

**Metropolitan Transportation Commission
Programming and Allocations Committee****February 9, 2022****Agenda Item 3a - 22-0062****MTC Resolution No. 4487**

Subject:

Adoption of the 2023 Regional Active Transportation Program (ATP) Cycle 6 Guidelines.

Background:

The State established the ATP in September 2013. ATP funding is distributed with 50% to the state for a statewide competitive program; 10% to the small urban and rural area competitive program to be managed by the state; and 40% to the large urbanized area competitive program, with funding distributed by population to and managed by the ten largest Metropolitan Planning Organizations (“Regional ATP”).

MTC is responsible for developing the guidelines for the Regional ATP, and for recommending proposed projects to the California Transportation Commission (CTC) for adoption. Resolution No. 4487 establishes MTC's policies, procedures, and project selection criteria for the Cycle 6 Regional ATP. Staff expects \$50 million in new funding available for MTC to program as part of the regional ATP over four years, FY 2023-24 through FY 2026-27. This amount may increase depending on additional federal and state funding for active transportation.

MTC Guidelines – Proposed Changes

CTC staff has proposed minimal changes to the Statewide Guidelines to maintain a consistent application process from the previous cycle. MTC’s Regional ATP Guidelines are based on CTC's draft ATP Guidelines, scheduled for adoption on March 16, 2022. To maintain consistency with the CTC’s statewide guidelines, MTC staff does not propose any significant changes to the regional guidelines.

Staff recommends aligning the regional guidelines with the adopted One Bay Area Grant (OBAG 3) framework. The regional guidelines will require jurisdictions (cities and counties) to adopt a Local Road Safety Plan (LRSP) or equivalent safety plan, and a general plan housing element, certified by the California Department of Housing and Community Development (HCD) for the 2023-2031 Regional Housing Needs Allocation (RHNA), by December 31, 2023. Jurisdictions without an adopted LSRP or equivalent safety plan and a certified general plan

housing element will be ineligible for future regional ATP cycles until they comply. A summary of the changes to the Statewide Guidelines is in Attachment 1, and Attachment 2 highlights the differences between MTC's Regional Guidelines and the draft Statewide ATP Guidelines. Staff expects the region will continue to exceed the 25% state disadvantaged communities funding minimum with these minor changes to the guidelines.

Staff-Led Application Technical Assistance Program

While no funding has been identified for a consultant-led technical assistance program for ATP Cycle 6, staff proposes continuing an MTC staff-led application technical assistance program this round. The proposed technical assistance program would provide early application assistance and screening over the next few months up to application deadline. Staff expects this additional assistance will improve the quality and overall competitiveness of applications from the region. Staff will prioritize technical assistance for agencies with projects benefiting disadvantaged communities and for agencies that have historically underperformed in the ATP. Further, staff will ensure that application evaluators will not review the same applications they provided technical assistance on, to avoid any conflict of interest.

Schedule

Staff will submit these guidelines to the CTC for approval following Commission adoption. Upon CTC approval of MTC's Regional ATP Guidelines, expected in March 2022, MTC will issue a call for projects for the regional program, concurrent with the call for projects for the statewide program. Applications for the Regional ATP are due to MTC by June 15, 2022, which is the same due date as the Statewide Competitive ATP. MTC staff will recommend programming of projects from the Regional ATP in early 2023 via an amendment to MTC Resolution No. 4487.

Other Considerations

Consistent with Commission direction, no requirements are included in the proposed guidelines related to housing production. The draft state guidelines propose asking jurisdictions to highlight connections to existing and planned affordable housing for large transformative projects, but no points are currently attached to this reporting.

Staff does propose to continue to award points to projects within a jurisdiction with an adopted Vision Zero or Bike and Pedestrian Safety Policy and to projects identified in an approved Community-Based Transportation Plan. The inclusion of these points encourages sponsors to apply for projects that advance the equity and safety goals of Plan Bay Area 2050. Further, MTC is currently developing the Regional Active Transportation Plan and updating MTC's Complete Streets Policy later this year. Future ATP cycle guidelines will align with the Regional Active Transportation Plan and be consistent with the updated Complete Streets Policy, and we urge early alignment and compliance from applicants where feasible.

Issues:

One-time Augmentation

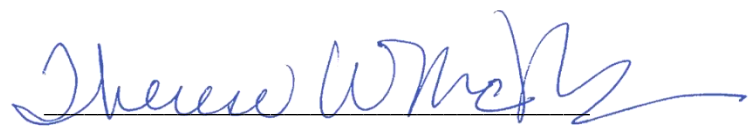
The Governor proposes augmenting the ATP by \$500 million as part of the Governor's January budget. The additional ATP funds in the Governor's 2023 Proposed Budget may increase programming capacity for Cycle 6, and potentially also fund unsuccessful projects from the prior Cycle 5. Further discussions with CTC staff and other program stakeholders will take place in the coming months before the CTC approves the administration framework for the funds.

Recommendations:

1. Refer MTC Resolution No. 4487 to the Commission for approval.
2. Direct staff to submit MTC's Regional ATP Guidelines to the California Transportation Commission upon Commission approval.
3. Authorize a call for projects consistent with the guidelines upon CTC's approval of MTC's Guidelines.

