

ISTEA

INTERMODAL
SURFACE
TRANSPORTATION
EFFICIENCY
ACT



Regional Roundtable Report and Action Plan

A Progress Report from
Our Customers

U.S. Department of Transportation
Office of the Secretary
March 1994

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Dear Decisionmakers:

The enclosed report summarizes a series of meetings held in November and December 1993 that were designed to seek out your views on how the Intermodal Surface Transportation Efficiency Act, or ISTEA, works in your community. I called for these meetings because ISTEA expanded the United States Department of Transportation's historical partnership with the states to include several new players. These outreach meetings offered a significant opportunity for us to listen to all our customers in one forum, but were especially designed for those who are new to the federal transportation decisionmaking process.

I recently released a seven point plan that describes my strategy for achieving the Department's mission: "to tie America together with a safe, technologically advanced, and efficient transportation system that promotes economic growth and international competitiveness now and in the future, and contributes to a healthy and secure environment for us and our children." Implicitly this mission reflects the goals of ISTEA.

My strategy cannot be achieved without effective collaboration between federal, state, regional and local governments. These intergovernmental roles are essential to the successful implementation of ISTEA and the development of transportation into the 21st century.

What follows is a synopsis of our customers' views on how the ISTEA process has been working since its creation in 1991. There are success stories, glitches, snags and failures. Through these outreach meetings, which were held in each of the 10 regions of the country, (where DOT field staff work with you), you helped us focus our attention on where improvements can be made.

The Action Plan outlined within these pages is designed to assist you further.

The meetings were successful, because so many of you took the time to confer with the national and regional leadership of this Department. I extend my personal thanks to all of you who participated and gave us your insights, critiques, and suggestions. I want to assure you that we will continue to review our work and efforts regarding ISTEA.

I encourage you to help us keep this most important discussion current and relevant to the needs of your community.

Sincerely,

Federico Peña
Secretary of Transportation



FOREWORD

BY

SENATOR MAX BAUCUS

*Chairman, Senate Environment and
Public Works Committee*

I commend Secretary Federico Peña and the Department of Transportation for convening regional roundtable meetings around the country on the implementation of the Intermodal Surface Transportation Efficiency Act (ISTEA). These “taking stock” hearings have proven to be valuable tools in assessing the successes and weaknesses of this monumental legislation. The ISTEA is a landmark bill that made dramatic changes in this nation’s transportation policies. For the first time, states were given increased flexibility to choose the types of projects that best suited their individual transportation needs. An increased attention to the efficiency of our transportation system will lead to an increase in productivity, the most important measure of economic well-being.

The increased flexibility in the ISTEA was a recognition of the differences between rural and urban areas. Transportation needs and demands are dramatically different within each state. By giving states more options in the types of projects that can be funded, the ISTEA allows states to make wise investment decisions.

The full funding of the ISTEA has continued to elude us. As a nation, investment in infrastructure has seen a dramatic decline in past years. The lack of investment in transportation and infrastructure decreases our productivity. We live in a global marketplace. We can no longer look only at our domestic markets for future growth opportunities. Rather,

we must look overseas and seek foreign markets for the goods we produce. It is imperative that our transportation system keeps pace with the changing times – a key element of the ISTEA.

The ISTEA also recognized the importance of planning for the future. An increased emphasis is placed on bringing the public into the planning of transportation projects and local officials have a stronger voice as well. There are still lessons to be learned. There is still work to be done to ensure that state consultation with local governments and jurisdictions is satisfactory. The report on the 10 regional roundtable meetings gives Congress the opportunity to consider the reactions and problems being experienced with the planning process in the ISTEA.

As Americans learn more about the ISTEA, their input, suggestions and observations will assist us in forging the future of transportation policy. The roundtable meetings around the country have brought government to the people. These hearings have served to educate the public about the ISTEA and the importance of public involvement in the successful implementation of the law. These hearings accomplished more than any hearing inside the beltway could have accomplished.

I look forward to the recommendations of the Department. As Congress works toward a reauthorization of transportation policies in the coming years, this report on the implementation of the ISTEA will prove to be an invaluable resource.

FOREWORD

BY
CONGRESSMAN NORMAN MINETA
*Chairman, House Public Works and
Transportation Committee*



I would like to commend the Department for holding roundtable meetings throughout the country on how this landmark law is working and what can be done to improve ISTEA during its remaining four years. I am convinced that we need to make certain that no momentum is lost in the areas of flexible funding, metropolitan planning and approval of a National Highway System (NHS).

Secretary Peña's submittal of his NHS proposal, ahead of schedule, will help make it possible for our Committee to report legislation to the House in 1994 and seek enactment as soon as possible thereafter. But more than merely designating the System, this legislation will provide another opportunity to consider relevant policy changes to ISTEA – and that makes these regional roundtables particularly timely.

One area where there is clearly room for improvement is the level of funding Congress has been able to provide. In my view, we have not allowed ISTEA to work fully for the simple reason that we have not fully funded the law. Both highway and transit programs have been cut back far below the levels authorized.

We are anxious to hear whether the elected officials, transportation professionals, citizens and business leaders who spoke at your regional meetings share our concern over the underfunding of our nation's basic public facilities.

Throughout United States history investment has been the key to our economic success. Investments have enabled our nation to grow, to move people and

goods and to trade with the rest of the world.

I recently asked the Congressional Budget Office (CBO) to review overall infrastructure investment patterns in the United States. I asked for this report because of my concern that recent trends in federal infrastructure spending were putting our nation at risk. Unfortunately, the report confirms my suspicion.

In little more than a quarter century, we have cut federal infrastructure spending by half as a share of total federal spending – from 6.3 percent in 1965 to 3 percent in 1992. Furthermore, the CBO documented that the consequence of that reduction has been the neglect and deterioration of transportation facilities the economy depends on.

- **Highways:** We have 235,000 miles of federal-aid highways that are in poor condition. The cost of repair: \$212 billion.
- **Bridges:** We have 118,000 structurally deficient bridges. The cost of repair: \$78 billion.
- **Transit:** The average age of transit buses now exceeds recommended usable age by 20 to 35 percent, and between 20 to 30 percent of rail transit facilities and maintenance yards are in poor condition. The price tag for repair: \$18 billion.
- **Aviation:** Twenty-three of our largest airports experience more than 20,000 hours of aircraft delays every year. The cost to relieve the congestion and prevent the number of problem airports from increasing to 36: \$50 billion over the next five years.

Add this all together and the name of our national

nemesis becomes all too clear: disinvestment.

One of ISTEA's objectives was to reverse that trend. We put user taxes in place and set the spending levels accordingly to try to meet the needs of the nation. Yet the highway spending provided in ISTEA was cut back about \$3 billion in fiscal year 1993 and by nearly a billion dollars in fiscal year 1994. Because of this many of the hopes raised by ISTEA have not been realized. I believe ISTEA should be fully funded, so that taxpayers can reap the benefits of the money they have agreed to set aside for transportation purposes.

Fortunately, ISTEA deliberately included a requirement for Congressional approval of the National Highway System so that we would have a point to revisit the law, take stock of where we are, and determine how well we have lived up to its promise. As Chair

of the Committee on Public Works and Transportation, I intend to do exactly that. For me, these are questions of investment, of keeping faith with the American people, and of meeting the increasing challenges of economic competitiveness.

Meeting these issues head-on is essential to the future of our country, which is why the perspectives of the panelists, citizens and business leaders the Department heard in these roundtables are important to the shape and implementation of the legislation we continue to produce in the Congress.

I was delighted to be able to join the Department for the Region 9 ISTEA Roundtable Meeting in my hometown of San Jose. It was most instructive. I look forward now to your report on all ten regional meetings and your recommendations on how the ISTEA program can be improved.



ISTEA Regional Roundtable Report and Action Plan March 1994

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Special transportation artwork provided by the talented students in Mr. Huddleston's art classes at Hine Junior High School, Washington, D.C.

EXECUTIVE SUMMARY

**“ISTEA is
working.”**

– John Egan, Commissioner,
New York State Department
of Transportation

In December 1991, the Intermodal Surface Transportation Efficiency Act (ISTEA) set forth a new environment for federal transportation assistance. It provided more funding flexibility with greater control at the local level, while at the same time placing significant new intermodal requirements on transportation decision-makers.

In order to assess progress to date in the implementation of ISTEA, in the fall of 1993 Secretary of Transportation Federico Peña arranged a series of 10 roundtable sessions to be held across the nation. The discussions were to give state and local officials from each of the 10 federal regions the direct opportunity to advise management teams at the highest levels in the U.S. Department of Transportation just how well the ISTEA process was working. This report summarizes the findings from those outreach sessions.

Led by Deputy Secretary Mortimer Downey and Associate Deputy Secretary Michael Huerta,

the DOT leadership team sought out the views of governors, state legislators, mayors and city councilmembers, county elected officials, port, transit and Metropolitan Planning Organization (MPO) leaders. They also heard from professionals including state transportation secretaries, city and county public works directors, as well as citizens and business leaders.

The opportunity for participants to deliver a message directly to top DOT officials was greeted with enthusiasm. Without exception, across the country, the basic thrust of the discussions indicated strong support for ISTEA. In region after region, state and local officials emphasized that transportation improvements and an efficient transportation system are vital to the economy. They expressed their hope that ISTEA's promise of increased funding, flexibility and local empowerment would be realized. And they asked that the Act be given time to achieve its potential before significant changes are made.

Here are some of the comments:

“ISTEA represents an important breakthrough in how we – as local communities and as a nation – deal with the issues of mobility, development, and environmental quality...” – Norm Rice, Mayor of Seattle

“Contrary to the usual centralized one-size-fits-all federal practice, this legislation allows local and regional transportation agencies the flexibility and authority to design systems tailored to their specific needs.”

– Donna Halstead, Dallas City Councilmember

“Let us complete our regional and state transportation plans and see how they work before we recommend any changes in ISTEA.”

– Doug Sutherland, County Executive, Pierce County, Washington

MAJOR NATIONAL ISSUES

Although there is consensus that ISTEA is working, themes emerged consistently across the country that show we still have more work to do to assure that the full promise of ISTEA is realized. Ten general areas of nationwide concern emerged. DOT was urged to:

- Support full funding of ISTEA;
- Simplify the ISTEA project approval process;
- Oversee the planning and funding allocation process to assure it works as intended;
- Reduce the complexity of ISTEA regulations;
- Encourage more flexibility and cooperation from EPA in helping communities meet air quality goals;
- Use transportation planning to maximize system efficiency and support economic development;
- Expand ISTEA outreach and training;
- Increase the priority for freight projects;
- Give rural areas a fair shake in the distribution of funds; and
- Emphasize preservation of the existing transportation system infrastructure.

REGIONAL DIFFERENCES

While these themes were common throughout the country, we observed interesting regional differences as well. In the south, the most consistent request was for the federal government to take a stronger role in conflict resolution between state DOTs and local governments. In the west, especially California, where united by hard times or other factors, state and local governments seemed to be getting along fine. Their joint message was “expedite the process of project approval” so transportation investments can help in their economic recovery.

In the heavily populated areas

of metropolitan New York and New Jersey, the flexing of funds from highways to transit use was going well. In contrast, states and localities alike in the midwest placed a much higher premium on investing in highways and bridges, and especially in their rehabilitation.

With the support of advocacy groups, enhancement projects were doing well in the northwest, while the priority in the mountain west was basic “farm to market” road system improvement.

The major theme in Chicago was jurisdictional rivalry between big cities and the rest of the state.

On the other hand, in New England, one of their challenges was how to pull together sound regional planning in an area fragmented into so many small jurisdictions.

What this diversity brought home was the genius of ISTEA in recognizing that a “one-size-fits-all” approach cannot work in this country. What it provides, instead, is the flexibility and empowerment for each state and its localities to fashion solutions that meet their own specific needs. It does so under a common national framework that supports both flexibility and local determination.

LISTENING TO OUR CUSTOMERS

The Secretary's intent in holding the roundtable meetings was to listen to our customers. What we heard was that ISTEA is working but there is room for improvement. There was a widespread plea for education and training to help both policymakers and technical staff equip themselves to discharge the responsibilities they have been given under the Act.

ISTEA calls on state and local governments to take a different approach to the investments they make in transportation. It gives them more flexibility to invest in a broader range of eligible improvements, like transit and HOV lanes, with greater emphasis on system efficiency and intermodal connections. In planning and resource allocation, it strengthens the role of local governments and sets up new processes for decisionmaking. We observed that state and local gov-

ernments are making a good faith effort to make this new system work – some more effectively than others. While there are many ways DOT can help state and MPO leaders change their approach, we also heard their request that we change our approach to program management. Echoing the themes from the Clinton Administration's Reinventing Government process, they asked us to “Cut red tape...decentralize decisionmaking...and empower citizens and communities to change our country from the bottom up.”

Communities struggling to devise effective strategies to improve air quality asked for greater cooperation and flexibility from both DOT and EPA to help them succeed. And we heard a compelling case on the need for increased investment nationally in basic transportation infrastructure.

ACTION PLAN

In response to the recommendations made by our customers, the Secretary has approved a detailed Action Plan that designates the agencies responsible for achieving each task and a timeline for completion. Once time has been allowed for the proposed improvements to take effect, the Department intends to conduct a second round of regional meetings to measure actual progress against the Action Plan.

MAJOR NATIONAL ISSUES

I. FULL FUNDING

Strong support for full funding of ISTEA was expressed in each of the 10 regional meetings. This was clearly the highest priority held by state and local officials attending the roundtables.

As Jim McKenzie of Little Rock, Arkansas, said at the Tulsa meeting, "If we're expected to maintain our existing infrastructure; if we're expected to build the new capacity that is required; if we're expected to have flexible funds and still meet the mobility goals the Congress has set out – there is simply not enough money there to do that."

In Chicago, Dave Schulz, Director of Northwestern University's Infrastructure Technology Institute, stated, "The fact that ISTEA has not been fully funded in the face of undeniable evidence of the large and growing unfunded needs of the nation's highway and transit systems in your Department's own annual assessment, is not only a betrayal of ISTEA's bright promise, but itself poses a significant hurdle to the new intermodal spirit which ISTEA promotes."

The issue of flexible funds was also linked to full funding. Many made the point that the ability to shift funds from a program to meet the nation's highway needs to a program that may serve many other kinds of transportation interests was predicated on a significant increase in funding. In Seattle, Doug Sutherland, Pierce County Executive, commented, "To begin to deliver on the potential of ISTEA, we must recognize the

"There is simply not enough porridge in the pot to meet all the needs that Congress has set out for mobility under ISTEA."

– Jim McKenzie, MPO Director,
Little Rock, Arkansas

very significant needs and past neglect for all modes of transportation in our urban and rural areas. We encourage you to argue for full congressional funding for all modal programs in ISTEA. 'Flexibility' without adequate funding is a regrettably hollow promise."

Denver City Councilman Ted Hackworth added, "Flexibility in the use of funds won't occur until the backlog of projects is taken care of. It isn't inequity in the use of money. It's that there isn't enough money." In Chicago, Michael Bolton of the Ann Arbor, Michigan Transit Authority concluded, "We are arguing over a small pie. Somebody better figure out how to bake a bigger one, because if we don't, all of our work will have been in vain."

In Kansas City, Allan Abbott, Director of Nebraska's Department of Roads, put the problem this way: "I think a fairer definition of flexible funding is 'we fooled you. We told you, you were going to get this much, but we fooled you and flexed it back to this much.' We promised many

people bikeways, mass transit, pedestrian walkways, etc. Everything is eligible for federal funding!"

Several speakers explained that as important as full funding was, even that would not be sufficient to meet the nation's true needs. In Seattle, King County Councilmember Greg Nickels said that over the last decade, "federal transit support has been cut by half. Additionally, local transit now has to comply with the unfunded federal mandates of the Americans with Disabilities Act, mandatory drug and alcohol testing, and the Clean Air Act, none of which were addressed by ISTEA."

Commissioner Dudley Feuerborn of Anderson County, Kansas said, "We need help with funding. We have spanned a great period of time between when President Eisenhower enacted the interstate transportation system that brought the farmers out of the mud and onto the black top and then onto the interstate system. Today the roads in my county are 30 to 40 years older. There has been no ongoing maintenance program for the bridges – so now they are coming due. It is like having several notes at the bank and they all come due at once."

Washington State DOT Secretary Sid Morrison concluded, "My bottom line is that the expectation raised by ISTEA is not being matched with the dollars. We need to follow through with the funding to make sure that the projects communities have now dreamed of and built into their priorities can, in fact, be funded." 5

2. SIMPLIFYING PROCESSES

“The flexibility built into the ISTEA has not filtered its way down to the administrative rules and regulations yet.”

