

Memorandum

Tab 17

To: CHAIR AND COMMISSIONERS

CTC Meeting: June 28-29, 2017

Reference No.: 4.15
Action

Published Date: June 28, 2017

From: SUSAN BRANSEN
Executive Director

Prepared By: Laurie Waters
Associate Deputy Director

Justine To-Gutterres
Administrative Officer

Subject: **ADOPTION OF 2017 ACTIVE TRANSPORTATION PROGRAM AUGMENTATION GUIDELINES, RESOLUTION G-17-21**

ISSUE:

Should the California Transportation Commission (Commission) approve the proposed guideline amendment to augment the 2017 Active Transportation Program (ATP) for funds made available with the enactment of Senate Bill 1?

RECOMMENDATION:

Commission Staff recommends the Commission adopt the proposed amendment to the 2017 ATP Guidelines, as provided in Attachment A. The proposed amendment, referred to as the 2017 ATP Augmentation Guidelines, are a statement of the policies and procedures specific to the use of funds made available from the Road Maintenance and Rehabilitation Account for fiscal years 2017-18 and 2018-19.

BACKGROUND:

The Active Transportation Program was created by the Legislature to achieve the following goals:

- Increase the proportion of biking and walking trips.
- Increase safety for non-motorized users.
- Increase mobility for non-motorized users.
- Advance the efforts of regional agencies to achieve greenhouse gas reduction goals.
- Enhance public health, including the reduction of childhood obesity through the use of projects eligible for Safe Routes to Schools Program funding.
- Ensure disadvantaged communities fully share in the program benefits (25% of program).
- Provide a broad spectrum of projects to benefit many types of active transportation users.

On March 17, 2016, the Commission adopted guidelines for the 2017 ATP. At its March 2017 meeting, the Commission adopted the 2017 ATP.

The Commission adopted an amendment to the 2017 ATP Guidelines for the use of Greenhouse Gas (GHG) Reduction Funds on October 20, 2016. A call for projects to utilize the GHG Reduction Funds was issued on June 1, 2017.

The Road Repair and Accountability Act of 2017, Senate Bill 1 (Beall, Chapter 5, Statutes of 2017), signed by the Governor on April 28, 2017, directs \$100 million annually from the Road Maintenance and Rehabilitation Account to the ATP. The ATP Augmentation Guidelines set forth the process to augment the 2017 ATP for funds made available from the Road Maintenance and Rehabilitation Account for fiscal years 2017-18 and 2018-19.

Attachments:

- Attachment A: Final Draft 2017 Active Transportation Program Guidelines Amendment
- Attachment B: Resolution G-17-21
- Attachment C: Correspondence

Final Draft 2017 Active Transportation Program Augmentation Guidelines

These guidelines are the policies and procedures specific to the use of 2017-18 and 2018-19 fiscal year funding from the Road Maintenance and Rehabilitation Account for the Active Transportation Program (ATP) – hereby known as the 2017 ATP Augmentation. The California Transportation Commission (Commission) is statutorily required to adopt the guidelines and selection criteria for and define the types of projects eligible to be funded through the ATP.

I. Authority and Purpose

Senate Bill (SB) 1, signed by the Governor on April 28, 2017, directs \$100 million annually from the Road Maintenance and Rehabilitation Account to the ATP beginning in the 2017-18 fiscal year. The following policies and procedures address the use of 2017-18 and 2018-19 fiscal year funding from the Road Maintenance and Rehabilitation Account for the ATP. Unless otherwise expressly modified by statute or these guidelines, the Commission will follow the 2017 ATP Guidelines at [http://catc.ca.gov/programs/ATP/2017/Final Adopted 2017 ATP Guidelines.pdf](http://catc.ca.gov/programs/ATP/2017/Final_Adopted_2017_ATP_Guidelines.pdf).

II. Funding and Programming Years

The 2017 ATP Augmentation is funded from the approximately \$200 million allocated from the Road Maintenance and Rehabilitation Account to the ATP in fiscal years 2017-18 and 2018-19. **The Road Maintenance and Rehabilitation Account funds are state funds. Therefore, projects funded in the 2017 ATP Augmentation do not need to be federal-aid eligible.** The initial programming capacity for the 2017 ATP Augmentation program is in fiscal years 2017-18 and 2018-19. Some fiscal year 2019-20 and 2020-21 programming capacity may become available as previously programmed projects request advancement into fiscal years 2017-18 and 2018-19.

