Transportation Alternatives Program (TAP)

Webinar: August 2013

U.S.Department of Transportation

Federal Highway Administration

Transportation Alternatives Program Webinar: August 7, 2013

- Introduction: Shari Schaftlein, Director, FHWA Office of Human Environment
- Presenter: Christopher Douwes, Trails and Enhancements Program Manager
- CoPresenter: Shana Baker, Livability Team Leader

Transportation Alternatives Program

Authorized under the Moving Ahead for Progress in the 21st Century Act (MAP-21)

- **Mission:** To improve our Nation's communities through leadership, innovation, and program delivery.

- **Vision:** The Transportation Alternatives Program (TAP) creates safe, accessible, attractive, and environmentally-sensitive communities where people want to live, work, and recreate.

TAP Eligible Projects

The Transportation Alternatives Program consists of:

- Transportation Alternatives Definition
- Recreational Trails Program (RTP)
- Safe Routes to School (SRTS) activities
- Boulevards from Divided Highways

TAP projects are eligible under the Surface Transportation Program (STP).

Funds

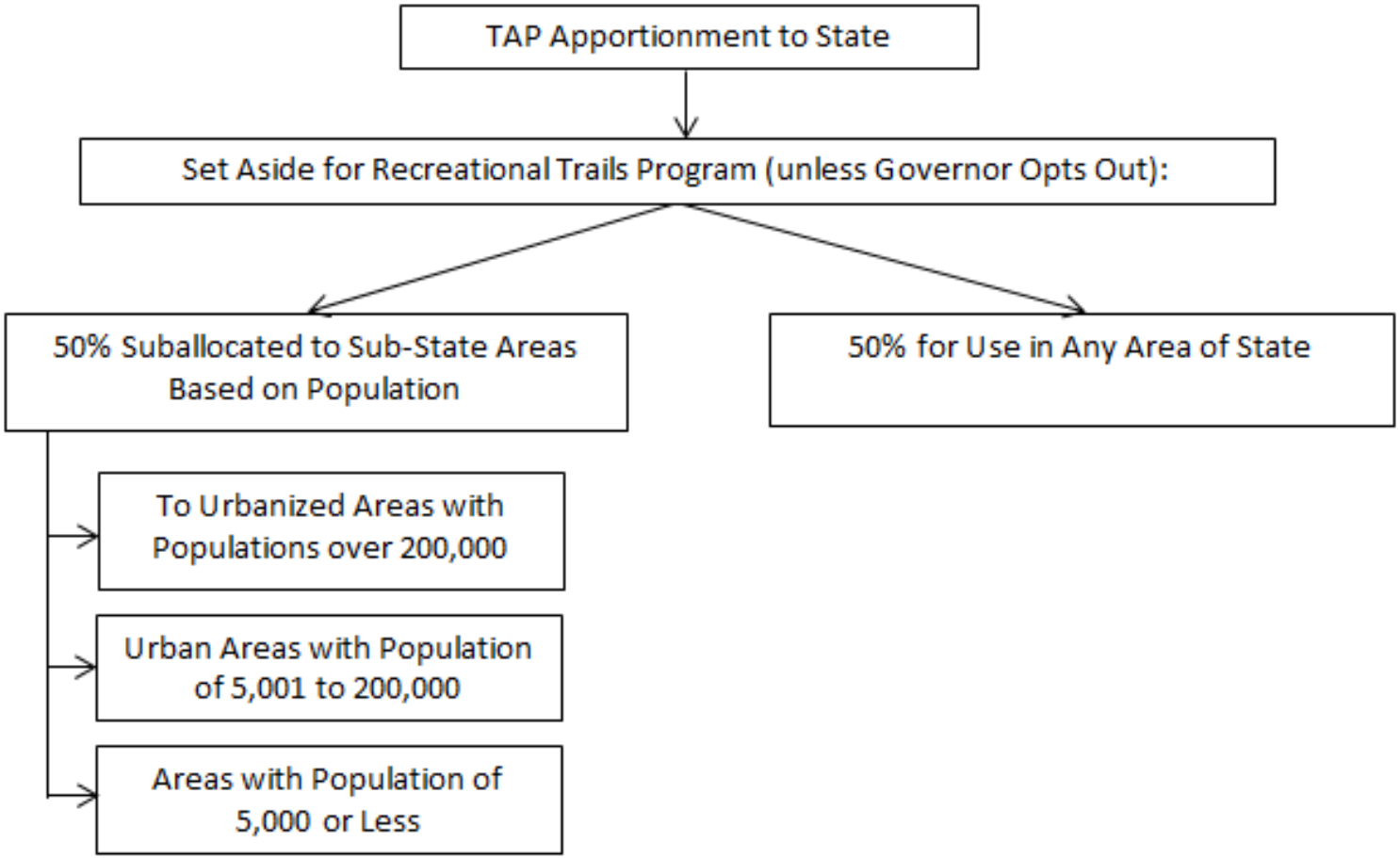
- **How much?** TAP funding is **2%** of MAP-21 funding.
- **How is it funded?** Set-aside from each State's formula programs.
- **Funding levels:** Slightly below the Transportation Enhancement (TE) Activities under SAFETEA-LU:
  - FY 2013: $808,760,000
  - FY 2014: $819,900,000
- FY 2009 for TE, RTP, and SRTS was $1.1 billion.