– Mayor Mike Bixler of Imperial Beach, California

The need to simplify the ISTEA project approval process was a widely expressed theme throughout the 10 regional meetings. In part, the problem described was that federal agencies had not updated their review procedures to deal with the non-traditional projects authorized by ISTEA.

As Mayor Bixler explained during the San Jose meeting, “The same guidelines and manuals used to govern the building of new freeways and major rail projects are being applied to small air quality and enhancement programs with the result of slowing down the implementation of these projects. We need to look for measures to speed up the process and perhaps exempt small projects from some requirements.”

In part the problem is simply federal regulatory overkill. In San Jose, participant Lorie Garcia expressed her frustration at having to fill out federal compliance forms “two inches deep” for a \$37,000 urban beautification project. A recommendation made in nearly every region was to exempt low-dollar enhancement projects from federal requirements.

The California State Association of Counties sent a letter to DOT and recommended that “there should be a threshold of federal participation (as a percentage of total project or program cost) below which federal requirements would not apply.” Larry Reuter of Santa Clara County,

California, suggested that “(STP and CMAQ) funds transferred to FTA from FHWA be accessible on a continuing basis rather than quarterly.” Several other commentors echoed this request.

In New York, Janet Sadik-Khan from the New York City Mayor’s office, asked that a way be found to reduce “the eight levels of review now required.” If reviews cannot be consolidated or eliminated, perhaps they could be done concurrently, she recommended. Los Angeles MPO Director Mark Pisano repeated that request. He asked that the environmental reviews required under the California Environmental Quality Act and the National Environment Protection Act be done concurrently.

Local frustrations were perhaps expressed best by Lloyd Berry, Public Works Director, Chelan County, Washington, whose grandfather served as Chelan County Engineer beginning in 1908. Berry contrasted the “red tape” requirements under ISTEA with two major sources of outside funds that his road program depends on – the almost “no strings attached” U.S. Forest Service “Timber Receipts Program” and Washington State’s fuel tax matching funds. He concluded by saying, “Let’s pass down some trust. Along with the dollars, let’s put some trust into it. Responsibility goes with it too. Local agencies don’t want to shirk that responsibility. Just give it to us.”

3. DOT MONITORING

The two statements above made by Mayor Abramson and Director Berry exemplify the broad spectrum of opinion and experience by local officials with regard to the degree to which states have included them in the decisionmaking process.

At many of the regional meetings, DOT was encouraged to carefully monitor the ISTEA planning and funding allocation process to assure they are being carried out as intended. For the most part, we observed that state and local governments are all making a good faith effort to make the new system work. The fact that we convened these meetings and asked for the candid assessment by all parties on how the program could be improved however, opened the door for local governments, especially, to air their differences with their States and to a degree with their MPOs.

An urgent appeal was made by many local officials for stronger DOT oversight to encourage state DOTs to be more cooperative. ISTEA was intended to empower local governments, but instead “pits states’ policies and goals against the local priorities that have been established in the MPOs’ planning process,” said Brian Shorten, Executive Director, Fargo-Moorhead Metro Council of Governments.

Shorten’s request for intervention by DOT through FTA and FHWA was echoed by other participants. “We ask the federal government to encourage (state) Departments of Transportation across the country,” commented

Larry Kenny, Milwaukee, Wisconsin County Supervisor, “to sit down with their local governments and provide the funding that was promised to them.” Perhaps the strongest remedy suggested was that DOT withhold approval of Statewide Transportation Improvement Programs (STIPs) in cases where the differences between a state and its MPOs or local governments are substantial and unresolved.

Local officials also raised specific objections to some state DOT policies. Jerry Lasker, Executive Director of INCOG, Tulsa, Oklahoma, expressed his concerns this way: “ODOT has unofficially followed a policy that outside the metropolitan areas, federal funds will only be spent on state highways...This has frustrated cities outside of urbanized areas as they no longer have access to any federal transportation assistance except for projects on state/federal highways.” Some local officials stated their belief that state DOTs focus too much on road construction while neglecting other forms of transportation. City Councilman Dan Cofran, Kansas City, Missouri, summarized the issue by stating, “I think there is still some tension and difference of opinion between people in local government and people in the state highway commission. It boils down to the continuing mentality and predisposition for highways as opposed to transit...we have a culture within that industry that thinks only about paving highways.”

It must be noted that while state DOTs were criticized, participants

“When it gets down to programming, it is still done, for the most part, in state capitals.”

– Jerry Abramson,
Mayor, City of Louisville

“Shortly after the ISTEA legislation became a fact, a broad representation of interests throughout the state convened. I believe there is a good basis for believing we are being treated fairly.”

– Lloyd Berry,
Public Works Director
Chelan County, Washington

in many states applauded their efforts. Richard Simonetta, General Manager, Central Ohio Transit Authority explained, "ISTEA has actually legitimized cooperative relationships that existed, between the Ohio Department of Transportation, our county, our city, the MPO and the transit authority." Even when differences exist, state DOTs are not exclusively to blame, as Peter Stangl, Chairman and CEO of the Metropolitan Transportation Authority for New York testified: "We have already demonstrated we can make changes in long-standing practices...some changes may have to happen at a local or regional level..." However, testimony also included language that sums up the overall desires of most local participants: "Additional guidance from the federal government will be essential if the principles associated with the full promise of ISTEA are to be realized."

The final issue raised was not about states but about the voting representation on MPOs. "MPO membership in New York gives virtually equal status to counties regardless of population," noted

Janette SadikKahn, former Director, New York City Mayor's Office of Transportation. "This means that Rockland County has the same representation as the much larger Suffolk County. Even with two votes, New York City is woefully under represented. Equal representation, determined by need and population, must become the basis of the planning process." This specific request for proportional representation came from central cities, but they were not alone. Entities such as transit officials, freight operators, environmental groups and others each requested they be considered for inclusion in an MPO. There was considerable discussion in several regional meetings about including a variety of interests in the MPO, while limiting policy making to a smaller group. As Jacky Grimshaw from the Center for Neighborhood Technology in Chicago concluded, "...ISTEA mandates new levels of public involvement and elected official involvement. We hope that DOT will work with the states and metropolitan planning organizations to take the decisions about transportation funding out of the back room..."



4. REGULATORY COMPLEXITY

A concern heard at several roundtable meetings was that excessive and rigid regulations have the potential of limiting the flexibility and vision ISTEAs promised.

Instead of using limited resources to plan intermodal transportation systems for the next century, many transportation professionals feel as though they are being forced to climb a mountain of red tape to comply with existing regulations. Kirk Brown from Illinois DOT observed that, "We don't necessarily like all of the hoops that we're going to have to jump through, but we believe that we can. It is important though for all of us to understand that these new regulations are likely to increase the time it takes projects to move forward, as well as increase their costs."

A strong message that resounded throughout the roundtable meetings was that the regulatory complexity ISTEAs imposes through the "Planning," "Conformity," and "Management Systems" regulations has become a frustrating and expensive roadblock to the realization of ISTEAs full potential.

James van Loben Sels, Director of the California Department of Transportation, spoke to a specific requirement imposed by ISTEAs – fiscal constraint. He echoed the thoughts of many when he said, "We agree with the concept of a fiscally constrained document, however, in practice, rigidity as required in the recently released Planning Regulations makes it very difficult to develop long-range plans with any significant flexibility."

James Duane, Executive Director of the Ohio, Kentucky, and Indiana (OKI) Council of Governments in Cincinnati, Ohio, expressed his concern with the "stringency" of the "fiscal constraint" component of long-range planning efforts at the MPO level. "To constrain the plan to do only what we have been able to do in the past dooms innovation," he said.

The message came through loud and clear that the federal government needs to be more realistic and more flexible in the imposition of ISTEAs-mandated regulations on state and local governments, planning agencies and transit providers. Lawrence Reuter, representing the Santa Clara County, California Transportation Agency said: "This excessively broad application of administrative policy clearly constitutes regulatory overkill and is a major obstacle to our efforts to provide efficient and cost-effective transit services."

However, it should be noted that participants throughout the country were not in complete concurrence that the regulations are without merit. For example, as Reuter also stated, "We do not question the federal government's right and duty to impose 'strings' on the use of federal funds. We do, however, question the extension of all federal requirements to state and local funds." The problem seems to lie in the timing and rigid enforcement of the regulations more than in the regulations themselves. "It is critical that you [DOT] give us guidance and resolve, but at the same time it should not be done in a way

"The regulations to date are too much, too detailed, overly prescriptive, not realistic, sometimes extending far beyond the scope or even the intent of the parent legislation, and don't recognize the fiscal and nonproductive work impact to the states and local agencies."

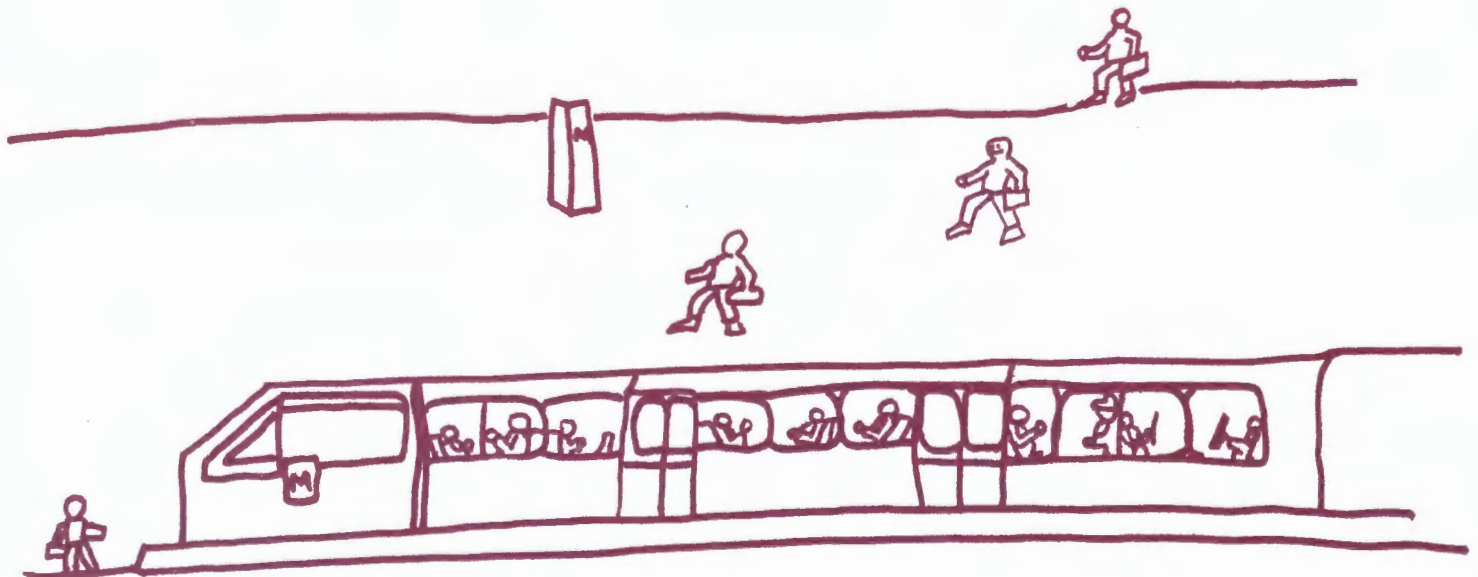
– Sid Morrison, Secretary,
Washington State DOT

that is going to kill the agencies and MPOs that are going to deliver in the long term, the kinds of programs that are envisioned under ISTEA," said Robert Kochanowski, Executive Director of the Southwestern Pennsylvania Regional Planning Commission.

In order for ISTEA to work, the federal government must adminis-

ter new regulations with the same kind of flexibility and vision that transportation providers and customers have come to associate with, and expect from ISTEA. As David Schulz of Northwestern University said in Chicago, "ISTEA imposes a variety of significant new requirements on state and local transportation agencies

including the preparation of various transportation management plans in each urban area. Please be gentle as you enforce these mandates. Don't let the vigorous and largely constructive debate now brewing be overshadowed by overzealous attention to i-dotting and t-crossing."



5. MORE FLEXIBILITY FROM EPA

A central issue raised throughout the country by representatives from attainment as well as nonattainment areas, was the need for greater flexibility and cooperation by the Environmental Protection Agency (EPA) in helping local governments achieve compliance with the Clean Air Act mandates. During the first roundtable in Hartford, Connecticut, New Hampshire Environmental Commissioner Bob Varney said, "It is critical that we get environmental and transportation agencies at the state, regional and federal level to sit at the same table to improve communication and coordination."

In Tulsa, Dallas City Councilmember Donna Halstead said, "Although the expenditures related to conversions and ozone alert days have resulted in reduced air emissions, EPA has refused to credit these reductions in emissions towards compliance with the requirements of the Clean Air Act. This EPA position is counter-productive to the region's efforts to curb emissions in our nonattainment area, frustrates innovative approaches to reducing emissions and ignores the link between transportation-related emissions sources and the air pollution found in nonattainment areas."

In San Jose, Assemblyman Richard Katz, who chairs the California Assembly Transportation Committee, reported how pleased he was with a meeting he had just had with EPA Administrator Carol Browner. Reviewing the differences that had existed with EPA over California's preferred approach to vehicle emissions inspection, Assemblyman Katz said that he

"found a new willingness on the Administrator's part to be flexible and try to work out some of these problems." He explained that California's already depressed economy risked a massive loss of jobs if EPA sanctions cut off \$700 million in federal transportation funds. He added that 9,000 small businesses could be closed if EPA insisted on state-run rather than private inspection and maintenance services. Assemblyman Katz also said he "found this new Administration understands that the need to fix the air and the need to fix the economy don't have to be mutually exclusive."

In Louisville, Mayor Jerry Abramson, President of the U.S. Conference of Mayors, echoed Assemblyman Katz's plea that EPA work more cooperatively with state and local governments. Mayor Abramson's advice to both EPA and DOT was to "get together on cross-culturing" with each other and with the local officials who will have to make the Clean Air Act work.

In Seattle, Preston Schiller, of the Sierra Club, commented on policy options which could help reduce air pollution, such as President Clinton's tax policy proposal to give commuters the choice between an employer-paid transit subsidy or a parking subsidy. Schiller suggested "putting the 'E' back in 'efficiency' by promoting employee parking pricing strategies such as the 'win-win' cash-out parking option that could do so much to promote a shift to non-motorized transportation and ridesharing."

Many speakers urged that local governments be given the flexibility

"Part of what we are after here in terms of clean air and shifting to other modes is a change in human behavior. I think we need to recognize that putting systems in place in fact is the easy part. Changing human behavior is much more difficult and takes much longer . . . so we would ask for a reasoned approach."

— Oregon State
DOT Director Don Forbes

to opt for solutions that worked and were cost-effective rather than the more prescriptive path they must now follow. Mayor Mike Bixler of Imperial Beach, California, offered San Diego as an example. "The state and federal mandates for a proposed employer trip reduction program would improve overall air quality by less than 0.5 percent through the year 2010 and would cost San Diego businesses more than \$100 million per year to implement. Programs that cost a lot of money and do little to clean up the air are all but impossible to sell to our business community. . . It is important that we concentrate on cleaning up the air, but we must use the most efficient means possible to do so. Transportation plans must be developed to include actions which will substantially improve air quality. We believe these actions are related to technological improvements rather than behavior modification." Mayor Bixler went on to cite several examples, such as the California Air Resources Board vehicle emissions standards for the future vehicle fleet. "These standards will reduce San Diego's on-road vehicle emissions from 159 tons/day (or 57 percent of total emissions) in 1987 to 38 tons/day (or 17 percent of total emissions) in 2010. This one action will reduce San Diego's overall emissions by 40 percent by

the year 2010 and exceed the three percent per year reduction in on-road vehicle emissions needed to meet the Clean Air Act requirements."

The loss of eligibility for CMAQ funds was discussed in several regions. Larry Dahms, Executive Director of the San Francisco Bay Area Metropolitan Planning Commission, commented, "As a number of areas around the country, including the Bay Area, approach attainment status under the federal Clean Air Act, it is relevant to consider changes to ISTEA's CMAQ program. In achieving the attainment designation these areas will lose their qualification for CMAQ program funds. This does not mean, however, that any of these areas must be any less diligent in maintaining their newly achieved status. In many cases, CMAQ funds were or are being used to fund those projects or programs that, in fact led or will lead to attainment. The CMAQ programs should be amended to ensure that new attainment areas are able to adequately maintain that status and continue pursuing both clean air objectives and the air quality-transportation connection embodied in ISTEA."