Attachments:

- Attachment 1: Highlighted CTC 2023 ATP Guideline Changes
- Attachment 2: Regional ATP Guidelines Highlights
- Attachment 3: MTC Resolution No. 4487



Therese W. McMillan

Attachment 1: Highlighted CTC 2023 ATP Guideline Changes

The California Transportation Commission (CTC) proposes the following major changes to the 2023 (Cycle 6) Statewide ATP Guidelines, scheduled for adoption in March 2022.

Large Project Applications and Affordable Housing

The CTC will require Large Project applicants to highlight connections to existing and planned affordable housing and discuss how the project will advance local transportation and land use goals. The CTC also encourages applicants to apply for the California Department of Housing and Community Development's (HCD) Prohousing Designation Program. The CTC will not assign any points to this reporting; however, the CTC will consider scoring the question in future cycles.

Updated Project Size Thresholds

CTC staff will maintain the five different application types available for applicants to complete depending on the project type and size. CTC proposes updating the application size thresholds for the small, medium, and large infrastructure/non-infrastructure categories. The applicant must complete the application appropriate for their project. The five application categories are:

- Large Project, Infrastructure only or Infrastructure/Non-infrastructure: Projects with a total project cost of greater than \$10 million will be considered a Large Project and must use the Large Project application. Any project requesting over \$10 million in ATP funding will require an onsite field review with Caltrans and CTC staff. (The previous cost threshold for Large projects was total project cost greater than \$7 million)
- Medium Project, Infrastructure only or Infrastructure/Non-infrastructure: Projects with a total project cost between \$3.5 million to \$10 million will be considered a Medium Project and must use the Medium Project application. (The previous cost threshold for Medium projects was total project cost greater than \$2 million and less than \$7 million)
- Small Project, Infrastructure only or Infrastructure/Non-infrastructure: Projects with a total project cost less than \$3.5 million will be considered a Small Project and must use the Small Project application. (The previous cost threshold for Small projects was total project cost less than \$2 million)
- Non-infrastructure Only.
- Plan (such as preparing an Active Transportation Plan).

Maintained Disadvantaged Communities (DACs) Definitions

The CTC will not allow a Regional DAC Definition as a standalone qualifying metric for Disadvantaged Communities. However, if an applicant believes their project benefits a disadvantaged community, but the project does not meet one of the four approved metrics (median household income, CalEnviroScreen, National School Lunch Program, or Tribal Land criteria), the applicant may submit another means of qualifying as a disadvantaged community (such as a Regional DAC Definition) in the “Other” category. The Statewide Guidelines continue to list regional definitions that are adopted as a part of a regular 4-year cycle of a Regional Transportation Plan/ Sustainable Communities Strategy and used for broader planning purposes beyond the ATP as a recommended alternative to use to qualify as a disadvantaged community. If an applicant chooses to use MTC’s Equity Priority Communities or any other metric to be eligible beyond the four approved DAC categories, their application cannot obtain the maximum number of points in the disadvantaged communities section as CTC will only assign a maximum of 1 point out of 3 for the severity piece of the question. The maximum amount of points available for the Disadvantaged Community question is 10 points.

Maintained Points for Leveraging Funds

The CTC will continue to only consider funds that are not allocated by the Commission on a project-specific basis as eligible for leveraging points in the medium and large project applications, with the exception of State Transportation Improvement Program (STIP) funding.

Phase II of the Quick-Build Pilot Program

The CTC maintained the Quick Build Pilot Program for this cycle and will fund up to \$7 million for quick build projects. The pilot program aims to provide opportunities for cities to test and implement relatively inexpensive safety measures that address active transportation needs quickly, before committing to more expensive solutions. The CTC awarded 50% percent of the total funds available in Phase I. MTC staff will continue to work with the CTC to evaluate the pilot program and to include quick-build funding in future ATP cycles permanently.

Attachment 2: Regional ATP Guidelines Highlights

Proposed Regional ATP Guidelines

MTC will follow the State Competitive ATP Guidelines, with the main differences from the Statewide ATP Guidelines as noted below:

1. Update the additional screening criteria to require that jurisdictions receiving funds in future regional ATP cycles have an approved Housing Element, an approved Local Road Safety Plan, and are consistent with MTC's Complete Streets Policy, as required by the One Bay Area Grant Program (OBAG 3).
2. Maintain additional screening criteria focused on transit agency coordination.
3. Maintain additional evaluation criteria, as follows:
 - a. Consistency with Regional Priorities and Planning Efforts (such as the forthcoming Regional Active Transportation Plan Bike and Pedestrian Network and the Bay Trail build-out and gap closures, and multi-jurisdictional projects, construction only requests). **Up to 7 points**, to be scored by MTC Staff.
 - b. Completion of Approved Environmental Document. Met by proof of an approved environmental document and does not apply to planning activities or stand-alone non-infrastructure projects. **0 or 3 points**.
 - c. Countywide Plans/Goals Consistency. Met by Bay Area County Transportation Agency determination of consistency with countywide plans and/or goals. Inconsistent projects will receive a 2 point penalty. **0 or -2 point**.
 - d. Deliverability. MTC staff will review the project's proposed schedule for deliverability. Projects deemed undeliverable or that have significant delivery risks will receive a 5 point penalty. **0 or -5 points**.
 - e. Consistency with Community-Based Transportation Plan (CBTP). Additional points in the Disadvantaged Communities portion of the Statewide Application for projects identified in an approved CBTP. **See item 4 below**.
 - f. Consistency with Vision Zero Policy & Bike and Pedestrian Safety Policy or Plan. Additional points in the Disadvantaged Communities portion of the Statewide Application for projects within a jurisdiction with an adopted Vision Zero Policy or Bike and Pedestrian Safety Policy or Plan. **See item 4 below**.

