

Background

Raising funds for the planning, construction and maintenance of trails can present a significant challenge for local jurisdictions. Fortunately, since 1988, funds for planning and construction of bicycle and pedestrian projects have increased dramatically, primarily through allocations of federal transportation dollars via the Transportation Equity Act for the 21st Century, or “TEA-21” (formerly ISTEA).

The “TEA” legislation provides funds for bicycling and walking facilities via several programs (Congestion Mitigation and Air Quality (CMAQ) Improvement Program; the Recreational Trails Program; the Regional Surface Transportation Program and the Transportation Enhancement Activities (TEA) program. The legislation will likely be reauthorized in 2004-05. (For the purposes of this study, the new bill will be referred to as “T3”). The funds are usually accessed through either having a successful legislative champion to earmark a project or through competitive grant processes via a variety of programs. Please note that receipt of federal funds requires NEPA clearance, in addition to CEQA clearance. Obtaining NEPA clearance does generally require a lot of time to obtain, which should be factored into the timeline of the project. This chapter:

1. Outlines a lobbying campaign;
2. Describes the most probable grant funding sources;
3. Provides two short case studies of funded trails.

Federal, State and Local Lobbying

The City Council office should enlist the state and federal elected officials as champions who will work with the City to identify every possible funding source. The key components of this campaign will be:

- Coordinating the use of personal contacts of the Council and local trail advocates to lobby state and federal officials;
- Creating as much positive media coverage of the trail as possible;
- And using each funding award to leverage another.

Enlist Federal Representatives as Trail Champions:

- Don’t rely on normal channels, e.g. the City’s lobbyist, to convey the message. A visit from the Mayor or a Councilmember with a personal relationship with the federal elected will make a stronger impression.
- Invite the federally elected officials to tour the project. They will be most likely to do this if there is a positive press opportunity for them. Connect the tour with a press conference around an event such as National Trails Day (June 5).
- Think about elements that might make it more attractive to the elected official, when planning the tour and press event. For example, on the Iron Horse Trail in the East Bay, Rails-to-

Trails Conservancy coordinated an event for Congresswoman Tauscher and was able to use the East Bay Regional Parks District's helicopter to give her an aerial tour of the trail, highlighting its connections to neighborhoods and key destinations.

- Illustrate how the federal funds will help leverage state and local funding.

Enlist your State Representatives as Trail Champions. Enlisting the active support of the City's Assemblymember and Senator will enhance the chances of success with any of these programs, but will be especially important when the economy recovers enough so that budget earmarks "Members Requests" are again possible.

- Conduct a tour of the project with your elected official. Invite the press.
- Keep senior staff in the loop, especially the person who runs the District Office. Educate them about the benefits to the District, and demonstrate the popularity of the trail or surrounding trail program in whatever ways you can.
- Enlist your representatives' support by having them write letters of support for all grant applications.

Trail Construction Funding Sources

Below is a list of several construction funding sources for which the Coyote Creek Trail would be eligible and competitive. The trail could be phased based upon availability of funding. For example, a particular portion of the trail may serve children on their way to school (Safe Routes to School), whereas another portion of trail may benefit commuters (Bicycle Transportation Account). The sources in CAPITAL LETTERS offer the best probability.

Transportation Funding

BICYCLE TRANSPORTATION ACCOUNT: The Caltrans' administered Bicycle Transportation Account (BTA) provides funds to improve safety and convenience for bicycle commuters. The 2004/2005 cycle provided \$7.2 million to city and county agencies. For fiscal year 2004/05 the maximum amount an applicant may receive is \$1.8 million although it appears that based upon past years, smaller amounts are more common. Most grants are for under \$100,000. BTA funds pay a maximum of 90% of project costs. Eligible expenditures include both planning and construction. Commuter benefits should be well documented.

How to Access: For the fiscal year 2004/2005 cycle, Bicycle Transportation Plans (BTP) and BTA applications from local agencies were due to District Local Assistance Offices Monday, December 1, 2003. It can be expected that future deadlines for future cycles will coincide with 04/05.

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SAFE ROUTES TO SCHOOLS GRANTS (SR2S): The SR2S program is a construction grant program that intends to improve and enhance the safety of pedestrian and bicycle facilities and related infrastructure to help children safely access their schools. The program reimburses 90% of project costs, up to \$450,000. Eligible expenses include environmental clearance, preparation of Plans, Specifications and Estimates, right-of-way engineering, appraisal and acquisition and constructions costs and engineering. etc. Up to 10% of the project costs can be used for non-construction related programs or activities related to education, enforcement or encouragement (often referred to as "3E" by school safety and law enforcement officials).

