

Priorities and Proposals for the Reauthorization of TEA-21

Transforming the Landscape of Regional Travel



SAFETY



FISCAL SECURITY & GUARANTEES



HOMELAND DEFENSE



STATEWIDE PLANNING



METROPOLITAN PLANNING



AIR QUALITY



EXPEDITED PROJECT DELIVERY



DISCRETIONARY PROGRAMS



TRANSIT



INTERMODAL PROGRAMS



RAIL PROGRAMS AND FUNDING



RESEARCH

The National Association of Regional Councils



NARC

Building Regional Communities

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The National Association of Regional Councils (NARC) is a non-profit organization representing and advocating the interests of the nation's urban and rural regions nationally to Congress and the Administration and locally in the Statehouses and Governorships. NARC provides advocacy and technical assistance in transportation, community and economic development, and environmental affairs to Regional Councils, including Councils of Government (COGs), Regional Planning Commissions (RPCs), Metropolitan Planning Organizations (MPOs), and other similar regional agencies.

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REAUTHORIZATION OF THE
TRANSPORTATION EQUITY ACT
FOR THE 21ST CENTURY:

TRANSFORMING THE LANDSCAPE OF REGIONAL TRAVEL

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REAUTHORIZATION OF THE TRANSPORTATION EQUITY ACT FOR THE 21ST CENTURY:

TRANSFORMING THE LANDSCAPE OF REGIONAL TRAVEL

Forty-six years ago, Congress enacted the program that built the U.S. interstate highway system to move the nation's traffic and freight at a time when rising affluence and national defense needs intersected to promote national highway development.

Eleven years ago, Congress passed the Intermodal Surface Transportation Efficiency Act (ISTEA) to provide for a more efficient integration of America's surface transportation system. Besides managing transportation challenges in the nation's 300-plus metropolitan areas, the Act represented a fresh approach to numerous aspects of national transportation responsibilities towards the States, safety, transit, rail, research, and other program features.

Four years ago, this program was reauthorized through the Transportation Equity Act for the 21st Century (TEA-21). Like ISTEA, TEA-21 is a landmark piece of legislation. It promotes a comprehensive process to implementing transportation systems that reflects sound fiscal, environmental, and local/regional/state decision-making.

Today, Congress has the opportunity to enhance this decades-old program in response to our nation's fluctuations in mobility, demography and technology. Key elements of the law must be maintained and specific parts need to be adjusted to reflect the current state of transportation in our nation and the knowledge gained in the previous ten years of legislative and program experience.

Many transportation challenges rest within our States and regions. From vehicular and pedestrian safety to national homeland security, safeguarding our journeys depends upon how well our localities work in a collaborative way towards meeting their regional travel and safety needs. These elements – safety and homeland security – and ten additional key elements of TEA-21 appear through the remainder of this statement in recommendations by the National Association of Regional Councils.

Today, Congress has the opportunity to enhance this decades-old program in response to our nation's fluctuations in mobility, demography and technology.



PRIORITIES AND POLICIES FOR REAUTHORIZATION OF TEA-21

Transportation is of key concern to NARC and its members. Regional Councils and MPOs are primary transportation planners and providers across all transportation modes and serve as conduits for federal and state funding from many agencies. Regional Councils and MPOs provide a forum for local elected officials, executives and professionals, citizens, local, state, and federal agencies, and the business community to come together to plan comprehensive transportation futures for regions. Careful consideration of federal funding and of the role that Regional Councils and MPOs play in transportation planning and programming, and in funding distribution, is a priority for NARC.

NARC promotes a comprehensive and balanced view of transportation for its members – realizing that regional needs rest on multiple shoulders. NARC has been a leader, and will continue to be, in promoting comprehensive solutions to regional transportation challenges. NARC recognizes the strength of local leaders banding together at a regional level to ease the burden of local governments.

With promotion of local goals at a regional level through inclusive planning and programming processes, our nation comes away from this cooperative transportation process with stronger communities, safer travel, and greater benefits for all citizens.

Recommendations

The spirit of TEA-21, the intent of Congress in enacting it, and the direction it has propelled our country must be maintained. However, technical fixes need to be made to strengthen the next bill in key areas (Safety, Fiscal Security and Guarantees, Homeland Defense, Statewide Planning, Metropolitan Planning, Air Quality, Expedited Project Delivery, Discretionary and New Programs, Transit, Intermodal Programs, Rail Programs and Funding, and Research) to support local communities and regions in continued effective transportation planning and programming.

KEY ELEMENTS

The comments and recommendations that follow in this statement evolved through a comprehensive and continuous assessment of the challenges facing our regional partners. NARC established an internal working group comprised of major metro councils and MPOs, medium and small regional councils and MPOs, and rural stakeholders – each bringing to the table unique concerns and opportunities. What arose from this discussion was an underlying theme of unity around local-decision-making and the need for flexibility and stability in current programs. NARC has also conducted significant outreach with its sister associations and federal partners which provided important perspective from other sources.