4. Maintain the revised Disadvantaged Communities portion of the Statewide Application as follows:
 - a. Assign the statewide score value for Disadvantaged Communities to 60% of the statewide value (maximum 10 points reduced to 6 points), with 20% of the remaining statewide value awarded to projects within a jurisdiction with an adopted Vision Zero or Bike and Pedestrian Safety Policy or Plan, and 20% for projects identified in an approved CBTP. Proof of CBTP and Safety Policy or Plan consistency must be provided in the supplemental regional application.
 - b. Use MTC's Equity Priority Communities definition to meet the 25% requirement for projects benefiting "Disadvantaged Communities," rather than other measures prescribed by CTC (such as median household income, Cal-Enviro-Screen 4.0, tribal lands, and percent of subsidized school lunches), as allowed by state guidelines.
5. Maintain an 11.47% match requirement, with match waivers for projects benefiting an Equity Priority Community, stand-alone non-infrastructure projects, and safe routes to school projects. Also, MTC will waive local match for construction if pre-construction phases are funded entirely with non-federal and non-ATP funds.
6. Maintain the provision requiring applicants requesting more than \$10 million to provide a scalability plan for their project.
 - a. If an ATP application request is larger than \$10 million, the applicant must provide evidence that the project can be scaled or segmented and deliver commensurate benefits. A smaller segment of the project may be selected for funding if there is not enough funding available for the full request.
7. Maintain a contingency project list.
 - a. MTC will continue to adopt a list of contingency projects, ranked in priority order based on the project's evaluation score. MTC intends to fund projects on the contingency list should there be any project failures or savings in the Cycle 6 Regional ATP that occur prior to the adoption of Cycle 7. This will ensure that MTC will fully program all regional ATP funds and minimize the loss of ATP funds to the region.

In addition to the above changes, all projects in the Regional ATP must comply with regional policies, including Resolution 3606 deadlines, and must submit a resolution of local support for all selected projects by April 1, 2023.

Funding Amount

The statewide competitive portion of the ATP provides about \$240 million over four years, FY2023-24 through FY2026-27. MTC's large urbanized area share of the ATP is expected to provide \$50 million in new funding to the nine-county MTC region.

Schedule

The current estimated schedule for ATP Cycle 6 is below.

Table 1: ATP Development Schedule (Subject to Change)

Milestone	Statewide ATP	Regional ATP
MTC Guideline Adoption	N/A	February 23, 2022
CTC Guideline Approval	March 16, 2022	March 16, 2022
Call for Projects	March 16, 2022	March 16, 2022
Application Due Date	June 15, 2022	June 15, 2022
Staff Recommendations	October 2022	January 4, 2023
MTC Adoption	N/A	January 25, 2023
CTC Approval	December 7, 2022	June 28, 2023

Application and Evaluation

MTC staff will prepare a supplemental application form for projects competing for the Regional ATP proposal above. The base application will remain the statewide application to avoid duplication. Staff will form a multi-disciplinary evaluation committee to score and rank the submitted applications.

Programming in the Transportation Improvement Program

Project sponsors shall add the projects into the TIP following CTC approval of the Regional ATP program in March 2023, but no later than June 2023.

ATP Contact

For additional information, visit the State ATP website (<https://catc.ca.gov/programs/active-transportation-program>) or MTC's ATP website (<http://mtc.ca.gov/atp>).

Date: February 23, 2022
W.I.: 1515
Referred by: PAC

ABSTRACT

Resolution No. 4487, Revised

This resolution adopts the Active Transportation Program (ATP) Regional Program Cycle 6 Guidelines for the San Francisco Bay Area, for submission to the California Transportation Commission (CTC), consistent with the provisions of Senate Bill 99 and Assembly Bill 101.

This resolution includes the following attachments:

- Attachment A – Guidelines: Policies, Procedures, and Project Selection Criteria
- Attachment B – 2023 Regional ATP Program of Projects

Further discussion of these actions is contained in the Summary Sheet to the MTC Programming and Allocations Committee dated February 9, 2022.

Date: February 23, 2022
W.I.: 1515
Referred by: PAC

RE: Adoption of Regional Active Transportation Program (ATP) Cycle 6 Guidelines and Program of Projects

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 4487

WHEREAS, the Metropolitan Transportation Commission (MTC) is the regional transportation planning agency for the San Francisco Bay Area pursuant to Government Code Section 66500 *et seq.*; and

WHEREAS, MTC has adopted and periodically revises, pursuant to Government Code Sections 66508 and 65080, a Regional Transportation Plan (RTP); and

WHEREAS, MTC is the designated Metropolitan Planning Organization (MPO) for the nine-county San Francisco Bay Area region and is required to prepare and endorse a Transportation Improvement Program (TIP) which includes federal funds; and

WHEREAS, MTC is the designated recipient for federal funding administered by the Federal Highway Administration (FHWA) assigned to the MPO/Regional Transportation Planning Agency (RTPA) of the San Francisco Bay Area for the programming of projects (regional federal funds); and

WHEREAS, the California State Legislature passed and the Governor signed into law Senate Bill 99 (Chapter 359, Statutes 2013) and Assembly Bill 101 (Chapter 354, Statutes 2013), establishing the Active Transportation Program (ATP); and

