Thank you for joining to today’s session. I’m Christopher Douwes, Community Planner, with the Federal Highway Administration. I’m here to discuss how the Federal Highway Administration looks at accessibility guideline recommendations for shared use paths and other trails using Federal-aid highway program funds, especially through the Transportation Alternatives (TA) Set-Aside and the Recreational Trails Program.

This presentation focuses on accessibility and current funding sources. I am not discussing program changes from the Bipartisan Infrastructure Law. The slides have more information than I will discuss, but you can reference the slides after the presentation.
Every Administration has priorities, but at the USDOT, safety leads. We also focus on climate resilience and equity. The Department is working to improve walking and bicycling safety and enhancing access to outdoor recreation. While we are using the term Complete Streets to describe a lot of this work, we can appropriately integrate transportation and recreation infrastructure to develop Complete Networks. This includes ensuring accessibility for all people.
Accessibility Guidelines for Trails

• Building and Sites
• Public Rights-of-Way
• Shared Use Paths
• Outdoor Developed Areas
• Recreation Facilities

Juliet explained the accessibility guidelines, but I have a short summary in the Notes section of these slides.

Buildings and sites: www.access-board.gov/guidelines-and-standards/buildings-and-sites. These are the standards for buildings and building sites, such as visitor centers, restrooms, parking areas, etc., and includes trailhead and trailside facilities. The ADA Standards also apply to curb ramps at intersections in the public rights-of-way.

Public Rights of Way: www.access-board.gov/guidelines-and-standards/streets-sidewalks. Although the Public Rights-of-Way Accessibility Guidelines (PROWAG) are proposed guidelines for pedestrian facilities within highway or street rights-of-way, the Federal Highway Administration has been encouraging using these guidelines for many years. If you’re using Federal funds for pedestrian facilities, they are supposed to be accessible.

Shared Use Paths: www.access-board.gov/guidelines-and-standards/streets-sidewalks/shared-use-paths. Guidelines for Shared Use Paths have been proposed for inclusion in PROWAG. The Guide for the Development of Bicycle Facilities from the American Association of State Highway and Transportation Officials is consistent with the Access Board’s guidelines, therefore new shared use paths should be accessible, which would include most rail-trails.

Outdoor Developed Areas: The U.S. Access Board developed standards for Outdoor Developed Areas, see www.access-board.gov/guidelines-and-standards/recreation-facilities/outdoor-developed-areas. These standards apply to outdoor facilities (e.g., camping or picnic facilities, or beach access routes) constructed or altered by Federal agencies or by non-Federal entities constructing facilities on Federal land on behalf of Federal agencies pursuant to a concession contract, partnership agreement, or similar arrangement.

Federal Lands and Federal Agencies (except Forest Service): Use the Access Board’s Final Guidelines for Outdoor Developed Areas, published on September 26, 2013, under the Architectural Barriers Act (ABA) of 1968.

Forest Service: Use the Forest Service Trails Accessibility Guidelines (FSTAG) and Accessibility Guidebook on Outdoor Recreation and Trails. These guidelines comply with the Final Guidelines for Outdoor Developed Areas. The Forest Service guidelines are legally enforceable on National Forest System lands. Although the guidelines are official policy only for the Forest Service, they contain useful concepts to help other agencies and organizations maximize accessibility without changing the setting in outdoor recreation areas and on trails. The Accessibility Guidebook on Outdoor Recreation and Trails provides “how-to” information to integrate accessibility into outdoor recreation site and trail projects. See the Implementation Process Flowchart.

Projects constructed with or without Federal-aid funding by a State or local government, or a private entity, and not located on Federal lands: There are no officially proposed guidelines for outdoor developed areas under the ADA. However, in the absence of a standard, accessibility must still be provided under the ADA. The Access Board’s Final Guidelines for Outdoor Developed Areas and the Forest Service Trails Accessibility Guidelines (FSTAG) and Accessibility Guidebook on Outdoor Recreation and Trails are practices that State and local governments and private entities may use. The Outdoor Developed Areas guidelines are not appropriate for trails intended for transportation purposes. Project managers may consider the proposed PROWAG and Shared Use Paths guidelines. See www.access-board.gov/guidelines-and-standards/streets-sidewalks.

