



ITEM #6

September 15, 2016

MEMO TO: TRANSPORTATION TECHNICAL ADVISORY COMMITTEE (TTAC)

**FROM: PETER DE HAAN, PROGRAMMING DIRECTOR
JUDITH JOHNDUFF, PROGRAM ANALYST**

SUBJECT: PEDESTRIAN AND BICYCLE PROJECT FUNDING UPDATE

RECOMMENDATION:

- Review and discuss.

BACKGROUND:

VCTC's Comprehensive Transportation Plan (CTP), adopted in 2013, noted the importance of connecting the county's non-motorized transportation networks on a regional scale to further strengthen these networks' contribution to congestion relief. To better address this priority the plan specifically recommended that the TDA Article 3 program be significantly reoriented to focus the funding on a relatively small number of larger projects (rather than on many smaller projects) so as to make a significant, transformative contribution to the regional network.

Commission staff in consultation with CTAC has held off on implementing this recommendation since it has been understood that the VCTC Bicycle Wayfinding Study currently underway will play a significant role in defining priorities for linking the regional network. This study will designate regional bike routes and wayfinding infrastructure throughout the county. The plan is being prepared in coordination with City and County Public Works Staff with input from the public. Since the plan is nearing completion, staff is now considering how to implement the Comprehensive Transportation Plan recommendation with regard to reorganizing the TDA Article 3 Bicycle & Pedestrian program.

Since both Article 3 and CMAQ funds have historically been used to fund bicycle and pedestrian projects in Ventura County, staff has considered the elimination of a stand-alone Article 3 Bicycle & Pedestrian call for projects and instead consolidating the Article 3 project selection with the process used for CMAQ bicycle & pedestrian projects. Since CMAQ funds are somewhat more restrictive than Article 3, in that CMAQ projects must result in improved air quality, the combined process for selecting projects would be similar to what is currently done under CMAQ. It is hoped that for both CMAQ and Article 3 bicycle & pedestrian programs, the combined call for projects would create an opportunity to implement the CTP recommendation to fund more innovative and transformative projects that might involve more than one jurisdiction or mode of travel.

With this change, it is anticipated that Article 3 would generally no longer be used for small projects of limited local benefit, but would contribute to a smaller number of larger projects, often providing

the local match for CMAQ. At the same time, it may be appropriate on a limited basis to use Article 3 for a project that is, for whatever reason, not well-suited for CMAQ.

The following is a summary of the TDA Article 3 Bicycle & Pedestrian and the CMAQ programs:

- Transportation Development ACT Article 3: Currently, VCTC issues each year a call for bicycle and/or pedestrian projects funded with Transportation Development Act Article 3 (Article 3) Bicycle & Pedestrian funding. In accordance with California PUC Section 99233.3, up to two percent (2%) of Transportation Development Act (TDA) Local Transportation Funds can be set aside by VCTC for planning, construction and/or maintenance of bicycle and pedestrian facilities, with the program policies adopted by VCTC. In Ventura County 25% of the TDA Article 3 funds are set aside for maintenance with the remainder of the funding allocated on a competitive basis for projects that foster an increase in bicycling and walking and provide improved connectivity. Over the last few years, Ventura County has received roughly \$650,000 a year in Article 3 funds. Assuming future years are roughly the same, after reserving 25% of the funds for bicycle path maintenance, approximately \$500,000 will be available for new bicycle/pedestrian projects. The VCTC Citizens Transportation Advisory Committee (CTAC) has been designated as the forum for reviewing projects and advising VCTC on priorities.
- Congestion Mitigation and Air Quality (CMAQ): This year, with the passage of the Federal Appropriation Bill known as the FAST ACT or Fixing America's Surface Transportation Act, Ventura County will also receive a set amount of Congestion Mitigation and Air Quality (CMAQ) funds each year over the next 4 years which may also be used to fund Bicycle and Pedestrian Projects in Ventura County. VCTC receives approximately \$7 million of CMAQ funding per year. CMAQ is used for projects which mitigate congestion and reduce vehicle emissions. A complete list of eligible CMAQ projects is listed in Attachment 1.

Based on the Comprehensive Transportation Plan for Ventura County, half of the County's CMAQ funds go towards transit projects and half goes to non-transit projects. Transit and non-transit projects are subject to separate selection criteria and separate calls for projects are issued. In recent years non-transit CMAQ funds have almost all been used for bicycle/pedestrian projects in Ventura County. A total of \$14 million of non-transit CMAQ funds will be available over the next four years.

For TTAC's information, staff has held discussions with TRANSCOM regarding the programming of the CMAQ funds for transit projects, and the conclusion has been to hold off to provide time for transit operators to resolve some issues regarding priorities, while at the same time taking limited funds off-the-top for selected time-critical, countywide projects. Since the transit projects are now selected separately, the TRANSCOM decision has no effect on the schedule for selection of non-transit CMAQ projects.

DISCUSSION

How a Consolidated Article 3/CMAQ Funding Program could work:

Eligible Article 3/CMAQ Projects: Eligible projects will include:

1. Construction and/or engineering of bicycle or pedestrian capital projects
2. Bicycle safety education programs
3. Development of bicycle or pedestrian facilities plans
4. To be eligible for CMAQ a project must lead to improved air quality.
5. To be eligible for TDA Bicycle & Pedestrian a project must be have potential for usage for non-motorized commuting.

