

It is expected that a Quorum of the Personnel Committee, Board of Public Works, Plan Commission and Administration Committee will be attending this meeting: (although it is not expected that any official action of any of those bodies will be taken)

**CITY OF MENASHA
SUSTAINABILITY BOARD
1st Floor Conference Room
140 Main Street, Menasha**

Tuesday, April 20, 2010

6:30 PM

AGENDA

- A. CALL TO ORDER
- B. ROLL CALL/EXCUSED ABSENCES
- C. PUBLIC COMMENTS ON ANY MATTER OF CONCERN TO THE SUSTAINABILITY BOARD
(five (5) minute time limit for each person)
- D. MINUTES TO APPROVE
 - 1. [Sustainability Board minutes, 3/16/10](#)
- E. COMMUNICATIONS
 - 1. [Global Conservation Act – Linda Stoll](#)
- F. DISCUSSION ITEMS
 - 1. [Open meetings law requirements as related to Board member interactions](#)
 - 2. Leadership in Energy and Environmental Design (LEED) information - Chris Bohne
 - 3. 2010 Work Program/Project Planning
 - a. [Comments from Linda Stoll](#)
 - b. [Comments from Jill Enos](#)
 - 4. Home and building energy conservation initiatives
 - 5. [Sustainability Board input on Comprehensive Plan Review](#)
 - 6. ["Do not mail" resolution](#)
 - 7. [Biggest Loser Energy Conservation Challenge – Roger Kanitz](#)
- G. ACTION ITEMS
 - 1. [Resolution supporting "Active Community Transportation Act of 2010" \(Rails to Trails campaign\)](#)
(revised resolution to be received)
 - 2. Set next regular meeting date
- H. REPORT OF COMMISSIONERS & STAFF
 - 1. Valley Transit Update (Roger Kanitz)
 - 2. Department TNS presentations/Sustainability training
 - 3. Safe Routes to School update
 - 4. Rain Garden demonstration project update
 - 5. Office of Energy Independence Energy Efficiency & Conservation Block Grant update
- I. ADJOURNMENT

"Menasha is committed to its diverse population. Our Non-English speaking population and those with disabilities are invited to contact the Menasha City Clerk at 967-3603 24-hours in advance of the meeting for the City to arrange special accommodations."

It is expected that a Quorum of the Personnel Committee, Board of Public Works, Plan Commission and Administration Committee will be attending this meeting: (although it is not expected that any official action of any of those bodies will be taken)

**CITY OF MENASHA
SUSTAINABILITY BOARD
Common Council Chambers
140 Main Street, Menasha**

Tuesday, March 16, 2010

Draft Minutes

A. CALL TO ORDER

Meeting called to order by Linda Stoll at 6:38 p.m.

B. ROLL CALL/EXCUSED ABSENCES

Present: Roger Kanitz, Sadie Schroeder, Chris Bohne, Jill Enos, Linda Stoll

Excused: Mike Dillon, Becky Bauer, Trevor Frank

Also Present: Greg Keil, Kathy Thunes, Mike Malmstead

C. PUBLIC COMMENTS ON ANY MATTER OF CONCERN TO THE SUSTAINABILITY BOARD
(five (5) minute time limit for each person)

1. Mike Malmstead reviewed the energy assistance programs available through Menasha Utilities and WPPI.

D. MINUTES TO APPROVE

1. Sustainability Board minutes, 2/16/10

Motion made by Roger Kanitz and seconded by Sadie Schroeder to approve minutes of the February 16, 2010 meeting.

The motion carried.

E. COMMUNICATIONS

None

F. DISCUSSION ITEMS

1. 2010 Work Program/Project Planning

Board members discussed which areas it should focus on and to what extent the activities should be either goal or action oriented. There was consensus that the committee should continue to work off of the *Toward a Sustainable Community* template, with primary emphasis on four topics –energy, transportation, procurement, and waste reduction/recycling. Efforts are to be directed primarily through city department heads and supervisors. Commissioners also discussed the approach that should be taken toward fulfilling the city's pledge relative to the 25X25 goal it had adopted.

Jill Enos reviewed a listing of proposed sustainability goals for the City of Menasha that she had adapted from the City of LaCrosse Sustainability Plan. Linda Stoll commented on the goals and initiatives she advanced to the committee.

Linda also reviewed the progress that had been made on organizing the First Impressions program with the City of Wisconsin Rapids. Catherine Neiswender and Mary Kohrell from UWEX will assist. Greg Keil is to forward contact information regarding the Menasha Action Council to Linda.

2. Home and Building Energy Conservation Initiatives

Roger Kanitz gave an update on the Fox Valley Energy Challenge and stated that the concept is to encourage homeowners to save energy. He is working on setting up a meeting to introduce the concept to Menasha Utilities and city staff.

3. Fruit Tree Planting Option

Roger Kanitz commented on an article in USA Today that highlighted urban orchards as a means for promoting food security and local food options.

4. “Do Not Mail” Resolution

Sadie Schroeder discussed advancing a “do not mail” resolution as advocated by the organization Forest Ethics. Commissioners discussed the benefits of reduced waste and the potential impact of reduced bulk mail on employment and Postal Services revenues.

G. ACTION ITEMS

1. [Resolution supporting “Active Community Transportation Act of 2010” \(Rails to Trails campaign\)](#)

Greg Keil reported on the proposed Active Community Transportation Act legislation. Commissioners discussed the emphasis on rails to trails, and were interested in broader resolution language with a “Complete Street” tie-in. Greg Keil is to contact Walt Raith at ECWRPC to draft a revised resolution.

2. Set next regular meeting date

Next meeting set for April 20, 2010

H. REPORT OF COMMISSIONERS & STAFF

1. Valley Transit Update (Roger Kanitz)

Roger commented on the presentation to the transportation commission on the creation of Regional Transit Authority legislation.

2. Department TNS presentations/Sustainability training

Department Head Sustainability Training – Greg Keil reported that the training on Fleet Management/Energy Conservation had been rescheduled for the April city Department Head meeting

3. Safe Routes to School update

Greg Keil reported on a meeting that was sponsored by ECWRPC on the SRTS program with representatives of the Menasha School District and the city. Greg is to email board members notice of future meetings.

4. Rain Garden Demonstration Project Update

Greg Keil reported that the Rain garden plants had been ordered and that Eric Fowle from ECWRPC was working on obtaining materials for the retaining wall.

5. Office Energy Independence Energy Efficiency & Conservation Block Grant update

Greg Keil reported that grant awards are to be announced shortly.

I. ADJOURNMENT

Motion made by Chris Bohne and seconded by Sadie Schroeder to adjourn at 8:45 p.m.
Motion carried.

Respectfully submitted by CDD Greg Keil

Kristin Sewall

From: Stoll, Linda [Linda.Stoll@uwsp.edu]
Sent: Monday, April 05, 2010 8:28 AM
To: Kristin Sewall
Subject: FW: Would you support the Global Conservation Act?

Hi Kristin,

Not sure if I sent you this already – short term memory loss☺ but could you please put this discussion item on the next agenda for the Sustainability Board?

Thanks

Linda

Linda Stoll, AICP

Outreach Specialist
Center for Land Use Education
University of Wisconsin Stevens Point
800 Reserve Street
Stevens Point, WI 54481
Phone (715)346-4853
Fax (715)346-4038
linda.stoll@uwsp.edu
www.uwsp.edu/cnr/landcenter/

From: Joanne Roush [mailto:jroush@ci.menasha.wi.us]
Sent: Monday, April 05, 2010 8:12 AM
To: Stoll, Linda
Subject: RE: Would you support the Global Conservation Act?

You are welcome!

-----Original Message-----

From: Stoll, Linda [mailto:Linda.Stoll@uwsp.edu]
Sent: Tue 3/30/2010 11:16 AM
To: Joanne Roush
Subject: RE: Would you support the Global Conservation Act?

Hi Joanne,

Thanks for bringing this issue to our attention. We will bring up your request at our next board meeting.

Best regards,
Linda

Linda Stoll, AICP
Outreach Specialist
Center for Land Use Education
University of Wisconsin Stevens Point
800 Reserve Street
Stevens Point, WI 54481
Phone (715)346-4853
Fax (715)346-4038
linda.stoll@uwsp.edu<<mailto:ahaines@uwsp.edu>>
www.uwsp.edu/cnr/landcenter/<<http://www.uwsp.edu/cnr/landcenter/>>

4/13/2010

From: Joanne Roush [<mailto:jroush@ci.menasha.wi.us>]
Sent: Tuesday, March 30, 2010 10:57 AM
To: Andrew Werthmann
Cc: Stoll, Linda; Don Merkes
Subject: RE: Would you support the Global Conservation Act?

