

October 13, 2021

The Honorable Nuria Fernandez, Administrator
Federal Transit Administration
1200 New Jersey Avenue SE
Washington, DC 20590

Submitted electronically at <http://www.regulations.gov>

Re: Docket No. FTA-2021-0010, Request for Information Concerning the Capital Investment Grant Program

Dear Administrator Fernandez,

Thank you for the invitation to weigh in on FTA's criteria for the Capital Investment Grant Program.

TransitCenter is a national foundation whose mission is to improve transit in order to make cities more just and environmentally sustainable. Our overall recommendation for the CIG program is to direct more resources to transit capital investments that:

- Improve speed, reliability, accessibility, frequency, and/or span for heavily-used transit corridors.
- Significantly expand access to jobs, schools, stores, medical facilities, and other recurrent destinations, especially for people with low incomes and people of color.
- Achieve network effects through upgrades that improve linked trips, or through additional service changes planned in tandem with the primary project.
- Have alignments with stations and stops in places people can easily and safely access via walking, biking, or wheelchair.

We're grateful for the opportunity to comment on the CIG program criteria because the track record for major transit investment in the U.S. is mixed. Reviewing recent patterns of capital investment, there are too few transit projects that meet a significant demand for travel, expand access, yield network benefits, or serve walkable areas.

The downtown mixed-traffic streetcars built in the last 12 years, for instance, tend to be too short, slow, or unreliable to provide significant gains in access or mobility, even though they are sited in dense areas. Conversely, when projects are designed with dedicated rights-of-way that do enable fast, reliable travel, they are often aligned on highways or abandoned freight lines that fail to connect places where many people live to major job centers or other clusters of activity.

So while dozens of streetcars have been added in downtowns with little ridership benefit, the transit networks in most American cities have stagnated or worse, through the gradual attrition of bus service. And even much-heralded transit expansion initiatives, like Denver's FasTracks, have not met expectations for increased access, ridership, and network benefits, because the model of using easily available rights-of-way extending deep into low-density suburbs does not align with the demand for transit in the urban core and among residents with lower incomes.

These patterns of transit investment do not advance social equity or prevent climate change. Though the choices are often justified by claims of economic development or congestion relief, they do not generate the broad economic benefits or travel time savings that accrue when capital projects are grounded in the fundamental objective of improving travel by transit for large numbers of people.

We can also point to high-value projects that do achieve these goals (or will achieve them, when they are built):

- With the expansion of Link light rail in Seattle, Sound Transit and King County Metro have connected compact residential areas to major employment centers and clusters of activity, all while making complementary adjustments to bus routes that compound the network effects.
- In Chicago, CTA's Red and Purple Line modernization will improve speed, reliability, accessibility, and capacity on a major transit corridor -- and by eliminating bottlenecks, it will confer benefits throughout the L network.
- The GRTC's Pulse BRT in Richmond, Virginia, upgraded capacity, speed, and reliability on the network's trunk line, in tandem with a redesign of other bus routes that further expanded access to frequent service.
- The unbuilt Red Line in Baltimore, cancelled by Maryland Governor Larry Hogan, would have connected Black neighborhoods on the city's west side to major employment centers.

In general, FTA should adjust the CIG criteria to funnel more resources to projects like these upgrades, and less to projects like mixed-traffic streetcars or suburban rail expansions.

To that end, we endorse the following guidance from our partners in response to FTA's questionnaire.

Question 4: Should FTA consider other ways of assessing whether local plans and policies are transit supportive and encourage affordable housing under the Economic Development criterion?

TransitCenter endorses the recommendations from NRDC:

The [Final Interim Policy Guidance](#) for the CIG Program, dated June 2016, includes a number of important factors in its evaluation of local plans and policies, including

preservation and production of legally-binding affordability restricted and market-rate affordable housing and the existence of available land for development, particularly land owned by the transit agency or a community land trust. Those factors should continue to be used in the evaluation process.

FTA should consider specifically stating that TOD-supportive plans and policies will score higher if they are guaranteed to produce the desired result, rather than being discretionary. For example, a zoning code that requires a specific percentage of affordable units to be built should score higher than one in which density bonuses are available on a discretionary basis. Similarly, elimination of minimum parking requirements is certainly transit-supportive, but adoption of maximum parking limits should be rewarded with an even higher score.