Recreation facilities (other than trails): Use the Access Board’s Requirements for Recreation Facilities at www.access-board.gov/guidelines-and-standards/recreation-facilities/about-recreation-facilities. It would be relatively rare for FHWA to be involved with these projects, because most of these facilities are not eligible under Federal-aid highway programs unless required as environmental mitigation.

Next, I will describe primary funding sources for shared use paths and other trails.
• Fact Sheet: [https://www.fhwa.dot.gov/bipartisan-infrastructure-law/ta.cfm](https://www.fhwa.dot.gov/bipartisan-infrastructure-law/ta.cfm)
• About $14.6 billion, nearly 40,000 projects since 1992 (including previous Transportation Enhancements)
• Funds: 10% of Surface Transportation Block Grant Program (STBG): ~$1.4 billion per year (was $850 million)
  • Up to $84.16 million for the Recreational Trails Program
• Competitive project selection process (State and large MPO)
• TA projects are eligible for Surface Transportation Block Grant Program (STBG) (~$14 billion per year)
• Project sponsors are encouraged to use [Youth Corps](https://www.fhwa.dot.gov/youthcorps).
Trails/.
### Transportation Alternatives

**Eligible Projects**

- Must relate to surface transportation.
- Pedestrian and bicycle facilities and related projects, including rail trails.
- Construction of turnouts, overlooks, and viewing areas.
- Community improvement activities, including:
  - 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; and
  - archaeological activities relating to impacts from implementation of a transportation project.
- Environmental mitigation activity to:
  - Address stormwater management, control, and water pollution prevention
  - Reduce vehicle-caused wildlife mortality or to restore and maintain connectivity among terrestrial or aquatic habitats.
- Recreational trails program projects
- Safe Routes to School projects
- Vulnerable Road User Safety Assessment

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**The slide lists eligible projects. You can access the slide later.**

**TA Set-Aside projects usually should follow the Public Rights-of-Way guidelines, because there is usually an expectation of a transportation purpose.**

Legislation as in effect prior to enactment of the FAST Act: 23 U.S.C. 213(b)

**Eligible Projects.**—A State may obligate the funds reserved under this section for any of the following projects or activities:

1. Transportation alternatives, as defined in section 101.
2. The [recreational trails program](#) under section 206.
3. The [safe routes to school program](#) under section 1404 of the SAFETEA-LU (23 U.S.C. 402 note; Public Law 109-59).
4. Planning, designing, or constructing [boulevards](#) and other roadways largely in the right-of-way of former Interstate System routes or other divided highways.

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23 U.S.C. 101(a)(29)

Transportation alternatives.—The term “transportation alternatives” means any of the following activities when carried out as part of any program or project authorized or funded under this title, or as an independent program or project related to surface transportation:

- 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 (42 U.S.C. 12101 et seq.).
- 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.
- Community improvement activities, including:
  - 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; and
  - 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 stormwater 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 329; or
  - Reduce vehicle-caused wildlife mortality or to restore and maintain connectivity among terrestrial or aquatic habitats.

Note: For 23 U.S.C. 101(a)(29)(E), FHWA defines “including” as “which include, but not limited to”.

The Bipartisan Infrastructure Law added vulnerable road user safety assessments.

The Federal Highway Administration generates an annual report on the status of TA projects. About 95 percent of the TA projects are pedestrian and bicycle facilities, so there are many examples.