How to Access: Caltrans issues the RFP to district offices in spring of each year. May 30 was the deadline for applications in 2003; February 27 was the deadline in 2004. It can be anticipated that a similar deadline will be set for 2005. District offices receive and rank

the proposals before sending for final selection to Sacramento. A jurisdiction, such as the City of San Jose, that applies for several SR2S grants, generally ranks them internally as well.

Contact:

- Randy Ronning, Caltrans Safe Routes to Schools Coordinator
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- Rich Monroe, District 4 Local Assistance Engineer
phone: (510) 286-5226

TRANSPORTATION DEVELOPMENT ACT -ARTICLE 3: The Transportation Development Act (TDA) of 1971 provides that one quarter cent of retail sales tax is returned to the county of origin for funding transportation improvements in that county. Article 3 of TDA allows RTPA's (MTC) to earmark 2% of the Local Transportation Fund towards bicycle and pedestrian facilities. TDA funds can be used as a match for federal and state grants. The funds must be used within one year of their allocation.

How to Access: MTC distributes 70% of funds back to each city and unincorporated area based upon population. The City of San Jose received \$530,000 in 2003-04. The cities then determine how they will spend the funds. The remaining 30% is distributed via the Valley Transportation Authority (VTA) to "Tier 1" projects identified in the Countywide Bike Plan,

updated every ten years. To get on the Tier 1 list, a project must generally be ready for construction and already have a feasibility study completed.

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TRANSPORTATION ENHANCEMENTS ACTIVITIES (TE): 10% of federal Surface Transportation Funds (STP) funds must be used for transportation enhancements (TE) activities. Bicycle and pedestrian facilities are one of the 12 eligible categories under the TE program. Other categories of potential interest include bicycle and pedestrian educational activities and preservation of abandoned railway corridors for bicycle and pedestrian use, which may apply at some point for the Senter railroad trestle. The Guadalupe River Trail received \$500,000 from MTC's TE funded TLC program.

How to Access TEA Funds: TE funds are divided at the state level between the regions and the state as a whole. In CA, regional transportation planning agencies, such as MTC, receive 75% and the state receives 25% for projects that have a statewide significance. MTC divides its in half, with 50% going to Congestion Management Agencies

(Valley Transportation Authority (VTA) in Santa Clara County) program and 50% distributed through its Transportation for Livable Communities (TLC) program.

MTC TLC Program: MTC is currently rewriting its guidelines and evaluation criteria and anticipates issuing a Request for Proposals in **April 2004**. In the past, eligible TLC projects have included transportation-related improvements including streetscapes, transit villages, bicycle facilities, and pedestrian plazas. Coyote Creek would be eligible for capital funding under the TLC program. The minimum project cost under the new guidelines is likely to be \$500,000; the maximum \$5,000,000.

VTA Share: The VTA will issue its own call for proposals for its share of TE funds, to be distributed as part of the Community, Design and Transportation Program (CDT). The VTA will be doing a call for planning projects this year. The programming cycle for capital projects will be done after that, this winter. The CDT program will focus on projects with good transit connections or transit access improvements.

TEA Contacts:

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- Celia Chung, (VTA/TLC), Bicycle Program Coordinator, VTA
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Hazard Elimination and Safety (HES):

10% of STP funds must be used for highway safety, including pedestrian and bicycle safety projects on any public road or any publicly owned bicycle or pedestrian trail.

How to Access: Each year Caltrans solicits candidate projects from cities and counties. Two lists are created based upon a calculated safety index and upon work type. 25% of the funds go towards Safe Index projects and 75% towards Work type projects. Only approximately 20% of projects are funded based upon funding limitations. Projects must be included in MTC's FTIP as a lump sum line item.

Types of HES projects: Installation of street lights at crossings, improving sight distancing, improving curbs etc.

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Recreational Trails Program (RTP):

The RTP provides funds for non-motorized projects and is administered by the State Department of Parks and Recreation. The purpose of the program is to provide development/rehabilitation and acquisition of recreational trails and support facilities, such as trailhead staging areas. This program has provided funding for the Los Gatos Creek Trail. The average award in past years was for \$130,000. A 20% match is required and can be made in cash or in-kind services. Five percent of the 20% must come from local sources such as city, county, state or private sources. Planning can be part of the project but awards are not granted solely for planning.