Andrew, I've read your message and am forwarding it to Linda Stoll, who chairs our Sustainability Board. Though their primary focus is guiding the city to a more environmentally sensitive and sustainable path in terms of our operations, perhaps the board would like to examine how the city can support this legislation beyond the personal endorsements of individual members of the Council.

In the meantime, yes, you may add my name to the list of supporters you are developing.

Best Regards,
Joanne Roush

-----Original Message-----

From: Andrew Werthmann [<mailto:andwerth@gmail.com>]
Sent: Mon 3/29/2010 6:41 PM
To: Joanne Roush
Subject: Would you support the Global Conservation Act?

Greetings Joanne,

My name is Andrew Werthmann. I serve on the City Council here in Eau Claire and also work with the Pew Environment Group, part of the Pew Charitable Trusts. One of the major focuses of Pew's work is protecting global biodiversity, and with organizers around the country and a headquarters in Washington DC, we are pushing for legislation that would protect forests, fish, land, wildlife, etc. which are all threatened to be lost forever. The bi-partisan bill is the Global Conservation Act of 2010 (H.R 4959). Details below!

As you likely know, a very effective way to pressure our members of Congress and US Senators is show them that local elected leaders and businesses support this effort. With this in mind I am trying to build a coalition of supporters across Wisconsin - so when we visit congressional offices in the coming months, we can show that strong support does exist.

Please read through the press release below, which outlines the ideas behind this bi-partisan effort, and let me know if I can add your name to the list of support

Thanks for your time - I hope to hear back soon. My number is 715-495-2451 and my email address is andwerth@gmail.com

Thanks -
Andrew

Subject: PRESS RELEASE: Global Conservation Act Introduced

For Immediate
Release

March 26, 2010

CONTACT:

4/13/2010

Brandon MacGillis, 202-887-8830, bmacgillis@pewtrusts.org

Global Conservation Act Introduced

Bi-partisan bill will advance global conservation policies that protect the economy,

national security, and public health

WASHINGTON, D.C. - Today members of Congress from both parties introduced legislation-the Global Conservation Act of 2010 (H.R. 4959)-that for the first time places the strategic and diplomatic resources of the U.S. government behind efforts to address extinction and natural resource depletion worldwide.

With the accelerating destruction of forests, reefs and other natural ecosystems, scientists say half of all species could be driven to the brink of extinction by the end of the century. And experts are tracking trends showing people around the world losing sources of fresh water, fuelwood, medicines and other products from nature.

"By working with nations and partners around the world we can confront conservation challenges that have a direct impact on U.S. security and economic interests," said Congressman Russ Carnahan (D-MO), the bill's lead Democratic sponsor. "If we tackle this problem together, we can build economic strength here and around the globe, adding more stability to the world."

Even as six federal agencies conduct conservation programs around the globe, the U.S. government still lacks a coordinated, overarching strategy for stopping the environmental destruction. The Global Conservation Act would mandate such a strategy. Under the coordination of the White House, the bill requires that agencies come up with a plan to:

- Protect millions of square miles of land and sea,
- Address illegal and unregulated fishing around the world,
- Safeguard the natural sources of fresh water to several major population centers around the world,
- Stop the worst wildlife trafficking operations, and
- Stabilize environmental destruction trends in areas vulnerable to conflict and instability.

The bill identifies a coordinator in the executive branch to ensure action and encourages the administration to secure additional funding and support for a global conservation strategy from other countries-including European

nations, Japan, China, and India. It is cosponsored by Representatives Russ Carnahan (D-MO), Jeff Fortenberry (R-NE), Dave Reichert (R-WA), Norman Dicks (D-WA), James Moran (D-VA), Albio Sires (D-NJ), Vernon Ehlers (R-MI), Judy Biggert (R-IL), and Carolyn Maloney (D-NY).

"The Global Conservation Act of 2010 presents a wonderful opportunity for genuine and effective bipartisan cooperation on prudent, cost-effective environmental stewardship. I am proud to join in this worthy effort to help protect some of our world's most fragile and magnificent ecosystems," said Rep. Jeff Fortenberry (R-NE), the lead Republican co-sponsor of the bill.

"This bill represents a major step forward in our efforts to address worldwide resource destruction and species loss," said Jeff Wise, who directs the Alliance for Global Conservation. "It lays out a common sense strategy that will help protect the world's most ecologically and economically important wilderness and marine areas, promote global security and even increase U.S. competitiveness."

Healthy terrestrial and marine ecosystems are also critical to food security and disaster prevention. An analysis by David Pimental at Cornell University concludes that wild species such as birds and insects provide US\$100 billion worth of pest control services to world agriculture every year. And according to the National Oceanic and Atmospheric Administration, healthy coral reefs reduce the impact of large storms on coastal populations, a protective function valued at US\$9 billion a year.

The destruction of natural areas comes at a tremendous cost. Research by the World Resources Institute has found that medicines derived from natural sources, including 10 of the world's 25 top-selling drugs, have a market value of US\$75-\$150 billion per year. According to the United Nations Environment Programme, current extinction rates could eliminate at least one prescription drug from entering the market every two years.

"Environmental degradation and the loss of species dramatically reduces our ability to discover and develop new drugs for the treatment of diseases like cancer, diabetes, and infectious diseases" said Dr. Gordon Cragg, retired Chief of the National Cancer Institute's Natural Products Branch, an Institute of the U.S. National Institutes of Health.

The Alliance for Global Conservation-a coalition of some of the world's major conservation organizations including Conservation International, The Nature Conservancy, the Pew Environment Group, Wildlife Conservation Society and the World Wildlife Fund-is working to prevent the destruction of the world's remaining natural ecosystems for the species and human communities that depend on them. www.actforconservation.org

###

*****As a local governmental entity, the City of Menasha is subject to Wisconsin statutes relating to open records. Any e-mail received by anyone at the City of Menasha, as well as any e-mail sent by someone from the City of Menasha are subject to these laws. Unless otherwise exempted from the Open Records law, senders and receivers of City e-mail should presume that any e-mail is subject to release upon request.*****

*****As a local governmental entity, the City of Menasha is subject to Wisconsin statutes relating to open records. Any e-mail received by anyone at the City of Menasha, as well as any e-mail sent by someone from the City of Menasha are subject to these laws. Unless otherwise exempted from the Open Records law, senders and receivers of City e-mail should presume that any e-mail is subject to release upon request.*****



[Home](#) [Legislative](#) [Legal](#) [Resources](#) [Conferences](#) [About the League](#)

[Contact Us](#)
[Site Map](#)
[Press Releases](#)
[Advertising](#)
[Refund Policy](#)

In Legal:

[Legal Services](#)
[Legal Articles](#)
[Caption](#)
[FAQ](#)
[Municipal Attorneys](#)
[Institute](#)

Search

[GO](#)

☒ Full Site
☐ This Section

[Search Tips](#)

[Printer-friendly Version](#)

Open Meetings Law FAQ 4

Can members of a governmental body violate the open meeting law by communicating regarding city or village business via telephone or e-mail?

Yes, members of a governmental body can violate the open meeting law by communicating regarding city or village business if there is communication amongst a sufficient number of the members. The Wisconsin Supreme Court has held that the open meeting law applies whenever members of a governmental body meet to engage in government business, whether it's for purposes of discussion, decision or information gathering, if the number of members present are sufficient to determine the parent body's course of action regarding the proposal discussed at the meeting. *State ex rel. Showers*, 135 Wis.2d 77, 398 N.W.2d 154 (1987). In *Showers*, the court recognized that members of a governmental body can violate the open meeting law by participating in what is called a "walking quorum." A walking quorum is a series of gatherings among separate groups of members, each less than quorum size, who agree, tacitly or explicitly, to act and vote in a certain manner in numbers sufficient to reach a quorum. See Informal Op. Att'y Gen to Paul Kritzer dated August 20, 1996; 69 Op. Att'y Gen. 143 (1980); and League opinion Governing Bodies 339.

[Other Governing Bodies - Open Meetings Law FAQs](#)

[Home](#) | [Legislative](#) | [Legal](#) | [Resources](#) | [Conferences](#) | [About the League](#) | [Contact Us](#) | [Site Map](#) | [Press Releases](#) | [Advertising](#) | [Refund Policy](#)

powered by [GovOffice.com](#)

Energy Planning Ideas based on Community Comprehensive Plan Review

Roger Kanitz 4/20/10

Summary...

Looking again at the planning booklet and focusing on energy saving ideas for our city structures, I realized that the document is mostly focused outward in the community and provides only indirect direction for the city buildings and staff. Perhaps this in itself needs to be a key part of the document's refinement, reflecting our 2525 community energy pledge.