WHEREAS, MTC adopts, pursuant to Streets and Highways Code Section 2381(a)(1), an Active Transportation Program of Projects using a competitive process consistent with guidelines adopted by the California Transportation Commission (CTC) pursuant to Streets and Highways Code Section 2382(a), that is submitted to the CTC and the California Department of Transportation (Caltrans); and

WHEREAS, MTC has developed, in cooperation with CTC, Caltrans, operators of publicly owned mass transportation services, congestion management agencies, countywide

transportation planning agencies, and local governments, guidelines to be used in the development of the ATP; and

WHEREAS, a multi-disciplinary advisory group evaluates and recommends candidate ATP projects for MTC inclusion in the Active Transportation Program of Projects; and

WHEREAS, the ATP is subject to public review and comment; now, therefore, be it

RESOLVED, that MTC approves the guidelines to be used in the evaluation of candidate projects for inclusion in the ATP, as set forth in Attachment A of this resolution, and be it further

RESOLVED, that MTC approves the Active Transportation Program of Projects, as set forth in Attachment B of this resolution, and be it further

RESOLVED that the Executive Director or designee can make technical adjustments and other non-substantial revisions; and be it further

RESOLVED, that the Executive Director shall forward a copy of this resolution, and such other information as may be required to the CTC, Caltrans, and to such other agencies as may be appropriate.

METROPOLITAN TRANSPORTATION COMMISSION

Alfredo Pedroza, Chair

The above resolution was entered into by the Metropolitan Transportation Commission at a regular meeting of the Commission held in San Francisco, California, and at other remote locations on February 23, 2022.

Date: February 23, 2022
W.I.: 1515
Referred by: PAC

Attachment A
Resolution No. 4487
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2023 Regional Active Transportation Program (ATP)

Cycle 6

Guidelines

February 23, 2022

**MTC Resolution No. 4487
Attachment A**

**Metropolitan Transportation Commission
Programming and Allocations Section
<http://mtc.ca.gov/funding>**

**2023 Regional Active Transportation Program (ATP) Cycle 6
Guidelines
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2023 Regional Active Transportation Program Cycle 6 Guidelines

Background

In September 2013, the Governor signed Senate Bill 99 (Chapter 359, Statutes 2013) and Assembly Bill 101 (Chapter 254, Statutes 2013) into law, creating the Active Transportation Program (ATP). The State envisions the ATP to consolidate several other funding sources intended to promote active transportation, such as the Bicycle Transportation Account and Transportation Alternatives Program, into a single program.

State and federal law segregate ATP funds into three main components, distributed as follows:

- 50% to the state for a statewide competitive program
- 10% to the small urban and rural area competitive program to be managed by the state
- 40% to the large urbanized area competitive program, with funding distributed by population and managed by the Metropolitan Planning Organization (MPO) – hereinafter referred to as the “Regional Active Transportation Program”

The California Transportation Commission (CTC) developed guidelines for the Cycle 6 ATP which are expected to be adopted on March 16, 2022. The CTC Guidelines lay out the programming policies, procedures, and project selection criteria for the statewide competitive program, as well as for the small urban/rural and large MPO regional competitive programs. Large MPOs, such as MTC, have the option of developing regional policies, procedures, and project selection criteria that differ from those adopted by CTC, provided CTC approves the regional guidelines.

This document serves as MTC’s Cycle 6 Regional ATP Guidelines that substantially follow those of the CTC, but include some differences based on the region’s existing policies and priorities. MTC adopted these Guidelines for the MTC Regional Active Transportation Program on February 23, 2022, for final consideration by the CTC on March 16, 2022.

Development Principles

The following principles will frame the development of MTC’s Regional ATP.

- MTC will work with CTC staff, Caltrans, Bay Area County Transportation Agencies (CTAs), transit operators, regional Active Transportation Working Group, and interested stakeholders to develop the Regional Active Transportation Program.
- ATP investments must advance the objectives of the Regional Transportation Plan (RTP)/Sustainable Communities Strategy (SCS).
- MTC will exceed the State’s 25% minimum programming requirement to projects benefiting disadvantaged communities.
- MTC will continue to work with Caltrans, CTAs, transit operators, and project sponsors to seek efficiencies and streamlining for delivering projects in the federal-aid process.
- MTC will continue to advocate that all project savings and un-programmed balances remain within the ATP program rather than redirected to the State Highway Account, and specifically that savings and balances in the 40% Large MPO programs remain within the regional programs, consistent with

federal guidance on the Surface Transportation Block Grant (STBG) Transportation Alternatives set-aside.

- MTC will not penalize project applicants for previous project delivery issues outside of the sponsor's control.

CTC Guidelines

The CTC Statewide ATP Guidelines are expected to be adopted on March 16, 2022, and are available at <https://catc.ca.gov/programs/active-transportation-program>. The approved CTC Guidelines for the Active Transportation Program, as posted on the CTC website, are incorporated in MTC's Regional ATP Guidelines via this reference. All project sponsors are required to follow both the MTC and CTC ATP Guidelines in the development and implementation of the Regional ATP.

ATP Development Schedule

The development of the ATP will follow the schedule outlined in Appendix A-1 of this guidance, which is subject to change.

ATP Regional Shares

Appendix A-2 of this guidance provides the MTC regional shares for Cycle 6 of ATP funding (FY 2023-24 through FY 2026-27), consistent with the ATP Fund Estimate scheduled for adoption by the CTC. Appendix A-2 also includes the State's 25% minimum programming requirement to projects benefiting disadvantaged communities.

