



April 10, 2009

Mr. Will Kempton, Director ([will.kempton@dot.ca.gov](mailto:will.kempton@dot.ca.gov))  
California Department of Transportation  
P.O. Box 942873  
Sacramento, CA 94273-0001

**Re: ARRA Transportation Enhancements funds and ABX3 20 Priorities**

Dear Mr. Kempton:

The Safe Routes to School National Partnership, based in California, is pleased that the American Recovery and Reinvestment Act of 2009 (ARRA) includes \$77 million in Transportation Enhancements (TE) funds for California. The resulting projects will help to enhance the livability of communities throughout California while also creating jobs.

As you know, the state legislation to implement the recovery act, ABX3 20, established a hierarchy for TE projects such that projects that can be constructed by the California Conservation Core (CCC) or their affiliates should be funded first, followed by bicycle/pedestrian projects. We understand Caltrans has \$28 million to program for TE projects on the state highway system and that the remainder of the TE funds will be programmed by metropolitan planning organizations and regional transportation planning organizations, but all TE ARRA funds are subject to the new criteria in ABX3 20.

Earlier this week, Caltrans Headquarters staff communicated to me that they had only been able to identify 30-35 percent of the state's \$28 million in TE funds for construction by the CCC, and only one bicycle project in the entire state. We know that there are many more bicycle and pedestrian projects that meet the ABX3 20 TE requirements.

The Partnership conducted outreach to cities, counties and advocates throughout the state to identify potential bicycle and pedestrian projects on the state highway system that are eligible for TE funding. Attached is a list of these candidate projects, which includes 25 bicycle and pedestrian projects totaling more than \$56 million. Our instructions were for project sponsors to identify projects that are ready-to-go, on the state highway system, so that funds could be obligated quickly, and projects constructed by Caltrans in the near term.

In light of these findings, we urge Caltrans to take the following actions:

- 1) **Outreach:** Have Headquarters contact the 12 Districts with a sample letter to send to every Congestion Management Agency, city, and county with a request to identify ready-

to-go TE projects on the state highway system that that could be built by the CCC or are bicycle/pedestrian projects.

- 2) Ensure Regional Compliance: Have Headquarters Local Assistance contact the RTPAs/MPOs and advise them to comply with the ABX3 20 hierarchy for TE project selection, and follow up by reviewing eligibility to ensure that the regional share of TE is being programmed in compliance with the law, and that the regions meet the obligation date deadlines.
- 2) Obligate 50 percent by June: Obligate only 50 percent of the TE money by the June 2009 deadline so that there is enough time to meet the state-legislated priorities for TE while also ensuring that California doesn't lose any of the \$77M in TE funding.
- 3) Accountability: Create a process that is transparent and accountable for both the state and regional shares of the TE funds. There should be an opportunity for wide public input to truly incorporate the needs and priorities of California's communities. Please post all information on the state's recovery website, including whether a funded project involved the CCC or was a bicycle/pedestrian project.

In addition to creating construction jobs in the near-term, completed bicycle and pedestrian projects will provide opportunities for people to walk and bicycle to shops and other destinations, thereby helping to create a vibrant local economy and thriving livable communities.

I look forward to working with you to ensure accountability and transparency for programming the TE ARRA funds. As always, I'm pleased to have the opportunity to work with you to improve mobility and safety for bicyclists and pedestrians within the great state of California.

Please let me know how Caltrans intends to proceed to identify and program projects for the TE portion of ARRA funding. If there is anything I can do to assist Caltrans in this process, please do not hesitate to call on me. I look forward to your response.

Best regards,



Deb Hubsmith, Director  
Safe Routes to School National Partnership

Cc: Governor Arnold Schwarzenegger  
Senator Steinberg, President Pro Tem  
Assembly Speaker Karen Bass  
Senator Lowenthal, Senate Transportation and Housing Committee Chairman  
Assembly Member Mike Eng, Assembly Transportation Committee Chairman  
Assembly Member Bob Blumenfeld, Budget Committee Chairman  
Andre Boutros and Bimla Rhinehart, California Transportation Commission  
Caltrans: Kome Ajise, Kevin Pokrajac, Richard Harmon, Barry Leaming, and Rachel Falsetti

Attachment