As Brian Smith, Planning Director for Pinellas County Florida concluded, "There is an incentive to stay polluted to keep the dollars coming in."

6. PLANNING

Broad support was voiced throughout the country for the emphasis ISTEAs place on transportation planning. Local officials, especially, expressed appreciation for the strengthened role in transportation planning that they have been given under ISTEAs. They also expressed hope that the combination of local empowerment and flexibility would result in allocating dollars in ways that best meet local needs and make the most sense in terms of system efficiency.

State transportation planners also spoke in positive terms about ISTEAs emphasis on planning and their hope that this could lead to better allocation of resources. Lloyd Robinson, Deputy Secretary of Transportation for Vermont, drew a distinction between transportation planning and project programming. "Planning is not a list of projects, nor is it design or broad policy statements," he said. He went on to explain how planning in Vermont connected a vision of the state's economic future with a systematic program of transportation investment designed to support their overall development strategy.

Seattle's Mayor Norm Rice outlined several ways in which transportation planning plays an important role in his region. The first was developing a mobility strategy which encouraged alternatives to the area's historic dependence on the automobile. Fundamental to this concept was the Mayor's combined land use and transportation plan which focuses new development in key transit corridors. The second role of planning in the Seattle region was a program of

transportation investments designed to retain the area's manufacturing and industrial base, prevent sprawl and promote sustainable development.

At that same Seattle meeting, Earl Blumenauer, Commissioner of Public Works for the City of Portland, Oregon, spoke forcefully of the need for planning to better manage the resources we already have. "We have made tremendous infrastructure investment but it isn't being properly utilized," he said. "For example, in road capacity, we have the 'day after Thanksgiving' syndrome where parking lots are built to deal with the peak shopping day of the year. As a result, we have a sea of asphalt and concrete unused 95 percent of the time with the attendant run off storm water, air quality and whatnot. If we manage the system we have now more wisely, that would solve more than 50 percent of the problem."

Commissioner Blumenauer was among several who spoke about the improvements in mobility that changes in land use planning can produce. He said, "Looking at land use as a way to solve transportation problems, we find that when people for example, have good pedestrian systems, you reduce vehicle miles traveled. People will make choices if they have the right kind of housing near where they work."

David Soule, Executive Director of Boston's MPO, made a similar observation. "The linkage between land use and transportation – where infrastructure money gets spent – has more to do with how

"ISTEA calls for a planning partnership . . . benefitting our cities and towns, our economy and our quality of life."

– Steven Boudreau, President, Massachusetts Association of Regional Planning Agencies

land gets used than any zoning ordinance.”

From Philadelphia to San Jose, DOT was urged to press state and local governments to seek out and assure strong citizen participation in the planning process, especially within minority communities. Jim Altenstadter from Tucson outlined how the enhancement program was working to attract and involve new players. “Already we can see, in just the brief experience with the solicitation and review of potential enhancement projects, a widening of the involvement of the public. We learned that it takes time and patience to bring new participants into the process. But on the whole and for the long term, the benefits of wider public involvement will be a contribution of the ISTEA.”

The final point on planning heard at several of the regional roundtables dealt with the National Highway System. As supportive as many were of the need for the NHS and the planning that had gone into its submission, DOT was urged to broaden its scope to include all modes of transportation in the system. As Richard Simonetta, Director of the Central Ohio Transit Authority recommended in Louisville, “Our nation would be better served if we had a national transportation system map that focused on all modes and really began to promote the spirit of intermodalism as reflected in ISTEA.”



7. OUTREACH AND TRAINING

At each and every meeting there was a request, if not a plea, for more DOT assistance in the form of outreach and training for elected officials, planners, and MPO staff working on ISTEA.

Oklahoma County Commissioner Shirley Darrell stated, "There should be public education and emphasis on informing local officials of the criteria, deadlines and the application process involved in receiving (ISTEA) funds."

David Eagleton, who runs the Missouri Transportation Alliance, said, "ISTEA has a tremendous educational process involved with it. From my experiences in the Missouri State Legislature, there are few legislators who really understand what ISTEA is. Funding is a major issue. One of the best ways to get funding is to get the legislators to understand what ISTEA is and what you can do with it. I believe that where there is a will there is a way. When people understand what this piece of legislation is about they will want to get involved."

Several speakers commented on the success of some current training programs on ISTEA. Ray Ruggieri, of the New York City

MPO, mentioned some successes he had in this regard. "When we saw what was happening with ISTEA and the Clean Air Act Amendments we looked at our strengths and weaknesses at the staff level. We decided on what we had to do to turn our weaknesses into strengths. Working with the FTA on a technical training grant, we've been running for the past year and a half to develop the skills we need for the 90s."

Dudley Feuerborn, a County Commissioner in Anderson County, Kansas, said that "The Kansas DOT gave a series of seminars to county commissioners to educate them in the ISTEA process – that was great."

Finally, Joel Weiner, Executive Director of the North Jersey Transportation Coordinating Council, summed up the importance of technical assistance. "Like MPOs across the country we are actively working to put in place the new planning processes and to acquire new capabilities to implement ISTEA. We have to remake both our staff and membership; we need to acquire new technical resources – mapping, modeling and public outreach."

"I fervently believe that if ISTEA is to be a viable instrument of power sharing between local, MPO, state and federal bodies, there must be a massive investment in training and development, staffing, and planning for the MPO staffs. They are a shell in many respects with great expectations, but they are not ready for prime time."

– Tom Downs, then
Commissioner of New Jersey
Department of Transportation,
now President and CEO, Amtrak

8. FREIGHT PROJECTS

“Our transportation system must carry freight as well as people.”

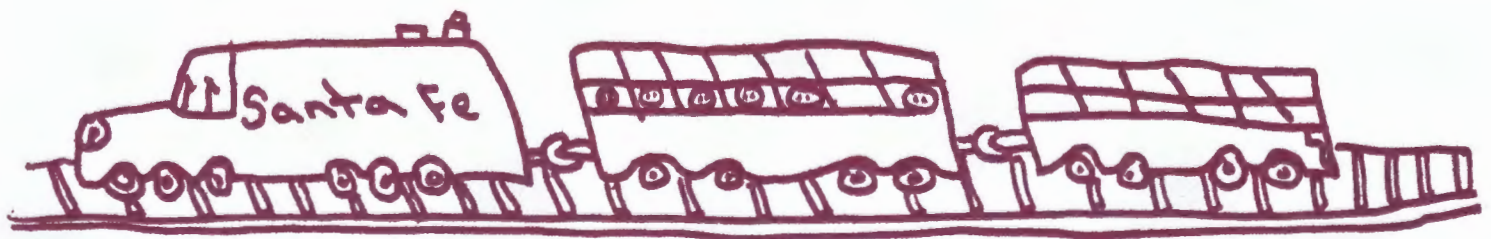
– Kirk Brown, Illinois Department of Transportation

While a good portion of the discussion in each of the 10 regional meetings focused on the movement of people, DOT was reminded that the other half of the transportation equation to be addressed is freight. Throughout the country, the message was clear: freight movement must be given a higher priority in the planning and funding allocation process under ISTEA.

Don Fleming, managing director, Marine Division, Port of Seattle, stated, “A key issue regarding ISTEA is that while bus, transit, passenger rail, bicycle ways and pedestrian facilities have guaranteed funding allocations provided by the ISTEA legislation, there is no similarly designated funding for maintaining or enhancing freight mobility.”

Speakers in each region pointed out that freight is a key ingredient in the success of our economy – something the language of ISTEA

specifically recognized. Several people noted that the purpose of the Act is to develop a system that will move people and goods. The freight side of the transportation equation provides jobs, stimulates our economy and, as Anne Aylward of Massport phrased it, “If freight doesn’t move, international trade stops.” Aylward went on to say, “There is no such thing as the immaculate conception of Cheerios on a grocery store shelf. Someone must transport that box of cereal to the supermarket. This is usually accomplished by truck, rail, ship, air, etc.” Dan O’Neal, president of the Greenbrier Development Corporation, commented, “In the highly competitive world that we live in both domestically and internationally, more and more industry is relying on less and less inventory. And that means that they need to have goods moved on time and they need to be *where* they need



them, *when* they need them.”

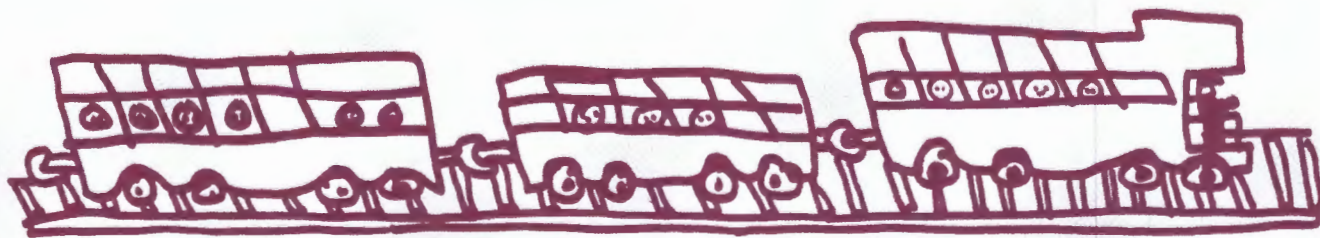
During the Hartford meeting, this question was posed: “Who is responsible for freight movement in the Northeast?” There was no response. However, in Philadelphia, Delaware Secretary of Transportation Anne Canby noted that representatives of the freight industry in Delaware are included as partners at the MPO as well as at the state planning level. Each area, therefore, appears to differ as to how the freight equation of transportation is factored into the overall planning process. In the San Jose meeting, Geraldine Knatz, Director of Planning for the Port of Long Beach, California, expanded on this issue: “If freight issues are not adequately addressed in the planning process, there is no hope at all for addressing freight issues in the funding process. The crux of the problem seems to be local ver-

sus national interests. We as ports are asking state and local transportation agencies to give priority to intermodal transportation projects even though the beneficiaries of those projects are consumers and producers elsewhere in the nation. At the same time, local officials have pressures placed on them by their constituencies who have immediate and local needs. The result is a decisionmaking process for investments in which national priorities are either not considered at all or not given enough weight.”

In order to increase national as well as regional efficiency and economic competitiveness, several participants offered suggestions for incorporating freight movement into the transportation planning process. “Major remaining obstacles to improving intermodal efficiency are access barriers,” said Don Fleming, Port of Seattle.

Participants noted that port access, rail access, air access – all forms of freight transportation – must be taken into account when states and local governments develop intermodal plans for the movement of people as well as goods.

In conclusion, Brian Sweeney, of Burlington Northern, pointed out how modes such as rail, which up until now had generally been excluded from the transportation planning process, were now being offered a seat at the table. “It’s kind of like Thanksgiving dinner. The adults are seated in the dining room and all of the kids are sitting at the card tables in the living room. That’s kind of where the railroads have been for the last several decades of transportation planning in this country. We’re at the card table waiting for an opening in the dining room. Well, with ISTEA that opening is perhaps there.”



9. RURAL ISSUES

“ISTEA was written with the coastal and urban areas in mind, but it impacts rural areas as well.”

– Barbara Kirkmeyer,
County Commissioner,
Weld County, Colorado

Across the country, representatives from rural areas expressed their frustrations with ISTEA. The major grievance they identified was that while ISTEA may work to empower local governments in major urbanized areas, some rural areas feel shut out of the planning and project selection process. As a result, many of these representatives believe ISTEA has decreased funding available for rural areas.

As Robert Korba, Commissioner of Public Works, Tioga County, New York, pointed out, “ISTEA has enhanced the role of MPOs in developing transportation policy, affecting approximately 15 urban counties in New York. In the 42 counties that do not have MPOs, the State Department of Transportation’s regional office plays the role of planner. We believe that under ISTEA, the absence of an MPO will cost rural counties ISTEA money. We ask for greater participation and an equitable distribution [of funds].” In order to ensure that the voice of a medium-sized MPO is heard, it was recommended that the population threshold for federal designation as a Transportation Management Agency be lowered from 200,000 to 100,000.

Dudley Feuerborn, Commissioner in Anderson County, Kansas, explained the need for an effective road system in rural areas. “Our major concern is the movement of goods and freight, more than people,” he commented. Feuerborn and others explained that in rural areas, a good and well maintained road system is essential

to economic stability. Adoption of, and funding for the National Highway System are therefore pressing concerns in many rural communities. As Commissioner Barbara Kirkmeyer of Weld County, Colorado, said, “You may talk about mass transportation, but the fact is, our people travel by car and our bottom line is good roads.” Dave Snider, of the Missouri State Highway Department, noted, “We continually see ourselves being thrown into the generic aspect of what happens in our eastern and far western states. We are mid-western . . . Basically, our states thrive on the ability to move goods and people across our nation. If it wasn’t for our highway systems – that are rural in nature – people on the east coast and west coast would quickly starve.”

The need for rural jurisdictions to be included in the transportation planning and project selection process was also stressed. It was pointed out that rural and small MPO areas often do not have access to their state DOTs and cannot get information about the amount of federal funds available or the state priorities for use of those funds. Several speakers noted that state DOTs do not have the “hands on” experience in dealing with local problems and are not in touch on a day-to-day basis with citizens. Brian Shorten of the Fargo-Moorhead, (North Dakota) Council of Governments, observed that, “Serious questions arise as to whether the MPO role in planning has been truly strengthened or if conversely, the TIP is only meant

to reflect decisions made by the state.”

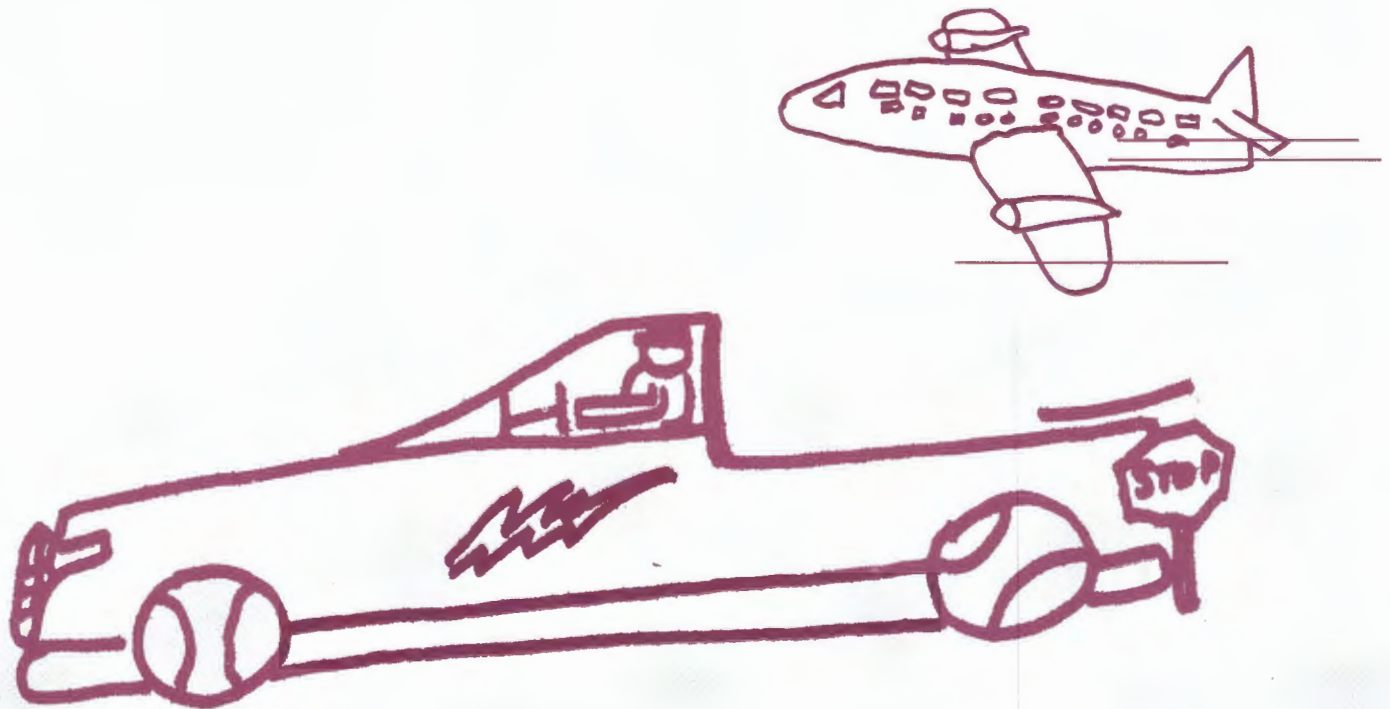
In addition, participants commented that ISTEA regulations, while considered cumbersome for urbanized areas, can be deadly to rural areas. “Regulations are choking rural transportation operations,” said Don Dillar, Director of the Wyoming Department of Transportation. MPOs in rural areas also face staffing and training problems which differ from the concerns of urban areas. Ronald Young from Alcoma County, Michigan, remarked, “My duties, as in many rural counties, include serving as the county highway engineer, the drain commissioner, the soil erosion agent, the public works director, labor negotiator,

and the public whipping post for every citizen or attorney that feels there is something wrong with the roads in Alcoma County. I operate without the benefit of any technical support staff. To try to deal with the constant changing of regulations and guidelines is extremely frustrating and very difficult.”

