or adjacent to the state highway system requires Caltrans concurrence; therefore, the reverse should also be required to assure that local communities are supportive of and have provided feedback on the proposed Caltrans ATP projects. Further, we suggest some form of limitation on the funding that can go to Caltrans-nominated projects, in order to preserve most funding for local agencies. Finally, the region encourages Caltrans to publicize how they will prioritize among their projects statewide.

- **Refined Disadvantaged Communities Definition**

MTC would like to thank the Commission for updating the criteria for the regional definition of disadvantaged communities (DACs). Additionally, MTC agrees that each regional definition must document a robust public outreach process that includes the input of community stakeholders. We believe this supports the goals and principles of the ATP.

Thank you for your consideration of the region's comments. If you have any questions about our comments or any other ATP-related issues, please contact me at (415) 778-6722, or Kenneth Kao of my staff at (415) 778-6768.

Sincerely,



Anne Richman
Director, Programming & Allocations

AR: KA

cc: Laurie Waters, California Transportation Commission ATP Coordinator
April Nitsos, Caltrans ATP Program Manger
Sylvia Fung, Caltrans District 4 Local Assistance Engineer
Joel Goldberg, San Francisco MTA – ATP Technical Advisory Committee Member
Paul Keener, Alameda Public Works – ATP Technical Advisory Committee Member
Patricia Chen, Los Angeles Metro – RTPA Moderator



April 4, 2018

BOARD OF DIRECTORS

Lisa A. Bartlett
Chainwoman

Tim Shaw
Vice Chairman

Laurie Davies
Director

Barbara Delgleize
Director

Andrew Do
Director

Lori Donchak
Director

Michael Hennessey
Director

Steve Jones
Director

Mark A. Murphy
Director

Richard Murphy
Director

Al Murray
Director

Shawn Nelson
Director

Miguel Pulido
Director

Todd Spitzer
Director

Michelle Steel
Director

Tom Tait
Director

Gregory T. Winterbottom
Director

(Vacant)
Ex-Officio Member

CHIEF EXECUTIVE OFFICE

Darrell E. Johnson
Chief Executive Officer

Ms. Susan Bransen
Executive Director
California Transportation Commission
1120 N Street, Room 2233 (MS-52)
Sacramento, CA 95814

RE: 2019 Active Transportation Program Guidelines

Dear Ms. Bransen:

The Orange County Transportation Authority (OCTA) appreciates the opportunity to offer comments for the draft 2019 Active Transportation Program (ATP) Guidelines. Since the inception of the ATP, the California Transportation Commission (CTC) has awarded funds to 51 Orange County projects. These grants support vital infrastructure, education, and active transportation planning activities. OCTA supports a balanced approach to the 2019 ATP and offers the following comments to enhance competition and coordination.

Leveraging of Funds in Small Project Applications

OCTA recommends consistent matching funds incentives across small, medium, and large project application types. The medium and large applications include additional points for local matching funds, while the small project application omits this criteria. This creates an inconsistency within the guidelines which encourages leveraging of funds to allow more projects to be funded through this program. In addition, the size of the project is not indicative of agency size or availability of agency resources. Further, metropolitan planning organizations (MPOs) may incentivize matching funds for projects through their competitive process. Lack of matching incentives (through the statewide process) could disadvantage small project types - at the MPO level - that do not include matching funds. Therefore, it is important to have consistency across application types.

California Department of Transportation (Caltrans) Project Coordination

Caltrans is expected to submit project applications for the first time through the 2019 ATP. OCTA recommends including language in the ATP Guidelines that requires Caltrans to demonstrate coordination with local agencies and regional transportation planning agencies (RTPA). Within the Southern California Association of Governments region, statutory requirements give priority to projects within an adopted local and regional plan. The local agencies and RTPAs are in a unique position to assist Caltrans in identifying priority projects that are consistent with regional or local plans. Caltrans should also consider focusing improvements on

Ms. Susan Bransen
April 4, 2018
Page 2

state-owned rights-of-way. This would streamline project delivery incentivize partnership and remove additional requirements that local agencies would have to satisfy prior to construction.