SAFETY

Safely moving passengers on our nation's transportation system is the core of national, state, and local transportation policy. Congress, the Administration, States, and local elected officials have always viewed safety as their number one priority. Ensuring that our loved ones arrive safely at their destinations, minimizing deaths and accidents on rural roads and in urban corridors, and promoting innovative practices and research to minimize fatalities are key to NARC's policy as well.



The toll to our nation's health, well-being, and economy from fatalities and accidents is not fully measured or understood. Usually, fatalities and accidents on roads or transit systems are not nationally catastrophic events. They are singularities, affecting a small number of people and often caused (as explained by local authorities) by misjudgment, drinking, speeding, or other similar problems. Day-by-day, month-by-month, however, a growing number of people, families, and businesses lose something on our nation's roads –life, limb, and/or economic well-being, and the toll from these events to our nation rises. These losses can and should be minimized.

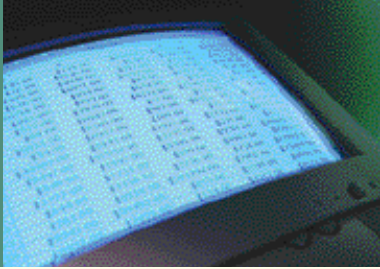
Some of the nation's most tragic accidents occur in the nation's rural regions where outmoded infrastructure poses daily risks. Three-fourths of the regional councils in the United States are rural, and NARC places high priority on this neglected segment of the U.S. transportation system. As the urban routes become more congested, the back roads of America are accepting spillover traffic that they were never designed to absorb. Fully authorizing and integrating safety programs nationwide at all levels and in all modes of transportation will assist in creating healthier communities, in reducing incidents, and in minimizing loss of life. NARC suggests that Congress implement these recommendations.

Recommendations

- Fully authorize safety programs such as Highway Rail Grade Crossing, Older Driver Awareness, Pedestrian and Bicycle Safety, and Stop Red Light Running.
- Promote strategies to integrate safety into Statewide and Metropolitan Planning.
- Strengthen truck safety programs.
- Promote programs aimed at lessening deaths and accidents on rural roads.
- Promote strategies to share safety data among states and regions.



FISCAL SECURITY AND GUARANTEES



Fiscal security is the cornerstone of all successful transportation programs. The unique nature of transportation itself - multi-year commitments with final project deliveries, in some cases, decades after their inception – makes a guaranteed source of revenue for transportation an absolute priority for the nation.

GENERAL FISCAL POLICY

NARC proposes the following policies to ensure States, MPOs, and Regional Councils have the needed resources to plan, build, and maintain the best transportation systems possible.

Recommendations

- Maintain the current firewalls that protect the Highway Trust Fund.
- Maintain the integrity of the Highway Trust Fund and ensure its continued and intended use solely for highways and transit.
- Adjust the federal formulas to increase allocations to States in National Highway System, Interstate Maintenance, Surface Transportation Program, Bridge Replacement and Rehabilitation Program, and Congestion Mitigation and Air Quality Program if revenue forecasts support increases –
- Otherwise, maintain current formula levels - no net decreases in funding for transportation planning and projects to any State.
- Increase obligation authority to enable States to guarantee more transportation projects.
- Maintain or increase the Minimum Guarantee of revenues back to States from the Highway Trust Fund.

Failure to assume the financial responsibility for today's transportation needs saddles future generations with the responsibility to pay for both a backlog of projects and their own generation's transportation needs.

REVENUE ALIGNED BUDGET AUTHORITY

Revenue Aligned Budget Authority (RABA) is important to our national transportation system because it supplies increases in revenue to the Highway Trust Fund beyond the Fund's authorization level and allows States and regions the flexibility to program more projects. However, unlike the Highway Trust Fund, Congress does not guarantee a minimum financial floor for RABA. This means that States are not insulated from shortfalls in expected revenue from RABA, and a shortfall in the funding stream may create detrimental effects to programs.

A RABA set-aside will provide a cushion during downturns in the nation's economy. NARC promotes expanded RABA funding opportunities and smoother transitions between the highs and lows of funding associated with fluctuations in the economy through the following recommendations.

Recommendations

- Create a RABA set-aside. Ten percent of positive RABA funding, entering the Highway Trust Fund, should be set-aside as an emergency trust during years of negative RABA income to offset losses to States.
- This set-aside will be immediately distributed to States in years of negative RABA income.
- Encourage Congress to determine an appropriate and maximum amount of funding that can be held in trust during the life of the bill.