So, I then took a look at the energy related elements that were noted for the community to see if I might relate them back to the city buildings and staff. I found and listed the few items that reflected some degree of energy saving in the either the Goals or Objectives.

The one term that came closest was the "Reduce the long-term costs and environmental impact of municipal facilities and operations' goal under the Utilities title. However there were no referenced notes that illustrated what that meant in terms of sustainable energy issues.

I would say the plan as currently written provides our community no direction on the topic of sustainable energy saving direction for city buildings. I would recommend that:

- a) We utilize the home rehabilitation objectives described in the Plan to develop funding structures that can be used to improve our city's buildings.
- b) That a projection on energy usage in the community (city buildings), its costs and sources current supply be part of the plan review in the future.

These two items will by their nature logically direct us toward energy conservation and local sustainable sources as we discuss costs and savings options. I would welcome some discussion on this at our next Sustainability Board meeting. It would be great to find that I missed a section in the Plan.

Issues and Opportunities:

- a) Minimize impact of development on energy and natural resources.
2-24: Continue to pursue and provide funds for affordable rehabilitation of substandard or deteriorating properties.
2-24: Encourage community involvement in the maintenance and enhancement of public and private properties and adjacent right-of-way in residential neighborhoods.

Housing:

- a) Preserve, rehabilitate, and stabilize the city's existing housing stock and residential neighborhoods.
2-27 through 2-32: Many points noted as to developing funding structures that will encourage home improvement in community

Transportation:

- a) Provide a safe, efficient, and cost effective transportation system for the movement of people and goods.

- b) Incorporate energy conservation principles in transportation facility design and services.

Economic Development:

- a) Support the economic development initiatives in the community and region to promote the creation of jobs and income opportunities.

Utilities and Community Facilities

- a) Provide high quality and cost effective community facilities and services that meet existing and projected future needs.
- b) Ensure the provision of reliable, efficient, and well-planned utilities to adequately serve existing and future development.

4-35: Seek to balance desired service levels with potential negative community impacts when reviewing the proposed design and location of telecommunications, wind energy, and other utility towers.

- c) Reduce the long-term costs and environmental impact of municipal facilities and operations.

4-36 through 4-44: no reference noted to energy efficiency improvement related goals for community structures or operations.

From Will Craven from ForestEthics addressing our two questions:

1) Has Forest Ethics had any dialogue with the USPS or does Forest Ethics have any thoughts about how this will affect the USPS?

2) What will be the criteria to determine what is considered "junk mail"?

To the question of whether or not we can refer them to any dialogue between us and the USPS, the answer is that we have had conversations with local letter carriers in the San Francisco Bay, but have not had productive discussions with the higher-ups at the USPS.

The US Postal clearly needs to reinvent itself to meet the communications needs of citizens in the 21st century. Their customers are telling them that they're no longer willing to accept the junk mail status quo. Like any other business, the USPS will only alienate customers by continuing to force upon them precisely what they don't want.

The USPS will likely face a reckoning on its business plan before there is any Do Not Mail Registry in existence. Since 2005, junk mail has been the majority of what they're delivering, and they've been struggling since. The way things are going — the institution lost a whopping \$3.8 billion last year — major changes will have to be instituted before we ever see a state-level Do Not Mail Registry. The USPS lost \$5.1 billion in 2007, \$2.8 billion in 2008, and \$3.8 billion in 2009. Is a non-existent Do Not Mail Registry really their greatest threat?

What would we be helpful as we begin to figure out how to rescue and reform the Postal Service, is to hear from citizens what they find unsatisfying about the mail experience. Junk mail is at the top of the list. So let's pass this resolution to further incentivize reform that doesn't perpetuate the nonsensical circulation of paper waste, from production to taxpayer-funded disposal.

One idea we've floated frequently is that the USPS should own and operate a national Do Not Mail Registry. Americans would likely trust them to safeguard consumer choice, and the USPS could generate revenue by selling lists of people who want direct mail to businesses, as well as by penalizing mailers who mail those on the Do Not Mail list.

As for question #2, we're open to a variety of viewpoints on the scope of a registry. We've wanted to remain open regarding the contours of any actual bill so as to include all interested parties in the negotiation. For example, a certain place might want to exempt local businesses with an X mile radius. Likewise, mail from a business with which a resident has an active business relationship (defined perhaps as having purchased something within the last, for example, 36 months) might be exempt. There are a lot of ways this could work.

What we want to give Americans is some measure of control over something which they currently have no control over. This likely means that "junk mail" would end up being defined as unsolicited commercial mail.

What a resolution would do now is start the conversation on these contours, and on what a registry would actually look like. This resolution states the citizen demand for a solution, and from there, a solution can be devised.

For better or for worse, political, religious, and nonprofit speech would most likely be exempt, as they have stronger First Amendment protections than commercial speech. Many efforts to restrict mail in the past have been struck down by courts for trying to restrict these types of speech.

Agenda regarding Biggest Loser Energy Conservation Challenge 4/13/10

Introductions

Attendees: Mike Malmstead, Dave Rodriquez, Greg Kiel, Amy Kester, Larry Roth, Jim Resick, Roger Kanitz

What is the E-Loser Competition all about?

- a) Jim Resick, see Brief Concept Summary
- b) Larry Roth, see Frequently Asked Question

Overview of Challenge Program

- a) Program that encourages actual home/small business energy conservation and education in a fun and attention grabbing manner that can be seen by the wider community.
- b) Challenges can take the form of volunteers that personally challenge themselves and/or the collective volunteer group, or in a more structured group to group version.
- c) Volunteers are benefited by:
 - Being supported to get baseline energy audits performed
 - Obtaining streamlined funding opportunities to implement the most cost effective recommendations
 - Being placed in a lottery for a more major test case home improvement provided by sponsoring groups (sponsors willing).
- d) Potential opportunities to expand program in ways that each community finds to be beneficial

Key Elements

- a) Challenge details need to be worked out and proved in one or two test case satellite programs; test sites likely need to be in self contained communities to minimize implement limits.
- b) Documentation web-site needs to be able to easily permit volunteers to input both electrical and gas usage from potential different Utility vendors on either a monthly or yearly basis so that reductions in energy usage can easily be tracked and verified
- c) A network of support in each test community is established.
- d) Homeowners in community become aware of funding resources that each community offers to them for this type of home improvement.

Types of Challenge to Consider

Plan for two types of volunteers, the folks that will enter for a short term month by month challenge, and those willing to take on a yearlong documentation challenge.

- a) An individual challenge to reduce personal home/small business energy use by 5%, based on a yearlong energy tracking compared to baseline info.
- b) A challenge between two groups of individuals willing to support the year long data entry, with the larger combined total year long energy reduction % group being the winner.
- c) A personal challenge for a short term (month or season) where the available data of all volunteers is ranked and each person is challenged to drop their energy use ranking in the group by 5% as compared to the rest

Measurement & Documentation

See hand-outs of web-site elements viewed as key to making program effective, easy and fun. Key point here is that site needs to be able to draw on information from different utility vendors so that information can be compared objectively across a number of communities; is WPPI and Focus on Energy the common resource needed?

Funding Potential

One of the first comments that heard from citizens when the topic of energy conservation is raised is that it cost more money up front that many people are willing to spend on the effort.

- a) The \$300 window of audits is not explored to locate the existing funding available
- b) The potential of utilizing the refunds from Focus on Energy as collateral for short term loans to implement high impact home improvements should be explored
- c) Costs of improvements are not spread across the life of the home, causing the existing owners to bear full cost up-front; folks planning to move thus are reluctant to implement the changes (reference type PACE programs)
- d) Community or neighborhood group efficiencies of scale for programs are not used
- e) Available vendor supported loans for high cost items like geo-thermal heat wells for individuals or neighborhoods might be offered

It would be great to clarify what exists and what we might do to facilitate energy conservation as part of this program.

Community Benefits

- a) Homes in the test group get energy audits
- b) Funding programs for citizens are clarified and communicated ; any disconnects between available funding and tax, installation deferment costs are streamlined
- c) Low cost energy conservation improvements are completed and documented, and made visible to the greater public
- d) Citizens see benefit of sustainability in concrete positive personal results
- e) Utilities and community leadership viewed as working to benefit community at large; use challenge as a vehicle to education wider community on energy conservation opportunities
- f) Local jobs (training in) energy conservation work are encouraged along with improved sustainability of community

Agreement Question on Path Forward

- a) Are Menasha and Menasha Utilities willing to be one of the beta sites for this effort? (There is one neighborhood in Appleton interested in participation, working with The Sustainable Fox Valley Initiative)
- b) Might WPPI be approached to help develop the web-site for challenge data collection and comparison for use by any community in the area?