Public Involvement Process

In developing the ATP, MTC is committed to a broad, inclusive public involvement process consistent with MTC's Public Participation Plan, available at <http://mtc.ca.gov/about-mtc/public-participation/public-participation-plan>.

ATP Projects in the Transportation Improvement Program (TIP)

Consistent with state and federal requirements, ATP funded projects must be programmed in the TIP before seeking a CTC allocation. Selected projects must complete and submit a Fund Management System (FMS) application by June 1, 2023, to be included in the TIP. In addition, MTC requires that a federal Request for Authorization (RFA) be submitted simultaneously with the ATP allocation request to Caltrans and CTC when the ATP project includes federal funds. Unless a state-only funding exception is granted, ATP funds will contain federal funds. Therefore, projects must receive a CTC allocation and a federal authorization to proceed before the expenditure of eligible costs or advertisement of contract award.

Deviations from Statewide Policies

Below are MTC-region specific policies as they apply to the Regional Active Transportation Program. These policies differ from CTC's Guidelines.

1. Application Process and Additional Regional Screening/Evaluation Criteria

MTC elects to hold a separate call for projects for the Regional Active Transportation Program and has additional evaluation and screening criteria. Further information on these changes, as well as instructions for the application process, are detailed later in this guidance.

Project sponsors may apply for either the State ATP program or Regional ATP program, or to both. Sponsors applying to the State ATP program, the Regional ATP program, or both the state and regional programs must submit a copy of their state application to MTC. To be considered for the regional program, including consideration if unsuccessful in the statewide program, applicants must meet all regional requirements and submit a regional application by the application deadline.

2. Definition, Evaluation, and Funding Minimum for Disadvantaged Communities

Definition

The MTC region has already adopted a measure to define Disadvantaged Communities (DACs) known as "Equity Priority Communities". MTC updated the Equity Priority Communities (EPCs) definition in 2020 as a part of *Plan Bay Area 2050* Equity Framework. To meet the State's 25% DAC minimum requirement in the Regional ATP, MTC elects to use MTC's EPC definition.

MTC's Equity Priority Communities are defined as those census tracts that have a concentration of both people of color and low-income households, or that have a concentration of 3 or more of the remaining 6 factors below (#3 to #8), but only if they also have a concentration of low-income households. The concentration thresholds for these factors are described below.

Disadvantage Factor	% of Regional Population	Concentration Threshold
1. Minority Population	58%	70%
2. Low Income (<200% of Poverty) Population	21%	28%
3. Limited English Proficiency Population	8%	12%
4. Zero-Vehicle Households	9%	15%
5. Seniors 75 Years and Over	6%	8%
6. People with Disability	10%	12%
7. Single-Parent Families	13%	18%
8. Severely Rent-Burdened Households	10%	14%

Based on this definition, 21% of the region's population is located in Equity Priority Communities. MTC's Equity Priority Communities definition of Disadvantaged Communities meets the State's legislative intent and has already been in use in the MTC region for planning and programming purposes.

Additional discussion of the Equity Priority Communities definition and methodology are included in the *Plan Bay Area 2050* Equity Analysis Report, available online at

<https://bayareametro.github.io/Spatial-Analysis-Mapping-Projects/Project-Documentation/Equity-Priority-Communities/>. The last link also includes a static map of the EPC locations. An interactive online map is available at <https://opendata.mtc.ca.gov/datasets/equity-priority-communities-plan-bay-area-2050>.

Community-Based Transportation Plans (CBTPs)

The Community-Based Transportation Planning Program is a collaborative planning process that involves residents in low-income Bay Area communities, community- and faith-based organizations that serve them, transit operators, CTAs, and MTC. Each plan includes locally identified transportation needs, as well as solutions to address them. Each plan reflects the objectives of the program, which are to:

- emphasize community participation in prioritizing transportation needs and identifying potential solutions;
- foster collaboration between local residents, community-based organizations, transit operators, CTAs, and MTC; and
- build community capacity by involving community-based organizations in the planning process.

Project findings are forwarded to applicable local or county-level policy boards, as well as to MTC, for consideration in planning, funding, and implementation discussions.

Vision Zero Policy or Bike and Pedestrian Safety Policy or Plan

Vision Zero is a traffic safety policy that takes an ethical approach toward achieving safety for all road users, setting the goal of zero traffic fatalities or severe injuries. Vision Zero policies maintain that traffic deaths and severe injuries are preventable and focus attention on the shortcomings of the transportation system itself, including the built environment, policies, and technologies that influence behavior. Vision Zero sets the highest level of responsibility on the system designers – transportation planners and engineers, policymakers, police, etc. Each Vision Zero policy contains five core resolutions:

- Traffic deaths and severe injuries are acknowledged to be preventable.
- Human life and health are prioritized within all aspects of transportation systems.
- Acknowledgment that human error is inevitable and transportation systems should be forgiving.
- Safety work should focus on systems-level changes above influencing individual behavior.
- Speed is recognized and prioritized as the fundamental factor in crash severity.

Alternatively, jurisdictions may adopt policies or a plan addressing bicycle and pedestrian safety, in the spirit of Vision Zero.

MTC elects to change the statewide application's scoring point value for Disadvantaged Communities, assigning the value to 60% of the statewide scoring value. Twenty percent of the statewide scoring value will be awarded for projects within a jurisdiction (city or county) with a

Vision Zero or Bike and Pedestrian Safety Policy or Plan, and the remaining twenty percent to projects identified in an approved Community-Based Transportation Plan (CBTP). The applicant will provide proof of Vision Zero safety policy or plan adopted by resolution and CBTP consistency in the supplemental regional application.

