

CHAPTER 7

METROPOLITAN TRANSPORTATION ENHANCEMENTS/TRANSPORTATION ALTERNATIVES

1. OVERVIEW

When Eastgate began the process of preparing for this section of the MTP, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), legislation was in effect for almost three years after its 2009 expiration. SAFETEA-LU continued funding provisions for Metropolitan Transportation Enhancements (MTE) that were enacted through the Transportation Equity Act for the 21st Century (TEA-21). SAFETEA-LU required that at least 10% of a state's Surface Transportation Program (STP) funds be set aside for the MTE program. ODOT passed through an allocation in the amount equal to 10% of Eastgate's STP funding allocation for MTE activities to be funded through the MPO; funds were allocated on a fiscal year basis.

On July 6, 2012, the new legislation, Moving Ahead for Progress in the 21st Century Act (MAP-21), was signed into law. MTEs are now termed transportation alternatives (TA); MAP-21 made significant changes to the TA activities that previously existed under SAFETEA-LU. Under MAP-21 there are nine eligible TA activities compared to the twelve under the previous SAFETEA-LU bill.

The nine eligible TA as defined by MAP-21 are as follows:

- 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, and transportation projects to achieve compliance with the Americans with Disabilities Act of 1990.
- 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.
- Conversion and use of abandoned railroad corridors for trails for pedestrians, bicyclists, or other nonmotorized transportation users.
- Construction of turnouts, overlooks, and viewing areas.
- Inventory, control, or removal of outdoor advertising.
- Historic preservation and rehabilitation of historic transportation facilities.
- Vegetation management practices in transportation rights-of-way to improve roadway safety, prevent against invasive species, and provide erosion control.
- Archaeological activities relating to impacts from implementation of a transportation project eligible under this title.
- Any environmental mitigation activity, including pollution prevention and pollution abatement activities and mitigation to address storm water 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 wildlife mortality connectivity among terrestrial or aquatic habitats.

As the MPO, Eastgate is responsible for the overall administration of this urban area component of the TA program, including recognition of sponsor and project eligibility; development of local program policies and schedules; project evaluation, ranking, and final allocation of funding to awarded projects. It is important to note that sponsors of awarded projects will be required to enter into a contract with the ODOT for the implementation phase of the project.

2. FUNDING PROVISIONS

The TA program is funded at a level equal to two percent of the total of all MAP-21 authorized Federal-aid highway and highway research funds, with the amount for each State set aside from the State's formula apportionments. Fifty percent of TA funds are distributed to areas based on population, similar to STP. States and MPOs for urbanized areas with more than 200,000 people will conduct a competitive application process for use of the sub allocated funds.

3. ELIGIBILITY GUIDELINES

Eligible applicants are limited to political subdivisions of the State of Ohio located inside of the boundaries of Eastgate. Political subdivisions outside of the boundaries of an MPO may apply through the appropriate ODOT District Office for TA funding. Eligible applicants also include park districts, tribal governments, transit agencies and other agencies of state government. Any citizen group or other private organization may sponsor a project by coordinating with, and making application through the eligible entity having jurisdiction over the transportation facility involved. To be eligible for funding, a TA proposal must meet the criteria established in MAP 21.

4. TA ENHANCEMENT SELECTION COMMITTEE AND PROJECT SELECTION

Project submittals will be evaluated and prioritized by a TA Selection Committee. The Selection Committee will score and prepare a list of prioritized TA projects to be funded. The recommendations list of projects will be forwarded to Eastgate's Technical Advisory Committee and Citizen Advisory Board, for their approval and recommendation to the General Policy Board for their approval.

5. PROJECT ADMINISTRATION

After TA projects are selected, the ODOT District 4 office will work with the applicant to program federal funds for the project. The TA program is funded by federal motor vehicle fuel taxes and, as such, is administered by the FHWA. All projects are subject to the rules and regulations of the FHWA.

Federal Law requires that federally-funded projects conform to the National Environmental Policy Act (NEPA). For this reason, all projects must have an environmental review to assess and/or mitigate adverse affects on social, economic, energy, and environmental factors.

The federal-aid transportation program operates on a reimbursement basis as work progresses. In no case will cost be eligible for reimbursement unless prior approval is received by FHWA.

6. STATE TRANSPORTATION IMPROVEMENT PROGRAM (STIP) and TRANSPORTATION IMPROVEMENT PROGRAM (TIP) PROCESS

TA projects must be incorporated into this STIP/TIP development process. MAP-21 mandates the development of a four year STIP by the Departments of Transportation. To develop the STIP, Eastgate must develop a regional TIP for Mahoning and Trumbull Counties, which is then included in the STIP. The TIP must include, at a

minimum, a project list and demonstration of fiscal constraint. The TIP and STIP are required to be available in draft form for public review. This public review is required to be advertised and the public must have the opportunity to provide comments on the document.

