

# Memorandum

**To:** CHAIR AND COMMISSIONERS

**CTC Meeting:** August 15-16, 2024

**From:** TANISHA TAYLOR, Executive Director

**Reference Number:** 4.16, Action

**Prepared By:** Laurie Waters  
Associate Deputy Director

**Published Date:** August 2, 2024

**Subject:** Adoption of the Amendment to the 2025 Active Transportation Program Guidelines, Resolution G-24-66, Amending Resolution G-24-31

## **Recommendation:**

Staff recommends that the California Transportation Commission (Commission) adopt the Amendment to the 2025 Active Transportation Program Guidelines as proposed in Attachments A and B.

## **Issue:**

The Budget Act of 2024, signed by the Governor on June 29, 2024, includes a \$400 million reduction to the \$1.049 billion one-time funding augmentation from the General Fund to the Active Transportation Program appropriated in the 2022 California State Budget. In order to maintain the funding commitments to the 2023 Program, it is necessary to reduce the funding available to the 2025 Program. The proposed Amendment to the 2025 Active Transportation Program Guidelines (Amendment) outlines the policies and procedure for managing the reduced 2025 Active Transportation Program funding capacity. The proposed Amendment allows the Metropolitan Planning Organizations to make technical, non-substantive changes to their regional Active Transportation Program guidelines that will be approved at the staff level. Any substantive changes will need to be approved by the Commission at the October 2024 Commission meeting. The 2025 Active Transportation Program will adhere to the policies and procedures in the adopted 2025 Active Transportation Program Guidelines, unless expressly modified in the Amendment.

## **Background:**

The Active Transportation Program was created by Senate Bill 99 (Committee on Budget and Fiscal Review, Chapter 359, Statutes of 2013) and Assembly Bill 101 (Committee on Budget, Chapter 354, Statutes of 2013) to encourage increased use of active modes of transportation, such as biking and walking. Senate Bill 1 (Beall, Chapter 5, Statutes of 2017) directs additional funding from the Road Maintenance and Rehabilitation Account to the Active Transportation Program. Along with the program's overall purpose of encouraging walking and biking, the

program aims to increase the share of walking and biking trips, increase safety and mobility for non-motorized users, help regional agencies achieve greenhouse gas reduction goals, enhance public health, ensure that disadvantaged communities fully share in program benefits, and provide a broad spectrum of projects to benefit many types of active transportation users.

The 2025 Active Transportation Program is the program's seventh cycle. The 2025 Active Transportation Program Guidelines describe the policies, standards, criteria, and procedures for the program's development, adoption, and management and were adopted by the Commission on March 22, 2024. Applications to the 2025 Active Transportation Program were due on June 17, 2024. The Commission received 277 applications, with projects valued at \$4.1 billion and funding requests totaling \$2.5 billion. Staff recommendations for the Statewide and Small Urban and Rural components will be released by November 1, 2024, and the program of projects is expected to be adopted at the Commission's December 2024 meeting. The Commission will adopt the Metropolitan Planning Organization component program of projects at its June 2025 meeting.

Attachments:

- Attachment A: Resolution G-24-66
- Attachment B: Amendment to the 2025 Active Transportation Program Guidelines

**CALIFORNIA TRANSPORTATION COMMISSION  
ADOPTION OF THE AMENDMENT TO 2025 ACTIVE TRANSPORTATION  
PROGRAM GUIDELINES**

**RESOLUTION G-24-66, AMENDING RESOLUTION G-24-31**

- 1.1 **WHEREAS**, the Active Transportation Program was created by Senate Bill 99 (Committee on Budget and Fiscal Review, 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 Highway Code Section 2382 requires the California Transportation Commission (Commission) to adopt 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 the 2025 Active Transportation Program Guidelines on March 22, 2024; and
- 1.5 **WHEREAS**, the Budget Act of 2024, signed by the Governor on June 29, 2024, reduced the one-time, \$1.049 billion funding augmentation from the General Fund for the Active Transportation Program by \$400 million; and
- 1.6 **WHEREAS**, the 2025 Active Transportation Program Fund Estimate was decreased by \$400 million to maintain the funding commitments made to the 2023 Active Transportation Program thus necessitating an Amendment to the 2025 Active Transportation Program Guidelines; and
- 1.7 **WHEREAS**, the Commission held a public workshop on July 17, 2024 to discuss the proposed Amendment to the 2025 Active Transportation Program Guidelines; and
- 1.8 **WHEREAS**, the Commission held a public hearing on the Amendment to the 2025 Active Transportation Program Guidelines at its August 2024 meeting.
- 2.1 **NOW, THEREFORE, BE IT RESOLVED**, that the Commission adopts the Amendment to the 2025 Active Transportation Program Guidelines to guide the reduction in funding available for programming; and