During the Tulsa, Denver and Seattle meetings, Native American representatives discussed the transportation problems facing the Tribes and the need for improved relations between DOT, Tribes, and state and local officials. J.B. Dreadfulwater of the Cherokee Nation and a member of the Oklahoma Tribal Transportation Council, said, “Transportation issues are important to Tribes in

Oklahoma. Mass transit programs in rural areas are severely needed. Roads and bridges that were built by the Bureau of Indian Affairs have been turned over to the county commissioners for maintenance because most Tribes have no tax base. Those roads are in extreme need of repair and they are on a priority list six years away because of lack of adequate funds in the county budgets.”

Finally, the need for improved access to health care in rural areas was also expressed in several regions. In this regard, U.S. Surgeon General Jocelyn Elders was recently quoted as saying, “It is far easier and cheaper to train bus drivers than it is to train doctors.”



10. PRESERVE EXISTING INFRASTRUCTURE

“It does me little good to have transit buses running if I can’t keep the roads maintained and surfaced for those buses to operate on.”

– Ronald Young,
Road Commissioner,
Alcoma County, Michigan

From Hartford to Seattle, DOT was reminded that it will do little good to develop a world class transportation system if we cannot maintain what we already have. As Ray Chamberlain from the Colorado Department of Transportation asked in Denver, “Can we afford enhancement projects when our basic needs for maintaining the present system aren’t fully met?”

DOT officials were told that existing infrastructure is in dire need of repair and that this problem affects every township and county in the nation. City leaders pointed out that the problem of infrastructure deterioration is particularly acute in older urban areas. According to Gurnie Gunter, City Engineer for Kansas City, Missouri, “We are on a descending curve as far as being able to take care of our infrastructure. We need all the help that we can get. The federal money we get has very little impact on that curve. Big city infrastructures need a lot of help.” Elihu Harris, the Mayor of Oakland, told DOT: “We believe that special consideration should be given at the federal level for an

older urban cities’ maintenance set aside to reflect the added costs of maintaining our aging transportation infrastructure.”

Many people echoed the suggestion that DOT set aside money for preservation as well as new construction. Sid Morrison from Washington State said, “There is relative inattention within ISTEA to preservation. Frankly, we spend a tremendous amount of money preserving the infrastructure you helped us build. We need to have that realized as a need.” As Dallas City Councilmember Donna Halstead remarked, “The City urges that favorable consideration and adequate funding be provided for the reconstruction of deteriorated transportation system infrastructure that has met or exceeded its design life. Currently, ranking criteria for ISTEA funding in Texas favors new construction. These criteria benefit newer and more rapidly growing areas and work to the disadvantage of more mature, already established areas, such as the City of Dallas.”

The point was also made that mandates such as congestion man-

agement and clean air attainment are very difficult in urban areas without paying attention to existing infrastructure. Peter Stangl, Chairman and CEO of the Metropolitan Transportation Authority in New York, remarked, "Emphasis on innovation in ISTEA should recognize that in older cities, such as New York, replacing infrastructure is just as critical and just as 'innovative' in reducing congestion and promoting clean air as some new technology improvements. For example, rebuilding projects that address service quality issues such as reliability, crowding and security help MTA and other transit systems retain current users and attract new customers, both of which promote cleaner air."

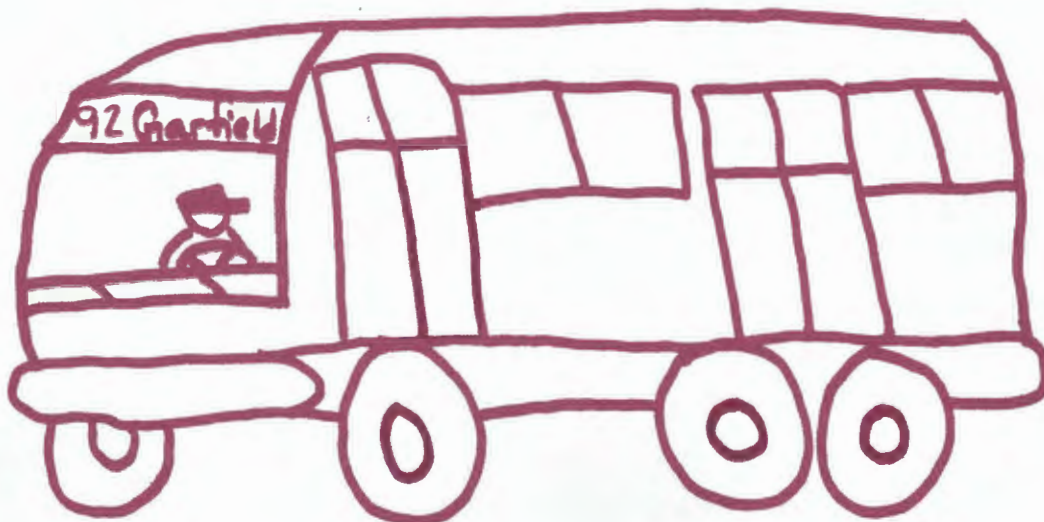
As mentioned earlier, infrastructure problems affect all areas, not just cities. Bob Cuellar from Texas DOT said, "We estimate that it would take probably over \$2 billion to take care of all the structural needs of the bridges that we have in Texas. Considering that we're averaging about \$200 million per year, it's going to take quite a

while to address those needs."

And Commissioner Andy Warren from Bucks County, Pennsylvania, said, "We need to set up a priority process so that the first priority for funding should go to existing transportation upgrades."

A final point made was that the maintenance of our existing infrastructure is critical to the economic vitality of the United States.

Several speakers pointed out that the efficient movement of people and goods is essential to our economic well being. Dave Schulz, Executive Director of the Infrastructure Technology Institute at Northwestern University, noted at the Chicago roundtable, "The infrastructure needs of our cities are staggering. And most cities badly need the economic stimulative efforts that rebuilding that infrastructure can provide – both short and long term." Donna Halstead from Dallas added, "This reinvestment is essential for older urban areas to compete for economic development with newer areas and to provide for more balanced regional growth."



OBSERVATIONS AND CONCLUSIONS

“Effective governments listen carefully to their customers and restructure basic operations to meet customer needs.”

– Vice President Al Gore
Report of the National Performance Review (fall 1993)

The Secretary’s decision to ask top administrators to travel to each region of the country to listen to our customers received an overwhelmingly positive response. Participants repeatedly expressed their appreciation for the opportunity to tell officials at the highest level in DOT how well ISTEA is working and how it can be improved. For us, it proved to be an invaluable opportunity, as well, for direct contact with practitioners who could give us a “reality check” on program performance. It is a process we intend to repeat.

The overall message we heard is that “ISTEA is working,” and there is strong support for the program across the country. State and local officials stressed how vital transportation investments are to the economy. They expressed their hope that the Act’s promise of increased federal assistance, more funding flexibility and greater control at the local level would be realized. And, they urged us to give the process time to make adjustments and achieve its potential before proposing major changes. They also made it clear that there is room for improvement.

Full funding of ISTEA was consistently the highest priority issue for state and local officials. Many expressed the view that the promise of ISTEA could only be realized with funding at the full level authorized.

The program’s passage raised expectations that not only would the needs of highways be met, but that sufficient resources would also be available to satisfy new players included at the table – transit, freight and enhancement advocates.

At each roundtable we heard a compelling case on the need for increased investment in our basic transportation systems. This was underscored by the Congressional Budget Office study outlined by Congressman Norman Mineta. Across the nation, there is a significant backlog of needed maintenance on deteriorating highways, bridges and transit facilities. In areas experiencing growth there is a need for new capacity. And with the increasing role international trade is playing in our economy, we must be prepared to respond to the need for the increased capacity at our airports, seaports and border corridors. The roundtables left no question in our minds as to the need for more resources. In addition, these meetings underscored that there is a fundamental conflict between new players and old priorities. Greater options for securing these resources, from both the public and private sectors must be determined. More money to share may ease some of the tensions, but it will not be a cure for the basic conflicts created by the Act’s flexibility and the eligibility of the new players.

Assist in the Process of Change

What ISTEA really involves is a cultural change – new relationships, new sharing of power and new lines of authority and accountability. Programmatically, ISTEA is about reprioritizing how we spend money. Structurally, it changes how and by whom decisions are made and significantly broadens the range of choice. Implementing all of these changes will require time.

In general, we observed that both state and local officials are making a good faith effort to make this new system work. The fact that ISTEA is working well in some places and not in others means that the problem is not in the program's design, but in its implementation. Therefore, the role DOT can play is to help by sharing information – sharing examples of “best practices” and bringing peers together to exchange experiences on better ways to structure the decisionmaking process. This can also involve sharing examples of how to make

the flexibility of the program work, especially non-traditional projects funded under the Surface Transportation Program (STP) such as transportation enhancements, and the Congestion Mitigation Air Quality Improvement (CMAQ) programs.

There is no doubt that more technical assistance would be welcome in all areas. Our field offices could play a significant role in providing this technical assistance because their people are closest to the MPOs and the states.

“It’s time to shift from top down bureaucracy to entrepreneurial government that empowers citizens and communities to change our country from the bottom up.”

– Vice President Al Gore, NPR Report

Simplify the Regulatory Process

A second area where DOT clearly needs to respond is in simplifying the project approval process and our regulatory approach in general. What we heard from roundtable speakers was a message similar to our charge from the Vice President’s Reinventing Government process: “Cut red tape...Decentralize decisionmaking... Empower state and local governments...Increase their flexibility...And waive rules and regulations when they conflict with results.”

The National Performance Review process has us looking inside DOT to see where unnecessary processes, rules and layers of bureaucracy can be

eliminated by decentralizing authority and empowering employees. It may be time to examine ISTEA grant-in-aid programs to see how similar impediments can be removed and limited dollars stretched further by eliminating unnecessary layers of government and empowering our grantees.

What our state and local counterparts are asking is "Can we enter into a new partnership with the federal government?" They are telling us that we do not have to monitor everything they do to ensure it meets some standard. The fact is, for the most part, they are highly sophisticated public entities in their own right, held accountable by the electorate, as well as constituency groups, the press and state law, to ensure that requirements such as civil rights, environmental safeguards and labor protections are met. They are asking, "Can't there be a mechanism by which grantees can certify to the federal government that necessary standards will be met? Send them the dollars and hold them accountable for results, but delegate to them the responsibility for the process they go through to achieve those results."

We may want to convene a federal/state/local working group or commission to wrestle with the broader public policy implications of this kind of approach. Meanwhile, we will proceed as swiftly as possible with some of the more targeted, problem-solving initiatives listed in the Secretary's Action Plan.

Monitoring

We heard a laundry list of concerns in which aggrieved parties wanted DOT to intervene in the ISTEA funding allocation and planning process. Many central cities, rural areas, transit and freight interests felt they were not treated fairly in the state funding allocation process. Some wanted us to intervene to assure fairer representation within MPOs. Many felt left out of the planning process.

Our view is that we should carefully limit when and how we intervene. The thrust of ISTEA is to delegate these matters to be decided through the political process at the state and local levels. To mandate special set-asides for central cities, rural areas, ports and infrastructure maintenance, as requested, would take away the very flexibility intended for the program. Therefore, to the extent possible, we should encourage state and local parties to resolve these differences on their own. There is a great deal we can do to help this happen through education and outreach and especially by insisting that information be made available on a timely basis. For example, notifying local and state officials in advance of the dollars the state will have available each year for allocation in each category. DOT can clarify how we interpret program requirements and

what we consider to be good models. The best point where DOT can intervene directly to encourage compliance with program objectives may be in the Statewide Transportation Improvement Program/Transportation Improvement Program (STIP/TIP) approval and TMA planning certification process.

Although the MPO and local government perspectives were well aired during the Roundtable sessions (and in this report), the state message may need to be reiterated. States say they feel caught in a box because, ultimately, they are the ones held accountable for how federal dollars are expended. Since the states have all the accountability, their incentive is to be as conservative as possible. Whereas the MPOs might be driven by the need to satisfy local constituents, the states have that same need on a broader statewide level. We need to give states an incentive to be creative, not just a directive to do so. At the same time, we need to define what we at the federal level are prepared to do differently.

We must take a more balanced approach in understanding what the original purposes of our regulations and processes were and identify how we can carry out the objectives of federal oversight in a way that is less complex.

Cooperation with EPA

We heard general frustration from state and local agencies over the difficulties of meeting Clean Air Act mandates. We should try to work with EPA to resolve some of these problems. In addition to the challenges posed by “Conformity” rules, CMAQ eligibility appeared to be a core issue. We need to analyze how to help metropolitan areas that come into attainment maintain that status. It has also been noted that from federal region to region there needs to be more consistency in EPA’s approach to transit. We need to work with EPA

to develop a more long-term, strategic view of the positive role increased transit ridership can have on both mobility and achieving air quality goals. We may need to do the same regarding the role freight rail can play in the net reduction of air pollution.

But on an even broader scale, we need to encourage the integration of air quality planning with transportation planning. Historically, they have been undertaken separately by different staffs responding to different constituencies, with the result that their strategies often come into needless

conflict. Under the directives of the Clean Air Act Amendments and ISTEA, many areas have made progress in integrating air quality and transportation planning. Still more cooperation is needed to achieve the degree of integration necessary. To be effective, this process must be more inclusive and involve all levels of government, including clean air and transportation advocacy groups and those parties not always invited to the table, such as representatives of Tribes, and port, rail, trucking, business and environmental interests.

Higher Priority for Freight

Another reason was given for including freight interests in the transportation planning process. When a system is planned without freight interests present, the inevitable result is the inefficient movement of goods, with an almost total focus on the movement of people. At a time when the “just in time” delivery of freight has come to play such a critical role in the American economy, it is clear that this inefficiency is no longer tolerable. DOT was encouraged to facilitate the inclusion of airports, trucking, rail and seaports in MPO and statewide planning. Also, as we move ahead toward the development of a National Transportation System (NTS), with its emphasis on international trade, it is important to help MPOs and states increasingly think nationally and internationally while acting regionally and locally.

Funding Infrastructure Preservation

The final area of concern is how to meet our needs for the repair and preservation of transportation infrastructure. We heard from urban and rural areas alike how seriously our system of roads and bridges has deteriorated and how badly the scheduled maintenance and rehabilitation has fallen behind. The best explanation of this problem came from the Chairman of the House Public Works and Transportation Committee, Congressman Norman Mineta. At the roundtable session in San Jose, he told us that over the last quarter century, infrastructure spending has been cut by half as a share of total federal spending – from 6.3 percent in 1965 to 3 percent in 1992. The National Council on Public Works Improvement reported that as a percentage of the GNP, infrastructure spending by all levels of government in America has dropped from 3 percent to less than 1 percent in a similar period. And DOT’s 1993 report titled, “The Status of the Nation’s Highways, Bridges and Transit,” pointed out the need to spend an additional \$15.5 billion annually just to maintain roads and bridges at current condi-

tions. According to the CBO Study outlined by Chairman Mineta, the needs of transit and airports are serious as well.

What the facts show is that we are losing ground in maintaining our basic facilities because we simply are not committing sufficient resources. How to meet national infrastructure investment needs is a question the department must continue to address in consultation and collaboration with our partners at the state and local level and the private sector.

The Dedication of Transportation Professionals

One of the most gratifying outcomes of these regional roundtables was the opportunity it afforded top DOT Administrators to meet with the people actually involved in implementing ISTEA. We were impressed with the professionalism and responsiveness of the FHWA and FTA Regional Administrators and other DOT field staff. We were also greatly impressed with the calibre of the state and local transportation professionals who appeared as panelists or joined in discussions. While there are clearly differences to work out, the country is well served by the quality of the people working to make a success of the ISTEA program.



ACTION PLAN

“Cut red tape...empower state and local governments...waive rules and regulations when they conflict with results.”