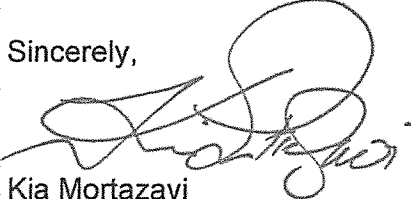
Penalties and Sanctions for Late Semi-Annual and Final Reports

At the March 22, 2018 CTC meeting, the CTC approved language encouraging agencies to submit timely reports or potentially face penalties or sanctions. We recommend Caltrans and the CTC streamline the reporting process and ensure that the type and nature of the failures are clearly understood prior to designing penalties or sanctions, consistent with Transportation Commissioner direction to staff. OCTA also recommends providing advance notification to the project sponsor and allowing ample time for corrective action.

In agenda item 86 from the March 2018 CTC meeting, the item noted ten Orange County projects as reporting late. However, nine of these projects had filed the required reports on time. Caltrans District 12 has provided confirmation that these project reports were submitted by November 2017. In addition, a functional reporting template was not made available to local agencies until September 2017. Based on this information, further evaluation of the existing Caltrans reporting process is recommended.

Thank you for allowing the opportunity to provide comments. Please feel free to contact Louis Zhao, Section Manager, Discretionary Funding Programs, at (714) 560-5494 if you have any questions.

Sincerely,



Kia Mortazavi
Executive Director, Planning

KM:lz

c: Laurie Waters, CTC
Kurt Brotcke, OCTA
Adriann Cardoso, OCTA
Louis Zhao, OCTA



Metro

April 6, 2018

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

RE: Comments on Final Draft 2019 ATP Guidelines and Applications

Dear Ms. ^{Susan} Bransen:

Thank you for the opportunity to provide feedback on the *Final Draft 2019 Active Transportation Program (ATP) Guidelines* which were presented to the California Transportation Commission (CTC) on March 21, 2018 as well as the draft applications. The 2019 ATP is an exciting cycle because it is the first full cycle benefiting from funding provided by the 2017 Road Repair and Accountability Act (SB 1). Metro appreciates and commends CTC staff for the extensive and inclusive guidelines and application development process, and hopes the following comments can be taken into consideration.

Areas We Especially Support:

We support and thank CTC staff for the four-year cycle, which will allow for more successful project delivery, particularly of more complex projects, and projects including several phases. We appreciate the new applications which are now tailored to plans, non-infrastructure, and large, medium and small projects. We think they will encourage agencies that had not applied previously to try with the new applications. We support maintaining the 20-month maximum time extension, as changing it could result in project failure for larger, more complex projects, or projects with accumulated delays from multiple phases.

Project Reporting

Metro wishes to work with CTC and Caltrans staff to improve reporting outcomes for the ATP. We are concerned that a lack of clarity and awareness of the reporting procedures may have contributed to a large number of reports being turned in, but not reflected in ATP records, as well as a large number of past due reports. We recommend that the guidelines require Caltrans staff to provide training on reporting expectations and procedures as part of a program of post-award project delivery training, regular monitoring, and proactive outreach to ensure better outcomes. We feel the regions can and should take a role in this as well, supporting the initiative of District staff. We also recommend that the guidelines provide graduated thresholds and case by case flexibility in applying the penalties being added to the guidelines, so as to reserve the more severe penalties for only the most egregious cases. Metro believes this would be a workable approach to improving reporting outcomes.

Ms. Susan Bransen
April 6, 2018
Page 2

FTA Transfers

Projects intended to transfer to FTA must allocate funds first. The ATP project readiness requirements for allocation are different from FTA's project readiness requirements for obligation. Metro suggests reverting to the language in the FTA Transfers section of the previous draft as follows:

28. FTA Transfers

Caltrans shall make a recommendation to the Commission regarding the readiness of the project for ~~transfer~~ allocation using the same criteria used by the FTA to determine readiness for obligation.

Allocations (Language Regarding Scope Changes)

The current draft language requires that scope changes be presented to Caltrans for consideration prior to allocation. As there are multiple points in a project's development where a project sponsor may realize the need for a scope change (e.g. during the environmental outreach process after allocation of environmental funds, or during project engineering and design after allocation of design funds), Metro suggests updating the language as follows:

Any scope changes must be presented to Caltrans for consideration ~~prior to~~ with the allocation following the phase it was determined that a scope change is needed in the manner described in Section 26.

Thank you for your consideration. Should you have any questions regarding these comments, please feel free to contact Patricia Chen at (213) 922-3041 or chenp@metro.net.

Sincerely,



Michael Cano
Deputy Executive Officer
State Policy and Programming

cc: Laurie Waters, CTC
April Nitsos, Caltrans