

117TH CONGRESS
1ST SESSION

S. 1461

To establish a program to award grants to entities that provide transportation connectors from critically underserved urban communities and rural communities to green spaces.

IN THE SENATE OF THE UNITED STATES

APRIL 29, 2021

Mr. BOOKER (for himself, Mr. BLUMENTHAL, Mr. MARKEY, Ms. SMITH, Mr. PADILLA, Mrs. FEINSTEIN, Mr. MERKLEY, Mr. WYDEN, Ms. DUCKWORTH, Mr. SANDERS, Mr. VAN HOLLEN, and Ms. ROSEN) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To establish a program to award grants to entities that provide transportation connectors from critically underserved urban communities and rural communities to green spaces.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Transit to Trails Act”.

5 **SEC. 2. TRANSIT TO TRAILS GRANT PROGRAM.**

6 (a) **DEFINITIONS.**—In this section:

(1) COMMUNITY OF COLOR.—The term “community of color” means a geographically distinct area in which the population of any of the following categories of individuals is higher than the average population of that category for the State in which the community is located:

(A) Black.

(B) African American.

(C) Asian.

(D) Pacific Islander.

(E) Other non-White race.

(F) Hispanic.

(G) Latino.

(2) CRITICALLY UNDERSERVED COMMUNITY.—The term “critically underserved community” means—

(A) a community that can demonstrate to the Secretary that the community has inadequate, insufficient, or no park space or recreation facilities, including by demonstrating—

(i) quality concerns relating to the available park space or recreation facilities;

(ii) the presence of recreational facilities that do not serve the needs of the community; or

1 (iii) the inequitable distribution of
 2 park space for high-need populations,
 3 based on income, age, or other measures of
 4 vulnerability and need;

5 (B) a community in which at least 50 per-
 6 cent of the population is not located within $\frac{1}{2}$
 7 mile of park space;

8 (C) an environmental justice community;
 9 and

10 (D) any other community that the Sec-
 11 retary determines to be appropriate.

12 (3) DISPROPORTIONATE BURDEN OF ADVERSE
 13 HUMAN HEALTH OR ENVIRONMENTAL EFFECTS.—
 14 The term “disproportionate burden of adverse
 15 human health or environmental effects” means a sit-
 16 uation where there exists higher or more adverse
 17 human health or environmental effects on commu-
 18 nities of color, low-income communities, and Tribal
 19 and Indigenous communities.

20 (4) ELIGIBLE ENTITY.—The term “eligible enti-
 21 ty” means—

22 (A) a State;

23 (B) a political subdivision of a State (in-
 24 cluding a city or a county) that represents or
 25 otherwise serves an urban area or a rural area;

1 (C) a special purpose district (including a
2 park district);

3 (D) an Indian Tribe (as defined in section
4 of the Indian Self-Determination and Edu-
5 cation Assistance Act (25 U.S.C. 5304)) that
6 represents or otherwise serves an urban area or
7 a rural area; or

8 (E) a metropolitan planning organization
9 (as defined in section 134(b) of title 23, United
10 States Code).

11 (5) ENVIRONMENTAL JUSTICE COMMUNITY.—
12 The term “environmental justice community” means
13 a community with significant representation of com-
14 munities of color, low-income communities, or Tribal
15 and Indigenous communities that experience, or is at
16 risk of experiencing, a disproportionate burden of
17 adverse human health or environmental effects.

18 (6) LOW-INCOME COMMUNITY.—The term “low-
19 income community” means any census block group
20 in which 30 percent or more of the population are
21 individuals with an annual household income equal
22 to, or less than, the greater of—

23 (A) an amount equal to 80 percent of the
24 median income of the area in which the house-

1 hold is located, as reported by the Department
2 of Housing and Urban Development; and

3 (B) 200 percent of the Federal poverty
4 line.

5 (7) PROGRAM.—The term “program” means
6 the Transit to Trails Grant Program established
7 under subsection (b)(1).

8 (8) RURAL AREA.—The term “rural area”
9 means a community that is not an urban area.

10 (9) SECRETARY.—The term “Secretary” means
11 the Secretary of Transportation.

12 (10) TRANSPORTATION CONNECTOR.—

13 (A) IN GENERAL.—The term “transportation
14 connector” means a system that—

15 (i) connects 2 zip codes or communities
16 within a 175-mile radius of a designated
17 service area; and

18 (ii) offers rides available to the public.

19 (B) INCLUSIONS.—The term “transportation
20 connector” includes microtransits, bus
21 lines, bus rails, light rail, rapid transits, or personal
22 rapid transits.