– Vice President Al Gore, Report of the National Performance Review.

At the close of the last ISTEA roundtable in Denver, DOT completed phase one of this effort, which was to “listen carefully to our customers.” Now that we have reviewed the recommendations made during all 10 sessions, we are ready for phase two, which is to initiate a plan of action to respond to what we heard. Outlined here are the actions DOT intends to take, a designation of the agencies responsible for each task, and a timeline for completion:

Action:

- a. Promote and support President Clinton’s FY95 Budget that proposes full funding of ISTEA formula capital programs for highways and transit.
- b. Create a USDOT Task Force on Innovative Financing, led by the Assistant Secretary for Budget and Programs, FHWA and FTA. (winter 1994)
- c. Consult with state and local governments to advance viable innovative financing techniques. (Budget, Operating Administrations and Governmental Affairs - spring and summer 1994)

1. Increase Investment in Transportation

Action:

- a. Initiate field reviews in each of the federal regions to identify the problems affecting the enhancement program and solutions which may simplify and expedite meeting cross-cutting federal requirements. (FHWA - early summer 1994)
- b. Hold a national conference in Washington, D.C., on June 2-4, 1994, with federal, state, local and interest group representatives to discuss program implementation issues and to share information on solutions for simplifying the processing of enhancement projects. (FHWA)
- c. Revise guidelines for field staff regarding transportation enhancement projects. (FHWA September 1994)

2. Simplify Enhancement Project Implementation

3. Expand Education and Outreach

Action:

- a. Convene a national ISTEA Training Summit, scheduled for March 16-17 1994 in Washington, D.C., sponsored by FTA and FHWA with support from the National Transit Institute. Participants will include federal, state, MPO, city, county, transit officials and others involved in program implementation. The product of the Summit will be the outline of a National ISTEA "Training Agenda," which DOT will then help fund and implement. (FTA and FHWA - spring 1994)
- b. Ongoing efforts to:
 - Develop and conduct the following courses: "Public Participation and Transportation Planning," "ISTEA's Management Systems Requirements: A Course for Managers," "Major Investment Studies," "Systems Planning," "Congestion Management Systems," and "Intermodal Management Systems."
 - Prepare a video on ISTEA planning for MPO policy officials.
 - Prepare a seminar on ISTEA planning for local elected officials and senior staff for presentation at National League of Cities, U.S. Conference of Mayors, National Association of Counties and National Association of Regional Councils annual meetings. (FHWA - summer 1994)
 - Prepare a catalogue of DOT supported training and outreach on transportation planning and programming. (Office of Intermodalism - autumn 1994)
 - Provide all training materials to the local Transportation Assistance Program Centers and identify these Centers as a resource for local officials. (FHWA - summer 1994)

4. Develop a National Transportation System

Action:

- a. Promote enactment of the National Highway System (Office of the Secretary, FHWA - 1994)
- b. Designate National Transportation System Working Groups within DOT to pursue "Policy Development," "Outreach" and "Analysis of Data" to refine the NTS concept. (Policy, Office of Intermodalism, Governmental Affairs, Bureau of Transportation Statistics - spring to fall 1994)
- c. Conduct a nationwide NTS Outreach Program to consult with affected parties, solicit input, broaden understanding and mobilize support. (Office of Intermodalism and Governmental Affairs - spring to fall, 1994)

Action:

Convene a joint meeting with EPA Administrator Carol Browner and leadership of national organizations representing state and local governments. Discuss how cooperation, flexibility and communication can be improved between EPA, DOT and our mutual customers
(Office of the Secretary - March 1994)

**5. Closer
Cooperation
with EPA**

Action:

- a. Issue guidance on the Statewide Transportation Improvement Program (STIP) “approval process” and metropolitan transportation planning process “certification.” Develop guidelines to ensure that public comment regarding state and/or MPO planning processes and products are considered by federal agencies. (FHWA, FTA - spring to summer 1994)
- b. Annually provide advance notice of the funds to be available from FHWA and FTA programs for each state. Work with states to provide on a timely basis information to their MPOs, cities, counties, transit agencies and the public regarding the availability of ISTEA funds by category.
- c. Issue the “FTA Flexible Funding Handbook” as a joint FTA/FHWA publication. This will outline planning/programming procedures, program descriptions, case studies in the use of flexible funds, annual state and metropolitan area program apportionments and state obligation ceilings.
(FTA – beginning January 1995)
- d. FHWA and FTA field offices will be encouraged to be proactive leaders working in partnership with states, MPOs and local governments on ISTEA planning and implementation. DOT guidance will be developed encouraging regional offices to assist in resolving conflicts by providing technical assistance and clarification of federal requirements. When appropriate, states and MPOs will be encouraged to use mediation services to resolve conflicts. Additionally, mediation and conflict resolution training will be explored for FHWA/FTA field staff to better prepare them for this role.
(FTA, FHWA - spring 1994)

**6. Carefully
Monitor ISTEA**

7. Simplify Regulations

Action:

Convene an ISTEA Regulation Review Task Force involving federal, state, and local governments to explore how ISTEA regulations can be simplified and made “end product” oriented and less prescriptive. The task force will be a part of DOT efforts under Presidential Executive Order 12866 to review existing significant regulations to determine whether any should be modified or eliminated. The task force will also address appropriate roles between the federal government and its state and local partners as well as the original purpose of the regulations and whether the need for them still exists. In addition, the task force will determine areas where multiple purposes might be served by individual regulations. The task force assumes that the recommendations of the National Performance Review, concerning improved internal and external (outreach and public participation) procedures for the regulatory process, are being followed with respect to ISTEA regulations. Finally, the task force will address how the regulations can be laid out to make them more readable and easier to understand.

8. Improve Access to Health Care in Rural Areas

Action:

Request the FTA to explore with the Department of Health and Human Services (HHS), as part of the ongoing DOT/HHS Coordinating Council work plan, the issues concerned with rural health care access, including tribal needs. Identify regulatory, administrative and legislative impediments to the integration of health care transportation needs into existing rural and tribal transportation programs. In particular, explore impediments to the integration of HHS Title 19 (Medication) funds for health care transportation with FTA Section 18 funded rural public transit services, and the problems of providing health care access for the working poor who are not eligible for the Title 19 services. The Coordinating Council should document best practices in this area and, if necessary, implement a series of projects to demonstrate exemplary solutions.

Action:

Convene a "Liveable Communities" joint action group with HUD, state and local governments and the design and planning community to encourage land use policies, practices and designs that discourage sprawl, concentrate new development in patterns that support travel on foot, bicycle or by transit and/or which revitalize areas through people-oriented rather than auto-oriented design. In addition, incorporation of quality design and architecture into transportation systems and projects themselves should be endorsed, so that aesthetics as well as functions are enhanced and the whole and its parts are well integrated with the surrounding community.

The following options should be considered:

- a. Planning Challenge Grants;
- b. Implementation Incentive Grants;
- c. Awards for Achievement. For example, DOT plans to establish a departmental design awards program. The Secretary will give awards for well-designed and architecturally significant bridges, highways, stations, terminals and other transportation facilities;
- d. Funding a national seminar series by leaders in the design field; and
- e. FTA Station area planning, intermodal terminals, and FHWA road design standards.

9. Encourage Supportive Land Use Policy

Action:

- a. Increase awareness of the contribution that the movement of freight makes to the national economy and the importance of including representatives of trucking, rail, air cargo, ports and shipping in the MPO planning process. Specifically:
 - Join with Transportation Research Board (TRB) to sponsor a national conference on intermodal transportation which includes freight issues, to be held in New Orleans December 7-9, 1994.
 - Join with Puget Sound Regional Council and Washington State Department of Transportation to sponsor a regional conference on the role of freight in the ISTEA planning process.
 - Strengthen DOT outreach and training programs which support the inclusion of freight in the ISTEA planning process at the state and local level.
 - Establish peer teams to provide assistance to states and MPOs on freight issues. (Office of Intermodalism, MARAD, FRA, FHWA - spring to end of 1994)
- b. Request that the National Commission on Intermodal Transportation examine:
 - The potential to broaden the eligibility of freight projects under key ISTEA programs.
 - Potential ways to finance freight projects of national significance. (Office of Intermodalism, MARAD, FRA, FHWA - spring 1995)

10. Raise Priority for Freight

11. Simplify Transit Approval Procedures

Action:

- a. Decentralize decisionmaking and simplify the FTA grant approval-process whenever possible. This involves empowering regional administrators with more of the decisionmaking power that currently requires DOT headquarters action.
(FTA - September 1994)
- b. A pilot project involving major grantees to include electronic filing of grant requests and monitoring of grants by E-Mail in conjunction with FTA's current E-Mail system.
(FTA - September 1994)
- c. Change to a more flexible, continuous grant release process under the current quarterly grant approval cycle, allowing funds to be released as soon as grants are approved.
(FTA - September 1994)
- d. Explore ways to amend the current federal acquisition and asset management requirements to apply at a higher spending level in the transit area.
(FTA - November 1994)
- e. Explore with FHWA how to improve the release of funds transferred for projects expected to receive FTA approval. Identify and eliminate impediments to FTA implementation of STP and CMAQ transfers.
(FTA - August 1994)
- f. Include wording that explains and clarifies the soft match provision (toll revenue financing) in the next FTA Federal Register announcement of apportionments.
(FTA - November 1994)

12. Review Congestion Mitigation/Air Quality Improvement (CMAQ) Program

Action:

Convene a CMAQ eligibility DOT and EPA review team, and seek input from state transportation and air quality agencies as well as cities and counties to explore solutions that would allow areas redesignated as attainment areas to be eligible for some form of continuing funding assistance. The principal focus of funding for Clean Air Act implementation has to be on areas that are in non-attainment. At the same time, there is a need to recognize the financial burdens associated with maintaining attainment status.

- a. Review whether changes in law would be required and desirable or whether resources from other federal sources such as ISTEA hold harmless funds or STP funds could solve the problem.
- b. Review whether local agencies should rely on federal funds to continue during the long-term period of maintenance, or whether maintenance would have to be funded from state or local resources.
(FHWA, Policy, Office of the Secretary - fall 1994)

Action:

FHWA and FTA will expedite current efforts to develop joint guidance for field staff to the field offices on fiscal constraint procedures and requirements. As part of these efforts, FHWA and FTA will clarify that the joint planning regulations encourage the use of innovative financing for projects.

(FHWA and FTA - fall 1994)

13. Clarify Fiscal Constraint Guidelines

Action:

a. Send a joint letter with Interior Secretary Babbitt to each Governor outlining the importance of including the Department of Interior and its agencies, such as the Bureau of Indian Affairs, in the ISTEA process.

(DOT, Department of Interior - March 1994)

b. Request FHWA, FTA and BIA to convene a meeting with representatives of Tribes, representatives of both Secretaries, NGA, AASHTO, NACo and NARC to discuss how the involvement of Tribes in the ISTEA process can be improved.

(FHWA, FTA, Governmental Affairs - summer 1994)

c. Request the FHWA, FTA and BIA to develop clear guidelines for their regional and state-level offices, which in turn can be conveyed to states, MPOs and Tribes to make clear that Tribes are to be directly included in the ISTEA planning process and especially in programming funds from the Federal-aid Highway Program.

(FHWA, FTA - fall 1994)

14. Include Tribes in the ISTEA Process

Action:

Convene an Environmental Review Team including DOT, EPA, representatives of states and local governments and national environmental organizations. Find ways to reduce procedural delays and duplication without adversely affecting the quality of information developed. Specifically consider how environmental reviews required by federal and state law can be done concurrently.

(Office of the Secretary and all operating administrations - winter 1994)

15. Improve Environmental Review Process

REGION 1

HARTFORD, CONNECTICUT

NOVEMBER 5, 1993

Region 1 includes Connecticut, Massachusetts, Maine, Rhode Island, New Hampshire and Vermont. The meeting was chaired by DOT Deputy Secretary Mortimer Downey and included Deputy FHWA Administrator Jane Garvey, Deputy FTA Administrator Grace Crunican, Deputy Assistant Secretary for Governmental Affairs John Horsley, and representatives from the Environmental Protection Agency. Also attending were staff from DOT's Federal Railroad and Maritime administrations.

Over 140 people were in attendance and many expressed their appreciation to Secretary Peña for initiating these important discussions. There was great diversity between the states represented in Region 1 concerning the role of state DOTs, the composition and effectiveness of MPOs and the working relationships between states, cities, counties and rural areas.

Full Funding of ISTEA

A central point of discussion throughout the day was the need to fully fund ISTEA. Many participants noted that in order to maintain existing infrastructure, as well as fund new projects for rural and urban communities, the Congress must fund ISTEA at the amount authorized in the legislation. While participants recognized the importance of reducing the deficit, they also recognized the economic benefits, such as the creation of jobs, associated with the full funding of ISTEA. Marlene Connor, Administrator of the Pioneer Valley Transit Authority in Springfield, Massachusetts, said, "We have over 250 vehicles. The average bus is over 14 years old. How can we get cars off the road and how can we address the Clean Air Act? Without federal funding . . . I can't do my job."

Clean Air

Several state and local officials, while noting the value of the Clean Air Act Amendments, also described some problem areas. Tom Maziarz, Clean Air Specialist for the Greater Hartford COG said, "The impact of ISTEA and the Clean Air Act on us in the past year has been dramatic. We need technical assistance. The state has been helpful but that is not enough." Several participants stated that given the complexity of the regulations, EPA needed to provide better technical assistance so that local governments can efficiently and effectively implement new and

complex regulations. "It is critical that we get environmental and transportation agencies at the state, regional and federal levels to sit at the same table to improve communications and coordination," said Bob Varney, the Environmental Commissioner for the State of New Hampshire.

Planning

Several participants stated their belief that transportation planning in New England has been too narrowly focused on specific projects and called for a more integrated approach to land use planning utilizing intermodal freight and passenger facilities. As Steve Boudreau, member of a Massachusetts MPO said, "What we want and need – and what ISTEA calls for – is a strong and mutually supportive multi-jurisdictional planning partnership and decisionmaking process capable of delivering the best possible system. This type of partnership will greatly benefit our cities, towns, economy and quality of life."

Anne Aylward, former director of Massport, reminded the attendees that the bulk of domestic as well as international trade moves through ports, yet port accessibility is often not included in the planning process.

David Carol of Amtrak noted that Congress specifically excluded passenger rail funding from ISTEA. "Yet passenger rail is energy efficient and environmentally benign," he said. "We have become the mode of choice between New York and Washington with some 40 percent of travelers riding Amtrak."



Simplify the Process

Another area of agreement between state and local officials was a call to simplify the ISTEA approval process, especially for smaller enhancement projects. Connecticut's DOT Commissioner Emil Frankel asked if there was a possibility that state DOTs could act as a conduit on local enhancements projects. "The Connecticut DOT spends a tremendous amount of time and money on the approval process – about as much money as there is to hand out," he said.

In addition, Sally Spadaro, a citizen activist from Pawtucket, Rhode Island stated that the application and approval process for transit grants left transit projects at a disadvantage. "The cost benefit analysis required of transit projects is not required of highway projects. This greatly inhibits the flexing of funding."

Panelists

Steven C. Boudreau, President, Massachusetts Association of Regional Planning Agencies
Michael Meotti, State Senator, Glastonbury, Connecticut
Lloyd Robinson, Deputy Secretary, Vermont Department of Transportation
Richard Goodman, Member, Hartford Council of Governments, Transportation Committee
Emil Frankel, Commissioner, Connecticut Department of Transportation
Connie Garber, Transportation Director, York County Community Action Corp., Sanford, Maine
Robert Varney, Commissioner of Environmental Services, Concord, New Hampshire
Ann Aylward, Former Director, Massport, Boston, Massachusetts
David Carol, Director, Northeast Corridor Improvement Program, AMTRAK, Old Saybrook, Connecticut
Marlene Connor, Administrator, Pioneer Valley Transit Authority, Springfield, Massachusetts
Tom Maziarz, Principal Planner, Capitol Region Council of Governments, Hartford, Connecticut
Sally Spadaro, Citizen Activist, Pawtucket, Rhode Island

REGION 2

NEW YORK, NEW YORK

NOVEMBER 17, 1993

Region 2 includes the states of New York and New Jersey. The meeting was held at the World Trade Center, chaired by Deputy Secretary Mortimer Downey and included Federal Transit Administrator Gordon Linton and Deputy Federal Highway Administrator Jane Garvey. Also attending were staff from DOT's Federal Railroad and Maritime administrations and the Bureau of Transportation Statistics. Lt. Governor Stanley Lundine provided welcoming remarks and commented on the State of New York's transportation concerns.

