

TE Seminar Portland, Oregon 2007

Conference Report



Prepared by the
National Transportation
Enhancements Clearinghouse

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EXECUTIVE SUMMARY

Transportation Enhancements (TE) activities were established as part of the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA), expanded upon in the Transportation Equity Act for the 21st Century (TEA-21) of 1998, and continued in the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) in 2005. The program provides each state with funds to use for projects that enhance the transportation experience. These projects include establishing bicycle and pedestrian facilities, historic preservation efforts, landscaping and scenic beautification, as well as environmental activities such as environmental mitigation, wildlife connectivity studies, and the preservation of scenic and historic easements. Congress intended the TE program to encourage partnerships between local and state officials and public interest groups in the development and implementation of TE-funded projects.

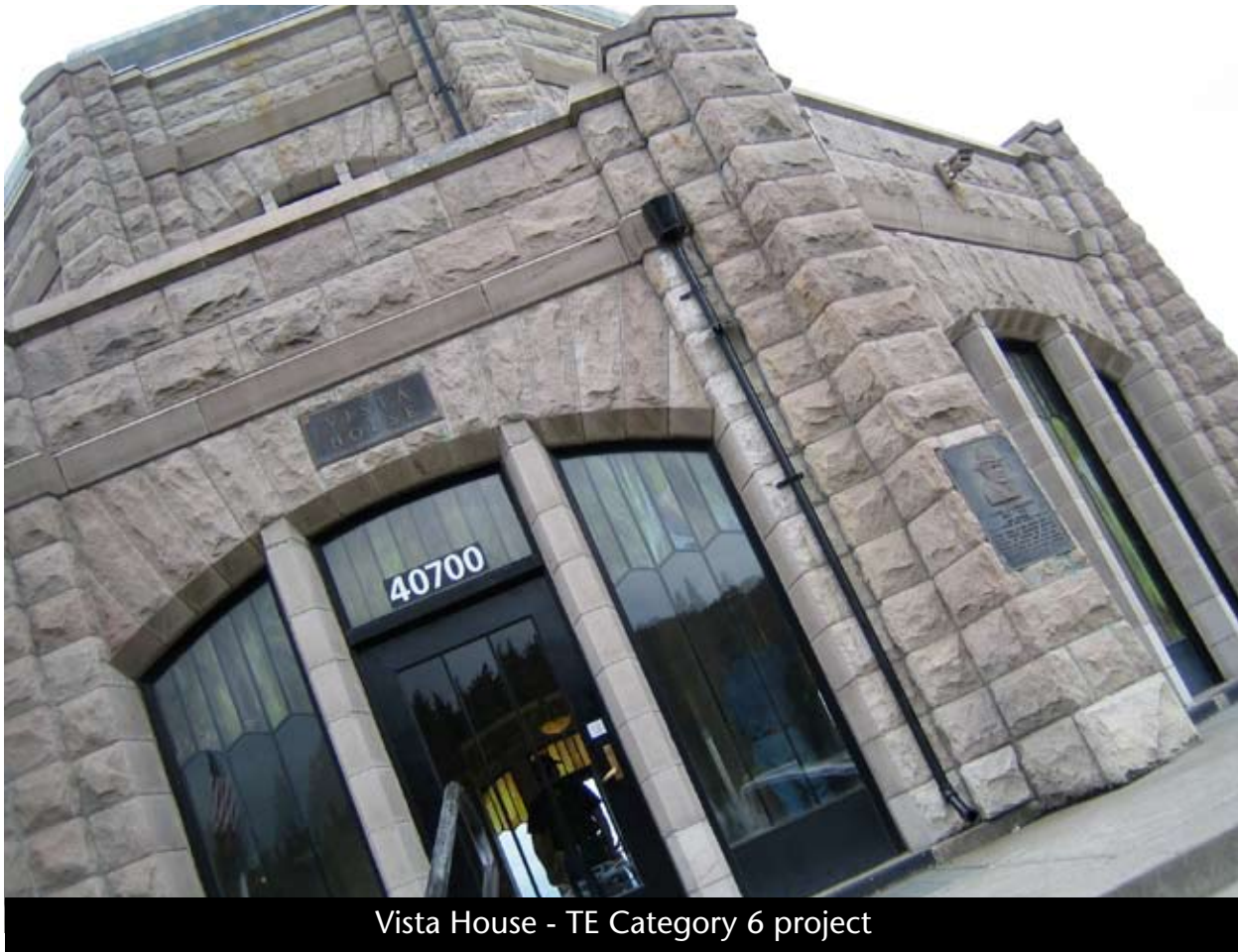
The program is administered by state departments of transportation (DOTs), who regularly report that they receive more project applications than there is funding available. Many proclaim TE to be the most popular of all federal-aid highway programs.