23 (11) URBAN AREA.—The term “urban area”
24 means a community that—

25 (A) is densely developed;

1 (B) has residential, commercial, and other
 2 nonresidential areas; and

3 (C)(i) is an urbanized area with a popu-
 4 lation of 50,000 or more; or

5 (ii) is an urban cluster with a population
 6 of—

7 (I) not less than 2,500; and

8 (II) not more than 50,000.

9 (b) GRANT PROGRAM.—

10 (1) ESTABLISHMENT.—The Secretary shall es-
 11 tablish a grant program, to be known as the “Tran-
 12 sit to Trails Grant Program”, under which the Sec-
 13 retary shall award grants to eligible entities for—

14 (A) projects that develop transportation
 15 connectors or routes in or serving, and related
 16 culturally and linguistically appropriate edu-
 17 cation materials for, critically underserved com-
 18 munities to increase access and mobility to Fed-
 19 eral or non-Federal public land, inland and
 20 coastal waters, parkland, or monuments; or

21 (B) projects that facilitate transportation
 22 improvements to enhance access to Federal or
 23 non-Federal public land and recreational oppor-
 24 tunities in critically underserved communities.

25 (2) ADMINISTRATION.—

1 (A) IN GENERAL.—The Secretary shall ad-
2 minister the program to assist eligible entities
3 in the development of transportation connectors
4 or routes in or serving, and related culturally
5 and linguistically appropriate education mate-
6 rials for, critically underserved communities and
7 Federal or non-Federal public land, inland and
8 coastal waters, parkland, and monuments.

9 (B) JOINT PARTNERSHIPS.—The Secretary
10 shall encourage joint partnership projects under
11 the program, if available, among multiple agen-
12 cies, including school districts, nonprofit organi-
13 zations, metropolitan planning organizations,
14 regional transportation authorities, transit
15 agencies, and State and local governmental
16 agencies (including park and recreation agen-
17 cies and authorities) to enhance investment of
18 public sources.

19 (C) ANNUAL GRANT PROJECT PROPOSAL
20 SOLICITATION, REVIEW, AND APPROVAL.—

21 (i) IN GENERAL.—The Secretary
22 shall—

23 (I) annually solicit the submis-
24 sion of project proposals for grants

1 from eligible entities under the pro-
2 gram; and

3 (II) review each project proposal
4 submitted under subclause (I) on a
5 timeline established by the Secretary.

6 (ii) REQUIRED ELEMENTS FOR
7 PROJECT PROPOSAL.—A project proposal
8 submitted under clause (i)(I) shall in-
9 clude—

10 (I) a statement of the purposes
11 of the project;

12 (II) the name of the entity or in-
13 dividual with overall responsibility for
14 the project;

15 (III) a description of the quali-
16 fications of the entity or individuals
17 identified under subclause (II);

18 (IV) a description of—

19 (aa) staffing and stake-
20 holder engagement for the
21 project;

22 (bb) the logistics of the
23 project; and

24 (cc) anticipated outcomes of
25 the project;

1 (V) a proposed budget for the
2 funds and time required to complete
3 the project;

4 (VI) information regarding the
5 source and amount of matching fund-
6 ing available for the project;

7 (VII) information that dem-
8 onstrates the clear potential of the
9 project to contribute to increased ac-
10 cess to parkland for critically under-
11 served communities; and

12 (VIII) any other information that
13 the Secretary considers to be nec-
14 essary for evaluating the eligibility of
15 the project for funding under the pro-
16 gram.

17 (iii) CONSULTATION; APPROVAL OR
18 DISAPPROVAL.—The Secretary shall, with
19 respect to each project proposal submitted
20 under this subparagraph, as appropriate—

21 (I) consult with the government
22 of each State in which the proposed
23 project is to be conducted;

24 (II) after taking into consider-
25 ation any comments resulting from

1 the consultation under subclause (I),
2 approve or disapprove the proposal;
3 and

4 (III) provide written notification
5 of the approval or disapproval to—

6 (aa) the individual or entity
7 that submitted the proposal; and

8 (bb) each State consulted
9 under subclause (I).

10 (D) PRIORITY.—To the extent practicable,
11 in determining whether to approve project pro-
12 posals under the program, the Secretary shall
13 prioritize projects that—

14 (i) are designed to increase access and
15 mobility to local or neighborhood Federal
16 or non-Federal public land, inland and
17 coastal waters, parkland, monuments, or
18 recreational opportunities;

19 (ii) use low- or zero-emission vehicles;

20 (iii) provide free or discounted rates
21 for low-income riders of transportation
22 connectors;

23 (iv) provide opportunities for youth
24 engagement;

(v) give employment preference to individuals living in the community in which the project is carried out;

(vi) are carried out in—

(I) a community of color;

(II) a low-income community;

(III) a Tribal or Indigenous community; or

(IV) a rural community;

(vii) would capitalize on existing established public-private partnerships; and

(viii) comply with applicable provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.).