7. TRANSPORTATION ALTERNATIVES AND INCLUSION INTO THE MTP

ODOT and FHWA have stressed that TA projects must be a part of the long range transportation plan. General selection criteria states that a TA proposal will receive higher weight if it is part of a comprehensive regional transportation plan that has included public involvement and been adopted by the appropriate governing body. The TA process is a “competitive” process. Even though TABLE 1 identifies all of the projects which were considered to be valid TA projects, the Transportation Alternatives Selection Committee must select all projects for funding. Should any of these projects be submitted by the applicant for funding, as stated previously it will receive more weight and score higher. Following Table 7.1 is Eastgate’s “pre-MAP21” Transportation Enhancement Program Criteria and Application. As more information becomes available, the program criteria and application will be replaced with MAP-21 guidelines.

Table 7.1 – Proposed Transportation Alternative Projects

PROPOSED TRANSPORTATION ALTERNATIVE PROJECTS				
Applicant	County	Location	Project Name	Project Cost
Village of McDonald	TRU	7th Street	7th Street Sidewalk Project	\$110,000.00
Howland Township	TRU	SR 46 from SR 82 north to Fairhill Drive	Niles-Cortland Road Sidewalk Project	\$327,219.00
Village of McDonald	TRU	7th Street	7th Street Sidewalk Project	\$110,000.00
City of Girard	TRU	Along abandoned Baltimore & Ohio Right-Of-Way	Girard Bike Trail	\$258,000.00
Village of Lordstown	TRU	SR 45 & Salt Springs Road	SR 45 Sidewalk Project	\$107,845.00
Village of Lordstown	TRU	Village Park & SR 45, East to Niles Waddell Park, West to Newton Twp. Line	Lordstown Bicycle Trail	\$1,300,000.00
Mill Creek Metropolitan Park District	MAH	Fair Park	Mahoning County Bikeway Support Facilities	\$122,000.00
Mill Creek Metropolitan Park District	MAH	MAH/TRU County bike trails plan	Mahoning Valley Trails Plan	\$75,000.00
City of Newton Falls	TRU	Intersection of Railroad R/W and State Route 5 South to Fairport Street	Newton Falls Bikeway	\$300,000.00
City of Hubbard	TRU	Commercial District in the City of Hubbard	West Liberty Pedestrian Enhancement Projects	\$588,267.00
Transportation Alternative Projects:				\$3,298,331.00

Exhibit 7.1 – Transportation Enhancement Application



(NOTE: PRE MAP 21; based on SAFETEA-LU)

TRANSPORTATION ENHANCEMENT PROGRAM

Criteria and Application

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100 E. Federal Street, Suite 1000
Youngstown, Ohio 44503

November, 2011

Introduction

The Eastgate Regional Council of Governments is a designated Metropolitan Planning Organization (MPO) for Trumbull and Mahoning counties. Eastgate will be responsible for overall administration of this urban area component of the Transportation Enhancement (TE) program, including recognition of sponsor and project eligibility; development of local program policies and schedules; project evaluation, ranking, and final allocation of funding to awarded projects. It is important to note that sponsors of awarded projects will be required to enter into a contract with the Ohio Department of Transportation (ODOT) for the implementation phase of the project.

Eligible TE projects must demonstrate a direct relationship to the surface transportation system. The TE program is intended to encourage transportation related activities that go beyond the customary cultural or environmental mitigation required when developing a transportation improvement project. The intent of the program is to creatively integrate transportation improvement facilities into their surrounding communities and the natural environment, thus “enhancing” the traditional transportation system. Enhancement projects can be either supplemental to a planned roadway project, or a standalone project. Both Eastgate and ODOT encourage adding enhancements to planned programmed projects rather than stand alone projects.

The list of qualifying TE activities provided in 23 U.S.C. 101(a)(35) is intended to be exclusive, not illustrative. Only those projects that are listed in one of the 12 categories are eligible for transportation enhancement funds.

Examples of each activity are provided below.