The diversity in the types of eligible TE projects and flexibility in program administration has generated a need for regular information exchange among State TE managers and Federal Highway Administration (FHWA) staff. To facilitate this exchange, the National Transportation Enhancements Clearinghouse (NTEC), an information service sponsored by the FHWA and Rails-to-Trails Conservancy (RTC), has organized TE professional seminars for state TE managers and FHWA division and headquarters staff, meeting about every two years. Seminar participants have the opportunity to voice problems and successes with the implementation of the TE program, ask questions of FHWA staff, share ideas and solutions, and identify the areas where more guidance is needed.

This report covers the seminar held in Portland, Oregon, on August 7-8, 2007. Fifty-two people attended the seminar, including 38 from State DOTs, seven from FHWA Division Offices, two from FHWA headquarters, and three from NTEC. The seminar focused on celebrating the success of the TE program and developing new strategies to improve it further.

The format of the two-day seminar consisted of several large group presentations as well as six small breakout sessions. Christopher Douwes of FHWA headquarters and Billy Fields of NTEC began the seminar with an introductory session. Marianne Fowler of the Rails-to-Trails Conservancy followed with a recounting of the beginnings of the TE program and explained about ongoing program concerns. Pat Fisher, TE coordinator for the state of Oregon, introduced participants to the state. After a lunch session regarding TE and public health, led by Billy Fields, participants attended a mobile workshop to TE projects around the Portland metro area.

The second day began with a welcome by Doug Tindall of ODOT and Emily Lawton of the FHWA Oregon Division. NTEC Program Coordinator Andi Smith followed and presented the findings of the 2006 TE spending report. Christopher Douwes conducted the first FHWA question and answer plenary session. Afterwards, state TE Managers and FHWA Division staff led breakout sessions regarding such issues as streamlining the application process, TE and placemaking, and streamlining the environmental review process. Todd Davidson of Travel Oregon spoke during the luncheon about building communities and tourism through TE. After another round of breakout sessions, Christopher Douwes led a discussion regarding the reauthorization scheduled for 2009. NTEC Senior Program Coordinator Graham Stroh followed with a report regarding the steps NTEC is taking to continually serve its mission. Christopher Douwes then led another FHWA plenary which included a conversation on guiding principles, questions and answers, as well as open discussion. The day concluded with a review and farewell from Billy Fields.



Vista House - TE Category 6 project

INTRODUCTION

When the Transportation Enhancement (TE) Activities were established in 1991, state departments of transportation (DOTs) had to adapt to new roles and administer new types of transportation projects. The Rails-to-Trails Conservancy sponsored several conferences related to the TE Activities through the 1990s. To support adequate training and to take on the new challenge, the National Transportation Enhancements Clearinghouse (NTEC), an information service sponsored by the FHWA and operated by the Rails-to-Trails Conservancy (RTC), has planned and organized TE training seminars every other year since 1999. The seminars provide an opportunity for TE professionals to share their knowledge and experience, discuss policies with FHWA staff and each other, and share ideas and solutions. The seminar has contributed to major improvements in the implementation of the TE program.

With its bicycle and pedestrian friendly environment, Portland, Oregon provided a fitting backdrop for the 6th Transportation Enhancement Professionals Seminar, held on August 7th and 8th, 2007. All together, 52 people representing 29 states attended. These included 38 TE coordinators from state departments of transportation, seven staff from FHWA division offices, two from FHWA headquarters, and three from the National Transportation Enhancements Clearinghouse.

NTEC SEMINAR - DAY 1

NTEC & FHWA Welcome

Billy Fields, PhD., NTEC

Christopher Douwes, FHWA

Billy Fields, Director of NTEC, started the morning by welcoming everyone to Portland and gave a brief overview of the activities for the seminar. Dr. Fields explained that NTEC is a partnership between FHWA and the Rails-to-Trails Conservancy. He then introduced the NTEC staff, Graham Stroh and Andi Smith, and gave some background about NTEC. He thanked the audience for helping in providing data for the spending report, NTEC's yearly publication. *Enhancing America's Communities*, 3rd ed., the flagship publication at NTEC, was published this year, and demand for it has been very high (over 1300 sent out in three months, and 1700 downloads). Dr. Fields also mentioned the *Connections* newsletter, which is going digital, and the website (www.enhancements.org), which now includes an image library. Finally, Dr. Fields introduced Mr. Douwes.