III. Distribution

The funding available for the 2017 ATP Augmentation will be distributed into the Statewide Component, the Small Urban & Rural Component, and the Metropolitan Planning Organization (MPO) Component, in the same manner as specified in Section II (5) of the 2017 ATP Guidelines. The 2017 ATP Augmentation Fund Estimate must indicate the funds available for each of the program components.

The Budget Act of 2017 appropriates no less than \$4 million a year to the Commission for allocation to the California Conservation Corps for active transportation projects to be developed and implemented by the California Conservation Corps and certified community conservation corps. Commission staff is consulting with the California Conservation Corps to develop specific provisions for the use of these funds. Once these provisions have been developed, they will be incorporated into these guidelines by addendum and adopted by the Commission.

IV. Schedule

The following schedule lists the major milestones for the development and adoption of the 2017 ATP Augmentation:

Guidelines Development Workshop	June 9, 2017
2017 ATP Augmentation Guidelines presented to Commission	June 28, 2017
Commission hearing and adoption of 2017 ATP Augmentation Guidelines	June 28, 2017
Call for Projects	June 30, 2017
Project submittals to Commission (postmark date)	August 1, 2017

Staff recommendation for Statewide and Small Urban & Rural Components posted	August 31, 2017
MPO project programming recommendations to Commission	October 19, 2017 September 29, 2017
Commission adopts 2017 ATP Augmentation - Statewide and Small Urban & Rural Components	October 18-19, 2017
Commission adopts 2017 ATP Augmentation - MPO Component	December 6-7, 2017

V. Project Eligibility

Funding for the 2017 ATP Augmentation will only be available to:

- Projects programmed in the adopted 2017 ATP that can be delivered earlier than currently programmed
- Projects that applied for funding in the 2017 ATP but were not selected for funding

Projects that were awarded funds in the 2017 ATP will remain in the component from which they were originally funded. In other words, a 2017 ATP project awarded funding from the Small Urban & Rural Component will remain in that component and a 2017 ATP project awarded funding from the MPO Component will remain in that component. The only exceptions to this policy will apply to projects that received funding for only one of the phases originally requested due to insufficient funds in the MPO Component of the program. In such an instance, an applicant may request funding for the other previously requested phases in the Statewide Component.

Applicants may not request more ATP funding than was requested in the original application. However, applicants may shift requested funding amounts between components as long as there is no net increase in requested funds. Applicants may request less than their original funding request if the full scope of the project will still be delivered. In other words, some project elements may have been funded from other sources. Applicants may add scope to their original project if no increase in ATP funds is requested for the scope increase. Projects must deliver the same or greater benefits than what was proposed in the original application.

A. Statewide and Small Urban & Rural Components – Eligible Projects

- 1) Projects that were awarded funds in the 2017 ATP Statewide and Small Urban & Rural Components may apply to advance one or more of their project components into the 2017-18 and/or 2018-19 programming years.
- 2) Projects that applied for funding in the 2017 ATP but were not selected for funding.

Scores can be found at the following link:

http://www.catc.ca.gov/programs/ATP/2017/Final_Scores_2017/2017_ATP_All_Score_Score_Order_rev.pdf.

In the Statewide and Small Urban & Rural Components, the 2017 ATP Augmentation funds will not be used to supplant already committed project funding.

In the event Commission staff determines that there are not enough viable projects submitted in the 2017 ATP to fully utilize the funds available in the Statewide and/or Small Urban & Rural Components of the 2017 ATP Augmentation, the Commission may elect to hold a 2017 ATP Augmentation supplemental call for projects.

B. MPO Component – Eligible Projects

- 1) Projects that were awarded funds in the 2017 ATP MPO Component may apply to advance one or more of their project components into the 2017-18 and/or 2018-19 programming years.
- 2) Projects on the MPO 2017 ATP contingency list.

The following policies will apply only for the MPO Component:

- For the 2017 ATP Augmentation MPO Component, the Commission will allow the supplanting of funds at the MPO’s discretion.
- Projects that applied for funding through construction in the Statewide Component but which received only preconstruction funding through the MPO Component may apply for funding through construction (the unfunded phases) in the Statewide Component.

The funds distributed to the Lake Tahoe MPO in the MPO Component can only be used to fund projects located entirely within California.

In the event an MPO determines that there are not enough viable projects from their 2017 ATP MPO contingency list to fully utilize the funds available in their 2017 ATP Augmentation component, the MPO may hold a 2017 ATP Augmentation supplemental call for projects. An MPO making such a determination must, by August 31, 2017 submit a letter signed by the Chief Executive Officer explaining the basis for the determination. A supplemental MPO call for projects must utilize the MPO’s 2017 ATP guidelines. Recommendations for funding, along with copies of all applications received, must be submitted to the Commission by ~~October~~ September 19-29, 2017.

