



MEMORANDUM

TO: TPB Technical Committee
FROM: John Swanson, TPB Transportation Planner
SUBJECT: Project recommended for funding in FY 2023 in Maryland under the Transportation Alternatives Set-Aside Program
DATE: July 8, 2022

SUMMARY

Under the federal Transportation Alternatives Set-Aside (TA Set-Aside) Program, the TPB is responsible for selecting projects using sub-allocated funding for Suburban Maryland, Northern Virginia, and the District of Columbia. The TA Set-Aside, which is part of the Surface Transportation Block Grant Program, was previously known as the Transportation Alternatives Program (TAP).

For FY 2023 in Maryland, a total of \$5,169,450 was made available for TPB decision-making. The TPB's selection panel has recommended using this entire amount to fund construction for the Frederick and Pennsylvania Line (F&PL) Trail in Frederick County.

The TPB will be asked to approve the recommendation at its meeting on July 20, 2022.

BACKGROUND

The Transportation Alternatives Set-Aside (TA Set-Aside) Program was established by federal law to fund a variety of smaller-scale transportation projects such as pedestrian and bicycle facilities, trails, safe routes to school (SRTS), community improvements, historic preservation, and environmental mitigation. MAP 21, the surface transportation legislation enacted in 2012, established the program as the Transportation Alternatives Program (TAP). The FAST Act of 2015 renamed the program the Transportation Alternatives Set-Aside (TA Set-Aside) Program. The Infrastructure Investment and Jobs Act (IIJA)/Bipartisan Infrastructure Law (BIL), enacted last year, reaffirmed the federal commitment to the program and increased funding for it. Information on the TA Set-Aside is available from FHWA at: https://www.fhwa.dot.gov/environment/transportation_alternatives/.

The program provides sub-allocated funding for large metropolitan planning organizations (MPOs) like the TPB (those MPOs classified as "Transportation Management Areas") to fund local projects. In addition to these sub-allocated funds, a portion of the TA Set-Aside funding is reserved for statewide project selection, which is conducted by the state departments of transportation.

For the National Capital Region, the program offers an opportunity to support and enhance regional planning activities. At the direction of the TPB, our region's TA Set-Aside is framed as a complementary component of the TPB's Transportation Land-Use Connections (TLC) Program, which provides technical assistance funding for small planning studies to TPB member jurisdictions.

The TA Set-Aside offers the region the ability to fund projects that support regional priorities and goals based on Visualize 2045 and the TPB's other policy documents. Applicants from the National Capital Region are asked to show how their projects will serve these priorities when they seek TA Set-Aside funds. The priorities also provide the basis for the selection criteria that the TPB's selection panel uses when it reviews TA Set-Aside applications and recommends projects for funding.

Since the establishment of this program in 2012, the TPB has combined its solicitations with the state departments of transportation in the District of Columbia, Maryland, and Virginia. As part of this process, TPB staff works with the DOTs to conduct the selection processes.

FY 2023 SOLICITATION FOR MARYLAND

Maryland conducts its solicitation on an annual basis. This year's solicitation period opened on April 15 and closed on May 16, 2022. For jurisdictions in the National Capital Region, the MDOT application included a supplementary form requesting information about how proposed projects responded to the TPB's regional priorities related to roadway safety, Activity Centers, Equity Emphasis Areas, transit station access, the National Capital Trail Network, and multimodal transportation options.

For the portion of Maryland in the TPB's planning area, MDOT received seven eligible applications (see Table 1) representing a total of \$6,589,139 in requested funding. MDOT added a 10% management fee to each application, making a total combined request of \$7,248,053. All the applicants made commitments to fund the federally required local of 20%.

Table 1: FY 2023 TA Set-Aside Applications in Maryland from the National Capital Region

Application Title	Locality	Type of Request	TA Request	TA Request (w/10% mgmt cost)
Downtown Connectivity Study	City of Frederick	Feasibility	\$436,000	\$479,600
Frederick & Pennsylvania Line Railroad Trail (F&PL Trail)	Frederick County	Construction	\$4,800,000	\$5,280,000
New Design Road Side Path, Phase 2	Frederick County	Design	\$4,800,000	\$528,000
Traffic Calming Feasibility Study - Catoctin Furnace National Register Historic District	Frederick County	Feasibility	\$113,957	\$125,353
West 7th Street Protected Bicycle Lane Design	City of Frederick	Design	\$305,982	\$336,580
Twinbrook Safe Routes to School and Transit Access Feasibility Study	Montgomery County	Feasibility	\$312,000	\$343,200
Riverdale Elementary School Pedestrian Way SRTS	Town of Riverdale Park	Design	\$21,200	\$23,320
	TOTAL		\$6,589,139	\$7,248,053

PROJECT SELECTION PROCESS

Consistent with past practice, the TPB convened a selection panel to determine funding recommendations for Maryland's TA Set-Aside funds. TPB staff invited representatives from state DOTs in our region, along with representatives from COG/TPB staff, to participate on this panel.