HIGHWAY TRUST FUND

The nation must find new sources of revenue to maintain the capacity of the Highway Trust Fund. Current needs for transportation projects are not being fully met with existing funding. Highway and transit groups all predict shortfalls in revenue compared to our future investment needs. Shortfalls compared to needs may be in the billions of dollars. Failure to assume the financial responsibility for today's transportation needs saddles future generations with the responsibility to pay for both a backlog of projects and their own generation's transportation needs. This is transportation inequity at its worst. NARC urges these changes.

Recommendations

- Ensure that all transportation taxes, including those levied on alternative fuels including gasohol, are deposited into the Highway Trust Fund.
- Support the use of indexing and other mechanisms, such as using the Consumer Price Index and/or Construction Cost Indicators, to increase revenue into the Highway Trust Fund.
- Support a Congressional study of possible new sources of revenue and the impacts associated with their enactment.
- Support a Congressional study on the effects of fuel efficiency and new technologies on Highway Trust Fund revenues.



HOMELAND DEFENSE



America has always taken pride in its ability to keep its citizens safe. However, in the 21st century not all threats can be accounted for nor responded to such that citizen expectations can be met. Recent events have shown that the very nature of threat has changed. The mechanisms necessary to counter threats to our safety will need to be developed anew, with new partners, and procedures. America has proved resilient to adapt itself to carry forth these new tasks in this new environment.

Homeland defense will continue to be a priority of the Congress and Administration during the up-coming years. Furthermore, as many agencies will take an active role in responding, training, and providing resources to States and local governments, it becomes necessary to better define the roles of Regional Councils and MPOs in security and defense matters.

ROLE OF REGIONAL COUNCILS AND MPOs IN HOMELAND DEFENSE

NARC and its member local governments have taken a serious look at the role of regions in security and have determined that Regional Councils and MPOs are the organizations responsible for regional planning and coordination of response and evacuation plans. NARC also is actively engaged with its federal, state, and local partners in response, planning, training, and funding new security arrangements. NARC, through extensive counsel with its members, has identified these key provisions in transportation law as being essential to a more secure future.

Recommendations

- Funding for Homeland Transportation Defense activities should not be draw from the Highway Trust Fund.
- Any funding available for Homeland Defense within TEA-21 as reauthorized should be made as flexible as possible and made available as priority to MPOs and Regional Councils, as non-competitive grants.
- Regional Councils and MPOs (as appropriate) should coordinate federal training and technical assistance for their member local governments.
- Management and Operations also are related to homeland security issues. Management and Operations should continue to be considered an integral part of security efforts.

STATEWIDE PLANNING

The statewide planning process establishes a cooperative, continuous, and comprehensive framework for making transportation investment decisions throughout the State. NARC supports the statewide planning process but recognizes the need for States to work closer and be more engaged with their local and regional partners.



PRIMACY OF LOCAL ELECTED OFFICIALS

Local elected officials are the cornerstones of local decision-making. In cooperation with the State, the public, and transit operators, they remain responsible for determining the best mix of transportation investments to meet metropolitan transportation needs. NARC proposes this change to strengthen their role in the decision-making process.

Recommendations

- Require States to adopt procedures for a consultative transportation planning process with local elected officials in non-metropolitan regions.

TRANSPORTATION PLANNING PROCESS

ISTEA established the statewide transportation planning process in 1991. Federal reliance on this process as the primary mechanism for cooperative transportation decision-making throughout the State is key to the success of this planning process. NARC proposes the following item to enhance the process.

Recommendations

- FHWA and FTA should submit a report to Congress on the form, function, and cooperative decision-making processes adopted in state transportation plans.

NARC supports the statewide planning process but recognizes the need for States to work closer and be more engaged with their local and regional partners.



STATEWIDE AND METROPOLITAN COORDINATION

In making these recommendations, NARC recognizes the importance of the coordination of Statewide Planning with Metropolitan Planning.

Recommendations

- Congress should replace the word cooperation with one for coordination, defined as follows, "the comparison of the transportation plans, programs, and schedules of one agency with related plans, programs, and schedules of other agencies or entities with legal standing, and the adjustment of plans, programs and schedules to achieve general consistency."
- Congress should require States to provide accurate revenue forecasts to MPOs and coordinate with MPOs and Regional Councils in the process of calculating these forecasts.

PUBLIC INVOLVEMENT

Opportunities for the public to engage in dialogue with their transportation providers are important for local commitments and successes in transportation. To enhance the process, NARC urges that the following recommendations be adopted.

Recommendations

- Require FHWA and FTA to continue to promote effective, comprehensive, and timely public involvement in the planning process. Congress must guarantee funds and the Administration must promulgate successful citizen outreach programs to States, Regional Councils and MPOs.
- Require States to adopt a public involvement plan and process to solicit feedback in the development of plans and Statewide Transportation Improvement Programs (STIPs) and continue a public involvement process when funding decisions are made on plans and STIPs. This state public involvement plan and process must be coordinated at the local level through Regional Councils and MPOs.