Implementation Needs?

All...

Fox Valley Energy Challenge
A Brief Concept Summary
By Jim Resick, Outagamie County UW-Extension
And Roger Kanitz, ECOS-Fox Valley
For the Ad Hoc Energy Challenge Team

Discussions on “what can we do to encourage energy conservation as a community” have sprung in part from receipt of a sustainable neighborhood grant by Sustainable Fox Valley, and from the October 22, 2009 Sustainability Action Summit held at Heckrodt Reserve in Menasha. While there are government, nonprofit and utility programs that support building energy assessments and implementation of efficiency projects, there remains one great barrier to their broader use: human nature. Even heads of households who are aware of the potential benefits of energy conservation often need extra incentives to actually change their consumptive behavior. Proposed here is a community-based incentive package that uses cooperation, competition, organization, measurement and rewards to produce real and lasting energy conservation among residential, business and nonprofit energy consumers.

The Minnesota Energy Challenge provides one example of how communities can organize to address energy conservation (see <http://www.mnenergychallenge.org/>). It has demonstrated that businesses, schools, neighborhoods, churches and even whole municipalities will compete for recognition of energy conservation efforts. The community building that comes with families, city blocks and neighborhoods coming together is reinforced by the joy of cooperating for a common purpose. Cash or other valuable gifts can reinforce conservation behavior even more strongly, thus suggesting some type of “Biggest Loser” competition. Households may compete against households, block against block, neighborhood against neighborhood, church against church, etc. One thought is that named eco-municipalities and other municipalities can enter into this challenge. An energy consumption tracking software – such as EPA’s Energy Star® Portfolio Manager – may be used to help individual units (households, businesses, etc.) measure conservation progress and verify results.

As with all such endeavors, education on “how to” implement conservation practices would enable participants to act upon their motivation. One idea already discussed is to stage a community energy expo, featuring hands-on learning opportunities, fee-based energy contractors, etc. There is also room for citizens to teach their fellow citizens, one-on-one or in small groups, about energy conservation; this type of peer-to-peer learning can be among the most powerful forms of learning.

Typical of most social movements and community initiatives, some funding will be needed to support these activities. Corporate sponsorships or local foundation grants may be sought. Funds garnered by municipalities from federal stimulus programs may be requested (although these activities generally need to be named in the original grant proposal in order to be funded). The concept may benefit from in-kind assistance, such as use of equipment, staff and volunteers to establish energy consumption baselines for buildings. We will need to understand what programs are available to the various targeted groups, including neighborhoods, homes, nonprofits and businesses. We will want to address single-family households, multi-family housing, churches, schools, and small, neighborhood businesses.

Moving this concept forward will benefit from regional communication and networking. Groups including ECOS-Fox Valley, Sustainable Fox Valley, and East Central WI Regional Planning Commission can individually or collectively provide the organizational glue to keep the process going.

Some Considerations in Planning & Implementing This Concept

1. How does this concept fit with the existing plans and priorities of potential partners? We need to contact Focus on Energy, Fox Valley municipalities, state and county agencies, gas & electric utilities, community-based organizations, building & remodeling associations, and educational institutions for expressions of interest in the concept.

2. How will we measure how much buildings have saved in energy costs over time? We will need to research the effectiveness of various energy consumption tracking systems, such as EPA Energy Star Portfolio Manager. We need a system that is easy to use, accurate, useful for comparisons across utility district boundaries, and fair in its assessment of total energy consumption. We will need to establish an energy consumption baseline for each participating unit, using past utility records.
3. How may we incentivize the Biggest Loser competition? We will need to research and catalogue existing financial assistance programs that target households, business, and other user categories. We will need to carefully approach utilities, foundations, local governments, and/or financial institutions about underwriting the competition. We will need to understand the new community energy efficiency bonding program of US Department of Energy, and other means of innovative financing.
4. How will we establish what energy efficiency/conservation practices are most able to deliver the best "bang for the buck" for participating units? We will need to explore practical, cost-effective means of conducting energy home assessments (audits) of buildings. Education will be needed on how to analyze the financial return of various energy efficiency practices to building owners. We may need to employ strategies from the "community based social marketing" experts to encourage adoption of conservation behaviors, investment in capital projects, and re-alignment of community norms.
5. What organization(s) are capable of short-term organizing and ongoing coordination around this concept? We need to consider grant-writing skills and capacity, staffing/volunteer levels, educational missions, and connectedness (networking ability) of various groups.

Potential Benefits to Project Stakeholders

- 1) Community Citizens
 - a) Citizens/small businesses in volunteer group see physical improvements and economic benefits in community
 - b) Base-line benefit would be home energy audits and the energy tracking of selected homes that could be given community visibility
 - c) Selected homes would be drawn by lottery to a major make-over and be the main program educational focuses (like Holmes on Homes with long term follow-up)
- 2) Energy Providers
 - a) Energy Providers use existing funds to develop concrete examples of benefit that implementing energy saving suggestions offers their clients
- 3) Community Development Managers
 - a) Homes in community are improved so citizens see city hall sustainability as a positive
- 4) Businesses
 - a) Area home remodeling and insulation contractors get advertising connected to projects which show concrete benefit to the home owners in the community
 - b) Banks can show community that unique financing options can be developed to foster regional sustainability; linked to Focus on Energy and city bond capabilities
 - c) Educate the public (advertise) by helping with hands on training of students and Habitat type volunteers
- 5) Elected Community Leaders
 - a) Positive results from projects will provide leaders citizen support to support other sustainable activities in the community

E-Loser Frequently Asked Questions

Why a competition?

Saving energy and becoming efficient in how you use it can be fun just like the TV show the Biggest Loser! To make it fun, a competition against your old energy use habits and against other households is just getting started. We even hope to let one group of folks to compete against another group to see who can use the least per household and who can decrease their energy use the most.

What does the individual need to do?

As a part of the startup process, the individual will be provided with:

1. A competition ID number (almost like an account number that is unique to your home)
2. An organization number that identifies you as a member of one competitive organization or another
3. The website address to log onto for the competition.

The individual will be asked to make a choice between entering information about only this month's energy usage or entering a year's worth of energy usage (based on their own energy bills or on the energy provider's history which is available to the customer on request).

If the individual chooses a "quick start" to the competition, they will need to key in:

1. Their competition ID number, their organization number, an estimate of the size of their home or apartment, their zip code, and 12 months worth of monthly kilowatt hours used.
2. Each month going forward they will need to sign on to the website again and enter that month's energy usage. In return, they will get immediate feedback about how they compare to:
 - i. Their own energy usage from 12 months ago.
 - ii. Their own energy usage as compared to the average of all competitors in the same size home.
 - iii. Their own usage as compared to the rest of their organization.
 - iv. Their own usage as compared to the rest of the zip code with the same size home.

If the individual chooses the "easy start" option to the competition, they will need to key in:

1. Their competition ID number, their organization number, an estimate of the size of their home or apartment, their zip code, and the energy used in the most recent month bill.

2. Each month going forward they will need to sign on to the website again and enter that month's energy usage. In return, they will get immediate feedback about how they compare to:
 - a. Their own energy usage as compared to the average of all competitors in the same size home.
 - b. Their own usage as compared to the rest of their organization.
 - c. Their own usage as compared to the rest of the zip code with the same size home.

What does the organization need to do?

The competing or sponsoring organizations need to provide:

1. opportunities for promoting the competition (getting people committed),
2. an incentive to compete (a prize or reward for the individual, the team, or the ability to reward the team's favorite organization)
3. the means for publicizing progress toward a goal, competitive results, and the final winner of the competition.

What will the individual see each time they are on the website?

The individual can go to the website at any time and review how they are doing for a given month within the competition. They can also enter their energy usage at any time of the month.

We have had several discussions with the Minnesota Energy Challenge organization that emphasizes signing up as many people as possible to reduce energy usage and provides extensive information about how to reduce your energy usage. There may be room for sharing with this organization in the future, particularly around the marketing of the competition.

How do team competitions work?

A limited time duration for the competition should be established. Probably 3 months to start. This will allow for one or two months of establishing the competition and then declaring a winner. Depending on the public's response, there may be room for reissuing a challenge and creating a longer competition to follow. Regardless of the length of the competition, the individual will be allowed to continue to track their energy usage. The competition between organizations will be reported to each organization once per month and it is then up to that organization how they choose to publicize the results.

Who is the winner and how are they measured (all prize winners are subject to a verification process)?