This year's selection panel participants included:

- Kelsey Bridges, District Department of Transportation
- Michael Farrell, COG/TPB Staff
- Pam Liston, Virginia Department of Transportation
- Nicole McCall, COG/TPB Staff
- John Swanson, COG/TPB Staff

MDOT staff member Christy Bernal participated in the panel meetings, and served as a technical resource for the discussion.

Prior to the panel meetings, individual panelists reviewed and scored applications for a maximum of 160 points. The total score for each project combined each reviewer's professional assessment (80 points) and regional selection criteria (80 points). The professional assessment is based on each panel member's transportation planning expertise, knowledge of transportation planning in the region, evaluation of the project budget, and project management experience. The regional criteria are rooted in TPB policies and programs, with the understanding that some projects would not meet all criteria.

The regional selection criteria are listed below:

- *Improve roadway safety (Max 10 points):* Does the application make a compelling case that the project will reduce fatal and serious crashes on the region's roadways? Does the project have a focus on reducing pedestrian fatalities?
- *Expand transportation options (Max 10 points):* Will the project significantly increase transportation options for pedestrians, bicyclists and other non-drivers? Will the transportation benefits of the project be more than just recreational?
- *Support for Regional Activity Centers (Max 10 points):* Does the project enhance walkability and accessibility within or between the region's 141 Activity Centers? Regional Activity Centers are places where jobs and housing are concentrated and it should be easy to walk, bike, or take transit.
- *Access to high-capacity transit and, in particular, in Transit Access Focus Areas (TAFAs) (Max 10 points):* Does the project improve pedestrian and bicycle access in high-capacity transit station areas, and in particular, in Transit Access Focus Areas? Nearly 300 high-capacity transit stations are anticipated in the region by 2045. The TAFAs are a subset of that list. The TAFAs comprise 49 high-capacity station areas that the TPB has prioritized as opportune locations for improving ped/bike access.
- *Access for low-income communities and people of color (Max 10 points):* Does the project promote accessibility for low-income communities and communities of color? In particular, is the

project located in Equity Emphasis Areas (EEAs)? EEAs are locations that the TPB has identified as having high concentrations of low-income and/or minority populations.

- *Support the National Capital Trail Network (Max 10 pts):* The project supports connections to and completion of the National Capital Trail Network, which is a regional trail network that the TPB approved in 2020.
- *Safe access to schools (10 points):* Does the project enhance safe ped/bike access to schools? (If you believe the project improves access to schools, you may still allocate points under this criterion, even if it is not specifically submitted as an SRTS project.)
- *Increased access for people with disabilities (10 points):* Does the project promote accessibility for people with disabilities?

The selection panel for Maryland met on June 27 and June 30. To provide a basis for discussion, each panel member provided their scores in advance of the meeting. Staff developed average scores for each project and ranked them by their average scores. It should be emphasized, however, that the final recommendations listed below are the result of discussion and consensus and are not simply based on a sum of the panelists' individual scores.

THIS YEAR'S OPTIONS

In its FY 2023 TA Set-Aside sub-allocation for Maryland, the TPB has \$5,169,450 available, and, as noted above, the total combined funding request was \$7,248,053 (with the 10% MDOT management fee included).

As is clear from the list of applications in Table 1, the requested funding amounts were very uneven. The TPB received one very large application— which calls for more \$5 million, slightly more than the funding available to the TPB. The six other applications requested much smaller amounts— generally about a half million dollars or less

Within this context, MDOT rules tightly constrained the choices available to the selection panel. Since FY 2020, MDOT has not permitted projects to be partially funded under the TA Set-Aside Program. Under this rule, the only way an MPO is permitted to partially fund a project would be for the MPO to fully expend its suballocation on a single project, and, if that project is still not fully funded, MDOT will pick up the remainder using statewide TA funds.

Without this rule, panel members might have wanted to fund the large application on a partial basis, which would have potentially opened up funding for other applications as well. However, this was not permitted.

Given the prohibition on partial funding, the panel essentially faced the following two options:

Option 1: Fund one large project – the F&PL Trail in Frederick County – using the TPB's entire suballocation of \$5,169,450. This would leave \$110,550 unfunded for the project, which MDOT would pick up.

