



METROPOLITAN  
TRANSPORTATION  
COMMISSION

Agenda Item 4b

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*Memorandum*

TO: Legislation Committee

DATE: May 3, 2013

FR: Executive Director

W. I. 1131

RE: Active Transportation Program

**Background**

Establishment of an Active Transportation Program (ATP) in state law is one of the Brown Administration's most significant policy changes sought this year. The proposed ATP would combine several state and federal grant programs focused on narrow objectives into a single program that would provide approximately \$134 million per year for various purposes, as shown in Attachment A. This is the same level of funding provided to the various individual programs in FY 2012-13, but \$12 million less than such programs collectively received in FY 2011-12, due to cuts to active transportation-related programs in the latest federal surface transportation authorization bill, Moving Ahead for Progress in the 21<sup>st</sup> Century (MAP 21).

The budget trailer bill establishing the ATP states that its purpose is to fund projects that achieve increased use of active modes of transportation, such as biking or walking, in order to achieve one or more of the following goals:

1. Increase the proportion of trips accomplished by biking and walking.
2. Increase safety and mobility for non-motorized users.
3. Advance the active transportation activities of regional agencies to achieve the greenhouse gas reduction goals pursuant to SB 375 (Steinberg, 2008).
4. Enhance public health, including reduction of childhood obesity through various programs, including, but not limited to, programs previously eligible for Safe Routes to Schools funding.
5. Provide environmental mitigation that supports or encourages active transportation.

While staff strongly supports the Administration's goals related to active transportation, staff would like to pursue a number of amendments that we believe will help ensure that the program provides the greatest benefit to bicyclists and pedestrians, as outlined below.

**Recommendation: Support & Seek Amendments**

**Discussion**

The Active Transportation Program combines six individual programs into one consolidated program, as shown in the attachment. Consistent with MAP 21, which established the new Transportation Alternatives Program, the ATP proposes to suballocate 40% or \$54 million per year to metropolitan planning organizations with urbanized area (UA) populations greater than 200,000. This would result in approximately \$11 million for the San Francisco Bay Area. Note

that federal law requires the state to administer the share of TAP funds accruing to the smaller UAs through a statewide competitive grant program available only to such areas.

**Environmental Mitigation Should Not Be Eligible as a Stand-Alone Expense**

The ATP trailer bill provides that environmental mitigation would be an eligible expense if associated with a project that provides some benefit to active transportation. Under this definition, active transportation funds could be used to fund mitigation of projects whose primary scope is not active transportation. Historically, environmental mitigation is considered part of a project's overall development costs and need not be called out as a specific "project type." Accordingly, we recommend an amendment to clarify that ATP funds may be used for environmental mitigation to the extent that the mitigation is associated with the active transportation elements of a project.

Furthermore, we recommend that urban forestry projects and roadside recreation activities, neither of which are directly related to active transportation, be struck from the list of eligible projects.

**Project Eligibility Should Be Determined In Statute, Not Administratively**

The trailer bill requires that the California Transportation Commission develop guidelines for project selection criteria for the competitive grant programs, as well project eligibility. In our view, project eligibility — one of the most important dimensions of any grant program — is the purview of the Legislature, while program guidelines, such as application requirements and selection criteria, are more appropriately handled administratively. Accordingly, staff recommends an amendment that would provide for project eligibility in statute, but allow CTC to periodically update project eligibility via the CTC guideline process.

For the reasons stated, we recommend a support and seek amendment position on this trailer bill, as outlined above.