How to Access: The next deadline is October 2004. California's allocation for this grant cycle will be approximately \$3.2 million. About \$2.2 million will be available for non-motorized trails projects. Projects should have completed CEQA at the time of application.

Contacts:

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website:http://www.parks.ca.gov/default.asp?page_id=21362

Regional Bicycle and Pedestrian Program Set-Aside: On December 17, 2003 MTC approved \$200 million in funds for a new Regional Bicycle and Pedestrian Program. Details and guidelines for the distribution of funds are still to be devised. Eligible bicycle projects will likely mostly be those projects identified in the Regional Bicycle Plan that was last adopted by MTC in 2001 and will begin to be updated beginning summer 2004.

No determination has been made yet regarding eligible pedestrian projects.

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Non-Transportation Funding Sources

Land and Water Conservation Fund: California's allocation for fiscal year 2004 is approximately \$7.8 million. Approximately \$4.2 million is available for grants to local agencies, 40% for Northern California. Applicants are not advised to apply for more than \$200,000 and there is a 1:1 match requirement. Funds are to be used for acquisition and/or development, not planning. The application deadline is May 3, 2004

Other funded trails: While the City of San Jose and Santa Clara County have used this source for parks development (Los Gatos Creek Park, \$204,000; Guadalupe Garden, \$253,780) it is also available for trail development (Santiago Creek Trail, City of Orange.)

Contact:

- Albert Ventura, California Dept. of Parks and Recreation, Office of Grants and Local Services
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Habitat Conservation Fund: The Habitat Conservation Funds provides funds to local governments from the Habitat Conservation Fund Grant Program under the California Wildlife Protection Act of 1990.

\$2 million is available under the program. Cities counties and districts are eligible to apply. The HCF Program requires a dollar for dollar match from a non-state source. Eligible categories for 2005/06 include wetland, riparian, trails/programs, anadromous fish and trout projects. The trail at the confluence of Silver Creek and Coyote Creek may be fundable under this program.

Contact:

- California Dept. of Parks and Recreation, Office of Grants and Local Services
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Best Funding Options

The following table lists the most probable funding sources for the funding of the trail. The sources in CAPITAL LETTERS have provided the most funding for local trail projects.

Coyote Creek Construction Funding Best Options Summary Table			
Source	Due Date	Planning (P) Construction (C)	Notes
BICYCLE TRANSPORTATION AC-COUNT http://www.dot.ca.gov/hq/LocalPrograms/bta/btaweb%20page.htm	Probably December 1, 2004	P/C	
RECREATIONAL TRAILS PROGRAM http://www.parks.ca.gov/default.asp?page_id=21362	October 1, 2004	C	
SAFE ROUTES TO SCHOOLS http://www.dot.ca.gov/hq/LocalPrograms/saferoute2.htm	Spring	C	Planning can represent a portion of project costs.
TRANSPORTATION DEVELOPMENT ACT, Article 3 http://www.mtc.ca.gov/funding/claim_forms.htm	Determined by the City	C	Preliminary engineering for a project can be included.
TRANSPORTATION FOR LIVABLE COMMUNITIES (MTC) http://www.mtc.ca.gov/projects/livable_communities/lcindex.htm	Planning Probably April 2004; Construction to be determined	C/P	Capital grant, likely up to \$5 million in upcoming cycle; Planning Grant up to \$75,000
Community, Design And Transportation Program (VTA)	To be determined.		This is a new program with guidelines still to be developed.
Hazard Elimination and Safety http://www.dot.ca.gov/hq/LocalPrograms/hesp/hesp.htm	“Later this year”	C	

Funding Tips

The following list of funding tips was compiled based upon case studies of successfully funded trails in Sonoma County and Whittier, CA. Summaries of the case studies can be found in the Appendix .

1. Complete the Master Plan and environmental documents, including CEQA.
2. Mix and match funding sources. As with all successful trail projects, the Coyote Creek Trail will require a multi-faceted and phased funding strategy. Divide the trail into segments based upon available and appropriate funding.
3. Get local and state officials to champion your effort by familiarizing them with the trail via special visits and requesting letters of support for every grant application.
4. Utilize the media to build public and political support for your trail.
5. Maintain on-going contact with the City's Transportation Department, Bicycle Coordinator and the Valley Transportation Authority Bicycle Program coordinator, so that the City staff may be aware of issuance of appropriate Calls for Projects.
6. Look to parks, recreation and transportation public and private funding sources.
7. Maintain a good record with funders, i.e. complete projects in a timely manner.