An additional factor that should be considered is the transit project's relationship to the area's plans for affirmatively furthering fair housing (AFFH). Project sponsors should be required to explain how the planning associated with the CIG project aligns with local and regional AFFH plans, including reducing impediments to fair housing and encouraging affordable housing in predominantly wealthy or racially segregated areas.

When assessing the potential impact on housing affordability, FTA should continue to consider the specific housing needs of the corridor and region, as markets are different. FTA should also recognize that different types of transit may have different impacts on housing affordability, with bus priority networks and BRT being less likely to increase nearby housing costs than light or heavy rail. Anti-displacement strategies should be closely scrutinized to ensure that they are appropriate for both the corridor's needs and the expected impact of the proposed project. FTA should also consider whether appropriate mitigation strategies are in place not only for preservation of affordable housing, but also for preservation of existing small business and commercial space along the corridor.

Question 5: For equity considerations, should FTA evaluate measures under Land Use that are easy to calculate using Census data, such as the minority population or the number of households in poverty along the alignment?

TransitCenter concurs with APTA that "equity should be prioritized throughout the CIG evaluation process and metrics, and not just in the Land Use criterion" and that FTA should "formulate a consistent definition of 'equity' in the transportation context, and provide illustrative examples of the type of data, quantitative measures, and qualitative descriptions that project sponsors can use." TransitCenter further recommends that FTA's definition of equity be grounded in race, economic status, and disability status.

We also endorse NACTO's recommendation:

A combination of spatial mismatch, unsafe infrastructure, and a lack of reliable, accessible transit options may leave many households with no options for accessing

important destinations other than to own a personal vehicle. While not strictly transit-dependent, such households and individuals stand to benefit from improved and expanded transit service. In addition to the factors listed here, FTA should evaluate the share of income spent on transportation by households along the alignment. This will capture those who are financially burdened by transportation even if they are not transit-dependent.

Question 6: Should FTA consider “access to opportunity” under the Land Use criterion? If so, how specifically could FTA measure it? For example, should access provided by the project to education facilities, health care facilities, or food stores be considered?

TransitCenter is in full agreement with NACTO’s recommendation:

FTA should consider a project’s potential to improve connections across the transit network, not just a specific corridor or route, to amenities and opportunities including but not limited to jobs and employment. Measures should reflect access to other amenities such as health care, food, and education. However, the number of opportunities or amenities accessible by transit within a certain amount of time is an incomplete measure on its own. When calculating the number of jobs or services accessible it’s critical to account for average wait times (based on the frequency of service) and service span. If access only measures the total number of opportunities accessible within a certain amount of time it doesn’t account for the factors that are most important to current and potential riders: consistent travel times, on-time performance, and frequency of service. These factors enable riders to rely on transit to reach opportunities and amenities, as much as the ability to access these destinations alone. NACTO recommends referencing [TransitCenter’s Equity Dashboard](#) and the [Center for Neighborhood Technology’s AllTransit tool](#) as FTA begins to develop its own access to opportunity metrics.

While transit networks that run parallel to highways or built around busy, high-speed streets may enable riders to access a number of destinations, access measures must also reflect the ability to reach transit stops. When evaluating access, FTA’s calculations must account for the street network around a proposed project and its stops. Rather than drawing a fixed half-mile radius around rail stops (or one-third-mile for bus stops), FTA must evaluate the networks and infrastructure available to safely walk, bike, or otherwise reach a station or stop.

To be clear, access is not a concept or measure that should be evaluated under the category of Land Use alone. The ability of a project to connect people to amenities, services, and opportunities must be integrated across all six project criteria.

We also strongly endorse APTA’s remarks:

When we increase people's ability to reach destinations in a shorter amount of time, we are improving ridership potential, revenue potential, climate emission benefits, congestion mitigation benefits, overall access to opportunity, and personal freedom. Also, we can measure whether we're doing these things equitably. Access measurement can help meet all of these seemingly disparate goals. Since access measures can provide insight on all of these different areas, APTA believes that access measures can be a useful tool for multiple criteria, such as Mobility Improvements, Economic Development, Congestion Relief, and Environmental Benefits.