**CHAT:**

Annual reports
[https://www.fhwa.dot.gov/environment/transportation_alternatives/annual_reports/](https://www.fhwa.dot.gov/environment/transportation_alternatives/annual_reports/)

Rails-to-Trails Data: [https://www.railstotrails.org/resource-library/resources/trade-fy20/](https://www.railstotrails.org/resource-library/resources/trade-fy20/)

FHWA prepares this report annually and makes it available to the public. States are required to report:
- Number of project applications and total funding requested, by eligible category.
- Project selections and funding requested, by eligible category.
- You can search through for similar projects in your State, although there is not much project detail.

FY 2019: Project selections were skewed by North Carolina, which included individual curb ramp projects and many prior year applications not reported previously.

FY 2020 project applications were skewed by California, which received applications, but did not make selections until FY 2021. California’s applications were 51.7% of the dollars requested nationally, but 9.9% of the total number of applications.
FY 2021 is still being received, but California selected 299 projects for $1.7 billion in FY 2021.
RTP Purpose

- Provides funds to the States to develop and maintain recreational trails for all trail uses.
- Represents a portion of the $281 million in Federal motor fuel excise tax paid by OHV users (including snowmobilers).
- Project sponsors are encouraged to use Youth Corps.

The Recreational Trails Program (RTP) provides funds to the States to develop and maintain recreational trails for all trail uses, both motorized and nonmotorized. The original purpose of the RTP was to represent a portion of the $281 million in annual revenue that the Federal Highway Trust Fund receives from nonhighway recreational fuel use from off highway vehicles, including all-terrain vehicles, off-highway motorcycles, four-wheel drive vehicles used off-highway, and snowmobiles.

- Project sponsors are encouraged to use qualified youth service and conservation corps (see slide 12).

Photo: USDA Forest Service
**Funding**

- Up to $84.16 million per year.
- States may opt out (funds then remain TA funds)
- Usually administered through a State resource agency.
- States solicit and select projects for funding.
- [https://www.fhwa.dot.gov/environment/recreational_trails/rtpstate.cfm](https://www.fhwa.dot.gov/environment/recreational_trails/rtpstate.cfm)

**Current authorization is up to $84.16 million per year.** States may opt out of the RTP, in which case the funds remain as TA Set-Aside funds. For the past few years, Connecticut has opted out, and Indiana opted out for the past 2 years.

**Most States administer the RTP through a State resource agency or a grant administration agency.**
- State DOTs that administer the RTP: Arkansas, DC, Iowa, Maryland, New Mexico, West Virginia.
- State DOTs retain oversight over financial management.
- California DOT (Caltrans) retains 40% of the RTP; 60% to State Parks.

**States solicit and select projects for funding, usually through a competitive process. A few States use RTP funds, or a portion of RTP funds, for projects on State lands.**

The RTP funds retain the [RTP eligible project sponsor](https://www.fhwa.dot.gov/environment/recreational_trails/rtpstate.cfm) provisions under 23 U.S.C. 206, which can be any government entity, nonprofit entity, or even private for-profit entities. Each State decides its own list of eligible project sponsors.

Photos: ATV riding at Bull Run Ranch, Cascade MT
Eligible RTP Projects

- Maintain and restore existing trails (and bridges).
- Develop and rehabilitate trailside and trailhead facilities.
- Purchase and lease trail construction and maintenance equipment.
- Construct new trails (limits on Federal lands).
- Acquire easements or property for trails (willing seller only: Condemnation is prohibited).
- Trail assessments for accessibility and maintenance.
- Trail safety and environmental protection education.
- State administrative costs.

- RTP projects also eligible under TA Set-Aside and STBG.

RTP Eligibility: Most of these trails should follow the outdoor developed areas guidelines, but there may be exceptions, for example:

- Trails that don’t have pedestrian use or trails that qualify for the exceptions listed in the outdoor developed areas guidelines may not need to meet accessibility requirements.
- Trailside and trailhead facilities should use building standards.
- Trails that are used for a transportation purpose should use the public rights-of-way guidelines.