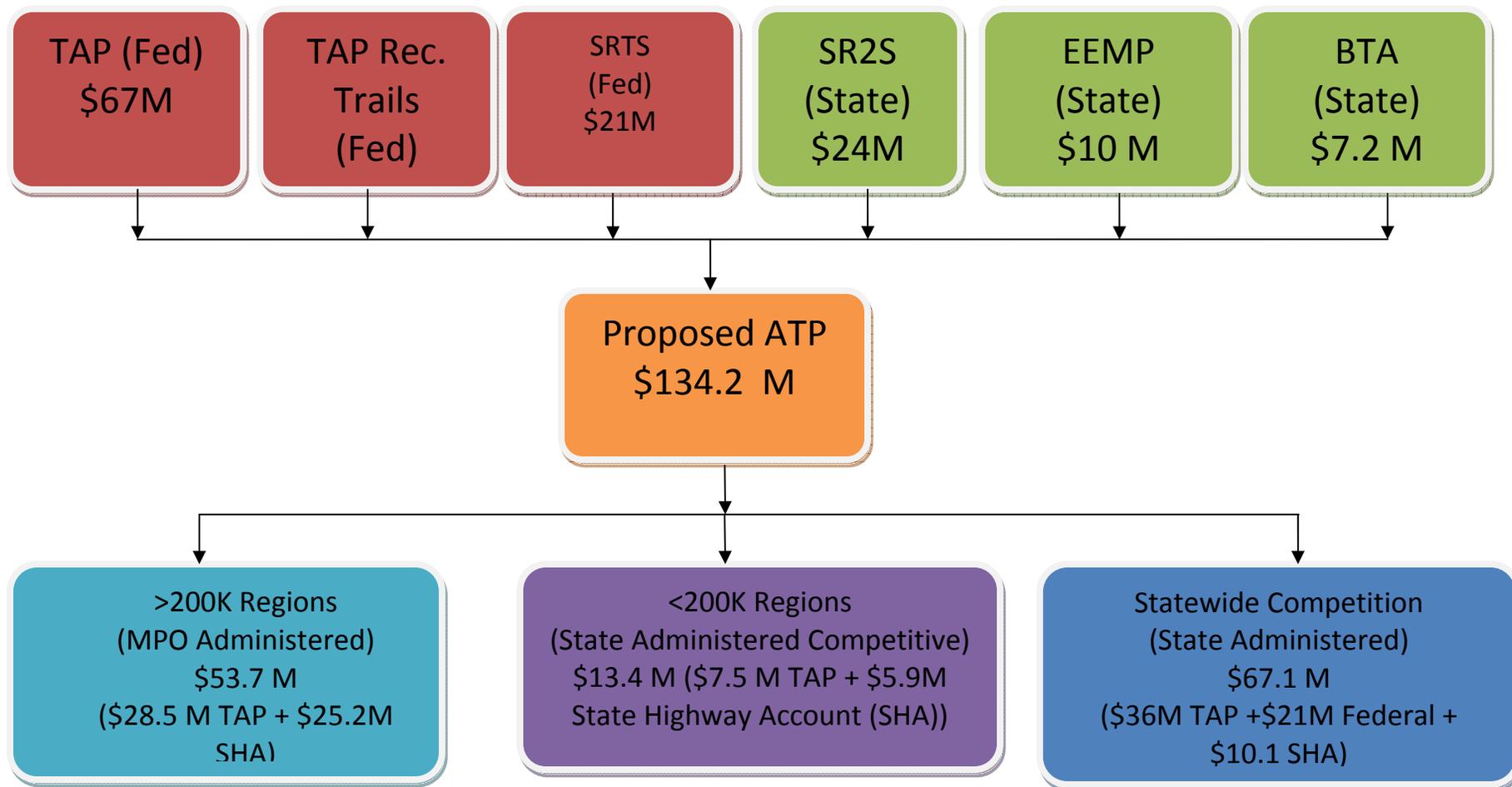
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Steve Heminger

**Attachments**

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# Active Transportation Program Proposal



TAP – Federal Transportation Alternatives Program  
 SRTS – Federal Safe Routes to School Program  
 SR2S – State Safe Routes to School Program  
 EEMP – State Environmental Enhancement and Mitigation Program  
 BTA – State Bicycle Transportation Account  
 ATP – Governor proposed Active Transportation Program