Activity	Examples
1. Provision of facilities for pedestrians and bicycles	New or reconstructed sidewalks, walkways, or curb ramps; wide paved shoulders for nonmotorized use, bike lane striping, bike parking, and bus racks; construction or major rehabilitation of off-road shared use paths (nonmotorized transportation trails); trailside and trailhead facilities for shared use paths; bridges and underpasses for pedestrians and bicyclists and for trails.
2. Provision of safety and educational activities for pedestrians and bicyclists	Educational activities to encourage safe walking and bicycling.
3. Acquisition of scenic Easements and scenic or historic sites	Acquisition of scenic land easements, vistas, and landscapes; acquisition of buildings in historic districts or historic properties, including historic battlefields.
4. Scenic or historic highway programs	For projects related to scenic or historic highway programs: construction of turnouts, overlooks, and viewing areas; construction of visitor and welcome centers; designation signs and markers.
5. Landscaping and other scenic programs (including the provision of tourist and Welcome center facilities)	Landscaping, street furniture, lighting, public art, and gateways along with turnouts, overlooks, and viewing areas; construction of visitor and welcome centers; designation signs and markers.
6. Historic preservation	Preservation of buildings in historic districts; restoration and reuse of historic buildings for transportation-related purposes

7. Rehabilitation and operation of historic transportation buildings, structures, or facilities (including historic railroad facilities and canals).	Restoration of historic railroad depots, bus stations, ferry terminals and piers, and lighthouses; rehabilitation of rail trestles, tunnels, and bridges restoration of historic canals, canal towpaths, and historic canal bridges.
8. Preservation of abandoned railway corridors (including The conversion and use of the corridors for pedestrian or bicycle trails).	Acquiring railroad rights-of-way; planning, designing, and constructing multiuse trails; developing rail-with-trail projects.
9. Inventory, control, and removal of outdoor advertising	Billboard inventories and removal of illegal and nonconforming billboards. Inventory control may include, but not be limited to, data collection, acquisition and maintenance of digital aerial photography, video logging, scanning and imaging of data, developing and maintaining an inventory and control database, and hiring of outside legal counsel.
10. Archaeological planning and research	Research, preservation planning, and interpretation of archaeological artifacts; curation for artifacts related to surface transportation and artifacts recovered from locations within or along surface transportation corridors.
11. Environmental mitigation (i)to address water pollution due to highway runoff; or (ii) reduce vehicle-caused wildlife mortality while maintaining habitat connectivity	For existing highway runoff; soil erosion controls, detention and basins, and river clean-ups. Wildlife underpasses or other measures to reduce vehicle caused wildlife mortality and/or to maintain wildlife connectivity.
12. Establishment of transportation museums	Construction of new transportation museums; additions to existing museums for a transportation section; conversion of railroad stations or historic properties to museums with transportation themes.

Funding Provisions

The Transportation Enhancement program is not a grant program. The federal-aid program operates on a reimbursement basis as work progresses. In no case will cost be eligible for reimbursement until the project is approved by Eastgate, ODOT and Federal Highway Administration (FHWA).

Cost estimates documented in the sponsor's application must be certified by a professional engineer, or other appropriate professional discipline. The funding amount will be capped at the cost estimate used in the original application. Applicants are cautioned to be thorough in the development of cost estimates, as requests for supplemental funding to cover cost overruns may not be considered.

The Transportation Enhancement program will provide up to 80% of the total construction cost for the project, including Construction Engineering, Inspection and Testing. The applicant is required to provide a minimum, in cash match, of 20% of the construction cost. The applicant additionally shall finance the architecture/engineering plans, environmental assessment studies, right-of-way plans, right-of-way purchase (except when property acquisition is part of the TE proposal) and environmental remediation, if necessary. These expenses cannot be credited toward the applicant's 20% local share of the construction or implementation costs.

Eligibility Guidelines

Eligible Applicants

Applicants are limited to political subdivisions of the State of Ohio located inside of the boundaries of an MPO (Eastgate). Political subdivisions outside of the boundaries of an MPO may apply through the appropriate ODOT District Office for TE funding. Eligible applicants also include park districts and other agencies of state government. Any citizen group or other private organization may sponsor a project by coordinating with and making application through the eligible entity having jurisdiction over the transportation facility involved.

Project Eligibility

To be eligible for funding, a Transportation Enhancement proposal must meet the criteria established and the following requirements:

- Minimum estimated construction cost of \$50,000.00
- Applicant is permitted to submit more than one project for TE funds. If submitting more than one project the sponsor is required to prioritize submittal
- All proposed projects must have a direct relationship to transportation.
- The applicant is responsible for all plan development, project planning, design, architecture, environmental studies and remediation (if necessary), right-of-way plans and acquisition (unless the project involves acquisition of a scenic or historic site or an abandoned railway corridor), and certified engineering cost for the project.
- Federal law requires that federally-funded projects conform to the National Environmental Protection Act and the National Historic Preservation Act. To comply with these laws, projects must have an environmental review to assess and/or mitigate effects on social, economic, and environmental factors. Similarly, work involving sensitive historic structures or archeological sites must conform to the U.S. Secretary of the Interior's standards and guidelines for archeological and historic preservation.
- Any property acquisition must conform to the Uniform Relocation Assistance and Real Property Acquisition Act, as amended.
- Engineering and architectural designs for all facilities must conform to the Americans with Disabilities Act.
- The local match is required to be cash. In-kind contributions cannot be accepted as part of the local share.
- The proposed Enhancement project must be publicly-owned and on existing publicly owned property (except when property acquisition is part of the TE proposal).
- The applicant must demonstrate ability and commitment to maintain the enhancement project.
- The structure or site must be on the National Register of Historic Places to be eligible for Historic and Archaeological Transportation Enhancements.