FISCAL ACCOUNTABILITY

As previously noted, guaranteeing revenue to promote transportation development is important. Equally important is the accurate accounting of current revenue. Therefore NARC proposes the following change.

Recommendations

- Require States to document their STIPs as fiscally solvent through standard and accepted accounting practices with that documentation submitted to the Secretary of the U.S. Department of Transportation.

FLEXIBILITY IN STATEWIDE TRANSPORTATION PLANNING FUNDING DISBURSEMENT

Statewide transportation planning funding derives from a two percent takedown of State apportionments for the Interstate Maintenance, National Highway System, Surface Transportation Program, Congestion Mitigation and Air Quality Improvement, and Bridge Rehabilitation and Replacement Program. Statewide Planning is an eligible activity for additional funding under the National Highway System and Surface Transportation Program.

FTA's state transportation planning funding authorizations may vary for any year, depending on the degree to which Congress appropriates non-guaranteed funds authorized to be appropriated from the General Fund. Funding authorized from the Mass Transit Account of the Highway Trust Fund, and certain funds authorized to be appropriated from the General Fund, are guaranteed.

For States to provide the best transportation systems, they need the ability to plan comprehensively and flexibly. The following recommendations will enhance the process.

Recommendations

- Congress increase the two percent takedown cap, and allow States to voluntarily draw this extra amount for planning purposes or revert the extra amount back for operations, maintenance, and construction.

STATEWIDE PLANNING RELATING TO HOMELAND SECURITY

TEA-21 provides for seven planning factors to be considered in the statewide planning process. NARC urges the strengthening of "Security" to include planning provisions relating to Homeland Security.

Recommendations

- Create a new category, "Homeland Defense," to reflect new priorities in surface transportation.

Opportunities for the public to engage in dialogue with their transportation providers are important for local commitments and successes in transportation.



METROPOLITAN PLANNING



Our Nation's Regional Councils and MPOs stand ready to fulfill the vision of TEA-21 and its commitment to intergovernmental partnerships. However, more needs to be done to give these critical institutions the tools to carry out their roles in transportation decision making, programming, and planning. Fundamental to the success of these partnership is a clear vision of a regions transportation needs and civic participation at all levels - the Federal Government should provide more support to assist Regional Councils and MPOs in these key areas and Congress and the Administration should continue to

acknowledge the role Regional Councils and MPOs have played in the development of our National transportation system.

The metropolitan planning process establishes a cooperative, continuous, and comprehensive framework for making transportation investment decisions in metropolitan areas. NARC supports retaining these provisions and strengthening the process when necessary.

PRIMACY OF LOCAL ELECTED OFFICIALS

Local elected officials are the cornerstones of local decision-making. In cooperation with the State, the public, and transit operators, local officials remain responsible for determining the best mix of transportation investments to meet metropolitan transportation needs. In stating the recommendation below, NARC recognizes local officials' primacy.

Recommendations

- Congress must ensure the continued and important role of local elected officials in the metropolitan planning and programming process.

PUBLIC INVOLVEMENT

Opportunities for the public to engage in dialogue with their transportation providers are important for local commitments and successes in transportation. To enhance the process, NARC urges that the following recommendations be adopted.

Recommendations

- Require FHWA and FTA to continue to promote effective, comprehensive, and timely public involvement in the planning process. Congress must guarantee funds and the Administration must promulgate successful citizen outreach programs to Regional Councils and MPOs.

METROPOLITAN PLANNING FUNDING

Metropolitan transportation planning funding derives from multiple sources - a one percent takedown from categories (Surface Transportation Program, Bridge Replacement and Rehabilitation Program, Congestion Mitigation and Air Quality Program, Interstate Management, and National Highway System Program) and transit authorizations, the funding for which comes from both the Mass Transit Account of the Highway Trust Fund and the General Fund. The current amount MPOs receive however, is not enough to fund the myriad tasks set before them.

NARC continues to advocate for more resources to already financially strapped MPOs and considers increased funding to be paramount to meeting our regional needs in the future. NARC suggests the following funding adjustment in reauthorization.

Recommendations

- Increase to two percent the takedown cap and allow MPOs to voluntarily draw this extra amount down for planning purposes or revert the extra amount back for operations, maintenance, and construction.

TRANSPORTATION PLAN CONSIDERATIONS

NARC supports a 20-year planning horizon, air quality consistency, fiscal constraint, and the public involvement process established under ISTEA with the following modifications.

