

ACTIVE TRANSPORTATION PROGRAMMING COMMITTEE

Roles and Responsibilities

I. Role of the Committee:

The Active Transportation Programming Committee (ATPC) is authorized by the MARC Total Transportation Policy Committee (TTPC) to review project applications and provide project funding recommendations to TTPC for Surface Transportation Block Grant Program (STBGP) Set-Aside funds, and to TTPC and the MARC Air Quality Forum for a portion of the region's Congestion Mitigation Air Quality (CMAQ) program funds, sub-allocated to the Kansas City Transportation Management Area (TMA) by federal and/or State policy. ATPC will also assist in monitoring and reporting on the progress of projects funded through these programs and projects funded under the former Transportation Enhancements Activities (TE) and Transportation Alternatives Program (TAP).

ATPC will:

- Consider goals, priorities, and policy framework of MARC's long-range transportation plan.
- Consider priorities and input from MARC's transportation modal committees, including the Bicycle-Pedestrian Advisory Committee (BPAC).

II. Composition of and Basis for Membership on the Committee:

The composition of the ATPC reflects the needs for both jurisdictional representation and technical expertise in project selection and programming. Members and alternates from state and local governments will represent all aspects of their jurisdictions' interests related to bicycle, pedestrian and other forms of active transportation. Members and alternates representing BPAC, serving as Transit Representatives and Community Representatives will provide technical expertise in assessing the regional benefits and impacts of proposed projects related to bicycle, pedestrian and other forms of active transportation.

Each county within MARC's Metropolitan Planning Organization (MPO) boundary may appoint a voting member and alternate to the ATPC. The member cities of MARC including Kansas City, Mo.; Lee's Summit, Mo.; Independence, Mo.; Overland Park, Ks.; and Olathe, Ks. may appoint a voting member and alternate to the ATPC. One voting member and alternate representing other municipalities in each county will be appointed by agreement of mid and small cities through designated coordinating committee, mayors association or other appropriate city/municipal association within each county. The Kansas Department of Transportation (KDOT) may appoint a voting member and alternate to the ATPC. The Missouri Department of Transportation (MoDOT) may appoint a voting member and alternate to the ATPC. The Kansas City Area Transportation Authority (KCATA) may appoint a voting member and alternate to the ATPC. The Bicycle-Pedestrian Advisory Committee (BPAC) may appoint a voting member and alternate to the ATPC. The ATPC will accept nominations for two voting members and two alternates to serve on ATPC as Community Representatives.

Only elected or appointed officials and staff, excluding hired contractors, from voting member jurisdictions as defined above are eligible to cast an official vote. In cases where elected officials are also employees of consulting firms but are representing the City in their official capacity, the exclusion will not apply.

Ten voting members and/or alternates will constitute a quorum of the ATPC.

ATPC will have two co-chairs. One chair is to be a committee member representing a jurisdiction or organization from the Kansas side of the region; this individual will be designated as the Kansas Co-Chair. The other chair is to be a committee member representing a jurisdiction from the Missouri side of the region; this individual will be designated as the Missouri Co-Chair. Both chairs shall be voting members of the committee, nominated and elected by the ATPC, approved by the TTPC Co-Chairs, and shall serve for two-years between elections. The principle responsibility of the ATPC co-chairs is to conduct committee meetings and serve on MARC's Long-Range Transportation Plan subcommittee as needed. Either co-chair can conduct committee meetings.

Table 1. Active Transportation Programming Committee Membership

Counties

- Cass County, Mo.
- Clay County, Mo.
- Jackson County, Mo.
- Johnson County, Ks.
- Leavenworth County, Ks.
- Miami County, Ks.
- Platte County, Mo.
- Unified Government of Wyandotte County/Kansas City, Ks.

State Departments of Transportation

- KDOT
- MoDOT

Transit Representative

- KCATA

Bicycle-Pedestrian Advisory Committee

- BPAC Representative

Member Cities

- Independence, Mo.
- Kansas City, Mo.
- Lee's Summit, Mo.
- Olathe, Ks.
- Overland Park, Ks.

Community Representative

- Representative #1
- Representative #2

Other Municipalities Representative

- Cass County, Mo.
- Clay County, Mo.
- Jackson County, Mo.
- Johnson County, Ks.
- Leavenworth County, Ks.
- Miami County, Ks.
- Platte County, Mo.
- Wyandotte County, Ks.

III. Eligible Project Sponsors:

All local governments, regional transportation authorities, transit agencies, natural resource or public land agencies, school districts, local education agencies, schools, tribal governments, nonprofit entities responsible for the administration of local transportation safety programs, and any other local or regional governmental entity with

responsibility for oversight of transportation or recreational trails (other than an MPO or State agency) that the State determines to be eligible are eligible to apply for STBGP Set-Aside funds.

State DOTs and MPOs are not eligible project sponsors for STBGP Set-Aside funds; however, they may partner with any eligible entity project sponsor to carry out a project. Nonprofit organizations that are not eligible project sponsors are eligible to partner with any eligible entity on a STBGP Set-Aside project, if State or local requirements permit. For additional guidance related to STBGP Set-Aside project sponsor eligibility, see: <https://www.fhwa.dot.gov/fastact/>

Local governments, regional transportation authorities, transit agencies, natural resource or public land agencies, State DOTs and MPOs are eligible project sponsors for CMAQ funds. State DOTs, MPOs, and other project sponsors may also enter into an agreement with any public, private, or nonprofit entity to cooperatively implement a CMAQ project.