- All bicycle/pedestrian facilities projects must conform to the requirements of the Guide for the Development of Bicycle/Pedestrian Facilities, published by the American Association of State Highway and Transportation Officials (AASHTO).

Evaluation Guidelines

Project submittals will be evaluated and prioritized by a Transportation Enhancement Selection Committee. The selection committee will prepare a list of prioritized TE projects to be funded, with recommendations advanced to Eastgate's TAC, CAB, and GPB for their approval.

Project Evaluation

Projects will be evaluated on a wide range of factors, including but not limited to the following:

- Inclusion in Eastgate's 2030 Long Range Transportation Plan Update.
- Enhancement of an applicant's programmed project in Eastgate's current Transportation Improvement Plan.
- Overall project application.
- Project readiness to proceed to construction/implementation.
- Priority for projects of "regional significance", whose benefits will objectively extend beyond a single jurisdiction.

Application Format

The applicant shall complete the application and include the following information:

1. A complete detailed description and general scope of the proposed project and its relation to the intermodal transportation system. Location maps, elevations, and photographs should be included, to fully illustrate the project.
2. A complete and detailed breakdown of the source of funding and cost for the proposed project, certified by a professional engineer, or other appropriate discipline. The estimate should include 10 percent for inspections. If the project is approved for funding, the cost estimate will be used to cap the project amount. Cost must be forecast for two years into the future considering the time element to bring a project to construction.
3. A complete and detailed description of the proposed project's characteristics and benefits.
4. The date (month and year) when the project will be ready to proceed to construction. Include the present status of property ownership and status of plan preparation, if applicable.
5. A certified copy of a resolution from the applicant's governing body authorizing the submission of the application, agreeing to share in the project cost, and the future maintenance of the proposed project.

Eight copies of the completed application must be received at the Eastgate office no later than 4:00 p.m. on 03/02/12.

The above criteria will be used to generally evaluate and compare all of the proposals submitted. In addition, each proposal will be evaluated by criteria which are specific to each of the three general TE categories. Additional information about category-specific evaluation criteria is available from the Eastgate staff.

Ohio Department of Transportation District 4 Review Meeting

Project sponsors recommended to receive TE funds through the Eastgate evaluation process will be required to meet with representatives from Eastgate and the Ohio Department of Transportation (ODOT) District 4. The purpose of this meeting will be to discuss project time lines, project cost and what action should be taken for your project to be identified in Eastgate's Transportation Improvement Program (TIP).

Requirements for Awarded Projects

Transportation Enhancement projects approved by the General Policy Board for funding must meet the following requirements:

- # A project sponsor will have 30 days after receiving written notification of selection from Eastgate to submit a Programming Package to ODOT District 4. If it is the intention of the project sponsor to use the LPA process, District 4 should be notified at this time. If the programming package is not submitted to ODOT district 4 within 30 days, this matter will be brought to the attention of Eastgate's Technical Advisory Committee for review, possible cancellation of the project and redistribution of funds to other unfunded TE project sponsor.

- # A project sponsor is required to have their project ready for sale in the Fiscal Year they applied for construction in the enhancement application. If it becomes a concern to Eastgate that this time frame cannot be met this matter will be brought to the attention of Eastgate's Technical Advisory Committee for review, possible cancellation of the project and redistribution of funds to other unfunded TE project sponsors.

It is in the best interest of the project sponsor to review all necessary aspects of their project to insure the above requirements can be met. Special detail must be given to the Fiscal Year the project sponsor commits to construction and their readiness to proceed at that milestone.

Program Timetable

The deadlines for having proposals submitted are:

- 03/02/12 - Deadline for application submission to Eastgate Office no later than 4:00 p.m.
- 03/05/12 - 04/02/12 - Project application reviewed by selection committee
- 05/--/12 - ODOT District 4 Review Meeting
- 06/--/12 - EASTGATE announces projects selected to receive TE funding allocations
- 07/--/12 - Notification of awarded funding projects in writing to project sponsor
- 08/--/12 - Deadline for program package to ODOT District 4

For Further Information Contact:

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