

# ACTIVE TRANSPORTATION QUALIFYING REQUIREMENTS

The applicant must show that the project meets all the qualifying requirements to be eligible to be scored and ranked against other projects. All qualifying requirements must be met before completing an application.

## All Projects

1. The project is consistent with the goals, objectives, policies, and actions of the 2050 Transportation Policy Plan (TPP). Briefly list the applicable 2050 TPP objectives and policies.
2. The project or the specific transportation problem/need that the project addresses must be in a local planning or programming document completed within the last 10 years. Reference the name of the comprehensive plan, regional/statewide plan, capital improvement program, corridor study, Safe Routes to School Plan, Bicycle System Plan, or other approved/adopted plan or program of the applicant agency. The Active Transportation Planning application category (whose projects will be creating the plan itself) is exempt from this requirement.

List the applicable document(s) and pages:

3. The project complies with the Americans with Disabilities Act (ADA).
- ~~4. The project must be accessible and open to the general public.~~
- ~~5. —~~
- ~~4. The owner/operator of the facility must operate and maintain the project year-round for the useful life of the improvement. This includes assurance of year-round use of bicycle and pedestrian facilities per state statute 473.4465 Subd. 3(7). All bicycle and pedestrian applications must include information on how the requirement to maintain facilities for year-round use will be met. This information may include:~~
  - ~~• A local ordinance or policy that requires abutting property owners to maintain pedestrian or bicycle facilities, or that directs agency staff to maintain pedestrian and bicycle facilities.~~
  - ~~• A letter or resolution that confirms the proposed local facility will be maintained by agency staff or abutting private property owners.~~
  - ~~• A cross-jurisdictional agreement with another agency to maintain the proposed local pedestrian or bicycle facility.~~
- ~~6. The owner/operator of the facility must operate and maintain the project year-round for the useful life of the improvement. This includes assurance of year-round use of bicycle and pedestrian facilities per state statute 473.4465 Subd. 3(7), and transit facilities, per FHWA direction established 8/27/2008 and updated 4/15/2019. More specifically, All bicycle and pedestrian applications must include information on how the requirement to maintain facilities for year-round use will be met. This information may include certifying that the agency will handle snow clearance or information on the agency's snow removal policy if property owners are responsible for snow and ice clearance.~~

## Qualifying Requirements

- 7.5. The project must represent a permanent improvement with independent utility. The term “independent utility” means the project provides benefits described in the application by itself and does not depend on any other construction elements to be delivered for the proposed project to be achieved.
- ~~8. The infrastructure project must not be a temporary construction project. A temporary construction project is defined as work that must be replaced within five years and is ineligible for funding. Staged construction is eligible for funding as long as future stages build on, rather than replace, previous work.~~
- 9.6. The project applicant has sent written notification regarding the proposed project to all affected units of government prior to submitting the application. Staff-level letters of support are required if another agency owns the roadway, will deliver the transit service, will contribute financially to the project, will be expected to sponsor the applicant, or will be expected to maintain the project. ~~Transit projects proposing a project that crosses into another agency’s service area must include a letter of support from all relevant transit agencies.~~
- 10.7. The Metropolitan Council and the Transportation Advisory Board (TAB) get the first opportunity to utilize a share of the greenhouse gas and vehicle miles traveled offsets of any awarded federal or active transportation regional sales tax projects proportionate to the share of the total project cost funded by TAB to fulfill state requirements for the Greenhouse Gas Impact Assessment (473,145) enacted in 2023. ~~Offsets~~Each offset can only be used one time. If the projects are not needed by the Metropolitan Council and TAB as offsets to other awarded Regional Solicitation highway projects, ownership of them will revert, in whole or in part, to the original project sponsor. Based on inputs provided in the application, Met Council staff will calculate the magnitude of the offsets.
8. The ~~project~~applicant agrees to provide Metropolitan Council staff with post-construction data, as requested, in order to perform before-and-after analyses.
9. Applicant is a public entity (e.g., county, city, tribal government, transit provider, etc.); or non-profit organization. Applicants for the three application categories funded with Active Transportation Regional Sales Tax funds can be both State Aid or non-State Aid cities.
- 11.10. The public agency sponsor must either have a current Americans with Disabilities Act (ADA) self-evaluation or transition plan that covers the public right of way/transportation, as required under Title II of the ADA. The transition plan must be completed by the local agency before the Regional Solicitation application deadline.
- ☐ The applicant is a public agency that employs 50 or more people and has a completed ADA transition plan that covers the public right of way/transportation. Date plan completed by governing body and link to plan: \_\_\_\_\_
- ☐ The applicant is a public agency that employs fewer than 50 people (and is not required to have an ADA transition plan), but has completed an ADA self-evaluation that covers the public rights of way/transportation. Date self-evaluation completed and link to plan: \_\_\_\_\_
- ☐ The applicant is not a public agency subject to the self-evaluation requirements in Title II of the ADA.

## Qualifying Requirements

- ~~12.~~11. All projects must relate to surface transportation. Surface transportation is defined as **primarily** serving a commuting purpose and/or that connects two destination points. A facility may serve both a transportation purpose and a recreational purpose; a facility that connects people to recreational destinations may be considered to have a transportation purpose.
- ~~13.~~12. **Local Bike Facilities and Local Pedestrian Facilities:** Projects must exclude right-of-way **acquisition** costs. Projects within these categories are eligible to include costs for studies, preliminary engineering, design, or construction engineering.
- ~~14.~~13. **Active Transportation Planning:** In order to apply in the Active Transportation Planning application category, the applicant must **not** have an existing equivalent plan. If the applicant has an existing plan, it must be more than 10 years old in order **to** apply for a new study effort. Applicants who do not have a specific active transportation plan other than the information included in their 2040 Comprehensive Plan may apply for assistance even though the comprehensive plan may be less than 10 years old.
- ~~15.~~14. **Active Transportation Planning:** The proposed plan must address active transportation at a system level. The plan must not be used to advance design for a single corridor or facility. At a minimum, the funded plan must identify recommended projects that may be eligible for future active transportation infrastructure funding. The plan must also address strategies to maintain and operate active transportation facilities on a year-round basis and for the life of any future projects.