Federal Share

- In general, Federal share for TAP is the same as the Federal-aid highway program: 80%, with Sliding Scale.
- Flexibility for Federal Land Management Agencies.
  - May use Federal agency funds, Tribal Transportation, and Federal Lands Transportation Program as match for projects that provide access to or within Federal lands.
- In general, donation and credit provisions are the same as the Federal-aid highway program under 23 U.S.C. 323.
- Former TE flexibility provisions were eliminated.
- The RTP set-aside retains RTP match and donation and credit provisions under 23 U.S.C. 206.
- SRTS projects use the TAP provisions.

Suballocation

TAP funds are suballocated by formula.



Transfer of Funds

- States may transfer up to 50% of TAP funds to other FHWA programs.
  - After RTP set-aside.
  - No transfers from funds suballocated by population.
- States may transfer funds from other FHWA programs into TAP.
  - TAP projects are eligible under STP without a transfer.
- States may transfer funds to the Federal Transit Administration (FTA) for TAP-eligible projects.

Competitive Process

- Ultimately: the **State** is responsible.
- States and large MPOs
  - "Shall develop a competitive process to allow eligible entities to submit projects for funding…"
  - States and large MPOs develop their own competitive processes.
  - Examples are available from several sources.
- RTP set-aside: Use RTP provisions and requirements.

Eligible Project Sponsors

- Local governments;
- Regional transportation authorities;
- Transit agencies;
- Natural resource or public land agencies;
  - May include Federal, State, or local public land agencies
- School districts, local education agencies, or schools;
- Tribal governments; and
- Any other local or regional governmental entity with responsibility for oversight of transportation or recreational trails (other than an MPO or a State agency) that the State determines to be eligible…
- *RTP setaside keeps its list of eligible project sponsors.*

Project Sponsors Not Eligible

- State Departments of Transportation
- Metropolitan Planning Organizations
- Nonprofit Organizations (unless they meet one or more eligible entity requirements)

Treatment of Projects

TAP projects "shall be treated as projects on a Federal-aid highway…"

- TAP projects must comply with applicable provisions in Title 23, such as project agreements, authorization to proceed prior to incurring costs, prevailing wage rates (Davis-Bacon), competitive bidding, and other contracting requirements, even for projects not located within the right-of-way of a Federal-aid highway.
- Does not apply to projects conducted under the Recreational Trails Program setaside.
- MAP-21 §1524 Youth Corps provision offers flexibility.

Other Provisions

TAP projects follow the same procedures as other Federal-aid highway projects:

- Planning provisions
- National Environmental Policy Act
- Other environmental requirements.
- Right-of-Way
- Contracting
- Etc.

Funding and Administration Questions?

- Purpose
- Funds
- Federal Share /Donations
- Suballocation
- Transfers
- Competitive Process / Project Selection
- Eligible Project Sponsors
- Treatment of Projects
- Planning / Environment / Right-of-Way

TAP Project Eligibility

To be eligible under the TAP, a project:

1. Must relate to surface transportation (or recreational trails),
2. Must fit within the TAP definitions,
3. Must be sponsored by one or more eligible entities (defined in the TAP Guidance), and
4. Must be selected through a competitive process (defined in the TAP Guidance).

TAP Eligible Projects

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TAP Project Eligibility

Construction, planning, and design of on-road and off-road trail facilities for pedestrians, bicyclists, and other nonmotorized forms of transportation, including:

- Sidewalks,
- Bicycle infrastructure,
- Pedestrian and bicycle signals,
- Traffic calming techniques,
- Lighting and other safety-related infrastructure,
- Transportation projects to achieve compliance with the Americans with Disabilities Act of 1990.