Recommendations

- The planning horizon should be twenty years with a short-range update every five years.
- Planning Updates - Within this 20-year planning horizon, the required three or five-year plan update should be changed to a five- year update.
- To be consistent with the availability of relevant data (census), the plan should voluntarily commence two years after the end of the decennial census cycle, and be updated every five years following. A new planning cycle would start two years after every decennial census cycle - or as census data become available.
- The schedule should be determined cooperatively by the MPO and the state DOT.
- In regions with multiple MPOs or multiple state DOTs, all of the MPOs and the state DOTs would be included in establishing the plan update cycle.



CERTIFICATION

NARC also supports DOT certification of the planning process in larger metropolitan areas (urbanized areas larger than 200,000 population) with the following guidance.

Recommendations

- Congress shall require, with adequate coordination and outreach from Regional Councils and MPOs, and in ensuring local flexibility, the establishment of clear goals, objectives, and guidance on certification reviews from FHWA and FTA.

MANAGEMENT AND OPERATIONS

The management and operation of regional transportation systems will be crucial to relieving urban congestion, to making travel safer and smarter, and to managing the system effectively. The management and operation of regional transportation systems should be considered an integral part of national security efforts. NARC proposes that:

Recommendations

- Management and operations activities funding be significantly increased or, at a minimum, funded at current levels.
- MPOs and Regional Councils are the primary recipients of funding.
- No new organizations should be created to carry out this activity.

METROPOLITAN PLANNING FOR HOMELAND SECURITY

TEA-21 provides for seven planning factors to be considered in the metropolitan planning process. NARC urges the strengthening of "Security" to include provisions relating to Homeland Security, and recommends the following change.

Recommendations

- Create a new category, "Homeland Defense," to reflect new priorities in surface transportation.

The management and operation of regional transportation systems will be crucial to relieving urban congestion, to making travel safer and smarter, and to managing the system effectively.

AIR QUALITY

Our nation needs to maintain its commitment to clean air and healthy communities. The nation has made great strides in the application of new technology to environmental betterment, in the maintenance of our freight and transport fleets and in energy savings, all leading to cleaner air across the country. However, the complex and burdensome system currently used for assisting our regions in determining standards, in applying data, and in selecting projects does not always work to improve community livability. The current process, while proving itself over the years, also has shown some weaknesses. Benefits gained in clean air through the law need to be measured against the increasing cost and complexity of clean air planning.

For our regions, it is clear that clean air is one of several key health goals. They do everything possible to balance accessibility and development goals with a healthy environment. It also is clear that air quality planning is very complex, often misunderstood, and misapplied. Therefore, NARC believes, with this new reauthorization, we may have the opportunity to fix provisions that will serve only to enhance the current process.

There is also concern that current conformity law may strip local elected officials of the authority they exercise through the comprehensive transportation decision-making process adopted in coordination with their citizens, environmental groups, and the business community. Conformity law has the capacity to thwart the mandate of local elected officials and their partners and to impose the will of the federal government in a sweeping and possibly regionally detrimental fashion.

As the discussion unfolds on this very complex and important issue, NARC will also be proposing other corrections and additions to the law.

Benefits gained in clean air through the law need to be measured against the increasing cost and complexity of clean air planning.



CLEAN AIR PLANNING CYCLES AND CONFORMITY

There is no synchronization of timing on all the different plans that MPOs are required to undertake. Plans start and stop at different times and for different reasons. Because this makes coordination extremely difficult, NARC proposes the following revisions.

Recommendations

- Congress must make the planning horizons of State Implementation Plan (SIP) and transportation plans consistent. Furthermore, the Metropolitan Plan would only have to conform every five years - when it is updated (see Metropolitan Planning, page 10).
- "Maintenance" demonstration will be reduced to five years.
- Ensure conformity modeling processes and modeling results Federal and State Governments adopt are consistent with regional metropolitan transportation planning processes and fluctuations in modeling outcomes are accounted for. Furthermore, an appropriate time frame for model implementation should be allowed and regions not be held accountable for new variances in model outputs.
- Congress should eliminate the conformity update triggers.
- Allow Transportation Control Measure (TCM) substitution in SIPs without SIP revisions as long as equivalent emissions reductions are identified and implemented on a consistent schedule.
- Congress should allow the use of intersector trading for attaining clean air standards. Congress should also allow trading between pollutant categories.

Air quality planning is very complex, often misunderstood, and misapplied.

CONGESTION MITIGATION AND AIR QUALITY PROGRAM

The Congestion Mitigation and Air Quality Program has been demonstratively successful in helping to relieve congestion and improve air quality. Some specific adjustments will improve the program and the use of it at the regional level. NARC suggests these adjustments.