3. Match Requirement

The CTC Guidelines do not require a match for Statewide ATP project nominations. The CTC Guidelines allow MPOs to define different match requirements for the Regional ATP.

Differing from CTC Guidelines, MTC elects to impose a local match requirement for the regional ATP of 11.47%, with match waivers for projects benefiting Disadvantaged Communities, stand-alone non-infrastructure projects, and safe routes to schools projects. As an added provision, a project sponsor may request the local match requirement be waived for the construction phase of an infrastructure project if the pre-construction phases are entirely funded using non-federal and non-ATP funds. This provision minimizes the number of federalized phases requiring an E-76 through Caltrans Local Assistance.

4. Large Funding Requests

MTC intends to fund a variety of projects across the region. If an ATP application request is larger than \$10 million, the applicant must provide evidence that the project can be scaled or segmented and can deliver commensurate benefits. A smaller segment of the project may be selected for funding if there is not enough funding available for the full request. The applicant will provide an explanation of scalability in the supplemental regional application. MTC will not consider an application requesting more than \$10 million without a scalability strategy.

5. Contingency Project List

MTC will adopt a list of projects for programming the Regional ATP that is financially constrained against the amount of ATP funding available (as identified in the approved ATP Fund Estimate). In addition, MTC will include a list of contingency projects, ranked in priority order based on the project's evaluation score. MTC intends to fund projects on the contingency list should there be any project failures or savings in the Cycle 6 Regional ATP. This list will ensure that MTC will fully program all regional ATP funds and that no ATP funds are lost to the region. The contingency list is valid until the adoption of the next ATP Cycle.

Application Process

Project Application

Upon CTC's concurrence of MTC's Regional ATP Guidelines, MTC will issue a call for projects for the Regional Active Transportation Program. Project sponsors must complete an application for each project proposed for funding in the ATP, consisting of the items included in Appendix A-3 of this guidance. Project sponsors must submit an electronic Project Programming Request (ePPR) form provided by Caltrans for all projects. The ePPR must be submitted electronically in

CalSMART. All application materials, in the form of 1 electronic copy must be received by MTC no later than June 15, 2022, to be considered.

Additional Project Screening Criteria, Including Readiness

In addition to the CTC Guidelines, all projects included in the ATP must meet the following screening criteria.

- A. Prohibition of Multiple Phases in the Same Year.** Project sponsors must provide sufficient time between the scheduled allocation of environmental funds and the start of design, right of way or construction. Therefore, projects may not have more than one phase programmed per fiscal year, except for the design and right of way phases, which may be programmed in the same fiscal year. Exceptions may be made on a case-by-case basis.
- B. Deliverability.** Project sponsors must demonstrate they can meet the delivery timeframe of the Active Transportation Program. Projects that can be delivered (receive a CTC allocation and federal authorization to proceed for federal funds) earlier shall receive priority for funding over other projects. As specified in MTC's Regional Project Delivery Policy (MTC Resolution No. 3606, Revised), sponsors must receive the CTC allocation and receive the federal authorization to proceed (E-76 / federal obligation) for federally funded projects by January 31 of the programmed fiscal year. There are no extensions to these regional delivery deadlines.
- C. One Bay Area Grant (OBAG) 3 Requirements.**
 - a. Consistency with OBAG 3 Housing Element Requirement. Jurisdictions (cities and counties) must have a general plan housing element adopted and certified by the California Department of Housing and Community Development (HCD) for the 2023-2031 Regional Housing Needs Allocation (RHNA) by December 31, 2023. Jurisdictions without a certified general plan housing element will be ineligible for future regional ATP cycles until they comply.. Furthermore, under state statute, jurisdictions are required to submit Housing Element Annual Reports by April 1 every year.
 - b. Consistency with OBAG 3 Local Road Safety Plan Policy. To reinforce the region's focus on safety, cities and counties will be required to adopt a Local Road Safety Plan (LRSP) or equivalent safety plan and supply documentation that the jurisdiction(s) in which the projects is located meets the OBAG 3 Local Road Safety Plan Policy by December 31, 2023. Jurisdictions without an adopted LSRP or equivalent safety plan will be ineligible for future regional ATP cycles until they comply.. Jurisdictions OBAG 3 funds may be used to complete an LRSP or equivalent safety plan.
- D. Transit Agency Coordination.** Applicants must demonstrate coordination with affected transit agencies in the supplemental regional application. Evidence of coordination should be in the form of a support letter or other discussion showing coordination with affected transit operators. Projects that do not impact transit operations should indicate "no impact." Otherwise,

an application may be disqualified based on a lack of coordination with affected transit operators.