6. A complete list of eligible CMAQ projects is listed in Attachment 1. The transit projects will be part of a separate call for projects as discussed in this report. Projects which are neither transit nor bicycle/pedestrian have in recent years been relatively rare in Ventura County, but any such projects if will be included for consideration in the proposed consolidated Article 3 CMAQ call for projects.

Biennial Call-for-Projects: Discussions to TTAC members to date have indicated interest in programming 2-years' worth of CMAQ funds at this time. Although TDA funds are generally appropriated year-to-year, VCTC could also hold off on programming the FY 17/18 TDA Article 3 Bicycle & Pedestrian funds to allow the programming of both FY 17/18 and FY 18/19 programs in one call for projects. By combining two years' of both Article 3 and CMAQ non-transit program funding into one biennial Call-for-Projects, approximately \$8 million would become available which would help facilitate funding of larger, more innovative projects.

Project Selection: The roles of TTAC in selecting CMAQ non-transit project, and of CTAC in selecting Article 3 projects, would be combined, with both committees reviewing the priorities. There would be a single set of criteria, and a single set ranking, for both projects. After the projects are ranked, the specific project phases would be designated for the amounts of CMAQ and Article 3 that they are to receive. The Ventura County APCD would continue to provide consultation as required under the CMAQ program.

PROJECTS ELIGIBLE FOR CMAQ FUNDING

Congestion Management and Air Quality (CMAQ) program funds can be used to fund projects expected to result in tangible reductions in CO and ozone precursor emissions, and under certain conditions PM-10 pollution. Eligible activities include:

Transportation Control Measures: TCMs are likely to be eligible, however the air quality benefits must be determined and documented before a project can be considered eligible. Two TCMs specifically excluded by legislation from CMAQ eligibility are reduction of emissions from extreme cold-start conditions and programs to encourage removal of pre-1980 vehicles. (TCMs are listed on Attachment.)

Transportation Activities in an Approved State Implementation Plan: Transportation activities in approved SIPs are likely to be eligible activities. The activity must contribute to the specific emission reductions necessary to bring an area into attainment.

Transit Projects: In general, CMAQ eligibility is determined on the basis of whether or not the project represents an expansion or enhancement of transit service. Eligible capital projects include new stations, transit centers, and preferential bus/HOV treatment on existing roads: new park-and-ride facilities adjacent to transit stops; and major new fixed-guide way and bus/HOV facilities and extensions; new alternative-fueled transit buses, vans, locomotives and rail cars; and operating subsidies for 3-year demonstrations of new service.

Alternative Fuels: Conversion or replacement of centrally-fueled fleets to alternative fuels is eligible provided that the fleet is publicly owned or leased, and the fleet conversion is in response to a specific requirement in the Clean Air Act or is specifically identified in the State Implementation Plan.

Bicycle and Pedestrian Program: Include eligible projects are construction of bicycle and pedestrian facilities, non-construction projects related to safe bicycle use, and establishment and funding of State bicycle/pedestrian coordinator positions.

Management Systems: Projects required to develop, establish the management systems for traffic congestion, public transportation facilities and equipment, and intermodal transportation facilities and systems, as well as implementation of projects contained in them, are eligible where it can be demonstrated they are likely to contribute to attainment of air quality standards.

Traffic Management/Congestion Relief Strategies: Traffic management and congestion relief strategies for both highways and transit are eligible provided that they can be shown to improve air quality. Projects to modernize traffic signals to improve traffic flow and intelligent transportation systems are included under this category.

Telecommuting: Planning, technical and feasibility studies, training, coordination and promotion for telecommuting are eligible activities under CMAQ. Physical establishment of telecommuting centers, computer and office equipment purchases and related activities are not eligible.

Travel Demand Management: Eligible activities include: market research and planning in support of TDM implementation; capital expenses required to implement TDM measures; operating assistance to administer and manage TDM programs; and marketing and public education efforts to support and bolster TDM measures.

Intermodal Freight: CMAQ funds may be used for improved intermodal freight facilities where air quality benefits can be shown.

Public/Private Initiatives: The CMAQ program may be used to fund projects or programs that are owned, operated or under the primary control of the public sector, including public/private joint ventures. Under TEA-21, non-profit organizations are eligible as direct recipients of CMAQ funds.

Outreach Activities: Outreach activities, such as public education on transportation and air quality, advertising of transportation alternatives to SOV travel, and technical assistance to employers or other outreach activities for an Employee Commute Option program may be funded under the CMAQ program for an indefinite period. Transit “stores” selling fare media and dispensing route and schedule information which occupy leased space are also eligible and are not subject to the 3-year limit.

Fare/Fee Subsidy Program: CMAQ funds may be used for partial user fare or fee subsidies to encourage greater use of alternative travel modes (e.g. carpool, vanpool, transit, bicycling and walking), as part of a comprehensive, targeted program to reduce SOV use. The subsidized fare/fee must be limited to any one entity or location for a period not to exceed 2 years.

Other Projects and Programs: Other transportation projects and programs, even if they are not included under one of the categories above may also be funded under CMAQ. Innovative activities based on promising technologies and feasible approaches to improve air quality will also be considered for funding. Documentation of air quality benefits must be provided.