Recommendations

- Congress must increase CMAQ funding.
- Congress needs to introduce more flexibility into CMAQ with fewer restrictions on how long programs or projects can be funded and which are eligible.
- Congress should suballocate CMAQ funds to all MPOs in air quality non-attainment and maintenance areas.
- The MPOs, Regional Councils and States should determine, through a coordinated effort, the formula by which funds for the Congestion Mitigation and Air Quality Program will be distributed within each State.
- In States where all regions are in attainment, the CMAQ funds will be provided to all MPOs through suballocation in order to maintain attainment.
- Congress needs to incorporate PM10 and PM2.5 into calculations on funding generation for a region.

CLEAN AIR INCENTIVES

The only "incentives" that exist relative to clean air and conformity are disincentives aimed at punishing regions that fail current air quality standards. These disincentives may, in the extreme, shut down a region's transportation program. The only extra funding regions receive to combat air quality problems are those from the CMAQ program, applied when a region reaches non-attainment or maintenance status. To correct this imbalance and reward those regions that are in attainment or moving toward a maintenance or attainment status, NARC proposes the Clean Air and Attainment Pilot Program (CAAPP).

Recommendations

- **New Program - Clean Air and Attainment Pilot Program (CAAPP).** Congress must establish a funding set-aside, above the normal allocation of category funding, to reward those regions that are in attainment or in demonstrated maintenance for a set number of years. This allocation would be discretionary and allocated directly to regions to fund strategies to promote clean air. The funding could be used to fund planning, management and operations, and other "clean-air" activities.
- Funding for the CAAPP shall not be taken from the CMAQ program.



EXPEDITED PROJECT DELIVERY



The laws that govern transportation must work in harmony with each other to enhance the livability of our communities and ensure the protection of our environment. These laws are designed to protect the health and well-being of our citizens, our cultural heritage and our natural surroundings (including wetlands, endangered species, critical habitat, historic properties, cultural resources, and other essential components of our natural and cultural landscape).

However, another component to enhancing our communities is the flexibility to implement our transportation system to meet shifting demographic and economic needs. This flexibility should not be lost in the discussion of protecting our environment or cultural resources.

We once believed that multiple federal agency review of projects, the scattering of regulatory authority across many federal agencies, and multiple avenues to legal solutions characterized an optimal process. Our regions in many cases have learned the opposite, through a steep curve of experience.

NARC understands Congress' intent to fully protect our natural environment for the benefit of life within. NARC also understands Congress' intent to enhance accessibility, economic development, and employment for citizen well-being and health. NARC is therefore promoting enhancement of policies that maintain and protect our environment, yet expedite the delivery of transportation projects to meet our community needs.

The laws that govern transportation must work in harmony with each other to enhance the livability of our communities and ensure the protection of our environment.

FLEXIBILITY IN PROJECT REVIEWS

TEA-21 proposed to coordinate federal agency involvement in major highway projects under the National Environmental Policy Act (NEPA) process to address concerns relating to delays in implementing projects, unnecessary duplication of effort, and added costs often associated with the conventional process for reviewing and approving surface transportation projects. This has not happened.

TEA-21 establishes a coordinated environmental review process by which DOT would work with other federal agencies to assure that major highway and transit [TRA 9004(c)] projects are advanced according to agreed time frames. NARC proposes these modifications.

Recommendations

- DOT will submit a report to Congress on these efforts to streamline the review process.
- Congress will require a corrected expedited project delivery process, because DOT has not met, through previous proposed regulations, Congress' intent to expedite project delivery.
- Congress will consider requiring Federal Management Teams to facilitate efficient environmental review of projects of significance. These teams will be comprised of all cognizant federal agencies, by review authority, to be established, by project, to facilitate efficient environmental review.
- Congress should consider, as an option, authorizing one environmental review by one federal agency per project and allow federal agencies the flexibility to determine how to implement this provision of concurrent rather than sequential reviews.

MAJOR INVESTMENT STUDIES REQUIREMENTS

Major Investment Studies (MIS) involve conducting subregional analyses of corridors identified as congested in region-wide planning processes. NARC makes the following recommendation.

Recommendations

- The MIS be eliminated in its entirety as mandated by Congress. No new substitute is proposed.



4(F) REQUIREMENTS

This special provision [4(f)] stipulates that, except under strict exceptions, FHWA will not approve programs or projects that require usage of public parklands and recreational areas, wildlife or waterfowl refuges, or certain historic sites. NARC proposes to enhance the 4(f) process to make our regional transportation easier.

Recommendations

- Congress should support delegating power to States on 4(f) review.
- The States must adopt requirements equal to or stricter than the current federal statute for delegation to occur.
- DOT will report to Congress on 4(f) practices by States if delegation occurs.
- Congress and DOT will reserve the right to rescind delegation of 4(f) authority.