IV. Eligible Uses of Funds:

To be eligible for STBGP Set-Aside or CMAQ funds, a project must be consistent with the MPO's current metropolitan transportation plan.

Projects eligible for STBGP Set-Aside funding include:

- A. STP Set-Aside (as defined in section 133 of title 23, U.S.C.):
 - a. Construction, planning, and design of on-road and off-road trail facilities for pedestrians, bicyclists, and other non-motorized forms of transportation, including sidewalks, bicycle infrastructure, pedestrian and bicycle signals, traffic calming techniques, lighting and other safety-related infrastructure, and transportation projects to achieve compliance with the Americans with Disabilities Act of 1990.
 - b. 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.
 - c. Conversion and use of abandoned railroad corridors for trails for pedestrians, bicyclists, or other non-motorized transportation users.
 - d. Construction of turnouts, overlooks, and viewing areas.
 - e. Community improvement activities, which include but are not limited to:
 - i. Inventory, control, or removal of outdoor advertising;
 - ii. Historic preservation and rehabilitation of historic transportation facilities;
 - iii. Vegetation management practices in transportation rights-of-way to improve roadway safety, prevent against invasive species, and provide erosion control; and
 - iv. Archaeological activities relating to impacts from implementation of a transportation project eligible under title 23.
 - f. Any environmental mitigation activity, including pollution prevention and pollution abatement activities and mitigation to-
 - i. Address stormwater management, control, and water pollution prevention or abatement related to highway construction or due to highway runoff, including activities described in sections 133(b)(11), 328(a), and 329 of title 23; or

- ii. Reduce vehicle-caused wildlife mortality or to restore and maintain connectivity among terrestrial or aquatic habitats.

B. Recreational Trails Program (under section 206 of title 23)

C. Safe Routes to School Program (eligible projects and activities listed at section 1404(f) of the SAFETEA-LU:

- a. Infrastructure-related projects
- b. Non-infrastructure-related activities
- c. Safe Routes to School coordinator

D. Planning, designing, or constructing boulevards and other roadways largely in the right-of-way of former Interstate System routes or other divided highways.

For additional guidance related to STBGP Set-Aside project use eligibility, see: <https://www.fhwa.dot.gov/fastact/>

Projects eligible for CMAQ funding include:

- Constructing bicycle and pedestrian facilities (paths, bike racks, support facilities, etc.) that are not exclusively recreational and reduce vehicle trips.
- Non-infrastructure outreach related to safe bicycle use.
- Establishing and funding State bicycle/pedestrian coordinator positions for promoting and facilitating non-motorized transportation modes through public education, safety programs, etc. (limited to one full-time position per State).

For additional guidance related to CMAQ project use eligibility, see: https://www.fhwa.dot.gov/environment/air_quality/cmaq

V. **Excluded Use of Funds:**

STBGP Set-Aside funds cannot be used for:

- State or MPO administrative purposes, except for Safe Routes to School administration, and administrative costs of the State permitted for Recreational Trails Program set-aside funds.
- Promotional activities, except as permitted under the SRTS.
- General recreation and park facilities, playground equipment, sports fields, campgrounds, picnic areas and pavilions, etc.
- Routine maintenance and operations.

For additional guidance related to STBGP Set-Aside project exclusions, see: <https://www.fhwa.dot.gov/fastact/>

CMAQ funds cannot be used for:

- Bicycle and pedestrian programs that are not supported under 23 CFR Part 652, *Pedestrian and Bicycle Accommodations and Projects*.

For additional guidance related to CMAQ project exclusions, see: https://www.fhwa.dot.gov/environment/air_quality/cmaq

VI. **Policy Goals and Objectives for Funds:**

Transportation Outlook 2040, the Kansas City region's long-range transportation plan, identifies a number of policy goals and objectives for regional transportation investments. Within the eligible use of these funds, priority will be given to projects that advance the region's transportation vision and regional policy goals and objectives.

- A. STBGP Set-Aside Funds – As indicated by a wide range of eligible uses described above, there is significant flexibility in the allocation of these funds. STBGP Set-Aside funded projects must be consistent with the MPO's current transportation plan and included in the TIP. Accordingly, STBGP Set-Aside funds can be used to advance policy objectives identified in *Transportation Outlook 2040*.
- B. CMAQ Funds – These funds are used primarily to contribute to the attainment and maintenance of a national ambient air quality standard, with a high level of effectiveness in reducing air pollution. CMAQ funded projects must be consistent with the MPO's current transportation plan and included in the TIP. Furthermore, CMAQ funds can be used to advance policy objectives identified in *Transportation Outlook 2040*.

The ATPC will develop and use project evaluation criteria to aid in prioritizing projects that address these policy objectives. Project evaluation criteria will be considered as a tool to aid the ATPC in its work to develop priorities but will not force or prohibit the ATPC from recommending funding for any eligible project.

VII. Committee Process Reviews and Updates:

The policies concerning the role of the ATPC, composition of and basis for membership on the committee, eligible project sponsors, eligible uses of funds, excluded uses of funds, and policy goals and objectives for funds for the Committee shall be updated by the ATPC for review and approval by the TTPC within one year of MARC Board approval of each update of the region's long-range transportation plan and/or within one year of enactment of any new federal or state legislation or regulations concerning the STBGP and CMAQ programs. Detailed programming procedures shall be reviewed and updated as necessary within six months of completion of each new programming cycle.