TAP Project Eligibility

Construction, planning, and design of infrastructure-related projects and systems that will provide safe routes for non-drivers, including children, older adults, and individuals with disabilities to access daily needs.

- This category is another aspect of the pedestrian and bicycle category, including access to transit.

TAP Project Eligibility

Conversion and use of abandoned railroad corridors for trails for pedestrians, bicyclists, or other nonmotorized transportation users.

Holmes County Rail-Trail, Ohio →

<- American Tobacco Trail, Durham NC

TAP Project Eligibility

Construction of turnouts, overlooks, and viewing areas.

- Scenic Overlooks defined in 23 CFR 752.6.
- Safety Rest Areas defined in 23 CFR 752.5.

TAP Project Eligibility

Community improvement activities, including—

The term "including" means "which include but are not limited to".

Community improvement activities may be open to State and local interpretation. However, TAP projects:

1. Must relate to surface transportation (or recreational trails),
2. Must fit within the TAP definitions,
3. Must be sponsored by one or more eligible entities, and
4. Must be selected through a competitive process.

TAP Project Eligibility

Community improvement activities, which include but are not limited to—

- **Inventory, control, or removal of outdoor advertising;**

TAP Project Eligibility

Community improvement activities, which include but are not limited to—

- **Historic preservation and rehabilitation of historic transportation facilities;**
- Examples: bridges, tunnels, historic train or bus stations, ferry terminals, historic roads.

TAP Project Eligibility

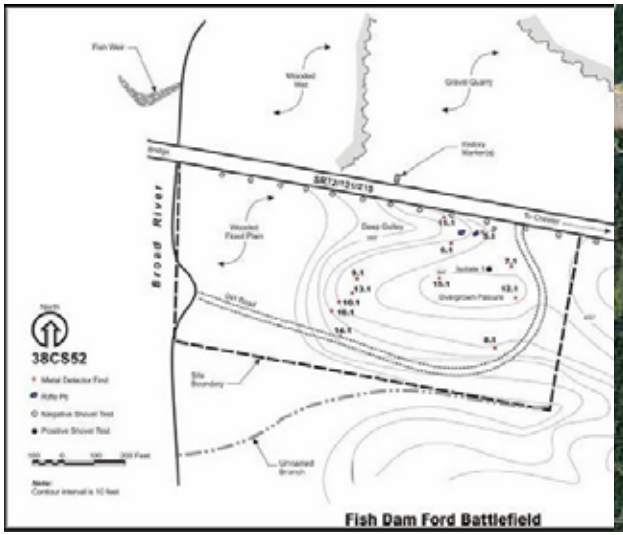
Community improvement activities, which include but are not limited to—

- **Vegetation management practices in transportation rights-of-way to improve roadway safety, prevent against invasive species, and provide erosion control;**
- Projects to manage vegetation to improve sightlines and other safety considerations;
- Establishing living snowfences.
- Removal of invasive species;
- Planting native plants, forbs, or wildflowers to control erosion along transportation corridors.
- *Routine maintenance and operation is not eligible.*

TAP Project Eligibility

Community improvement activities, which include but are not limited to—

- **Archaeological activities relating to impacts from implementation of a transportation project eligible under this title.**



TAP Project Eligibility

Community improvement activities, which include but are not limited to—

Other:

- Junkyard screening and removal.
- Streetscapes (especially benefiting pedestrians).
- Landscaping related to transportation projects.

TAP Project Eligibility

Any environmental mitigation activity, including pollution prevention and pollution abatement activities and mitigation to—

This means **any** environmental mitigation activity.

TAP projects:

1. Must relate to surface transportation (or recreational trails),
2. Must fit within the TAP definitions,
3. Must be sponsored by one or more eligible entities, and
4. Must be selected through a competitive process.

TAP Project Eligibility

- **Address stormwater management, control, and water pollution prevention or abatement related to highway construction or due to highway runoff, including activities described in 23 U.S.C. sections 133(b)(11), 328(a), and 329; or**

TAP Project Eligibility

- **Any environmental mitigation activity, including pollution prevention and pollution abatement activities and mitigation to—**
- **reduce vehicle-caused wildlife mortality or to restore and maintain connectivity among terrestrial or aquatic habitats.**

TAP Project Eligibility: TE Activities not Eligible

Transportation Enhancement (TE) Activities that are not eligible under TAP:

- Pedestrian and bicycle safety education, except SRTS.
- Acquisition of scenic or historic easements or sites.
- Scenic and historic highway programs; visitor centers.
- Historic preservation not for transportation facilities.
- Operation of historic transportation facilities.
- Transportation museums.

