

Date of Hearing: April 11, 2016

ASSEMBLY COMMITTEE ON TRANSPORTATION
Jim Frazier, Chair
AB 2796 (Bloom and Low) – As Amended April 4, 2016

SUBJECT: Active Transportation Program

SUMMARY: Requires a minimum amount of funding be set aside for planning and non-infrastructure activities within the Active Transportation Program (ATP). Specifically, **this bill:**

- 1) Requires a minimum 5% of funding from the statewide, small urban and rural, and Metropolitan Planning Organization (MPO) programs within ATP be allocated for planning and community engagement for active transportation in disadvantaged communities.
- 2) Requires a minimum 10% of the total funding available for ATP be programmed for non-infrastructure activities, including activities relating to Safe Routes to School.
- 3) Clarifies that any portion of funding that supports non-infrastructure activities as part of a combined infrastructure and non-infrastructure project shall contribute to meeting the 10% minimum.
- 4) Allows for any additional funds remaining if applications to the programs do not meet the minimums required be expended on other projects.

EXISTING LAW:

- 1) Creates the ATP to be administered by the California Department of Transportation (Caltrans) and allocated by the California Transportation Commission (CTC) for the purpose of encouraging increased use of active modes of transportation, such as biking and walking.
- 2) Funds the ATP from a combination of federal and state funds.
- 3) Creates three programs within ATP for distribution of funds:
 - a) 50% for statewide competitive program awarded by the CTC;
 - b) 10% for projects in small urban and rural areas of the state awarded by the CTC; and,
 - c) 40% for projects determined by MPO's over 200,000 in population. The 40% is distributed to MPOs based on their relative population.
- 4) Requires that no less than 25% of programs funds benefit disadvantaged communities.

FISCAL EFFECT: Unknown

COMMENTS: The ATP was created by SB 99 (Committee on Budget and Fiscal Review), Chapter 359, Statutes of 2013, and AB 101 (Committee on Budget and Fiscal Review), Chapter 354, Statutes of 2013, by consolidating existing federal and state programs and funding, including the federal Transportation Alternatives Program, the state Bicycle Transportation Account, and the federal and state Safe Routes to School programs. The purpose of the ATP is to encourage

the use of active transportation modes including biking and walking. Specifically, ATP has the following goals:

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

ATP has a wide eligibility for infrastructure projects such as bikeways, bicycle facilities, sidewalks, trails and crossing safety improvements, and non-infrastructure projects, such as educational programs and enforcement activities. Additionally, ATP funds planning activities, including the development of local bicycle and pedestrian master plans.

According to author, AB 2796 would address the competitive disadvantage of planning and non-infrastructure projects relative to infrastructure projects in ATP and enable such projects to compete fairly in the grant process. He states that the importance of non-infrastructure and planning projects in educating and encouraging biking and walking has been overlooked. The author is attempting to reflect the volume of applications for these activities in the minimum percentage amounts for non-infrastructure and planning activities. Further, the author adds that by establishing a specific set-aside, more communities will be encouraged to apply for grants.

The ATP has become extremely popular in the state with high demand for both the statewide and the regional programs. In fact, in some areas regional agencies contribute other federal, state and local funds to their respective programs to try to meet the demand. ATP is funded at approximately \$120 million per year, and programmed in four year cycles. The bulk of the funding comes from the federal government through a set-aside program authorized by the Fixing America's Surface Transportation (FAST) Act. For example, in the second cycle, awarded in 2015, 617 applications were submitted, requesting over \$1 billion in funds. In the three program components approximately 207 projects were awarded totaling \$359 million. Of that amount less than 5% was awarded to non-infrastructure and planning activities.

The author notes that planning continues to be a huge need for active transportation, especially in low-resourced communities. According to the Office of Planning and Research's 2013-14 Annual Planning Survey, less than 50% of respondent cities and counties reported an adopted Bicycle Master Plan and roughly 13% of respondents reported an adopted Pedestrian Master Plan. Planning funds help communities develop a long term vision for active transportation in their areas and enable the development of meaningful projects. Planning also serves to engage the public in identifying community needs and priorities.

The author further explains that non-infrastructure activities are also critical to engage and encourage residents to walk and bike more, as car-free street events like CicLAvia, and programs like Safe Routes to Schools have demonstrated. Both planning and non-infrastructure are essential components of Safe Routes to School activities, which promote safe walking and bicycling to school in thousands of schools statewide. Projects that combine infrastructure improvements with a non-infrastructure component have been met with great success. The funding set aside in this bill could help encourage the development of these types of larger efforts.

In the recent adoption of the guidelines for ATP's third grant cycle, CTC set aside 2% of funds from the three component programs for planning. Non-infrastructure projects are eligible for funding in the three component programs.

Related legislation: ABX1 23 (Garcia), requires projects in the State Transportation Improvement Program and the State Highway Operation and Protection Program to prioritize projects to provide benefits to disadvantaged communities. Appropriates annually \$125 million for ATP from the State Highway Account

Previous legislation: SB 99 (Committee on Budget and Fiscal Review), Chapter 359, Statutes of 2013, and AB 101 (Committee on Budget and Fiscal Review), Chapter 354, Statutes of 2013, created and funded the ATP.

REGISTERED SUPPORT / OPPOSITION:

Support

California Bicycle Coalition (Sponsor)
 California Walks (Sponsor)
 Safe Routes to School National Partnership (Sponsor)
 American Lung Association in California
 Amigos de los Rios
 Bike East Bay
 Bike San Gabriel Valley
 Bike Santa Cruz County
 Bike SLO County
 Breathe California
 California League of Conservation Voters
 California Pan-Ethnic Health Network
 California ReLeaf
 Catholic Charities, Diocese of Stockton
 Center for Climate Change and Health
 Chico Velo
 Coalition for Clean Air
 Comite Civico del Valle
 County Health Executives Association of California
 Environmental Council of Sacramento
 Gamaliel of California
 Inland Empire Biking Alliance
 Leadership Counsel for Justice and Accountability

Livable Communities, Inc.
Los Angeles County Bicycle Coalition
Marin County Bicycle Coalition
Move LA
Napa County Bicycle Coalition
PolicyLink
Public Advocates, Inc.
Rails-to-Trails Conservancy
San Diego County Bicycle Coalition
Santa Barbara Bicycle Coalition
Silicon Valley Bicycle Coalition
Trust for Public Land
Walk San Francisco

Opposition

Non on file

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