Suggested “quick start” individual prize winners would include:

1. Greatest overall reduction compared to last year.
2. Greatest percentage reduction compared to last year.
3. Prizes could be specific to the home size involved (under 1200 sq ft, 1200 – 2200 sq ft, over 2200 sq ft)
4. Everyone that reduces usage by x% qualifies for an energy gift certificate lottery or drawing.

Suggested “easy start” individual prize winners would include:

1. Lowest total usage during the competition time period.
2. Every household with energy usage less than average household is eligible to be “picked out of a hat” as the winner of an energy gift certificate.

What is in it for the individual?

It is important for this to be fun. Each month the results screen will be different in some way. It will look and sound different depending on what the most recent results are. There may be a smiley face or a musical fanfare played....you just never know!

How will this all get started?

Website addresses have already been reserved and the first steps of development design have begun. The web development company involved has over 10 years of experience and developed hundreds of websites. Testing could begin as soon as June and is most likely going to need the help of a small neighborhood organization or a few local students willing to enter some data.

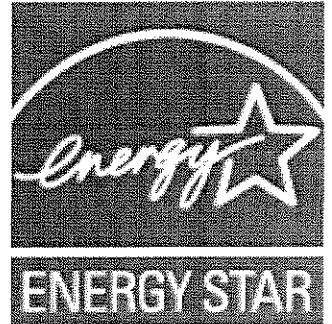
In-Home Energy Audit Tips To Save You Money



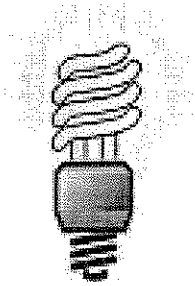
^{UW}
Extension
Cooperative Extension

Top 5 Ways To Save Energy

1. When needing to purchase any electronics or appliances always look for an ENERGY STAR model.
2. Clean all appliances and electronics as often as necessary to keep them more energy efficient.
3. If there is a filter...clean it or change it often to keep appliances and electronics running more efficiently.
4. Turn off and unplug electronics/appliances when not in use. Many appliances especially computers, televisions and VCR's draw power even when they are turned off or in sleep mode.



5. Replace incandescent bulbs with new compact fluorescent light bulbs.



Did you know...

A typical compact fluorescent light uses only 25% of the electricity of an incandescent bulb to produce the same amount of light. So...if every incandescent light bulb in our country were replaced with a CFL, our total electricity need would drop by a whopping 15%-and close to 5% of U.S. greenhouse gas emissions would be eliminated.

Even replacing just one bulb with a CFL makes a big difference:

Where electricity is produced from coal, each CFL will cut CO₂ pollution by about 1,300 pounds over its lifetime.

If every household in the U.S. replaced only one incandescent light bulb with a CFL, the carbon dioxide pollution equivalent of one million cars would disappear.

Environmental Law & Policy Center
www.elpc.org

Let's Start with the Kitchen

- Check the seal on your refrigerator door by closing a dollar bill in it. If you can pull the bill out easily then it is time to replace the gaskets or unit. (Dollar Bill Method)
- If you have a second refrigerator or a freezer, consider getting rid of it. Each can add more than \$100 to your energy bill every year. If you need the space run them only for the special occasion and holidays as needed.
- Older refrigerators and freezers can use 2 to 3 times more electricity than ones that are 10 years old or less.
- Set the refrigerator temperature between 36 and 42 degrees F and set the freezer between -5 and 0 degrees F. Don't overload the refrigerator or freezer, cold air needs to circulate.
- Don't stand in front of an open refrigerator! With each opening 30% of cooler air escapes.
- Don't peak inside the oven! Each time you open the oven door the temperature drops 25-50 degrees. Avoid lifting pot lids for the same reason.
- If you have a self-cleaning oven, use this feature immediately after cooking while the oven is hot.
- Once again try the dollar bill method to check the oven seals too.
- Try to use the oven during cooler times of the day if possible.
- Use copper bottom pots and pans. Copper bottom pans heat up faster than regular pans.
- When cooking, use smaller appliances because they will use less energy than the oven.
- Use the microwave as much as possible because it is a shorter cooking time.
- When running the garbage disposal use cold water instead of hot water, which takes energy to warm the water. Cold water also solidifies the grease to keep it easily moving through the garbage disposal and the pipes.
- Only run the dishwasher when it's full and air-dry the dishes instead of using your dishwasher's cycle.
- Skip rinsing the dishes before loading them in the dishwasher unless you use cold water to rinse them.
- Use the shortest cycle that will properly clean your dishes; shorter cycles use less hot water and less energy.

Laundry Room

- Use the warm or cold water setting on your washer for your clothes. Use only hot water for when the greatest cleaning is needed. There are soaps made for cold setting.
- Rinse your clothes in cold water; the temperature has no effect on cleaning.
- Always run full loads in both the washer and the dryer.
- Adjust the water level for the size of your load.
- Drying laundry excessively uses more energy than is needed and is hard on fabrics.
- Clean the lint filter after each load! Also periodically check the air vent and exhaust hose for clogging. Keeping them lint free also prevents a fire hazard.
- Use the power of the sun to dry clothes as weather permits.

Lighting

- Use ENERGY STAR CFL bulbs. These light bulbs will last longer and use up to 75% less energy than standard light bulbs. You can save up to \$60 per year on your electric bill if you replace the 5 most frequently used light fixtures with CFL's.
- Make sure to properly dispose of CFL's at participating hardware stores or the county Solid Waste office (832-5277).
- What if a CFL breaks? Pick it up right away, scoop contents and put in a zip-loc bag, place in garbage, and wash hands. CFL's contain a very small amount of mercury.
- Use as much natural lighting as possible such as curtains, shades, skylights, or solar panels.
- Plan and position your lighting in each room.
- Turn off lights when not in use.
- Adjust light level with fixtures having different settings, such as dimmer controls, high/low switches, or three way bulbs.
- Keep bulbs and fixtures clean, but do not clean them when they are hot or plugged in.
- Keep lamps away from thermostat, since this can cause furnace to run less or air conditioning to run more than needed.
- To control outdoor lighting, use motion sensor lighting, fixtures with photocell, or use a timer for dusk-till-dawn operation.



Water Heaters and Water Usage

- Set the temperature to 120 degrees F. **For safety reasons, turn off the water heater at the circuit breaker/fuse before changing the temperature.**
- If your water heater is more than 15 yrs old, purchase an insulating wrap.
- Insulate hot water pipes with half-inch foam or pipe tape.
- Repair dripping faucets promptly. (One drop a second wastes up to 48 gallons a week.)
- Install a water softener to prevent mineral deposits from coating the elements and reducing heater efficiency.
- Install water saving devices such as low-flow showerheads and faucet aerators.

Cooling, Central Air, and Air Conditioners

- Change your thermostat settings to 76 degrees F when at home and then higher when you go away. Can save you 10% or more!
- Get your cooling unit tuned up every other year by a qualified heating contractor.
- Keep the condenser and filter clean. Also clean the filter monthly and replace as needed. (Your central AC uses the same filter as your furnace.)
- Keep the sun out by closing the blinds/shades to keep home cooler.
- Cool only the rooms in daily use, close unused rooms to keep cool air where it is needed.
- Keep air vents clear to allow air movement into the room.
- Ventilate your attic with the help of a qualified heating/cooling contractor to keep the house cool during the summer months.
- Keep the air conditioner unit in a central location that is central to the space being cooled. Reposition the unit out of the sun.
 - Seal the unit to prevent warm air from coming in.
 - Close the fresh-air vent when room is being cooled. Open when the outside air is cooler to let in fresh air.
 - When first turning it on, set the thermostat to normal or medium.
 - Remove the unit at the end of the summer months and if you must leave it in cover the outside of the unit with a weatherproof cover. Caulk any cracks around the unit.
- Use fans, ceiling fans, and oscillating fans with your air conditioner to help circulate the cool air, this allows you to raise the temperature and still be comfortable.

Heating

- Clean your furnace filters monthly and replace as necessary.
- Insulate your attic and walls properly to keep your house warm see blue resource sheet.
- Weather-strip and/or caulk all areas of noticeable leaks around windows and doors.
- Set your thermostat at 60 degrees F when you are sleeping or not home and 68 degrees when you are home. If you are going away for an extended period of time turn down thermostat but never lower than 50 degrees.
- Let the sun's rays in to help heat the home.
- Use a portable space heater to heat one room. Always follow the manufacture's safety instructions when operating space heaters.
- Use the fireplace sparingly, since it can draw out more heat then it produces. Close the flu to eliminate drafts when not in use.