Eligible RTP Projects:

- Develop and maintain existing trails, including routine maintenance and operations.
- Develop and rehabilitate trailside and trailhead facilities.
- Purchase and lease trail construction and maintenance equipment (trail handtools, trail construction equipment, snow groomers, etc.).
- Construct new trails.
- Acquire easements or property for trails.
- States may limit RTP eligibility stricter than what the law allows. [FHWA Division offices do not have a right to limit RTP eligibility stricter than what the law allows.]
- Design Guidelines: Recreational trails should have a recreational context. Don’t treat recreational trails as highways. There are many resources available; see the RTP

Top: Photo: Meduxnekeag River Bridge (Maine):
www.americantrails.org/awards/CRT09awards/Meduxnekeag-Trail-Maine-09.html
3rd: Western Wyoming Avalanche detection.
www.americantrails.org/awards/CRT04awards/WWyoAvalanche.html
Bottom: NOHVCC Trailer (probably from Tom Umphress, NOHVCC)
Project Examples

Recreational Trails Program Annual Report
https://www.fhwa.dot.gov/environment/recreational_trails/
- $1.5 billion for 26,500 projects since 1993

Recreational Trails Program Database
- More than 26,500 project examples
- Searchable by State or project type
- See http://recreationaltrailsinfo.org/

FHWA posted the 2021 RTP Annual Report. It provides many project examples.
CHAT: Recreational Trails Program Annual Report:
https://www.fhwa.dot.gov/environment/recreational_trails/

Designing Sidewalks and Trails for Access, Best Practices Design Guide:
Recent and Ongoing Research

- Rails-with-Trails: Best Practices and Lessons Learned
- Ebikes
- Trails and Resilience
- Tribal Development of Trails
- Trails as Resilient Infrastructure

FHWA also has ongoing trail research. We completed a *Rails-with-Trails: Best Practices and Lessons Learned* in June 2021, [https://www.fhwa.dot.gov/environment/recreational_trails/publications/rwt2021/](https://www.fhwa.dot.gov/environment/recreational_trails/publications/rwt2021/)

Ongoing research includes ebikes, trails and resilience white paper, tribal development of trails, and we awarded a contract for trails as resilient infrastructure both for climate resilience and emergency response and recovery. Accessibility issues are covered in all these reports.
Youth Corps and Workforce Development

- DOT encourages States to have contracts and cooperative agreements with qualified Youth Service and Conservation Corps.
- Corps work on Transportation Alternatives projects, trails, pedestrian and bicycle projects, safe routes to school, and byways.
- Corps provide workforce development training.
- Agencies can sole source contracts and cooperative agreements to qualified Corps.
- The Corps Network: Trails and Transportation webpage

The Moving Ahead for Progress in the 21st Century Act (MAP-21) Section 1524 requires the U.S. Department of Transportation to encourage States and regional transportation planning agencies to use qualified youth service and conservation corps to perform appropriate transportation-related projects. This provision is still in effect.


The Corps Network (which represents Corps nationwide) has resources on Trails and Transportation at https://corpsnetwork.org/our-impact/trails-and-transportation/

Appropriate projects include any project eligible under transportation alternatives, any pedestrian and bicycle project, any recreational trail project, any safe routes to school project, or any byway that qualified Corps are capable of doing.

Youth corps programs provide workforce development training for the future transportation and recreation workforce. It is also an opportunity to train them in accessibility guidelines.

There are provisions to sole source contracts and cooperative agreement to qualified youth service and conservation corps to perform project work.
Later, we open for general questions and answers. Most likely, the answer to life’s persistent questions is “it depends”.


Transportation Alternatives: [www.fhwa.dot.gov/environment/transportation_alternatives/](http://www.fhwa.dot.gov/environment/transportation_alternatives/)

see State TA Manager contacts.


Contact information protocol: In general, the public and local governments should contact their State DOTs (or State agency responsible for the RTP). State DOTs (or resource agency) should contact the FHWA Division office in each State.