Lt. Governor Lundine addressed the attendees and challenged everyone to think globally as he noted that the United States spends only 2 percent of its gross domestic product on infrastructure, whereas Japan and Germany both exceed 7 percent annually.

The New York metropolitan area faces unique transportation challenges. In order to understand the magnitude of these challenges, Peter Stangl, Chairman and CEO of the Metropolitan Transportation Authority (MTA) described the size and capacity of the MTA fleet. "There are six million daily transit

riders, which translates into 6,000 subway cars, 4,000 buses, two large commuter railroads, and 800,000 passenger cars each day traveling in and around New York City." In addition to the commuting population, Richard Roberts, Chief of Transportation Planning and Policy for the Port Authority of New York and New Jersey noted that, "This is a major intermodal area with ports, trucking terminals, rail yards and three major commercial airports. Although this creates many opportunities, it also creates many problems such as a decaying infrastructure and an aging fleet."

Full Funding of ISTEA

Many participants urged the Department of Transportation to support full funding of ISTEA. Janette Sadik-Khan, former Director of the Mayor's Office of Transportation for the City of New York, said, "The lack of full funding is compounded by the fact that cities have had to absorb the cost of new federal mandates such as the Clean Air Act and the Americans with Disabilities Act." Commissioner John Egan, New York State DOT, added, "The federal share of transportation funding in New York decreased almost 15 percent within the last year. [Therefore, in order to finance transportation projects] the State of New York recently had to pass a \$21 billion transportation financing package for the state's highways and transit programs."

As Lou Riccio, former Commissioner of New York City's DOT commented, "Because ISTEA has not been fully funded, more people are just grabbing at small pieces of the funding pie. There is a crisis in New York. There are not enough dollars to maintain the bridges and roads that support the entire metropolitan area."

Flexibility

There were strong and differing opinions on how ISTEA was working to date.

Robert Korba, Director of Public Works for Tioga County, New York said, "Numerous counties have complained they are not privy to the selection process that New York DOT utilizes. We believe ISTEA was intended to involve local governments, not exclude them. In addition, we believe the absence of an MPO will cost rural counties money."

There also appeared to be a significant difference of opinion over the amount of resources being flexed from highway projects to transit projects. Representatives of the MTA complained that the level of transit funding is insufficient, noting that the only way they believed sufficient federal funds would be made available was through direct funding from DOT to local transit operators. New York State DOT Commissioner John Egan disagreed and pointed out that one third of all federal funds flexed to transit throughout the country occurred in New York State. New Jersey's former DOT Commissioner Thomas Downs held a similar opinion, noting that, "New Jersey has been steadily transferring funds from highways to transit, which

benefits the whole region.”

Commissioner Egan had five specific suggestions for DOT as to how flexible funding mechanisms might be improved:

- 1) Transferring funding for transit use should not be made mandatory;
- 2) Obligation authority should not be allocated to individual programs;
- 3) A cooperative process such as the one proposed in the FHWA/FTA Guidance should be adopted;
- 4) FHWA/FTA program administrative procedures should be reviewed and improved; and
- 5) Federal highway and transit laws should be amended to allow for advance funding of transferred monies.

Intermodal and Freight Needs

The importance of ISTEA funding for freight movement was a focal point of discussion. Richard Roberts, Chief of Policy and Planning for the New York and New Jersey Port Authority, made three key points in this regard. First, he believes that because of the growing importance of international trade, major port infrastructure projects of national significance should be identified. Second, federal dollars available to fund intermodal and freight facilities should be increased and expanded to include rail freight. Third, he believes that ports and freight businesses should be partners with MPOs in both the planning and project selection process at the local level. Several speakers suggested that a separate category of funding be created within ISTEA to fund freight-related projects.



Panelists

Peter Stangl, Chairman and CEO, Metropolitan Transportation Authority, New York
Raymond R. Ruggieri, Director, New York Metropolitan Transportation Council
Chester Mattson, Director of Planning and Economic Development, Bergen County, New Jersey
Norman Schneider, New York State Department of Transportation
Janette Sadik-Khan, former Director, Mayor's Office of Transportation, New York City
Thomas Downs, former Commissioner, New Jersey Department of Transportation
Lucius J. Riccio, former Commissioner, New York City Department of Transportation
Edward Plotkin, Commissioner of Public Works, Westchester County, New York
Robert Korba, Commissioner of Public Works, Tioga County, New York
Shirley DiLibero, Executive Director, New Jersey Transit
Richard Roberts, Chief, Transportation Planning and Policy, Interstate Transportation,
Port Authority of New York & New Jersey
James Tripp, Chairman, Tri-State Transportation Campaign
Joel Weiner, Executive Director, North Jersey Transportation Coordinating Council

REGION 3

PHILADELPHIA, PENNSYLVANIA

NOVEMBER 18, 1993

Region 3 includes Pennsylvania, Maryland, Virginia, the District of Columbia, West Virginia and Delaware. The meeting was chaired by Deputy Secretary Mortimer Downey and included Federal Transit Administrator Gordon Linton, Federal Highway Administrator Rodney Slater, and Deputy Assistant Secretary for Government Affairs John Horsley.

The meeting was hosted by Mayor Edward Rendell, City of Philadelphia and James Hagen, President, Consolidated Rail Corporation.

Full Funding of ISTEA

Many panelists as well as meeting participants expressed the feeling that the success of ISTEA would be significantly enhanced if the Congress fully funded ISTEA to its authorized levels. As Howard Yerusolim, Secretary, Pennsylvania Department of Transportation and president of American Association of State Highway and Transportation Officials (AASHTO) noted, "ISTEA is very important to the future of our transportation system and the future of our economy. . . I am disappointed that Congress has not fully funded ISTEA . . . Without full funding, we will not realize the full benefits of ISTEA." Bill Millar, Executive Director of the Port Authority of Allegheny County commented, "Although public transportation is receiving increased funding levels in FY94, after more than a decade of decline, the simple fact is that this is the bare minimum needed for transportation providers to do their job."

Public Participation

DOT was urged to recognize the need for a more focused effort to involve the public in the transportation planning and implementation process. Participants in the afternoon breakout sessions summarized their discussions in writing noting, "The transportation decisionmaking process is becoming more and more tied to decisions affecting the environment, land use, social concerns and the economy. The public, especially the minority community, needs to be more actively involved throughout the planning process." Al Eisenberg, Member of the Arlington County, Virginia, Board of Supervisors concluded, "Public participation has yet to be particularly effective and we have a lot of work to be done in this regard."

Deadlines

"I would hope that there would be some flexibility in terms of meeting deadlines (under ISTEA and the Clean Air Act). I would rather do a job right and get the kind of public participation that is vital to the success of what we are trying to do, than try to rush and not get adequate public participation," said Secretary Anne Canby, Delaware Department of Transportation. Washington, D.C. Councilman James Nathanson, Chairman of the National Capitol Regional Transportation Planning Board noted, "The deadlines prevent us from going through the appropriate public and discussive process that we must do if this process is to be as open-ended as I see the legislation and regulations directing." With respect to how the deadlines are affecting MPOs, Robert Kochanowski, Executive Director of the Southwestern Pennsylvania Regional Planning Commission stated, "Have patience . . . You can not be too harsh with your deadlines. . . It is critical that the Federal Government give us guidance and resolve but it should not be done in a way that is going to kill the MPO's that are going to deliver the kinds of programs envisioned under ISTEA. You must be supportive of MPO's and encourage them, give them patience, but at the same time, help them through this very difficult process."

Research and Data Collection

Bill Millar, (Port Authority, Allegheny County) reminded U.S. DOT that, "ISTEA directed 3 percent of the overall transit program go to planning and research. Making good on this commitment will enable transit providers to develop more efficient methods and will assist the domestic supply industry

in developing better and cleaner products.” In addition, Bruce Smith of the Environmental Protection Agency suggested that collecting data which showed projects in terms of benefits such as vehicle reductions, would be beneficial. Anne Canby (Delaware DOT) remarked, “We are no longer only in the transportation business. We are in the behavioral sciences business. Research from all areas helps support the change in mindset that ISTEA calls for.”

Preservation and Prioritization of Funds

Commissioner Andrew Warren, Bucks County, Pennsylvania provided the following insight into the prioritization of funding: “Either at the state or federal level, a prioritization process needs to be designed so that the first priority for funding should go to existing transportation upgrades – or when it comes down to bike path versus turn lane, the decision should be based on where the benefit for the largest number of people lies.” Secretary Yerusalim expanded on

Pennsylvania’s current situation, “We have estimated that Pennsylvania would need to spend approximately \$250 million each year to address restoration requirements. . . Simply stated, our preservation needs are great and do impact on flexibility funding decisions relating to the NHS and Surface Transportation Program (STP) funds.”

Enhancements

Several panelists noted and participants in breakout groups agreed that environmental regulations are too cumbersome when applied to small ISTEA projects. Consideration should be given to streamlining these regulations so good small projects can be implemented. It was felt that Congress should consider technical amendments to ISTEA which either have the impact of exempting small projects from the normal environmental oversight process or flexing the regulations to accommodate the implementation of small projects that have negligible environmental impact.

PANELISTS

William Millar, Executive Director, Port Authority of Allegheny County, Pittsburgh, Pennsylvania

Sara Nichols, Attorney, Clean Air Council, Philadelphia, Pennsylvania

John Coscia, Executive Director, Delaware Valley Regional Planning Commission

Gery M. Williams, Vice President State and Local Affairs, Consolidated Rail

Anthony Hardy Williams, Representative, Pennsylvania House of Representatives

Anne P. Canby, Secretary, Delaware Department of Transportation

Robert Kochanowski, Executive Director, Southwestern Pennsylvania Regional Planning Commission

James Nathanson, Councilman, District of Columbia and Chair, National Capitol Regional Transportation Planning Board

Albert Eisenberg, Member, Arlington County, Virginia Board of Supervisors

Eric Shnurer, Chief of Staff for Lt. Governor Mark Singel, Pennsylvania

Howard Yerusalim, Secretary, Pennsylvania Department of Transportation

Andrew Warren, Commissioner, Bucks County, Pennsylvania

Frank Mascara, Commissioner, Washington County, Pennsylvania

REGION 4

LOUISVILLE, KENTUCKY

NOVEMBER 16, 1993

Region 4 includes the states of Kentucky, Tennessee, Alabama, Georgia, Florida, North Carolina, South Carolina and Mississippi. The meeting was chaired by Associate Deputy Secretary Michael Huerta and included Deputy FTA Administrator Grace Crunican, Deputy FHWA Administrator Jane Garvey and Deputy Assistant Secretary for Governmental Affairs John Horsley.

The meeting was hosted by Louisville Mayor Jerry Abramson with approximately 150 participants. Attendees strongly supported ISTEA and pointed to the need for it to continue.

Major topics of discussion during the Region 4 meeting focused on the following issues: Full funding of ISTEA; the possibility of direct funding to local governments or MPOs; DOT's possible role as facilitator in conflict resolution between MPOs and state DOTs; greater emphasis on multi-modal needs; better balance between clean air and transportation needs, including incentives for remaining in attainment; transit priorities, and distinction between rural and urbanized areas.

Full Funding

While ISTEA was lauded for improving cooperation and increasing hope at the local level, Richard Simonetta, General Manager for the Central Ohio Transit Authority, summed up concerns regarding funding needs: "Without adequate funding levels, and easier access to intermodal funds, the restored hope [which ISTEA created] will quickly fade away." This comment reflected the overwhelming feeling in the region that funds are the most critical element to the success of ISTEA.

Jurisdictional Concerns

Perhaps the most consistent request was the need for DOT to take a stronger role in mediating between local MPOs and state DOTs. Many participants voiced strong concerns about the lack of communication from the State DOT to the MPOs and problems with having local Transportation Improvement Plans (TIPs) and the MPO priorities accepted by the state. As Mayor Abramson noted, "When it gets down to programming, it is still done, for the most part, in state capitols." A specific recommendation presented by a number of people included having a separate allocation of funds which would go directly to MPOs. This funding could be based on a formula using population, road mileage or other data as a base for distribution. It must also be noted that while this was a concern of many local participants, Simonetta expressed the opposite, saying, "ISTEA has actually legitimized cooperative relation-

ships that have existed between our Ohio Department of Transportation, our county, our city, the MPO and the transit authority."

Focus on Intermodalism

ISTEA was recognized for promoting intermodalism. Concern was expressed, however, that there was not enough emphasis on intermodal planning. Ben Watts, Secretary of the Florida Department of Transportation, focused his remarks on intermodalism: "If we truly are after the seamless transportation system that ISTEA said we must have in America, then we must recognize the very key focus of that is the transfer points where it all happens."

Other speakers stressed the need for a National Transportation System that would encourage all forms of transportation – from walking and bicycling to autos, trains and planes. "Our nation would be better served," said Simonetta, "if we had a national transportation system map that focused on all modes and really began to promote the spirit of ISTEA...." Audience participant John Wright added, "The new freedom we should be talking about – the freedom of accessibility – is the right to go where you want to or need to if you do not have an automobile."

Clean Air

Several participants expressed concern over EPA's clean air requirements and enforcement regulations. Many speakers urged DOT to work with EPA for a bet-



ter understanding of transportation and community needs. It was pointed out by Brian Smith, Planning Director of Pinellas County, Florida, "That areas which achieve clean air attainment status lose their eligibility for CMAQ funds as a consequence, so that there is an incentive to stay polluted to keep the dollars coming in." Several participants observed that

EPA requirements may prevent or at least discourage communities from providing mass transportation within the central city.

Rural Needs

Another theme at the roundtable was the need to distinguish between urbanized and rural areas. Speakers from rural areas told us they do not have a strong voice since they are not represented through MPOs. Some participants expressed a belief that rural areas were better off in terms of funding and project selection prior to the enactment of ISTEA. Under ISTEA the states have total discretion about where to expend funds and what projects to select. Several participants noted that rural areas need a greater voice with a separate set of rules from urbanized Transportation Management Areas (TMAs).

Funding for Transit

Along with the need for full funding, support was expressed for greater funding for mass transit. In particular, a concern was raised that there are not enough basic operating funds for mass transit. An example was given that transit prices have had to increase, while gasoline and parking fees have decreased, thus encouraging more single occupancy use of cars. In addition to the general desire for transit funding, it was further noted that transit overall needs to receive greater attention. Urban mass transit is often bypassed in favor of road improvements. Thus, often times, planning for transit takes a back seat. "We are now being given three years," Alderman Barbara Gregg of Louisville testified, "to overcome 50 years of neglect of our transit system. It's an understatement to say 'that's not realistic'... ."

Panelists

Jerry Abramson, Mayor, Louisville, Kentucky
Ben Watts, Secretary, Florida Department of Transportation
Brian Smith, Planning Director, Pinellas County, Florida
Michael Hightower, Commissioner, Fulton County, Georgia
Andrew Jenkins, Director of Public Works and County Road Manager, Hinds County, Mississippi
Frank Danchetz, State Highway Engineer, Georgia Department of Transportation
Barbara Gregg, Alderwoman, Louisville, Kentucky
Robert Jilla, Manager, Public Transportation, Bureau of Multi-Modal Transportation, Alabama Department of Transportation
Richard Simonetta, General Manager, Central Ohio Transit Authority
Meme Sweets Runyon, Executive Director, Riverfields, Inc., Louisville, Kentucky
Jim Duane, Executive Director, Ohio/Kentucky/Indiana Regional Council of Governments
Calvin Grayson, Director, Kentucky Transportation Center, Lexington, Kentucky
Bill Usher, President, Usher Transport Company, Paducah, Kentucky

REGION 5

CHICAGO, ILLINOIS

NOVEMBER 8, 1993

Region 5 includes Illinois, Indiana, Michigan, Minnesota, Ohio and Wisconsin. The meeting was chaired by Assistant Secretary for Transportation Policy Frank Kruesi and included Federal Transit Administrator Gordon Linton, Federal Highway Region 5 Administrator Herbert Teets, and Director of Intergovernmental Affairs Dick Suisman. Also representing DOT were staff from the Federal Railroad and Maritime administrations and the Bureau of Transportation Statistics. The meeting was opened by Chicago Mayor Richard Daley who set the tone with some pointed remarks about how central cities fare under ISTEA bridge and highway programs.