VI. Project Selection Process

All projects applying for funding in the 2017 ATP Augmentation, including projects with no change to the schedule or funding plan, must submit the following supplemental application material.

A. Supplemental Application Material

- 1) Updated Schedule and Funding Plan

Each applicant must submit a Project Programming Request Form. A template of this form in Excel may be found at www.dot.ca.gov/hq/transprog/ocip/2016stip.htm. The Project Programming Request Form must list Federal, State, and local funding categories by fiscal year, and must include an updated schedule (project milestones) and updated cost information if necessary. The applicant must also include documentation that the availability of all other funds committed to the project are consistent with the updated schedule, i.e. the project must still be fully funded.

- 2) Authorization Letter

Each applicant must submit a letter, signed by the Chief Executive Officer or other officer authorized by the applicant’s governing board, confirming that the project can be delivered in the time frame proposed in the updated Project Programming Request and that the project is still fully funded.

In addition to the two required documents above, applicants may submit a one-page application update that explains any significant changes to the project since the original application submittal. This updated information will be used for project scope clarifications only and not result in a revised score. Projects must deliver the same or greater benefits than proposed in the original application.

B. Criteria and Evaluation

1) Projects will be selected for the 2017 ATP Augmentation based on the project's 2017 ATP score and project deliverability according to the following priority order:

- a. Projects that can deliver all components in 2017-18 and 2018-19.
- b. Projects that can deliver one or more but not all of their components in 2017-18 and 2018-19. The capacity to program all components of these projects will depend on fiscal year 2019-20 and 2020-21 programming capacity becoming available as previously programmed projects are advanced.
- c. Some fiscal year 2019-20 and 2020-21 programming capacity may become available as previously programmed projects request advancement into fiscal years 2017-18 and 2018-19. Therefore, projects that applied for funding in the 2017 ATP (those that cannot deliver one or more of their project components in the 2017-18 or 2018-19 programming years) may compete for funding in the 2017 Augmentation.

2) As potential applicants review their project schedules when they consider applying for the 2017 ATP Augmentation they should keep in mind that most of the available funding will be in fiscal years 2017-18 and 2018-19. Therefore, projects that can be delivered using these earlier year funds are more likely to be successful in the 2017 ATP Augmentation.

C. Submittal of Supplemental Application Material

Supplemental application material must include the signature of the Chief Executive Officer or other officer authorized by the applicant's governing board. Project applications should be addressed or delivered to:

Susan Bransen, Executive Director
California Transportation Commission
1120 N Street, Mail Station 52
Sacramento, CA 95814

The Commission will consider only projects for which five hard copies and one electronic copy of the aforementioned supplemental material are submitted postmarked by the appropriate deadline.

Applicants are encouraged to submit a hard copy of their original application. 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 Metropolitan Planning Organization (a contact list can be found at www.dot.ca.gov/hq/tpp/offices/orip/).

CALIFORNIA TRANSPORTATION COMMISSION
Adoption of Amendment to the 2017 Active Transportation Program Guidelines
Augmenting the ATP for the use of Road Maintenance and Rehabilitation Account Funds
June 28, 2017

RESOLUTION G-17-21, AMENDING RESOLUTION G-16-31

- 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 California Transportation Commission (Commission) to develop guidelines for the Active Transportation Program; and
- 1.3 **WHEREAS**, Streets and Highways Code section 2383 allows the Commission to amend those guidelines after holding at least one public hearing; and
- 1.4 **WHEREAS**, the Commission adopted guidelines for the 2017 ATP on March 17, 2016 and adopted the 2017 ATP at its March 2017 meeting; and
- 1.5 **WHEREAS**, on October 20, 2016, the Commission adopted an amendment to the 2017 ATP Guidelines for the use of Greenhouse Gas Reduction Funds and issued a call for projects on June 1, 2017; and
- 1.6 **WHEREAS**, the Road Repair and Accountability Act of 2017, Senate Bill 1, signed by the Governor on April 28, 2017, appropriated \$100 million annually from the Road Maintenance and Rehabilitation Account to the Active Transportation Program necessitating an amendment to the 2017 Active Transportation Guidelines; and
- 1.7 **WHEREAS**, the Commission convened the Active Transportation Program Workgroup on June 9, 2017 and June 23, 2017 to discuss the proposed 2017 Active Transportation Program Guideline Amendment to utilize the Road Maintenance and Rehabilitation Account Funds; and
- 1.8 **WHEREAS**, the Commission held a public hearing on the 2017 Active Transportation Program Guideline Amendment for the Road Maintenance and Rehabilitation Account Funds at its June 28, 2017 meeting.
- 2.1 **NOW THEREFORE BE IT RESOLVED**, that the Commission adopts the 2017 Active Transportation Program Guidelines Amendment entitled the “2017 Active Transportation Program Augmentation Guidelines” for the use of Road Maintenance and