Humidifiers and Dehumidifiers

- Use a humidifier in the colder months to make you feel warmer, about 20-40% relative humidity is recommended.
- Remove moisture from the air with a dehumidifier in the warm/humid months. Less humidity makes you feel cooler. Place away from walls and bulky furniture.
- Check for frost buildup on dehumidifier coils if temperatures are less then 70 degrees F. If so turn the unit off until the frost melts and the room is warmer.
- Make sure to clean the unit by dusting or vacuuming the dehumidifier at least once a year. Do so before plugging it in for first use of the season.

**Now think of what you can do Today, this
Week, this Month, and this Year!**

Information from: Focus on Energy, WE Energies, American Council for an Energy-Efficient Economy, and PowerHouse presented by Alliant Energy.

Resolution _____

A Resolution Supporting and Endorsing HR4722, the Active Community Transportation Act of 2010

Introduced by _____.

WHEREAS: The City of Menasha has adopted a goal to “Support and promote the development and use of multiple modes of transportation” through its Year 2030 Comprehensive Plan; and

WHEREAS: Walking and bicycling foster safer, more livable, family friendly communities, promote physical activity and health, and reduce vehicle emissions and fuel use; and

WHEREAS: It is the policy of the United States Department of Transportation (USDOT) to incorporate safe and convenient walking and bicycling facilities into transportation projects, and has asserted that every transportation agency has the responsibility to improve conditions and opportunities for walking and bicycling and to integrate walking and bicycling into transportation systems; and

WHEREAS: HR 4772, The Active Community Transportation Act of 2010 will create a national program to provide communities with concentrated investments to create active transportation networks – walking and bicycling facilities and programs and improved access to transit.

NOW THEREFORE BE IT RESOLVED: That the City of Menasha supports and endorses HR4722, The Active Community Transportation Act of 2010 to invest in communities that are creating safer, better walking and bicycling opportunities and improved access to transit for all their citizens.

BE IT FURTHER RESOLVED: That this resolution be forwarded to the City of Menasha’s congressional delegation.

[Congress](#) > [Legislation](#) > 2009-2010 (111th Congress) > [H.R. 4722](#)

Text of H.R. 4722: Active Community Transportation Act of 2010

Mar 2, 2010 - Introduced in House. This is the original text of the bill as it was written by its sponsor and submitted to the House for consideration. This is the latest version of the bill currently available on GovTrack.

HR 4722 IH

111th CONGRESS

2d Session

H. R. 4722

To direct the Secretary of Transportation to carry out an active transportation investment program to encourage a mode shift to active transportation within selected communities by providing safe and convenient options to bicycle and walk for routine travel, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

March 2, 2010

Mr. BLUMENAUER (for himself, Mr. CAPUANO, Mr. CARNAHAN, Mr. COHEN, Mr. FILNER, Mr. LIPINSKI, and Mr. MORAN of Virginia) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To direct the Secretary of Transportation to carry out an active transportation investment program to encourage a mode shift to active transportation within selected communities by providing safe and convenient options to bicycle and walk for routine travel, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the 'Active Community Transportation Act of 2010'.

SEC. 2. FINDINGS.

Congress finds the following:

- (1) Nearly half of the trips taken in the United States are within a 20-minute bicycle ride, and a quarter of such trips are within a 20-minute walk.
- (2) Approximately 90 percent of public transportation trips are accessed by walking or bicycling.
- (3) More than 100 communities across the Nation have adopted complete streets policies, thereby proving the commitment of these communities to creating streets that are safe and convenient for users of all ages and abilities, including those who are walking, bicycling, taking public transportation, or driving.
- (4) Communities that invest in active transportation infrastructure experience significant increases in bicycling and walking rates over time, and such investments are in strong demand because they enhance the livability of communities.
- (5) The communities that perform best in encouraging active transportation create interconnected systems that make it convenient and safe to travel on foot or by bicycle to destinations on a routine basis.
- (6) Achieving a mode shift to active transportation within a community requires intensive, concentrated funding of active transportation systems rather than discrete, piecemeal projects.
- (7) Increased use of active transportation leads to reductions in traffic congestion, greenhouse gas emissions, vehicle miles traveled, oil dependence, air pollution, and obesity and diseases associated with physical inactivity.
- (8) Given the contribution that active transportation makes to these national policy goals, and the opportunity active transportation provides to accommodate short trips at the least cost to the public and individuals, funding of active transportation is one of the most strategic and cost effective Federal transportation investments available.

SEC. 3. DEFINITIONS.

In this Act, the following definitions apply:

(1) ACTIVE TRANSPORTATION- The term 'active transportation' means mobility options powered solely by human energy, such as bicycling and walking.

(2) INDIAN TRIBE- The term 'Indian tribe' has the meaning given that term in section 4(e) of Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(e)).

(3) PROGRAM- The term 'program' means the active transportation investment program established under section 4.

SEC. 4. ACTIVE TRANSPORTATION INFRASTRUCTURE INVESTMENT PROGRAM.

(a) In General- The Secretary of Transportation shall carry out an active transportation investment program in accordance with the requirements of this section.

(b) Purpose- The purpose of the program shall be to encourage a mode shift to active transportation within selected communities by providing safe and convenient opportunities to bicycle and walk for routine travel.

(c) Selection of Communities-

(1) APPLICATIONS- A community seeking to participate in the program shall submit to the Secretary an application that is in such form and contains such information as the Secretary may require.

(2) INITIAL AND ADDITIONAL
SELECTIONS-

(A) INITIAL SELECTIONS-
The Secretary shall select initial communities to participate in the program. Such communities shall participate in the program in each of fiscal years 2011 through 2015.

(B) ADDITIONAL
SELECTIONS- Following the initial selections under subparagraph (A), the Secretary shall select additional communities to participate in the program. Such communities shall participate in the program in each of fiscal years 2013 through 2015.

(3) CRITERIA-

(A) IN GENERAL- In selecting communities to participate in the program, the Secretary shall consider, at a minimum, the extent to which a community--

(i) provides a plan for development of walking and bicycling infrastructure that is likely to contribute to a significant transportation mode shift to walking and bicycling;

(ii) demonstrates broad community support that will facilitate successful and expeditious implementation;

(iii) demonstrates a cohesive plan in which noninfrastructure elements, where proposed, reinforce achievement of the purpose of the program;

(iv) provides evidence of regulatory or financial incentives or community design policies that facilitate significant increases in bicycling or walking; and

(v) commits State, local, or eligible Federal matching funds, in addition to Federal funds made available under this section, to projects eligible for assistance under this section.

(B) STRATEGIC PRIORITIES
THAT FACILITATE SUCCESS

- For purposes of subparagraph (A) (i), strategic priorities that facilitate success in increasing walking and bicycling include effective plans--

(i) to create a network of active transportation facilities connecting neighborhoods with destinations such as workplaces, schools, residences, businesses, recreation areas, and other community activity centers;

(ii) to integrate active

transportation facilities with transit services, where available, to improve access to public transportation; and

(iii) to deliver safe, convenient, cost-effective mobility via walking and bicycling.

(C) INDICATORS OF COMMUNITY SUPPORT- For purposes of subparagraph (A)(ii), indicators of community support include--

(i) the use of public input in the development of transportation plans; and

(ii) the commitment of community leaders to the success and timely implementation of projects eligible for assistance under this section.

(d) Grants-

(1) IN GENERAL- The Secretary shall make grants to each community selected to participate in the program.

(2) RECIPIENTS- A recipient of a grant representing a community under the program shall be a local or regional governmental organization, multi-county special district, or Indian tribe that the Secretary determines is suitably equipped and organized to carry out the objectives and requirements of this section. Such organizations include metropolitan planning organizations and other regional planning organizations.

(3) SUBRECIPIENTS- A recipient of a grant under the program may suballocate funds from the grant to a nonprofit organization to carry out the purposes of the program.

(4) INCLUSION OF CERTAIN COMMUNITIES- To fulfill the Nation's need to achieve and document mode shift to bicycling and walking over time, the 4 communities that received pilot funding under section 1807 of SAFETEA-LU (119 Stat. 1460) may be among the

communities selected by the Secretary under subsection (c).

(5) GRANTS AMOUNTS-

(A) IN GENERAL- The Secretary may make a grant as low as \$5,000,000 and as high as \$15,000,000 per fiscal year for a community participating in the program. The Secretary shall ensure that grant awards under the program are sufficiently high to enable a mode shift to active transportation.

(B) JUSTIFICATION FOR LARGER GRANTS- Subject to the \$15,000,000 per fiscal year limit set forth in subparagraph (A), the Secretary may justify a grant in a higher amount for a community under the program based on the population served, greater opportunities to shift trips to bicycling and walking, or use of innovative design features.