(3) TRANSPORTATION PLANNING PROCEDURES.—

(A) PROCEDURES.—In consultation with the head of each appropriate Federal land management agency, the Secretary shall develop, by rule, transportation planning procedures for projects conducted under the program that are consistent with metropolitan and statewide planning processes.

(B) REQUIREMENTS.—All projects carried out under the program shall be developed in co-

1 operation with States and metropolitan plan-
2 ning organizations.

3 (4) ADA COMPLIANCE.—The Secretary shall
4 ensure that all new transportation connectors and
5 routes developed under the program are accessible to
6 people with disabilities in accordance with accessi-
7 bility specifications for transportation vehicles under
8 the Americans with Disabilities Act of 1990 (42
9 U.S.C. 12101 et seq.).

10 (5) STAKEHOLDER ENGAGEMENT.—In carrying
11 out the program, the Secretary shall—

12 (A) meaningfully engage with relevant
13 stakeholders, particularly—

- 14 (i) impacted community members;
15 (ii) transportation partners;
16 (iii) existing potential passengers of
17 the transportation connectors;
18 (iv) Indian Tribes and Tribal rep-
19 resentatives; and
20 (v) faith-based and community-based
21 organizations; and

22 (B) ensure that the input of the stake-
23 holders described in subparagraph (A) is cen-
24 tral to the determination of new transportation
25 connectors and routes.

1 (6) NON-FEDERAL CONTRIBUTIONS.—

2 (A) IN GENERAL.—The Federal share of
3 the cost of an eligible project provided a grant
4 under the program shall not exceed 80 percent.

5 (B) NON-FEDERAL SHARE.—The non-Fed-
6 eral share of the cost of an eligible project pro-
7 vided a grant under the program may be in the
8 form of in-kind contributions.

9 (7) ELIGIBLE USES.—Grant funds provided
10 under the program may be used—

11 (A) to develop transportation connectors or
12 routes in or serving, and related culturally and
13 linguistically appropriate education materials
14 for, critically underserved communities to in-
15 crease access and mobility to Federal and non-
16 Federal public land, inland and coastal waters,
17 parkland, and monuments; and

18 (B) to create or significantly enhance ac-
19 cess to Federal or non-Federal public land and
20 recreational opportunities in an urban area or
21 a rural area.

22 (8) GRANT AMOUNT.—A grant provided under
23 the program shall be—

24 (A) not less than \$25,000; and

25 (B) not more than \$500,000.

1 (9) TECHNICAL ASSISTANCE.—It is the intent
 2 of Congress that grants provided under the program
 3 deliver project funds to areas of greatest need while
 4 offering technical assistance to all applicants and po-
 5 tential applicants for grant preparation to encourage
 6 full participation in the program.

7 (10) PUBLIC INFORMATION.—The Secretary
 8 shall ensure that current schedules and routes for
 9 transportation systems developed after the receipt of
 10 a grant under the program are available to the pub-
 11 lic, including on a website maintained by the recipi-
 12 ent of a grant.

13 (c) REPORTING REQUIREMENT.—

14 (1) REPORTS BY GRANT RECIPIENTS.—The
 15 Secretary shall require a recipient of a grant under
 16 the program to submit to the Secretary at least 1
 17 performance and financial report that—

18 (A) includes—

19 (i) demographic data on communities
 20 served by the project; and

21 (ii) a summary of project activities
 22 conducted after receiving the grant; and

23 (B) describes the status of each project
 24 funded by the grant as of the date of the re-
 25 port.

1 (2) ADDITIONAL REPORTS.—In addition to the
2 report required under paragraph (1), the Secretary
3 may require additional reports from a recipient, as
4 the Secretary determines to be appropriate, includ-
5 ing a final report.

6 (3) DEADLINES.—The Secretary shall establish
7 deadlines for the submission of each report required
8 under paragraph (1) or (2).

9 (d) AUTHORIZATION OF APPROPRIATIONS.—There
10 are authorized to be appropriated to carry out this sec-
11 tion—

12 (1) \$10,000,000 for each of fiscal years 2022
13 and 2023;

14 (2) \$20,000,000 for each of fiscal years 2024
15 and 2025; and

16 (3) \$40,000,000 for fiscal year 2026.

○