Rehabilitation Account Funds for fiscal years 2017-18 and 2018-19, as presented by staff on June 28, 2017; and

- 2.2 **BE IT FURTHER RESOLVED**, that the purpose of these guidelines is to identify the Commission's policy and expectations for the use of the Road Maintenance and Rehabilitation Account Funds in 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 Commission staff is authorized to make minor technical changes to the guidelines; and
- 2.4 **BE IT FURTHER RESOLVED**, that the Commission directs staff to post these guidelines on the Commission's website.



401 B Street, Suite 800
San Diego, CA 92101-4231
(619) 699-1900
Fax (619) 699-1905
sandag.org

June 23, 2017

File Number 7300400

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

MEMBER AGENCIES

*Cities of
Carlsbad
Chula Vista
Coronado
Del Mar
El Cajon
Encinitas
Escondido
Imperial Beach
La Mesa
Lemon Grove
National City
Oceanside
Poway
San Diego
San Marcos
Santee
Solana Beach
Vista
and
County of San Diego*

ADVISORY MEMBERS

*Imperial County
California Department
of Transportation

Metropolitan
Transit System

North County
Transit District

United States
Department of Defense

San Diego
Unified Port District

San Diego County
Water Authority

Southern California
Tribal Chairmen's Association

Mexico*

Dear Ms. Bransen:

SUBJECT: Draft 2017 Active Transportation Program Augmentation Guidelines

The San Diego Association of Governments (SANDAG) appreciates the opportunity to provide comments regarding the Draft 2017 Active Transportation Program (ATP) Augmentation Guidelines.

The SANDAG Board of Directors approved the Regional Bike Plan Early Action Program, which commits \$200 million to expand the bike network throughout the San Diego region, totaling about 77 miles of new bikeways and other improvements to make walking and riding a bike a safer, easier, and more attractive travel choice for people of all ages and abilities.

The ATP serves as an important resource to help maximize these investments to allow the San Diego region to complete active transportation projects and reap public health, safety, and mobility benefits. As such, SANDAG looks forward to continuing to work with the California Transportation Commission (CTC) on this important program and offers the following points for consideration.

Metropolitan Planning Organization Component

SANDAG supports the CTC's proposal to allow for a supplementary call for projects if there are not enough viable projects from the 2017 ATP Metropolitan Planning Organization (MPO) contingency list to fully utilize the funds available. SANDAG respectfully requests that if a supplemental call for projects is necessary, the CTC provide additional time for MPOs to carry out this option. Under the proposed schedule, the regional projects recommended to receive funding through the Statewide Component would be posted on August 31, 2017, and MPO project programming recommendations would be due to the CTC on September 29, 2017. SANDAG encourages the CTC to provide at least two months between these dates to allow additional time for local agencies to participate in a potential supplementary call and for MPOs to provide their programming recommendations to the CTC.

Preserve Geographic Equity

SANDAG encourages the CTC to allow funding to be reserved by an MPO for distribution through the next ATP MPO Component should there be remaining funds that cannot be recommended for programming as a result of the 2017 ATP Augmentation MPO Component. Given the condensed application and implementation timeline for the 2017 ATP Augmentation, otherwise viable projects may not be ready for award by the proposed deadlines. Flexibility should be provided to allow MPOs to roll this funding over to the next cycle in order to ensure that geographic equity across the state is maintained with the infusion of Senate Bill 1 (2017) funds.

Technical Assistance and Program Administration

SANDAG requests that the CTC designate a specified percentage of funds that may be used to support technical assistance and program administration at the regional level. SANDAG invests significant staff time in assisting jurisdictions with application preparation, administering the regional call for projects, engaging local agencies to maximize participation in the program, and providing technical assistance to ensure timely use of funds in the program. Similar to the State Transportation Improvement Program, SANDAG encourages the CTC to include a modest set-aside within the MPO Component funding to support these efforts statewide.

Thank you again for the opportunity to comment on the Draft 2017 ATP Augmentation Guidelines. If you have any questions, please feel free to contact Robyn Wapner, Senior Government Relations Analyst, at (619) 699-1994 or via email at robyn.wapner@sandag.org.

Sincerely,


GARY L. GALLEGOS
Executive Director

GGAR/RWA/hbr