(e) Eligible Projects- Grants made to communities under this section shall be used for one or more of the following purposes:

(1) To carry out projects to construct networks of active transportation infrastructure facilities, including sidewalks, bikeways, and pedestrian and bicycle trails, that connect people with public transportation, workplaces, schools, residences, businesses, recreation areas, and other community activity centers.

(2) To carry out projects to provide for bicycle boxes, cycle tracks, bicycle boulevards, dual traffic signals, and bicycle sharing stations.

(3) To carry out projects to restore and upgrade current active transportation infrastructure facilities.

(4) To carry out projects to support educational activities, safety-oriented activities, and technical assistance to further the purpose of the program.

(f) Program Measures- In carrying out the program, the Secretary shall develop statistical information on changes in motor vehicle, active transportation, and public transportation usage in communities participating in the program and assess how the changes impact congestion and energy usage, impact the frequency of

bicycling and walking, and impact health, safety, and the environment. In addition, the Secretary shall develop interim measures of progress, which may include indicators of public engagement, educational outcomes, and project advancement into planning and development.

(g) Deadlines-

(1) REQUEST FOR APPLICATIONS-

Not later than 60 days after the date of enactment of this Act, the Secretary shall publish in the Federal Register a request for applications pursuant to subsection (c)(1).

(2) SELECTION OF INITIAL

COMMUNITIES- Not later than 180 days after such date of enactment, the Secretary shall select initial communities to participate in the program under subsection (c)(2)(A).

(3) SELECTION OF ADDITIONAL

COMMUNITIES- Not later than September 30, 2012, the Secretary shall select additional communities to participate in the program under subsection (c)(2)(B).

(4) GRANTS- The Secretary shall make grants to selected to participate in the program under subsection (c)--

(A) for fiscal year 2011, not later than the later of--

(i) the 60th day after the date of the selection of communities under subsection (c)(2)(A); and

(ii) the 30th day of the fiscal year; and

(B) for each of fiscal years 2012 through 2015, not later than 30th day of the fiscal year.

(h) Reports-

(1) IN GENERAL- The Secretary shall submit to Congress--

(A) an interim report on progress made under the program not later than September 30, 2014; and

(B) a final report on progress made under the

program not later than September 30, 2016.

(2) CONTENTS- Each report submitted under paragraph (1) shall include the Secretary's findings concerning the best practices of communities participating in the program and the impediments experienced by such communities relating to program development and achieving a mode shift to active transportation.

(i) Funding-

(1) AUTHORIZATION OF APPROPRIATIONS- There is authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account) to carry out this section--

(A) \$300,000,000 for fiscal year 2011;

(B) \$300,000,000 for fiscal year 2012;

(C) \$466,666,666 for fiscal year 2013;

(D) \$466,666,666 for fiscal year 2014; and

(E) \$466,666,668 for fiscal year 2015.

(2) CONTRACT AUTHORITY- Funds authorized to be appropriated by this section shall be available for obligation and administered in the same manner as if the funds were apportioned under chapter 1 of title 23, United States Code, except that the Federal share of the cost of a project carried out using the funds shall be 100 percent, and the funds shall remain available until expended and shall not be transferable.

(3) ADMINISTRATIVE COSTS-

(A) SET ASIDE- Each fiscal year, the Secretary shall set aside not more than 1.5 percent of the funds made available to carry out this section to cover the costs of administrative, research, technical assistance, communications, and training activities under the program.

(B) CONTRACTS AND OTHER AGREEMENTS- The Secretary may enter into contracts with for-profit organizations, or

contracts, partnerships, or cooperative agreements with other government agencies, institutions of higher learning, or nonprofit organizations, to perform activities with amounts set aside under subparagraph (A). The Federal share of the cost of such activities may be up to 100 percent.

(C) LIMITATION ON
STATUTORY

CONSTRUCTION- Nothing in this paragraph may be construed to prohibit a community from receiving research or other funds under title 23 or 49, United States Code.

(j) Treatment of Projects-

(1) NONINFRASTRUCTURE

PROJECTS- Noninfrastructure

projects and infrastructure projects that do not involve or lead directly to construction assisted under this subsection shall not be treated as projects on a Federal-aid system under chapter 1 of title 23, United States Code.

(2) INFRASTRUCTURE PROJECTS-

Not later than one year after the date of enactment of this Act, the Secretary shall develop regulations or guidance (or both) for Federal-aid projects under this section that encourages the use of the programmatic categorical exclusion, expedited procurement techniques, and other best practices to facilitate productive and timely expenditure for projects that are small, low impact, and constructed within an existing built environment.

(3) STATE PROCESSES- The

Secretary shall work with State departments of transportation to ensure that any guidance or regulation developed under paragraph (2) is being implemented by States and the Federal Highway Administration consistently to avoid unnecessary delays in implementing projects and to ensure the effective use of Federal dollars.

(k) Assistance to Indian Tribes-

Notwithstanding any other provision of law, the Secretary may enter into grants agreements, self-determination contracts, and self-governance compacts under the authority of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.) with eligible Indian tribes to carry out the purposes of this Act,

and such grant agreements, self-determination contracts, and self-governance compacts shall be administered in accordance with that Act.

GovTrack.us is a project of **Civic Impulse, LLC**.



United States Department of Transportation Policy Statement on Bicycle and Pedestrian Accommodation Regulations and Recommendations

Signed on March 11, 2010 and announced March 15, 2010

Note: Also available on the [United States Department of Transportation Website](#)

Purpose

The United States Department of Transportation (DOT) is providing this Policy Statement to reflect the Department's support for the development of fully integrated active transportation networks. The establishment of well-connected walking and bicycling networks is an important component for livable communities, and their design should be a part of Federal-aid project developments. Walking and bicycling foster safer, more livable, family-friendly communities; promote physical activity and health; and reduce vehicle emissions and fuel use. Legislation and regulations exist that require inclusion of bicycle and pedestrian policies and projects into transportation plans and project development. Accordingly, transportation agencies should plan, fund, and implement improvements to their walking and bicycling networks, including linkages to transit. In addition, DOT encourages transportation agencies to go beyond the minimum requirements, and proactively provide convenient, safe, and context-sensitive facilities that foster increased use by bicyclists and pedestrians of all ages and abilities, and utilize universal design characteristics when appropriate. Transportation programs and facilities should accommodate people of all ages and abilities, including people too young to drive, people who cannot drive, and people who choose not to drive.

Policy Statement

The DOT policy is to incorporate safe and convenient walking and bicycling facilities into transportation projects. Every transportation agency, including DOT, has the responsibility to improve conditions and opportunities for walking and bicycling and to integrate walking and bicycling into their transportation systems. Because of the numerous individual and community benefits that walking and bicycling provide — including health, safety, environmental, transportation, and quality of life — transportation agencies are encouraged to go beyond minimum standards to provide safe and convenient facilities for these modes.

Authority

This policy is based on various sections in the United States Code (U.S.C.) and the Code of Federal Regulations (CFR) in Title 23—Highways, Title 49—Transportation, and Title 42—The Public Health and Welfare. These sections, provided in the Appendix, describe how bicyclists and pedestrians of all abilities should be involved throughout the planning process, should not be adversely affected by other transportation projects, and should be able to track annual obligations and expenditures on nonmotorized transportation facilities.

Recommended Actions

The DOT encourages States, local governments, professional associations, community organizations, public transportation agencies, and other government agencies, to adopt similar policy statements on bicycle and pedestrian accommodation as an indication of their commitment to accommodating bicyclists and pedestrians as an integral element of the transportation system. In support of this commitment, transportation agencies and local communities should go beyond minimum design standards and requirements to create safe, attractive, sustainable, accessible, and convenient bicycling and walking networks. Such actions should include:

Considering walking and bicycling as equals with other transportation modes: The primary goal of a transportation system is to safely and efficiently move people and goods. Walking and bicycling are efficient transportation modes for most short trips and, where convenient intermodal systems exist, these nonmotorized trips can easily be linked with transit to significantly increase trip distance. Because of the benefits they provide, transportation agencies should give the same priority to walking and bicycling as is given to other transportation modes. Walking and bicycling should not be an afterthought in roadway design. Ensuring that there are transportation choices for people of all ages and abilities, especially children:

Pedestrian and bicycle facilities should meet accessibility requirements and provide safe, convenient, and interconnected transportation networks. For example, children should have safe and convenient options for walking or bicycling to school and parks. People who cannot or prefer not to drive should have safe and efficient transportation choices.