DISCRETIONARY & NEW PROGRAMS

TEA-21 established a set of discretionary programs aimed at enhancing state and regional transportation. The National Corridor Planning and Development Program and Coordinated Border Infrastructure Program, National Scenic Byways Program, Transportation and Community and System Preservation Pilot Program, and Job Access and Reverse Commute Grants are primary discretionary programs designated under TEA-21. NARC members compete successfully for these funds. However, the demand exceeds supply for these programs at the regional level, and this means innovative programs such as these must be funded at higher levels.



ACCESS TO DISCRETIONARY PROGRAMS

The high cost of administering the programs, coupled with an overwhelming demand for their funding, indicates the need for the following adjustments.

Recommendations

- Congress should increase the authorized levels for all discretionary programs.
- Congress should not take away funding from major formula categories to fund discretionary programs.
- Congress needs to find new sources of funding – for example, using a portion of RABA funds for discretionary spending.

DESIGNATION OF HIGH PRIORITY PROJECTS

NARC urges Congress to designate high priority projects through reference to those named in adopted Transportation Improvement Programs (TIPs) and STIPs through use of the following process.

Recommendations

- Congress should select priority projects from those within adopted TIPs and STIPs.



NEW PROGRAMS

Our regions often find gaps in authorized programs and encounter problems in focusing financial resources on critical areas. NARC urges Congress to create the following new programs, set-asides, and adjustments to better meet regional needs.

Recommendations

New Program – Rural Set-Aside

- A percentage portion of Category Funding to States needs to be set-aside for transportation planning, programs, and projects specific to and for rural communities and regions.
- This set-aside would be voluntary and adopted by mutual agreement between the State and a "Rural Planning Organization" (to be determined through a cooperative state and local process).
- If no entity chooses to use the set-aside in a given year, the money would revert back to the State.
- The set aside would be enacted on an annual basis.
- The funding of this rural set-aside will not be deducted from MPO suballocations.

New Program – Freight Set-Aside

- A percentage portion of Category Funding to States needs to be set-aside for transportation planning, programs, and projects specific to and for freight congestion relief, access mobility, and accessibility.
- This set-aside would be voluntary and adopted by mutual agreement between the State and MPOs and/or Regional Councils in metropolitan areas, and the State and Regional Councils (or other planning agencies) in non-metropolitan areas.
- If no entity chooses to use the set-aside in a given year, the money would revert back to the State.
- The set-aside would be enacted on an annual basis.

New Program - Urban Congestion Relief

- Congress should establish a new program with the purpose of relieving congestion in urban areas.
- The Urban Congestion Relief Program will have dedicated funding.
- Eligible activities can include Management and Operations, Intermodal Programs, and others as appropriate.
- The new program should be linked to existing MPO Congestion Management Systems.

Recommendations for New Programs continued

Adjusted Programs - National Corridor Planning and Development Program and the Coordinated Border Infrastructure Program

- The National Corridor Planning and Development Program and the Coordinated Border Infrastructure Program should be decoupled.
- A new "Border" program, focused on border crossings and border issues, and a new "Corridor" program, focused on regional and/or multi-state and/or nationally significant corridors will be established.



TRANSIT



More American travelers are using transit than at any other time in history. Our citizens are getting to work, enjoying entertainment, and frequenting events, in both urban and rural locations, by using buses and rail lines. Increased transit ridership also means fewer cars on roads, less congestion, and increased air-quality.

Transit also supports a balanced and integrated intermodal transportation system, offering travelers quality and efficient alternatives for getting to their destinations. Like their highway counterpart,

however, transit providers, MPOs, and transit systems need more funding, increased program flexibility, and new options for a transit friendly future.

TEA-21 encouraged transit as a viable alternative to congestion relief, promoting community enhancement and increasing environmental responsibility. A few key fixes should be considered, however, in the transit program to strengthen its impacts on the American travel landscape.

BUS RAPID TRANSIT

Buses are the most underutilized component of our transit systems. They are less appreciated in the transit market but more responsive to shifting market demands. The success of buses has been proven when there is a comprehensive effort to promote their usage as safe, cost-effective, flexible, prompt, and efficient. NARC proposes the following point to address this concern.

Recommendations

- Increase funding opportunities for bus rapid transit programs.

SECTION 5310

On behalf of local private non-profit agencies and similar organizations, States apply for transportation funds to meet the transportation needs of the elderly and of persons with disabilities. These non-profit social services agencies use these monies – obtained through the Elderly and Persons with Disabilities Grants (Section 5310) – to mostly purchase vehicles such as lift-equipped vans, though acquisition of transportation services under contract, lease or other arrangements are permissible expenses. To enhance the mobility of the disabled and the elderly, NARC supports the following recommendation.

Recommendations

- Congress should maintain and enhance funds for the purchase of vehicles, acquisition of transportation services, and administrative expenses.