Additional Project Evaluation Criteria

MTC will use the CTC project evaluation criteria as outlined in the CTC Guidelines, with additional points and criteria for the Regional Active Transportation Program. The additional criteria and point values are:

- **Consistency with Regional Priorities and Planning Efforts. (0 to 7 points)**
Applicants shall describe the project's consistency with previously-approved regional priorities, and how the project supports *Plan Bay Area 2050*. MTC staff will award points for the degree of the proposed project's consistency with regional priorities, such as:
 - Consistency with *Plan Bay Area 2050* Health and Safety goals & Transportation strategies.
 - Consistency with MTC's Spare the Air Youth & Safe Routes to School Program, making it safer and easier for students and teachers to walk or bike to school.
 - Bay Trail build-out
 - Regional active transportation network build-out
 - Gap closures in the regional active transportation network
 - Multi-jurisdictional projects
 - Applications only requesting construction phase funds
 - Demonstration of meeting regional project delivery requirements
 - Prior ATP cycle programming
- **Completion of Approved Environmental Document. (0 or 3 points)**
While the Active Transportation Program may fund pre-construction phases of projects, including the environmental document phase, the region prefers projects which are environmentally cleared in order to promote certainty in project delivery and project scope. Applicants that provide evidence of an approved environmental document consistent with the California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA) will receive additional points. If requesting state-only funding, only CEQA documentation is required. Evidence may be provided by the following methods:
 - Photocopy of the approved environmental document cover and executive summary;
 - Link to the approved environmental document available online;
 - Full soft copy of the environmental document provided on the electronic copy of the application;
 - Documentation from Caltrans regarding environmental approval; and/or
 - Other Council/Board action, such as resolutions and/or Planning Department approval of the environmental document.

This provision does not apply to planning activities or stand-alone non-infrastructure projects, which receive the full points to this criterion regardless of environmental status at the time of application. These projects must still follow any applicable CEQA and NEPA requirements to receive ATP funding.
- **Countywide Plans/Goals Consistency Determination. (0 or -2 point)**

Following the application due date, MTC will share the received applications with the CTAs. The CTAs will review the applications for consistency with adopted countywide transportation plans, active transportation plans, and/or other countywide goals, as applicable. The CTAs will provide MTC a list of projects determined to be inconsistent with countywide plans and/or goals no later than December 1, 2023. Inconsistent projects will receive a 2 point penalty; consistent projects will be held harmless.

- **Deliverability Determination. (0 or -5 points)**

MTC staff will review each application's project delivery schedule for the ability to meet regional deadlines as described in MTC Resolution No. 3606, Revised. Projects that are deemed unable to allocate ATP funds within the four programming years of Cycle 6 (FY 2023-24 through FY 2026-27) shall receive a 5 point penalty. Projects that are deemed able to allocate within the four programming years of Cycle 6 will be held harmless.

Additional Regional Policies

Title VI Compliance

Investments made in the ATP must be consistent with federal Title VI requirements. Title VI prohibits discrimination on the basis of race, color, disability, and national origin in programs and activities receiving federal financial assistance.

MTC Resolution No. 3606 Compliance – Regional Project Delivery Policy

The CTC ATP Guidelines establish timely use of funds and project delivery requirements for ATP projects. Missing critical milestones could result in deletion of the project from the ATP, and a permanent loss of funds to the region. Therefore, these timely use of funds deadlines must be considered in programming the various project phases in the ATP. While the CTC Guidelines provide some flexibility with respect to these deadlines by allowing for deadline extensions under certain circumstances, the CTC is very clear that deadline extensions will be the exception rather than the rule. MTC Resolution No. 3606 details the Regional Project Delivery Policy for regional discretionary funding, which may be more restrictive than the State's delivery policy. All projects in the regional ATP are subject to the Regional Project Delivery Policy (MTC Resolution 3606), including the adoption of a Resolution of Local Support for selected projects by April 1, 2023. For additional information, refer to <http://mtc.ca.gov/our-work/fund-invest/federal-funding/project-delivery>.

MTC Resolution No. 3765 Compliance – Complete Streets Checklist

MTC's Resolution No. 3765 requires project sponsors to complete a checklist that considers the needs of bicycles and pedestrians for applicable projects. The Complete Streets Checklist (also known as "Routine Accommodations Checklist") is available through MTC's website online at <https://mtc.ca.gov/planning/transportation/complete-streets>. Furthermore, it is encouraged that all bicycle projects programmed in the ATP support the regional active transportation network and county-wide bicycle plans. Guidance on considering bicycle transportation can be found in MTC's 2009 Regional Bicycle Plan (a component of Transportation 2035) and Caltrans Deputy Directive 64. MTC's Regional Bicycle Plan, containing federal, state, and regional policies for accommodating

bicycles and non-motorized travel, is available on MTC's Web site at:
<https://mtc.ca.gov/planning/transportation/bicycle-pedestrian-micromobility>. MTC is currently developing the Regional Active Transportation Plan and updating MTC's Complete Streets Policy later this year. Future ATP cycle guidelines will align with the Regional Active Transportation Plan and be consistent with the updated Complete Streets Policy, and we urge early alignment and compliance from applicants where feasible.

