

Using CDBG Funds to Create a Bike Path

January 11, 1985

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410

OFFICE OF THE ASSISTANT SECRETARY FOR
LEGISLATION AND CONGRESSIONAL RELATIONS

Honorable William S. Broomfield
House of Representatives
Washington, D.C. 20515

Dear Mr. Broomfield:

I am writing to you concerning the inquiry from Mr. Connie R. Hamner as to whether Community Development Block Grant (CDBG) funds may be used for a bike path as a means of protecting children as they walk to the intersection of Hiller and Green in West Bloomfield, Michigan. Ken Nakamura spoke with Martha Gerson of my staff about this matter.

Under the law establishing the CDBG program, each funded activity must either benefit low- and moderate-income persons, or aid in the prevention or elimination of slums or blight, or meet other community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community where other financial resources are not available to meet such needs.

It does not appear that the proposed bike path meets the criteria which have been established for determining whether an activity addresses one or more of these objectives. We understand the area that would be served by the bike path is not one which meets the statutory definition of a low- and moderate-income area. We also understand that the area is not a slum or blighted area, as defined in section 570.208(b) on page 43575 of the regulations you previously sent to Mr. Hamner.

With respect to meeting the criteria for activities designed to meet particularly urgent community development needs, the Department has not recognized bike paths as meeting the criteria because communities have not been able to show that they are unable to finance bike paths on their own. Activities meeting the criteria generally involve emergency or disaster situations involving substantial costs which overextend the ability of a community to pay the costs through local taxation.

The law includes these provisions targeting CDBG funds to activities that address national objectives because the amount of CDBG funds available is limited. Local government revenues remain the primary source of funding for public improvements such as bike paths, sidewalks and local street improvements, many of which are undertaken with the objective of improving safety. I believe, therefore, that Mr. Hamner stands the best chance of obtaining funding for the proposed bike path by working with local government officials.

I hope this letter has clarified the situation. Please let me know if I can be of further assistance.

Very sincerely yours,

(SIGNED)

Stephen May
Assistant Secretary