TRANSIT CAPITAL INVESTMENT GRANTS AND LOANS

The transit investment grants and loans under TEA-21 have had significant impacts on transit investment. The New Starts component of it especially, has won praise as a way to build the most appropriate projects for communities – and those that will get completed.

NEW STARTS PROGRAM

To maintain the viability of the program, NARC offers the following recommendations.

Recommendations

- Increase funding for New Starts.
- Maintain 80/20 federal/local match.

Buses are the most underutilized component of our transit systems. They are less appreciated in the transit market but more responsive to shifting market demands.



INTERMODAL PROGRAMS



Transportation access to employment, recreation, and goods and services drives regional economies and serves to bridge communities otherwise disconnected. Intermodalism – giving people and businesses transportation choices - is an essential connector of communities. Intermodalism particularly serves to link central and outlying areas and markets to create a truly regional and comprehensive transportation system.

No region in the country is served by solely one mode of transportation. Technological limitations are less restrictive on how we travel or make choices. Both of these realities introduce flexibility into transportation planning. Aviation and road technology, new patterns for infrastructure and fleet operations, and innovative planning, for example, are making the deployment of intermodal infrastructure a reality. With these options in mind – planning for the most efficient and effective system to move people and goods should always be a federal/state/regional/local priority. Access and mobility considerations should outweigh any choice for any single mode. In making these choices, everyone – travelers and freight operators, business and commercial enterprises – enjoys more options of transport, and such options help a region’s economy to prosper.

TEA-21 promoted a comprehensive view of transportation by encouraging States and communities to consider an intermodal approach to transportation accessibility, mobility, economic development, and community enhancement. TEA-21, as reauthorized, should maintain and enhance intermodal considerations.

INTERMODAL CAPACITY BUILDING

NARC proposes the following to enhance intermodalism in our country.

Recommendations

- Congress should direct DOT to make available through funding for the Research Program the establishment of an Intermodal Capacity Building Program.
- This program should assist in identifying new technology, planning tools and methodology, and training and technical assistance opportunities for States, Regional Councils, and MPOs.
- The Intermodal Capacity Building Program should be developed and jointly administered by DOT and its public and private sector partners.

RAIL PROGRAMS AND FUNDING

There is increasing interest in rail options as a relief to congestion and as a promoter of new economic opportunities for regions. Rail has not been developed with the same priority as other modes. Rail is, however, a cost effective means of moving people and freight. It is also a means of ensuring a safe and secure transportation system that gives flexibility of travel to all passengers.



RAIL FINANCING

To promote rail as a serious modal alternative to the movement of freight and passengers, NARC proposes these modifications.

Recommendations

- Highway and transit funding remain secure.
- However, Congress needs to look at new and innovative public/private partnerships for rail financing.
- For example - airlines, rail lines, and the government could jointly fund short-haul high-speed rail lines, as a relief to airport congestion. The cost of new rail service would be substantially cheaper than the building of new airports or terminal facilities.
- Congress should look to continue Amtrak (or equivalent) funding and invest in a national rail network and infrastructure.

RAIL INFRASTRUCTURE TRUST FUND AND NATIONAL PASSENGER RAIL SERVICE

To safeguard the rail transportation system, NARC urges these changes.

Recommendations

- The current \$0.043 fuels tax levied on rail fuels should be redirected into a separate Rail Infrastructure Trust Fund for the public portion of rail infrastructure investments to improve the safety and efficiency of the rail system for freight and passenger movement.
- Congress must create federal administration within DOT specifically designated for the oversight of national passenger rail service (as opposed to safety auditing).
- Local governments must be allowed a significant role in the planning and implementation of national passenger rail service within the national context.



RESEARCH



DOT has established a world-class Research Program and should continue its efforts. DOT should expand its efforts, however, into establishing the positive effects of regional coordination in transportation and into how regions can continue to promote effective transportation planning and decision-making. Of key interest to NARC is the role of local elected officials in these processes. NARC urges Congress to seriously look at research to help enhance the role of local elected officials.

TOOLS FOR REGIONAL TRANSPORTATION PLANNING AND DECISION-MAKING

NARC urges Congress to look to these new tools suggested below as the foundation of a new transportation future.

Recommendations

- Congress needs to direct DOT to establish a research framework examining the role of local elected officials in all aspects of transportation. This will include training and assistance for local leaders.
- Congress needs to direct DOT to promote a comprehensive research agenda on creating new tools to assist regions in planning and decision-making.
- This new research agenda should be established in coordination with public and private sector partners.
- A priority of this research should be a realistic and thorough examination of modeling practices and better dissemination of information and training.

Other research priorities include –

- Assistance in data development
- Relationships between land use and transportation
- Water quality impacts of transportation
- Alternatives to highway capacity building through high-speed rail development and through innovative application of technology in management of non-rail mass transit
- Technology applications, such as Intelligent Transportation Systems

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