And NRDC's:

Ridership projections should also take into account more destinations than simply employment; FTA should ensure that its STOPS ridership forecasting tool, used to determine mobility benefits, reflects this approach.

Question 9: How should FTA calculate the health benefits of transit projects?

TransitCenter endorses NACTO's recommendation to incorporate traffic safety as a health benefit metric, and to adjust the way traffic safety impacts are measured:

Human health benefits should also encapsulate traffic safety for all roadway users. Safety benefits are currently calculated only for motor vehicle drivers, as a benefit of reduced VMT. However, VMT does not have a simple or direct relationship with pedestrian injuries on transit routes. Safety benefits should instead focus on roadway changes that create safer conditions for everyone and are proven to reduce crashes. This includes but is not limited to changes to roadway capacity, new traffic signals, new crosswalks, and bus and pedestrian bulb outs. FTA and project sponsors should consider bicycle and pedestrian injuries and fatalities around a project's route by referencing the [Fatality Analysis Reporting System \(FARS\) database](#) maintained by NHTSA. This national data source contains geographically-specific crash data and can be narrowed by mode. Each data point includes the latitude and longitude of the crash that FTA and project sponsors can map against the proposed transit alignment. In addition, there are [resources available](#) on the potential of safety measures to reduce crashes, which can be leveraged to quantify a project's potential to improve safety.

Question 12: Should more emphasis be placed on trips made by transit-dependent persons?

TransitCenter aligns with NACTO's position:

[I]ncluding the percentage of households without access to a vehicle as a high-weighted factor for winning CIG funds can be an effective way to reward agencies who choose to improve service for existing customers. FTA's current evaluation framework advantages

investments made to attract new riders, unintentionally marginalizing improvements to existing routes that would result in better reliability and relieve overcrowding. This change would be especially helpful for legacy systems whose ridership numbers are already high with limited potential for further growth but are still in great need of investments to improve reliability, on-time performance, and modernize their systems to make them more accessible.

Core Capacity

TransitCenter shares NACTO's concern that "core capacity eligibility notably excludes certain interventions that would be highly effective at expanding a transit system's overall capacity, which may explain the program's under-utilization. New or expanded railyards and bus terminals are arguably prerequisites for a transit system to significantly increase capacity yet are ineligible uses of CIG funds. Smaller changes such as station accessibility improvements are also ineligible, but no less important. Making non-accessible transit systems accessible requires significant capital investment and enables more riders to use the system."

Question 15: For New Starts and Small Starts projects, FTA currently evaluates the number of new weekday linked trips resulting from implementation of the proposed project to determine Congestion Relief, which serves as an indirect measure of reduced traffic congestion because those trips typically represent people who have chosen to take transit rather than drive. For Core Capacity Improvement projects, FTA evaluates the percent increase in capacity in the corridor resulting from the proposed project to determine Congestion Relief. Should FTA evaluate Congestion Relief differently?

TransitCenter aligns with NRDC's position:

The current measure of congestion relief appears to be inconsistent with the mobility improvement measure. Congestion relief evaluates new weekday linked trips because "those trips typically represent people who have chosen to take transit rather than drive." Mobility improvements evaluate the total number of linked trips on the project with double-weighting for transit-dependent riders, i.e. people who would not otherwise be driving. In other words, if mobility improvement is maximized, congestion relief will not be, and vice versa.

We believe that the access to opportunity measure discussed under Land Use might appropriately be applied here as well, and could reduce the conflict described above. The access provided by a transit system is the best determinant of whether people will ride it, transit-dependent or not. This point was recently made by Jarrett Walker, who [noted](#) that an access measure is an indication of "whether a transit project has a high likelihood of providing an option to avoid congestion." Using an access measure would not require the assumption to be made that new weekday trips come only from former drivers.

Thank you again for the opportunity to provide feedback on the CIG program, and for considering our recommendations.

Sincerely,

David Bragdon
Executive Director
TransitCenter