Going beyond minimum design standards: Transportation agencies are encouraged, when possible, to avoid designing walking and bicycling facilities to the minimum standards. For example, shared-use paths that have been designed to minimum width requirements will need retrofits as more people use them. It is more effective to plan for increased usage than to retrofit an older facility. Planning projects for the long-term should anticipate likely future demand for bicycling and walking facilities and not preclude the provision of future improvements.

Integrating bicycle and pedestrian accommodation on new, rehabilitated, and limited-access bridges: DOT encourages bicycle and pedestrian accommodation on bridge projects including facilities on limited-access bridges with connections to streets or paths.

Collecting data on walking and biking trips: The best way to improve transportation networks for any mode is to collect and analyze trip data to optimize investments. Walking and bicycling trip data for many communities are lacking. This data gap can be overcome by establishing routine collection of nonmotorized trip information. Communities that routinely collect walking and bicycling data are able to track trends and prioritize investments to ensure the success of new facilities. These data are also valuable in linking walking and bicycling with transit.

Setting mode share targets for walking and bicycling and tracking them over time: A byproduct of improved data collection is that communities can establish targets for increasing the percentage of trips made by walking and bicycling.

Removing snow from sidewalks and shared-use paths: Current maintenance provisions require pedestrian facilities built with Federal funds to be maintained in the same manner as other roadway assets. State Agencies have generally established levels of service on various routes especially as related to snow and ice events.

Improving nonmotorized facilities during maintenance projects: Many transportation agencies spend most of their transportation funding on maintenance rather than on constructing new facilities. Transportation agencies should find ways to make facility improvements for pedestrians and bicyclists during resurfacing and other maintenance projects.

Conclusion

Increased commitment to and investment in bicycle facilities and walking networks can help meet goals for cleaner, healthier air; less congested roadways; and more livable, safe, cost-efficient communities. Walking and bicycling provide low-cost mobility options that place fewer demands on local roads and highways. DOT recognizes that safe and convenient walking and bicycling facilities may look different depending on the context — appropriate facilities in a rural community may be different from a dense, urban area. However, regardless of regional, climate, and population density differences, it is important that pedestrian and bicycle facilities be integrated into transportation systems. While DOT leads the effort to provide safe and convenient accommodations for pedestrians and bicyclists, success will ultimately depend on transportation agencies across the country embracing and implementing this policy.

Ray LaHood, United States Secretary of Transportation

APPENDIX

Key Statutes and Regulations Regarding Walking and Bicycling

Planning Requirements

The State and Metropolitan Planning Organization (MPO) planning regulations describe how walking and bicycling are to be accommodated throughout the planning process (e.g., see 23 CFR 450.200, 23 CFR 450.300, 23 U.S.C. 134(h), and 135(d)). Nonmotorists must be allowed to participate in the planning process and transportation agencies are required to integrate walking and bicycling facilities and programs in their transportation plans to ensure the operability of an intermodal transportation system. Key sections from the U.S.C. and CFR include, with italics added for emphasis:

The scope of the metropolitan planning process "will address the following factors... (2) Increase the safety for motorized and *non-motorized users*; (3) Increase the security of the transportation system for motorized and *non-motorized users*; (4) Protect and enhance the environment, promote energy conservation, improve the quality of life..." 23 CFR 450.306(a). See 23 CFR 450.206 for similar State requirements.

Metropolitan transportation plans "...shall, at a minimum, include... existing and proposed transportation facilities (including major roadways, transit, multimodal and intermodal facilities, *pedestrian walkways and bicycle facilities*, and intermodal connectors that should function as an integrated metropolitan transportation system..." 23 CFR 450.322(f). See 23 CFR 450.216(g) for similar State requirements.

The plans and transportation improvement programs (TIPs) of all metropolitan areas "shall provide for the development and integrated management and operation of transportation systems and facilities (including *accessible pedestrian walkways and bicycle transportation facilities*)." 23 U.S.C. 134(c)(2) and 49 U.S.C. 5303(c)(2). 23 CFR 450.324(c) states that the TIP "shall include ... trails projects, pedestrian walkways; and bicycle facilities..."

23 CFR 450.316(a) states that "The MPOs shall develop and use a documented participation plan that defines a process for providing... representatives of users of *pedestrian walkways and bicycle transportation facilities*, and *representatives of the disabled*, and other interested parties with reasonable opportunities to be involved in the metropolitan planning process." 23 CFR 450.210(a) contains similar language for States. See also 23 U.S.C. 134(i)(5), 135(f)(3), 49 U.S.C. 5303(i)(5), and 5304(f)(3) for additional information about participation by interested parties.

Prohibition of Route Severance

The Secretary has the authority to withhold approval for projects that would negatively impact pedestrians and bicyclists under certain circumstances. Key references in the CFR and U.S.C. include:

"The Secretary shall not approve any project or take any regulatory action under this title that will result in the severance of an existing major route or have significant adverse impact on the safety for nonmotorized transportation traffic and light motorcycles, unless such project or regulatory action provides for a reasonable alternate route or such a route exists." 23 U.S.C. 109(m).

"In any case where a highway bridge deck being replaced or rehabilitated with Federal financial participation is located on a highway on which bicycles are permitted to operate at each end of such bridge, and the Secretary determines that the safe accommodation of bicycles can be provided at reasonable cost as part of such replacement or rehabilitation, then such bridge shall be so replaced or rehabilitated as to provide such safe accommodations." 23 U.S.C. 217(e). Although this statutory requirement only mentions bicycles, DOT encourages States and local governments to apply this same policy to pedestrian facilities as well.

23 CFR 652 provides "procedures relating to the provision of pedestrian and bicycle accommodations on Federal-aid projects, and Federal participation in the cost of these accommodations and projects."

Project Documentation

"In metropolitan planning areas, on an annual basis, no later than 90 calendar days following the end of the program year, the State, public transportation operator(s), and the MPO shall cooperatively develop a listing of projects (including investments in *pedestrian walkways and bicycle transportation facilities*) for which funds under 23 U.S.C. or 49 U.S.C. Chapter 53 were obligated in the preceding program year." 23 CFR 332 (a).

Accessibility for All Pedestrians

Public rights-of-way and facilities are required to be accessible to persons with disabilities through the following statutes: Section 504 of the Rehabilitation Act of 1973 (Section 504) (29 U.S.C. §794) and Title II of the Americans with Disabilities Act of 1990 (ADA) (42 U.S.C. §§ 12131-12164).

The DOT Section 504 regulation requires the Federal Highway Administration (FHWA) to monitor the compliance of the self-evaluation and transition plans of Federal-aid recipients (49 CFR §27.11). The FHWA Division offices review pedestrian access compliance with the ADA and Section 504 as part of their routine oversight activities as defined in their stewardship plans.

FHWA posted its [Clarification of FHWA's Oversight Role in Accessibility](#) to explain how to accommodate accessibility in policy, planning, and projects.

Additional Resources

For more information about:

FHWA Bicycle and Pedestrian Program Resources

[FHWA's Bicycle and Pedestrian Program](#)
[FHWA guidance documents on walking and bicycling](#)
[Publications related to walking and bicycling](#)
[Information about State and local resources](#)
[Equestrian and Other Nonmotorized Use on Bicycle and Pedestrian Facilities](#)
[Framework for Considering Motorized Use on Nonmotorized Trails and Pedestrian Walkways](#)
[Manuals and Guides for Trail Design, Construction, Maintenance, and Operation](#)
[Recreational Trails](#)
[Shared-Use Paths Along or Near Freeways and Bicycles on Freeways](#)
[Snow Removal on Sidewalks Constructed with Federal Funding](#)
[Federal Aid funding resources for walking and bicycling facilities](#)
[Federal funding spent on walking and bicycling facilities](#)

[Accessibility](#)

[FHWA American with Disabilities Act \(ADA\) resources](#)
[U.S. Access Board information about ADA for public rights of way](#)
[Accessibility Guidance for Bicycle and Pedestrian Facilities, Recreational Trails, and Transportation Enhancement Activities](#)

Pedestrian and Bicycle Safety

[FHWA Pedestrian and Bicycle Safety Program](#)
[FHWA Pedestrian and Bicycle Safety Research](#)
The National Highway Traffic Safety Administration's [Pedestrian](#) and [Bicycle](#) Safety Programs

Context Sensitive Solutions

[FHWA and Context Sensitive Solutions](#)

State Bicycle and Pedestrian Contacts

[State Bicycle and Pedestrian Coordinators](#)

To provide Feedback, Suggestions, or Comments for this page contact Gabe Rousseau at gabe.rousseau@dot.gov.

This page last modified on March 19, 2010

[FHWA Home](#) | [HEP Home](#) | [Feedback](#)



United States Department of Transportation - Federal Highway Administration