Option 2: Fund most/some of the other applications but not the F&PL Trail. The maximum that this would have expended would have been \$1,968,053, which would leave \$3,210,397 unspent in the TPB suballocation. According to MDOT rules, these unspent funds would be rolled over to the statewide TA funds that MDOT will allocate later this year.

Following extensive deliberations and confirmation from MDOT that there would be no flexibility in their rule regarding partial funding, the panel chose the first option above, which would ensure full funding for the F&PL Trail project.

SELECTION OF THE FREDERICK AND PENNSYLVANIA LINE TRAIL

The panel is recommending full funding of the F&PL Trail in the amount of \$4,800,00. With the MDOT management fee of 10%, a total of \$5,280,000 will be required in federal TA funds. Frederick County is providing a 20% match of \$1,320,000.

As noted above, this decision will fully expend the TPB's entire suballocation of \$5,169,450. The remaining unfunded portion of the request – \$110,550 or approximately 2% of the total TA funds needed – will be provided through MDOT's statewide TA allocation.

This funding award will be used to construct a 10-foot wide asphalt “rails with trail” project for a length of 1.79 miles from Monocacy Boulevard in the City of Frederick to Fountain Rock Nature Center in Walkersville. The starting point for the trail is the endpoint of the City of Frederick's East Street Rails-with-Trail project. It will access the 350-space MDOT SHA park and ride lot with bike parking and local and MTA Commuter bus transit.

The trail will be located within the railroad right-of-way owned by the Maryland Transit Administration (MTA) and leased to Walkersville Southern Railroad for an excursion train. The trail will cross over the Tuscarora Creek and the Monocacy River and will provide a multi-modal connection between residential areas in the Town of Walkersville and Northern Frederick with Downtown Frederick retail, service, and employment areas, as well as the downtown MARC station.

The panel's reasons for selecting the F&P Trail included the following:

- The F&P Trail was the only application for construction that TPB received. The selection panel was excited to be fully funding a project for implementation.
- The project will construct a link in the TPB's National Capital Trail Network, which is one of the TPB's seven Aspirational Initiatives.
- The project is Frederick County's highest-priority trail project. It also received strong support from the pedestrian/bicycle community and from the Walkersville Southern Railroad, which will share right of way with the new trail.
- The application was very strong. Although some details need to be worked out, MDOT technical staff agreed that it is ready for construction funding.

For additional context, it is worth noting that an application for this project was submitted last year and was not selected, in part, because it was not considered to be ready for construction funding and several key questions concerns were raised by MDOT staff and TPB panel members. Since that time, Frederick County has satisfactorily addressed those concerns and has greatly enhanced the application to get the project ready for construction.

PRIORITIZATION OF UNFUNDED PROJECTS

The panel extensively discussed Option 2 above, which would have funded all or most of the other applications, but not the very large F&PL Trail. In their review, the panel scored several projects very highly and the decision not to fund those projects was difficult.

Ultimately, however, the panel decided that leaving more than \$3 million unused from the TPB suballocation was not a viable alternative. Further, MDOT staff assured the panel that the unfunded projects from our region would be given full consideration by MDOT during the selection of projects for the statewide funds.

With that opportunity in mind, the selection panel strongly urges the TPB to encourage MDOT to use statewide TA funding for the following projects, listed below in priority order:

- ***Twinbrook Safe Routes to School and Transit Access Feasibility Study***
City of Rockville, \$312,000 (TA request)
- ***West 7th Street Protected Bicycle Lane 100% Design***
City of Frederick, \$305,982 (TA request)
- ***Traffic Calming Feasibility Study - Catoclin Furnace National Register Historic District***
Frederick County, \$113,957 (TA request)
- ***Downtown Connectivity Study***
City of Frederick, \$436,000 (TA request. Aspects of the application were deemed ineligible, so this funding request will likely be reduced.)

The panel notes that, in particular, the first and second projects on the list above address a number of key TPB priorities, including support for Activity Centers, improved access in Equity Emphasis Areas, and improved access to transit. The panel strongly supports efforts to secure funding for these applications.

NEXT STEPS

The TPB will be asked to approve the selection panel's recommendation at the board meeting on July 20, 2022.

Following the board's action, TPB staff will forward information regarding the approved project to MDOT for actions at the state level. In Maryland, as noted above, all unfunded projects in our region will be eligible for funding using the statewide TA Set-Aside funds. In August, MDOT will conduct a process to select projects using the statewide TA funds.

Once all selections are finalized, MDOT staff will work with applicants to administer funding.

For more information regarding the TPB's role in these processes, please contact John Swanson (jswanson@mwkog.org; 202-962-3295).