- 2.2 **BE IT FURTHER RESOLVED**, that the 2025 Active Transportation Program will adhere to the policies and procedures in the adopted 2025 Active Transportation Program Guidelines, unless expressly modified in the Amendment to the 2025 Active Transportation Program Guidelines (attachment B); and
- 2.3 **BE IT FURTHER RESOLVED**, that the purpose of Amendment to the 2025 Active Transportation Program Guidelines is to identify the Commission's policy, standards, criteria, expectations, and procedures for managing the reduced 2025 Active Transportation Program funding capacity, and thus provide guidance to applicants, implementing agencies, Metropolitan Planning Organizations, and the California Department of Transportation; and
- 2.4 **BE IT FURTHER RESOLVED**, that Commission staff is authorized to make minor technical changes as needed to the guidelines; and
- 2.5 **BE IT FURTHER RESOLVED**, that Commission staff is authorized to approve technical, non-substantive changes as needed to the Metropolitan Planning Organization's regional guidelines.
- 2.6 **BE IT FURTHER RESOLVED**, that the Commission directs staff to post the Amendment to the 2025 Active Transportation Program Guidelines on the Commission's website.

## **AMENDMENT TO THE 2025 ACTIVE TRANSPORTATION PROGRAM GUIDELINES 2024 State Budget General Fund Reduction**

This Amendment to the 2025 Active Transportation Program Guidelines (Amendment) outlines the policies and procedures for managing the \$400 million funding reduction to the 2025 Active Transportation Program. Unless otherwise expressly modified by statute or this Amendment, the California Transportation Commission (Commission) will adhere to the 2025 Active Transportation Program Guidelines in the administration of the program. Amended or added language is shown in bold below.

The 2025 Active Transportation Program Guidelines are available on the Commission's website: <https://catc.ca.gov/-/media/ctc-media/documents/programs/atp/2025-active-transportation-program-guidelines-final-adopted-a11y.pdf>

### I. Introduction

**The approved 2024-25 state budget reduced previously appropriated General Fund resources for the Active Transportation Program by \$400 million. Consequently, the funding available for the 2025 Active Transportation Program was reduced from \$568.7 million to \$168.7 million. The budget agreement stipulates that the remaining \$400 million may be appropriated through legislative action in future years.**

### II. Funding Overview

#### Subsection: 5. Programming Cycle

**The Amended 2024-25 Fund Estimate identified the funding available for the 2025 Active Transportation Program at \$168.7 million for the Statewide, Small Urban and Rural and the Metropolitan Planning Organization components. There is no change to the programming years. The programming capacity for the 2025 Active Transportation Program is available in fiscal years 2025-26, 2026-27, 2027-28, and 2028-29.**

#### Subsection: 6. Distribution

**The amended funding capacity for the 2025 Active Transportation Program will be distributed in accordance with Streets and Highways Code Section 2381 and as outlined in the 2025 Active Transportation Program Guidelines.**

**The amended 2025 Active Transportation Program Fund Estimate indicates the funds available for each of the program components.**

**Metropolitan Planning Organizations (MPO) receiving less than \$2 million in funding capacity may elect to loan their 2025 Active Transportation Program funding to another MPO and not program any projects in the 2025 Active Transportation Program. Any MPO borrowing funds must repay the funding to the loaner MPO in the 2027 Active Transportation Program.**

## V. Project Selection Process

### Subsection: 20. Project Selection Between Applications with the Same Score

This subsection shall be amended to add additional criteria to determine which project(s) will be funded if two or more project applications receive the same score and it is the funding cut-off score. The new criteria are shown in bold.

- 1) Project readiness including, but not limited to, completed environmental documents.
- 2) Highest score on the highest point value question (questions with the highest point value may vary by application type).
- 3) Highest score on the second highest point value question.
- 4) **Applicant that has applied in the ATP for the same project for two cycles or more and has not been successful.**
- 5) **Application was submitted by a federally recognized Tribal Governments or the application lists a federally recognized Tribal Government as a partner agency.**
- 6) **Highest score on the third highest point value question.**
- 7) **Highest score on the fourth highest point value question.**

### Subsection: 22. MPO Competitive Project Selection

**MPOs may make technical changes to their adopted regional guidelines to account for the change in available funding, such as updating funding amounts to align with the amended 2025 Active Transportation Program Fund Estimate. MPOs must submit these changes to Commission staff by September 16, 2024. Commission staff will approve technical, non-substantive changes at the staff level. Any changes deemed substantive, such as changes to evaluation criteria or the project selection process, will be brought to the October 2024 Commission meeting for Commission approval.**

## VI. Programming:

### Subsection: 26. Committed/Uncommitted Funds

**This subsection shall be amended to allow MPOs to only fund pre-construction phases of projects in all circumstances. The applicant must demonstrate how it intends to fund the construction of a useable segment, consistent with the project application. The expectation is that once funding becomes available, the remaining phases shall be funded prior to funding any new projects.**