METROPOLITAN TRANSPORTATION COMMISSION (MTC) 2023 Regional Active Transportation Program (rATP) Cycle 6 Appendix A-1: ATP Development Schedule (Subject to Change) February 23, 2022	
January 2022	CTC released draft ATP Guidelines
January 2022	Draft Regional ATP Guidelines presented to Working Groups
February 9, 2022	MTC Programming and Allocations Committee (PAC) review and recommendation of final Regional ATP Guidelines
February 23, 2022	MTC Commission adoption of Regional ATP Guidelines MTC submits adopted Regional ATP Guidelines to CTC for consideration
March 16, 2022	CTC adoption of State ATP Guidelines CTC adoption of MTC's Regional ATP Guidelines
March 16, 2022	CTC released ATP Call for Projects for Statewide Competitive Program MTC released ATP Call for Projects for Regional Program
June 15, 2022	State Quick-build Pilot Program Applications Due to CTC (Statewide Program)
June 15, 2022	State ATP Applications Due to CTC (Statewide Program) Regional ATP Applications Due to MTC (Regional Program)
September 15, 2022	CTC releases staff recommendation for ATP Statewide Quick-build Pilot Program
October 2022	CTC releases staff recommendation for ATP Statewide Competitive Program
December 7, 2022	ATP Statewide Quick-build Pilot Program Adoption: CTC scheduled to adopt the statewide quick-build pilot program
December 7, 2022	ATP Statewide Program Adoption: CTC scheduled to adopt the statewide program and transmit unsuccessful projects to the Regions for consideration
January 4, 2023	MTC releases staff recommendation for ATP Regional Program
January 2023	Working Group discussions of staff recommendations
January 11, 2023	MTC Programming and Allocation Committee (PAC) scheduled review and recommendation of final ATP Regional Program
January 25, 2023	ATP Regional Program Adoption: MTC Commission scheduled approval of ATP regional program and transmittal to CTC for consideration
April 1, 2023	TIP Amendment Deadline: Successful ATP project sponsors to submit 2023 TIP Amendment, including Resolution of Local Support
March 15, 2023	CTC Approval of ATP Regional Program
January 31, 2024	Allocation/Obligation Deadline for Regional ATP projects programmed in FY 2023-24
January 31, 2025	Allocation/Obligation Deadline for Regional ATP projects programmed in FY 2024-25
January 31, 2026	Allocation/Obligation Deadline for Regional ATP projects programmed in FY 2025-26
January 31, 2027	Allocation/Obligation Deadline for Regional ATP projects programmed in FY 2026-27

Shaded Area – Actions by State, CTC or Caltrans

Metropolitan Transportation Commission (MTC) 2023 Regional Active Transportation Program (ATP) Cycle 6

Final amounts are subject to changed according to the final ATP Fund Estimate (expected approval on 3/16/2022)

Appendix A-2: MTC ATP Regional Share Targets Cycle 6 Program - FY 2023-24 through FY 2026-27

ATP Regional Share

All numbers in thousands

Fund Source	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	Total
Federal (TAP, Recreational Trails, Other)	\$3,122	\$3,122	\$10,515	\$10,515	\$27,274
State	\$8,444	\$8,444			\$16,887
SB1			\$2,960	\$2,960	\$5,919
Total ATP Regional Share	\$11,566	\$11,566	\$13,475	\$13,475	\$50,080

State's 25% Disadvantaged Communities Minimum Requirement

Classification	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	Total
25% - Benefiting Disadvantaged Communities	\$2,891	\$2,891	\$3,369	\$3,369	\$12,520
75% - Anywhere in the Region	\$8,674	\$8,674	\$10,106	\$10,106	\$37,560
Total ATP Regional Share	\$11,566	\$11,566	\$13,475	\$13,475	\$50,080

METROPOLITAN TRANSPORTATION COMMISSION (MTC)
2023 Regional Active Transportation Program (ATP) Cycle 6

Appendix A-3: Regional ATP Project Application

Project sponsors must submit a completed project application for each project proposed for funding in the Regional Active Transportation Program. The application consists of the following parts and are available on the Internet (as applicable) at: <http://mtc.ca.gov/atp>

1. Cover letter on Agency letterhead signed by the applicant's Chief Executive Officer or other officer authorized by the applicant's governing board
 - a. If the proposed project is implemented by an agency other than the project sponsor, documentation of the agreement between the two entities must be included
 - b. If proposing matching funds, the letter should include confirmation that these matching funds are available for the proposed project
2. Project application forms
 - a. Statewide ATP Application Form, available at <https://dot.ca.gov/programs/local-assistance/fed-and-state-programs/active-transportation-program/cycle6>
 - b. Regional ATP Supplemental Application Form, available at <http://mtc.ca.gov/atp>, including back-up documentation, as applicable, such as:
 - i. Equity Priority Community benefit evidence
 - ii. Scalability plan for applications requesting more than \$10 million.
 - iii. Environmental Documentation certification evidence (CEQA and NEPA, if requesting federal funds)
 - iv. Regional active transportation network
 - v. OBAG 3 Complete Streets Policy, Housing Element compliance, and Local Road Safety Plan compliance
 - vi. Vision Zero Policy or Bike and Pedestrian Safety Policy or Plan evidence
 - vii. Community-Based Transportation Plan evidence
 - viii. Transit Agency Coordination evidence
3. Electronic Project Programming Request (ePPR) form
 - a. Available at: <https://dot.ca.gov/programs/financial-programming/office-of-capital-improvement-programming-ocip>
4. Complete Streets Checklist
 - a. Available at: <https://mtc.ca.gov/planning/transportation/complete-streets>
 - b. Not necessary for Planning or Non-Infrastructure projects.

Note: Selected projects are also required to provide a Resolution of Local Support for the project no later than April 1, 2023.

Attachment B
Metropolitan Transportation Commission
2023 Active Transportation Program (ATP)
Cycle 6
FY 2023-24 through FY 2026-27
Regional ATP Cycle 6 Program of Projects

MTC Resolution No. 4487
Attachment B
Adopted: 02/23/22-C

Regional ATP Cycle 6 Projects (in order by county)

County	Implementing Agency	Project	Regional ATP
TOTAL:			\$0

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Regional ATP Cycle 6 Contingency List (in descending score order)

County	Implementing Agency	Project	Regional ATP
TOTAL:			\$0

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