Jurisdictional Funding Issues

The greatest amount of discussion centered around the relationships of central cities and counties to states and MPOs. Mayor Daley believes that his city does not receive a fair distribution of ISTEA allocations. "Under ISTEA, the state controls most of the road and bridge dollars and Chicago is not getting its fair share," he said. Mayor Daley stated that the city contains 24 percent of the state's population but only receives 11 percent of ISTEA funds. Given its infrastructure needs, the City of Chicago requires a more equitable share of funds, according to the Mayor. He recommended that more funds be made available directly to central cities.

In a separate vein, it was noted that county governments need to be included in the planning and funding process. Larry Kenny, a supervisor for Milwaukee County, Wisconsin, argued for a more direct funding relationship between the federal government and counties.

MPO Representation

Mayor Daley recommended that central cities be given equal voting representation on MPOs. He stated that Chicago contains 38 percent of the people represented by the MPO but only has one out of 20 votes on the MPO Policy Committee. "That is not fair and it has to change," he said. "Our representation on the board should reflect our relative population or economic importance."

Kirk Brown, Secretary, Illinois Department of Transportation, countered Mayor Daley's comments. Brown responded that outside the cities of Illinois there are 100,000 miles of roads and 110,000 bridges. He went on to state that, "Twenty four percent of the

population does reside in Chicago, but what if we allocated money by population? Eighty six percent of the population of Illinois lives in municipalities.

Municipalities have only 18 percent of the roads and six percent of the bridges in the state. There would be no way to get from one town to another with only 14 percent of funding. It's not just a central city issue, a suburban issue, a state issue. It's all of them working together."

With regard to MPO representation, Jack Williams, Mayor of Franklin Park, Illinois, and Chairman of the Chicago Area Transportation Study (CATS) Council of Mayors countered, "We heard that the City of Chicago represents 38 percent of the population and has one vote, we represent 264 municipalities in the six county area or 62 percent of the population and also have one vote. I think the MPO process works."

Other states had different views. Mayor Pro-tem Anita Ashford of Port Huron, Michigan talked about the cooperative relationship that her MPO has developed with all sectors of government. Fred P'Pool, Commissioner of Indiana DOT, remarked that, "Indiana is also committed to sharing the responsibility for identifying and selecting transportation projects. We are developing planning and programming processes in both urbanized and non-urbanized areas that will rely heavily on good data and participation of local officials and interest groups in all facets of project selection and development."

Full Funding

As with all of the regional roundtable meetings, full funding of ISTEA was a major concern in Chicago. Michael Bolton, Executive Director, Ann Arbor Transit

Authority said, "We're arguing over a small pie. Someone better figure out how to bake a bigger one, because if we don't, all of what we do is going to be in vain."

Simplify the Process

DOT was called on to make the grants and project approval process more customer friendly. Dave Schulz, Director of the Infrastructure Technology Institute at Northwestern University said, "The federal government ought to be looking to work with its state and local partners to look for ways to reduce the backlog. Spending money quickly ought to be a priority."

Public Participation

The need for cooperation between all sectors of society in transportation planning and implementation under ISTEA is an issue that was discussed at length. Jacky Grimshaw from the Center for Neighborhood Technology said, "Public participation means more than holding a public hearing at the end of a process. ISTEA requires that states and MPOs must involve all the agencies responsible for transportation in the process and more. It asks that the process for planning and project selection be opened up to the public and include people from the business, environmental, low income, elderly, and minority communities and those with disabilities. It



seeks to include people interested in alternative forms of transportation such as trails advocates, bicyclists, walkers, and the transit-dependent. In doing so, ISTEA seeks to expand the transportation vision from merely serving growth to serving communities, the environment and improving the quality of life."

Clean Air Conformity

DOT officials were told that metropolitan areas, specifically the Chicago Metropolitan area, need help and greater flexibility from the federal government if they are to comply with the Clean Air Act. Andrew Plummer, Deputy Director of the Chicago Area Transportation Study (CATS), said, "We are now dealing day to day with EPA...and the flexibility that I think is in ISTEA, and was intended in the language does not appear to be coming from them." He added, "We need some support for implementing the new, the best, and the most useful tools as we try to make some of these decisions."

Panelists

Jack Williams, Mayor, Franklin Park, Illinois

Kirk Brown, Secretary, Illinois Department of Transportation

Anita Ashford, Mayor Pro Tem, Port Huron, Michigan

Fred P'Pool, Secretary, Indiana Department of Transportation

Jeff Boyle, Commissioner, City of Chicago Transportation Department, Illinois

Larry Kenney, County Supervisor, Milwaukee County, Wisconsin and Vice Chair, National Association of Counties Transportation Committee

Ronald Young, Road Commissioner, Alcona County, Michigan

Brian Sweeney, Director of Government Affairs, Burlington Northern Railroad

Jacky Grimshaw, Center for Neighborhood Technology, Chicago, Illinois

Andrew Plummer, Deputy Director, Chicago Area Transportation Study

David Schulz, Director, Infrastructure Technology Institute, Northwestern University

Michael Bolton, Executive Director, Ann Arbor Transit Authority

REGION 6

TULSA, OKLAHOMA

DECEMBER 13, 1993

Region 6 includes Arkansas, Louisiana, New Mexico, Oklahoma and Texas. The meeting was chaired by Deputy Secretary Mortimer Downey and included FHWA Deputy Administrator Jane Garvey, FTA Deputy Administrator Grace Crunican and Assistant Secretary for Governmental Affairs Steve Palmer.

The meeting was hosted by Tulsa Mayor Susan Savage. Approximately 250 people attended with diverse representation from each of the states in the region.

There was general agreement that overall, ISTEA is working well in this region. The participants seemed appreciative of the opportunity to address their successes and suggested adjustments.

Full Funding

It was clear that, as in the other roundtable meetings, the number one issue on everyone's mind was full funding of ISTEA. Jim McKenzie, Executive Director of Metroplan in Little Rock, Arkansas, said of ISTEA, "There is simply not enough porridge in the pot."

Transportation and Air Quality

This is the single issue that seemed to receive the most attention and discussion. Michael Morris, Director of Transportation for the North Central Texas Council of Governments and others spoke about efforts to meet the goals of the Clean Air Act. "The Clean Air Act for non-attainment areas is often more critical than ISTEA in our ability to conduct our business," he said.

Many comments were made that centered on greater flexibility and cooperation on the part of EPA and DOT. Dallas Councilmember Donna Halstead said, "The City of Dallas urges that reductions in emissions resulting from the use of ISTEA funds be eligible for credit against Clean Air Act requirements. The city further urges DOT to request EPA to review and reverse its current position refusing such credit."

Lacey Glascock, Deputy Secretary of the Louisiana DOT, said, "It is extremely difficult to do effective and meaningful planning at the state level while requiring something so unacceptable to the local government and the general public as well."

Jerry Lasker, Executive Director of the Indian Nations Council of Governments (INCOG) in Tulsa, added, "What everyone is after is to reduce emissions, create a more healthy environment, and help economic development. We need help from the federal government in recognizing that an ounce of prevention is worth more than a pound of cure." He went on to say, "All

conformity does is make me hire someone else to do a lot of paperwork that we don't need to do because we are going to do everything we can to stay in attainment."

Rural Needs

County Commissioner Ray Luchini from Dona Ana County, New Mexico, spoke extensively about the unmet needs of rural areas under ISTEA. He called for direct funding to rural counties to offset that need. Oklahoma County Commissioner Shirley Darrell reminded us that particularly in rural areas, it is very difficult to get people out of their cars. Road and bridge construction is just as, if not more, important than transit projects in rural areas. "We have a generation, and maybe a generation and a half, that have never been on a train, never seen a passenger train, and many of them have never ridden a public bus," she said. With regard to rural transit, Keith Jones, Executive Director of the Arkansas Transit Association, said, "Particularly in the rural areas, the Rural Technical Assistance Program (RTAP) is something that helps small operators develop their expertise. It doesn't provide the local match for real projects, but at least it gets them more capable."

Simplify the Process

Participants called upon the federal government to simplify its approval processes to make the complex project approval process easier. Jack Crowley, Director of the Oklahoma DOT said, "We have an obsession with the process, and as a result, plans will use all of the money and we will have nothing left to implement." Dan Flowers from Arkansas DOT said, "In order to develop a transportation enhancement project, you have to go through the same process, jump

through the same hoops as you do to build a major bridge or highway. This has caused significant problems for local governments.”

Native American Concerns

J. B. Dreadfulwater from the Cherokee Nation and the Oklahoma Tribal Transportation Council welcomed DOT to “Indian Country,” and spoke of tribal transportation needs and the relationship between the Tribes, the Bureau of Indian Affairs, and the Federal Highway Administration. “The Tribes in Oklahoma are appreciative of the work the BIA has done on their behalf,” he said. “However, the goal of most Tribes

in Oklahoma is to become self-sufficient, and the more the BIA and other federal agencies are willing to let go, the more the Tribes are able to do for themselves, especially with the self-governance tribes.”

North American Free Trade Agreement (NAFTA)

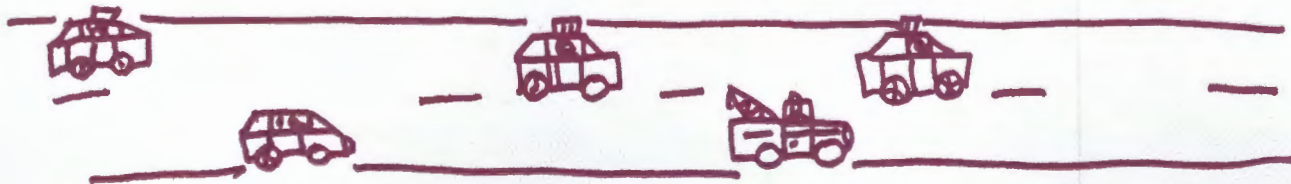
The impact of increased trade on transportation systems resulting from the NAFTA was an issue of discussion. Bob Cuellar from the Texas DOT said, “All of these states are going to have increased demands on our transportation systems as a result of NAFTA.

Asking each of these states and

MPOs to come up with the appropriate prioritization [of funding] to take care of these needs is a bit of a Texas stretch.”

Freight

Mike McLaughlin from Burlington Northern Railroad spoke of the need to consider the movement of freight under ISTEA. “Historically, railroads have not had a seat at the table in transportation planning issues since we privately own, maintain, operate and pay taxes on our transportation infrastructure. We have seen significant changes toward railroads in recent years, particularly since the enactment of ISTEA. And that is good change.”



Panelists

Sidney Barthelemy, Mayor, New Orleans, Louisiana

John Crowley, Director, Oklahoma Department of Transportation

Jim McKenzie, Executive Director, Metroplan, Little Rock, Arkansas

Lacey Glascock, Deputy Secretary, Louisiana Department of Transportation and Development

Donna Halstead, Councilmember, City of Dallas, Texas

Robert Cuellar, Deputy Executive Director, Transportation Planning and Development,
Texas Department of Transportation

Shirley Darrell, County Commissioner, Oklahoma County, Oklahoma

Ray Luchini, County Commissioner, Dona Ana County, New Mexico

Keith Jones, President, Arkansas Transit Association and Executive Director,
Central Arkansas Transit Authority

Michael Morris, Transportation Director, North Central Texas Council of Governments

Keith Franklin, Vice Chair, Transportation Policy Committee, Tulsa Metropolitan Area Transportation Study

J. B. Dreadfulwater, Cherokee Nation, Secretary, Oklahoma Tribal Transportation Council

Mike McLaughlin, Terminal Superintendent, Burlington Northern Railroad

REGION 7

KANSAS CITY, MISSOURI NOVEMBER 9, 1993

Region 7 includes Kansas, Iowa, Missouri and Nebraska. The meeting was chaired by Associate Deputy Secretary Michael Huerta and included FTA Administrator Gordon Linton, FHWA Deputy Administrator Jane Garvey, and Director of Intergovernmental Affairs Dick Suisman.

Region VII includes several large metropolitan areas, although the majority of states in the region are predominately rural in nature. The meeting, therefore, provided an opportunity to learn about areas such as Platte County, Missouri which represents a diverse population – 50 percent of the county is rural and 50 percent is within the Kansas City limits.

Rural Concerns

Speakers throughout the meeting expressed concern over the transportation needs of rural communities. Dave Snider of the Missouri State Highway and Transportation Department, discussed the situation: “We are continually thrown into the generic aspect of what happens in our eastern and far western states. We are midwestern. We are rural in nature, except for specific metropolitan areas. Our states thrive on the ability to move goods and people across our nation.” Commissioner Dudley Feuerborn of Anderson County, Kansas, noted that one of the limiting factors for rural communities is the inability to generate the 20 percent local match needed to receive ISTEA funding.

Full Funding of ISTEA

“We need to find more money if we are going to meet the needs,” said Gurnie Gunter, City Engineer for Kansas City, Missouri. Several speakers noted that the “needs,” especially with regard to maintaining existing infrastructure, notably bridges, are significant in the Midwest. Allan Abbott, Director, Nebraska Department of Roads, stated, “ISTEA is great. It allowed states to have a great deal of flexibility to spend money the way it should be spent. It gave people opportunities to plan and provide for needed transportation facilities. What it did not do was give the financial backing to do what was promised.”

Planning Issues

Concern was raised by several members of the Kansas City MPO over the lack of a bonafide planning process. As Les Sterman, Executive Director, East/West Gateway Coordinating Council, St. Louis,

Missouri explained, “Two months after ISTEA was enacted, the State of Missouri made a commitment to a 15 year highway program which essentially emasculated our planning process.” Because of this large funding commitment, it is difficult for the St. Louis area to plan for any other transportation projects.

Deferred Maintenance

The need to address deferred maintenance and preservation of existing infrastructure in both rural and urban communities was a theme repeated throughout the day. “There is lots of deferred maintenance out there in terms of highways, bridges, and roads. We are just playing catch-up and fixing what is broken before we get down to planning new facilities, whether they are highways or transit projects,” said Councilman Cofran, (Kansas City). Gunter (Kansas City) reiterated the need for additional funding for maintenance: “We are on a descending curve as far as being able to take care of our infrastructure – and we need all the help we can get. The federal money we receive has very little impact on that curve. Big city infrastructure needs a lot of help.”

Enhancement Funding

Several participants noted that enhancement monies had yet to be spent in several States. While Kansas has used enhancement monies, Missouri has refused to program any enhancement funds until ISTEA is fully funded.

Flexible Funding Provisions

Missouri’s ability to flex fund transit projects has been hindered, according to Councilman Cofran by the

“backlog of deferred maintenance of highways and bridges. We have a matching fund problem in Missouri. Under state law, gas tax proceeds, which are the principal matching monies, can only be spent on highways and bridges. They cannot be spent on transit.” In addition, Richard Davis, General Manager of the Kansas City Area Transit Authority, noted that transit operating assistance must be increased.

Planning Boundaries

ISTEA currently states that for nonattainment areas the planning boundary should be the same as the air quality boundary. In order to avoid confusion during the establishment of a planning area Councilman Cofran suggested ISTEA be amended to include maintenance areas as well as nonattainment areas.

Education

Members of the Kansas City MPO believe that elected officials and those in charge of implementing ISTEA must be educated as to the working processes of ISTEA. Platte County Commissioner Carol Tomb stated, “ISTEA was passed and everyone started in kindergarten. The people who were supposed to administer, the people who were doing the training, the people who were writing the regulations on every level – including the people who were benefitting from the funding – no one had been educated on ISTEA.”

David Eagleton, Missouri Transportation Alliance, added that educational efforts must extend to



state legislators. “They need to understand what ISTEA is and what you can do with it,” he said.

Freight

Several participants mentioned the importance of freight and goods movement to the economy of the mid-west and the country as a whole. Ed Mulcahy, representing the Kansas City Chamber of Commerce, stated, “It boils down to jobs. The utilization of inland ports and intermodal facilities would increase national mobility and competitiveness.”

Panelists

- Marvin Ensworth, Mayor, Lee's Summit, Missouri
- Dan Cofran, Councilmember, Kansas City, Missouri
- Carol Tomb, Presiding Commissioner, Platte County, Missouri
- Dave Snider, Chief Planner, Missouri Highway and Transportation Department
- Gurnie Gunter, City Engineer, Kansas City, Missouri
- Dudley Feuerborn, Commissioner, Anderson County, Kansas
- Allan Abbott, Director/State Engineer, Nebraska Department of Roads
- Les Serman, Executive Director, East West Coordinating Council, St. Louis, Missouri
- Richard Davis, General Manager, Kansas City Transit Authority
- Ed Mulcahy, Chairman, Surface Transportation Committee, Chamber of Commerce
Kansas City, Missouri
- David Eagleton, Missouri Transportation Alliance, St. Louis, Missouri
- Bill Maasen, Johnson County Parks and Recreation, Shawnee Mission, Kansas

REGION 8

DENVER, COLORADO

DECEMBER 14, 1993

Region 8 includes the states of Colorado, Utah, North Dakota, South Dakota, Montana and Wyoming. The meeting was chaired by Deputy Secretary Mortimer Downey and included FTA Deputy Administrator Grace Crunican, FHWA Deputy Administrator Jane Garvey, and Director of Intergovernmental Affairs Dick Suisman.