TAP Project Eligibility: Not Eligible (under TE or TAP)

- State or MPO administrative costs.
- Promotional activities, except SRTS.
- General recreation and park facilities:
  - playground equipment,
  - spray grounds,
  - sports fields,
  - campgrounds,
  - picnic areas and pavilions.
- Routine maintenance and operations.

TAP Project Eligibility: Recreational Trails Program

- For the RTP set-aside, all provisions and requirements remain in effect.
- The RTP represents a portion of the Federal motor fuel excise tax paid by OHV users.
- Funds to develop and maintain recreational trails for all trail uses.
  - Only FHWA program to support routine maintenance
- States solicit and select projects for funding.
- Usually administered through a State resource agency.
- States are encouraged to use Youth Corps.

TAP Project Eligibility: Recreational Trails Program

- Maintain and restore existing trails (and bridges).
- Develop and rehabilitate trailside and trailhead facilities.
- Purchase and lease trail construction and maintenance equipment.
- Construct new trails (limits on Federal lands).
- Acquire easements or property for trails (willing seller only: Condemnation is prohibited).
- Trail assessments for accessibility and maintenance.
- Trail safety and environmental protection education.
- State administrative costs.

TAP Project Eligibility: Safe Routes to School (SRTS)

- No setaside funds for SRTS.
- All eligibilities remain.
- Otherwise: TAP provisions and requirements apply.
- Allocation of funds for Infrastructure and Noninfrastructure activities do not apply (because there is no apportionment).
- Option to have a State SRTS coordinator, not required.

TAP Project Eligibility: Boulevards from Divided Highways

A boulevard is defined as a:

- *Walkable, low-speed (35 mph or less) divided arterial thoroughfare in urban environments designed to carry both through and local traffic, pedestrians and bicyclists. Boulevards may be long corridors, typically four lanes but sometimes wider, serve longer trips and provide pedestrian access to land. Boulevards may be high-ridership transit corridors. Boulevards are primary goods movement and emergency response routes and use vehicular and pedestrian access management techniques. Curb parking is encouraged on boulevards. (ITE)*

Youth Service and Conservation Corps

MAP-21 §1524: Use of Youth Service or Conservation Corps

- Defines qualified youth service or conservation corps.
- Requires the USDOT/FHWA to "…encourage the States and regional transportation planning agencies to enter into contracts and cooperative agreements with qualified youth service or conservation corps … to perform appropriate projects…
- Living allowance or rate of pay (account for prevailing wage rates).
- Exempts contracts and cooperative agreements with Corps from highway program contracting requirements: allows Sole Source.
- §1524 supersedes TAP Treatment of Projects requirement.
- §1524 applies at the *project* level, not the *program* level.

Questions?

Project Sponsors: Contact your State TAP manager.

States: Contact your FHWA Division office.

Future FHWA MAP-21 Webinars:

http://www.fhwa.dot.gov/map21/webinars.cfm

Webinar 2: Panel Discussion of Agencies that Have Implemented TAP
Date: Monday, August 12, 2013
Time: 12:00 p.m. to 1:30 p.m. EST
https://www.nhi.fhwa.dot.gov/resources/webconference/web_conf_learner_reg.aspx?webconfid=26336

Webinar 3: Outreach and Discussion on Program Performance Information
Date: Thursday, August 29, 2013
Time: 12:00 p.m. to 1:30 p.m. EST
https://www.nhi.fhwa.dot.gov/resources/webconference/web_conf_learner_reg.aspx?webconfid=26331

Webinar 4: Final TAP Guidance and Qs & As
Date: Wednesday, August 28, 2013
Time: 12:00 p.m. to 1:30 p.m. EST
https://www.nhi.fhwa.dot.gov/resources/webconference/web_conf_learner_reg.aspx?webconfid=26403

Contact Information

- Guidance and Questions and Answers: www.fhwa.dot.gov/MAP21/
- www.fhwa.dot.gov/environment/transportation_alternatives/
- State TAP Manager contacts: www.ta-clearinghouse.info/stateprofile
- State RTP Administrator contacts: www.fhwa.dot.gov/environment/recreational_trails/rtpstate.cfm
- State SRTS contacts: http://www.saferoutesinfo.org/

National TAP and RTP oversight:
Christopher Douwes
Trails and Enhancements Program Manager
christopher.douwes@dot.gov
202-366-5013