Welcoming remarks were given by Mayor Wellington Webb of Denver. There were approximately 200 participants in attendance, representing all six states. All expressed support for ISTEA and appreciated the purpose of the roundtables.

Major topics of discussion included: Full funding of ISTEA; the need for more local input into the state planning process; recognition of the distinct needs between rural and urbanized areas; technical assistance for MPOs; fiscal constraints; and compliance with the Clean Air Act.

Full Funding

All speakers emphasized the need for full funding of ISTEA. Councilman Ted Hackworth of Denver summarized this frustration with the following comment: "Flexibility in the use of funds won't occur until the backlog of projects is taken care of. It isn't the inequity in the use of money, it's that there isn't enough money." Recognizing that the Denver roundtable was the final in the series of 10, Deputy Secretary Downey noted that full funding was clearly the most important issue to all participants at every meeting and that DOT not only understood this issue, but respected this position.

Local Involvement

Many of the panelists and audience participants expressed frustration about the lack of local input into the state planning process. Mayor Deedee Corradini of Salt Lake City reminded DOT officials that, "It is often overlooked, but local governments generate nearly one third of all transportation resources..." Local governments, through their MPOs, prepare priority lists and draft TIPs. Often the state does not accept the recommendations from the MPOs and may submit other projects into the STIP. This causes a great deal of frustration at the local level. Brian Shorten, Executive Director of the Fargo-Moorhead (North Dakota) Metro Council of Governments expressed the following concerns: "ISTEA pits state policies and goals against the local priorities that have been established by the MPO's planning process...An improvement to the definition (of cooperation) which would accomplish much more in achieving the 'work together' objective, would be for some kind of third party arbitrator to rule on the conflict, if neither the state nor MPO can come to terms. Possibly FHWA or FTA could play this honest broker role which would ensure either true negotiation and compro-

mise between the MPO and the state or an arbitrated settlement which both sides must abide by." The participants strongly recommended that DOT take a more active role in facilitating discussions when there is disagreement between the state and local officials; perhaps even by withholding certification.

Rural Needs

Rural participants expressed a strong concern that ISTEA was not written with an understanding of rural needs. As County Commissioner Barbara Kirkmeyer of Weld County, Colorado stated, "Many rural officials feel disenfranchised and believe they may have had better success prior to ISTEA. Rural areas have a severe problem influencing the state on their needs in their localized areas." There may be funds for state highways, for example, but not for local construction needs. "In short, the law (for non-urbanized areas), reserves the ultimate project selection authority to states in small MPO areas..." said Shorten (Fargo-Moorhead).

Rural participants stressed that roads and cars are the keys to mobility in rural areas. They also noted that the implementation of the National Highway System is critical for planning and access in rural areas. It was noted that staff in rural areas with or without MPOs are not always highly trained. A request was made for DOT to provide technical assistance for training. In addition, several participants asked that the rules and regulations of ISTEA be reviewed so that rural areas with less funding would not be subjected to the same complex requirements as urbanized areas.

Specific consideration was asked to redefine the TMA to include populations between 100,000 to 200,000. It was suggested that by redefining the TMA, MPOs in smaller regions would be given a stronger

voice in developing their plans and working with their state DOTs. Commentors noted that in the original ISTEA legislation, population was not a factor in determining TMAs; however, that language was added later.

Fiscal Constraints

Another concern addressed was that fiscal constraints cause hardships in long-term planning. While projects may be prioritized to the year 2003, there is no ability to request those projects because of the fiscal constraint rules. While all participants understood the need for this requirement, they did request some flexibility from DOT to allow for better planning for large projects. Several participants noted that transit projects were the hardest hit by fiscal constraints, since it is often impossible to prove future availability of funds for these expensive long-term projects.

Clean Air

Compliance with the Clean Air Act Amendments was another major topic for discussion. Region 8 has

very few ozone nonattainment areas. While the participants recognized and agreed with the need to improve air quality as part of the overall quality of life, there was a great deal of concern about the ability to comply with the conformity requirements.

Specific concerns raised included the issue of attainment areas being subject to some nonattainment requirements and the requirement to have non-federal projects listed as part of the overall statewide analysis.

Needs of Native Americans

Of interest in Denver was a discussion of the needs of Native Americans. A representative from the Navajo Nation and the Inter-Tribal Transportation Association spoke to the special needs of the tribes and their reservations. He noted that while ISTEA is a positive



beginning, most state governments do not recognize tribal sovereignty and do not deal directly with tribal nations. While noting that the FHWA and the Bureau of Indian Affairs do have a Memorandum of Agreement, tribal leaders stated that there is not enough consideration of local tribal needs. Many Tribes are also not well trained in transportation planning and could use technical assistance from DOT. Skip Curley from the Navajo Nation asked that DOT focus more attention directly on the transportation needs of tribal nations rather than dealing with state governments.

Panelists

Deedee Corradini, Mayor, Salt Lake City, Utah

Ray Chamberlain, Executive Director, Colorado Department of Transportation

Brian Shorten, Executive Director, Fargo-Moorhead Metropolitan Council of Governments, Fargo, North Dakota

Don Diller, Executive Director, Wyoming Department of Transportation

Cynthia Erker, Chair, CCI Transportation Committee, Morgan County, Colorado

Paul Schauer, State Representative, Colorado

Norma Anderson, State Representative, Colorado

Ted Hackworth, Councilman, Denver, Colorado

Barbara Kirkmeyer, Commissioner, Weld County, Colorado

David Pampu, Deputy Director, Denver Regional Council of Governments

John Pingree, General Manager, Utah Transit Authority

Michael Courtney, Colorado Environmental Coalition Sierra Club, Urban Environment Committee

Skip Curley, InterTribal Transportation Association

Steve Richard, Yellow Corporation

REGION 9

SAN JOSE, CALIFORNIA

NOVEMBER 30, 1993

Region 9 includes the states of California, Arizona, Nevada and Hawaii. The meeting was chaired by Associate Deputy Secretary Michael Huerta and included FHWA

Administrator Rodney Slater, FTA Deputy Administrator Grace Crunican, and Deputy Assistant Secretary for Governmental Affairs John Horsley.

The meeting was hosted by Santa

Clara County Supervisor Rod Diridon.

Welcoming remarks were made by San Jose Congressman Norman Mineta, Chairman of the U.S. House of Representatives Public Works and Transportation Committee.

Congressman Mineta was present from beginning to end and participated actively in the discussions. He commended Secretary Peña for holding the ISTEA regional roundtable

series, and urged that no momentum be lost in the areas of flexible funding, metropolitan planning and the passage of a National Highway System. He told how throughout our history "investment" has been vital to America's prosperity. And he spoke of how essential the full funding of ISTEA is to helping meet the substantial unmet need for transportation investment nationwide.

"Terrible Twos"

One of the most colorful metaphors heard during the 10 roundtables came from Harry Reed, Assistant Director of the Arizona Department of Transportation. He described ISTEA as the "child of a shotgun wedding" with a "bad case of the terrible twos." He expressed confidence that with "a lot of nurturing from family and friends, ISTEA will grow up to be a positive and productive member of society we'll be proud of."

Economic Recovery

One of the major themes DOT heard in California was the need to expedite "process" so that transportation investment could be used to facilitate needed economic recovery. There was evidence of a good working relationship between MPOs and the state. In part, progressive state legislation which complemented ISTEA helped bring this about through the MPO planning and funding distribution. In addition, hard times seemed to unite state and local governments in working toward solutions to help their economy.

Mark Pisano, Executive Director of the Southern California Association of Governments from Los Angeles, outlined several ways he believed transportation could help his area recover from job losses which he said accounted for "25 percent of those lost nationally since 1990." He urged DOT to work toward ways to overcome procedural hurdles in the form of the Endangered Species Act and National Environmental Policy Act, which stood in the way of using traditional infrastructure investment as a tool to stimulate recovery. He also outlined how the development of advanced transportation

technologies in southern California could become a new economic base for the area.

Along similar lines, James Van Loben Sels, Director of California's Department of Transportation, observed that "First and foremost on our minds in California, where the recession continues to linger, is the lack of full funding for ISTEA. One of the most efficient ways to create jobs and to revitalize the California economy is through the construction of needed transportation projects."

Melinda Luedtke, Vice President of J. P. Morgan Securities in San Francisco, outlined why additional outside revenue was so important to the state. "Due to a projected \$3.3 billion shortfall in revenues, construction of new state-financed highway and rail transit projects will begin to diminish after 1995 and no projects will be programmed for funding after 1999, without additional revenues."

Finally, Assemblyman Richard Katz, Chairman of the California Assembly's Transportation Committee, expressed his view that local, state and federal officials all were committed to clean air and urged that we not think in terms of clean air or jobs, but to press for both.

Bay Area Partnership - Success Story

Larry Dahms, Executive Director of the Metropolitan Transportation Commission described a major success story his San Francisco "Bay Area Partnership" has been able to achieve. "Launched almost immediately on the heels of the President's signing of ISTEA, the 36 governmental agencies comprising this 'Partnership'...covers

the spectrum of local to federal agencies – transportation and environment – and multiple modes. Its goals are improved mobility and cleaner air.

“The Partnership’s initial burst of energy was signaled by adoption of a regional Joint Urban Mobility Program, better known as ‘JUMP Start’. It consists of 21 multiagency projects designed to demonstrate an immediate ISTEA benefit – effective projects on the street and/or more understandable planning and decision processes. Some of both have been achieved already. Electronic toll collection, a freeway traffic operation system, initiation of free tow truck service on congested freeways, a regional transit ticket and even a telecommuting demonstration program.”

Tucson Bicycle System – Success Story

Jim Altenstadter, Director of the Pima Association of Governments, told of Tucson, Arizona’s success in launching an extensive 280 mile regional bicycle system, and their hopes for the role ISTEA enhancement funding will play in its expansion.

He also commented on the widening scope of public participation in the planning process which ISTEA has already achieved.

Needs Not Met

Three groups spoke to needs currently unmet under the ISTEA process. Oakland’s Mayor Elihu Harris commented, “It is difficult to secure pure maintenance funds through the competitive process... We believe special consideration should be given at the federal level for an older urban cities’ maintenance set aside.” The California Association of Counties urged DOT to “take steps to assure that counties, particularly rural counties, receive a minimal ‘lifeline’ level of funding to maintain the old ‘federal aid’ system.” Geraldine Knatz, Director of Planning for the Port of Long Beach, added that “federal guidance establishing criteria for prioritizing projects involving goods movement is desperately needed.”

Simplifying the Process

Many recommendations were made on how the ISTEA project

approval process and regulations could be improved. For example, the California State Association of Counties urged a “threshold of federal participation below which federal requirements will not apply.” Larry Reuter of the Santa Clara County Transportation Agency, for example, explained that only 3.4 percent of his agency’s annual \$177 million program comes from federal assistance, yet “existing FTA guidelines federalize the entire operating budget.” He recommended that a way be found to isolate the application of federal rules only to the specific activity funded with federal dollars.

Other ideas included more decentralization of decisionmaking by FTA and FHWA at the regional level, allowing the California Environmental Quality Act process to meet the requirements of the National Environmental Protection Act, and revising CMAQ rules for areas achieving attainment status.

There was strong consensus that low-cost enhancement projects should be exempted from federal paperwork requirements.

Panelists

Harry Reed, Assistant Director, Transportation Planning Division, Arizona Department of Transportation

Mark Pisano, Executive Director, Southern California Association of Governments

Mike Bixler, Mayor, Imperial Beach, California

Dr. Geraldine Knatz, Director of Planning, Port of Long Beach, California

Arabella Martinez, CEO, Spanish Speaking Unity Council, Oakland, California

James van Loben Sels, Director, California Department of Transportation

Scot Chadd, Director of Transportation, El Dorado County, California

Lawrence Dahms, Executive Director, Metropolitan Transportation Commission

Melinda Luedtke, Vice President, J. P. Morgan Securities, Inc., San Francisco, California

Lawrence Rueter, Director, Santa Clara County Transportation Agency

Richard Katz, Chair, Transportation Committee, California State Assembly

James Altenstater, Director, Transportation Planning Division, Pima Association of Governments

REGION 10

SEATTLE, WASHINGTON

DECEMBER 2, 1993

Region 10 includes the northwest states of Washington, Oregon, Idaho and Alaska.

The meeting was chaired by Associate Deputy Secretary Michael Huerta and included FHWA Administrator Rodney Slater, FTA Deputy Administrator Grace Crunican, Maritime Deputy Administrator Joan Yim, Deputy Assistant Secretary for Governmental Affairs John Horsley, and members of DOT's Bureau of Transportation Statistics staff.

Welcoming remarks were made by Congresswoman Maria Cantwell, First District, Washington, a member of the U.S. House of Representatives Public Works and Transportation Committee.

Participants in the heavily attended Seattle roundtable meeting were strongly supportive of ISTEA and of the changes it promised: increased transportation funding, flexibility and a stronger role for local government. They believed significant progress was being made in achieving ISTEA's objectives but were delighted Secretary Peña had given them this opportunity to address how program implementation could be further improved.

Full Funding

Many expressed the view that the promise of ISTEA could only be realized with full funding. With the Act's passage expectations were raised that not only would the needs of highways be met, but that the flexibility designed into the program would satisfy new players: transit, ports and enhancement advocates. As Idaho DOT Director Dwight Bower remarked, "ISTEA has identified new needs and raised expectations but has not provided a commensurate level of funding." To that, Pierce County, Washington, Executive Doug Sutherland added, "Flexibility without adequate funding is a regrettably hollow promise."

Other speakers acknowledged that as important as full funding was, even that would not be sufficient to meet the area's true needs. Washington DOT Secretary Sid Morrison stated that over the next 20 years, assuming full funding of ISTEA and sustained state support, his state would fall \$12 billion short and that did not include the needs of the counties, cities and transit agencies.

Councilmember Martha Choe (Seattle) commented that a way needs to be found "to fund large scale, multi-jurisdictional projects." To date, other competing local priorities have not made this possible.

Economic Development

Several panelists spoke to the important role transportation plays in economic development. Seattle

Mayor Norm Rice stated, "Hosting the Asian Pacific Economic Cooperation Conference underscored the fact that Seattle's economic future demands a world-class transportation system for people and for goods."

County Executive Sutherland (Washington state) added that, "We clearly must address growing traffic problems and the need to improve or expand roads in growing suburban areas if we expect to have sustainable development."

Away from Auto-Dependence

There was general consensus that in metropolitan areas the time had come to move forward on a strategy to lessen dependence on the automobile. Mayor Rice pointed out that since 1970 vehicle miles traveled had increased at four times the regional rate of population growth. The result was "declining air quality, longer commutes and increased congestion." As County Executive Sutherland said, "We must put more funding into alternative modes of transportation to reduce our dependency on the auto."

Freight

Business and port spokespersons stressed that freight movement needs to be given a higher priority in the planning and funding allocation process. The Port of Seattle's representative urged that ISTEA "be revised to include regional set asides for small-scale intermodal improvements and a competitive program

established to fund 'port access projects of national significance'."

Enhancements and Efficiency

It was generally agreed that enhancement projects are faring well throughout the region. Significant funds were being shifted to transit and non-traditional transportation investments from both STP and CMAQ accounts. Portland Public Works Commissioner Earl Blumenauer

added that "more funding" is not the only solution. He believes we must do a better job of managing what we have. Encouraging more travel by bike or on foot through better land use decisions also needs to be part of the solution.

Rural Needs

Frustration was expressed by representatives of rural counties and Indian Tribes that the needs of rural areas and Tribes were not being satisfactorily addressed.



Panelists

Norm Rice, Mayor, City of Seattle
Don Forbes, Director, Oregon Department of Transportation
Martha Choe, Councilmember, Seattle, Washington
Doug Sutherland, Chair, Transportation Policy Board, Puget Sound Regional Council, Seattle, Washington
Sid Morrison, Secretary, Washington Department of Transportation
Earl Blumenauer, Commissioner of Public Works, City of Portland
Greg Nickels, Councilmember, King County, Washington
Dwight Bower, Director, Idaho Transportation Department
Lloyd Berry, Director of Public Works, Chelan County, Wenatchee, Washington
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