Christopher Douwes of the Federal Highway Administration (FHWA) headquarters emphasized that his purpose is to help TE managers in their work. Mr. Douwes remarked upon the importance of the Transportation Enhancements (TE) program for FHWA, as it serves to broaden the mandate of the agency and includes facilities for all users. The program urges a stronger look at the environmental and historical aspects of transportation systems. Mr. Douwes then previewed some of the topics to be discussed in the sessions, and went over the documents handed out to the TE managers. Mr. Douwes then introduced Gabe Rousseau, the new USDOT and FHWA Bicycle and Pedestrian Program Manager. He then asked each of the participants to introduce themselves to the group.

NTEC & TE – 150 Words Later

Marianne Fowler, Senior VP of Federal Relations, RTC

Summary

Marianne Fowler, Senior Vice President of Policy at Rails-to-Trails Conservancy (RTC), welcomed the group and discussed the origins of the Transportation Enhancement program. She thanked everyone for coming and reminded them how much work has been put into defending the TE program. Throughout the history of TE, the program's detractors have made several attempts to remove or reduce funding for the program, but none were successful. Ms. Fowler outlined the difficulties that have been overcome as well as the new ones that must be kept in mind.

Transcript

I claim the oldest. Maybe not the oldest in the room but in terms of relationship with the program, I predate you all. Does anyone know what the title of my presentation means?

I maintain that Louisiana was the inspiration and genius for this program. We had a rail-trail in Louisiana, and no funding. I told people in Louisiana to put their program in the department of natural resources. At that time in RTC's history, we were not terribly affluent and we had a fax machine that would roll faxes out of the machine. It would become a long trail across the office, which was really good because you could go along the trail and read everyone else's faxes and find out what was going on. One day, our president was reading and said: "Marianne, here's a fax from Louisiana. They have put their rail-trail program in their transportation department. They were supposed to put it in their natural resources department. You haven't been training these people right." I called Louisiana and asked why they did that. They responded: "Marianne, our depart-

ment of natural resources doesn't have any money, is not going to have any money, whereas the transportation department does have money, so we're putting the rail-trail program there." Bingo. Reauthorization was upon us. We went to senators Moynihan and Chafee [1990-91] and suggested to them that perhaps there should be a way to preserve abandoned rail corridors as trails and there should be other things that could be done, and we began to be more creative and expand and conceived of the Transportation Enhancements program.

The 150 words part – they knew that this would not be a particularly palatable idea to the traditional people, mostly gentlemen, in the transportation field or the traditional people, mostly gentlemen, in the Congress of the United States – so they very cleverly divided the authorization for this program into three separate parts of the bill totaling 150 words altogether. The first part simply said "Transportation Enhancements shall be ten percent set aside from the Surface Transportation program". It didn't say what a transportation enhancement was. That was in another section of the law, which was the definitions section. And then in another section of the law was the trigger for the money to flow. So 150 words well hidden. And then we had a mask for this, and the mask was the Recreational Trails Program, because that was very very visible and being fought out over on the house side with hearings and flare ups and all that attention was on that possibility over what was a small amount of money when over on the senate side they slipped through without anybody really knowing that the enhancement program was there because Mr. Chafee and Moynihan really believed that our surface transportation program should be a thing of beauty, it should be not just functional but bring pleasure and delight to those using it. That's why they got this program in.

We thought we had passed the enhancements program. But let me tell you, when the bill passed and came to us, we couldn't find it in the bill. We were frantic. We were looking everywhere. It was so well hidden that even those of us who knew it was there could not find it and we thought they had clipped it out. When it turned out it was 10%, we thought it was a decimal error. Ten percent of the surface transportation program, oh my goodness! And then we looked at the state DOTs and thought, oh my God, they are not going to implement this program. So RTC came up with this idea that we would monitor the program. We would contact every state DOT, we would tell them that we would keep track of how they plan to spend their money, what their process was, what their programming dates were, and that we were going to publish a report. So that if they hadn't done it, it would show up the report and everyone in the country would be able to see that they hadn't done anything. That was very unsettling to a number of the state DOTs. Alabama totally refused. The man assigned to do the program in Alabama said that he was out of town when this came up, which is why he was made both the enhancement coordinator and bicycle/pedestrian coordinator. He thought the only valid use for this money was for him to buy a bicycle for himself because he didn't have one and he assured me that no one in Alabama would ever be interested in these kinds of projects. But they did set a deadline for their applications and they happened to set it the same day we had set for them to send us their information. When I called him that day he said: "how can you be calling me, this is the busiest day I've had in my whole life! I can't believe it. We've had three hundred and some odd applications from all over Alabama. I can't believe how people even found out about this program."

Anyway, the public took to the program. The DOTs, as you know, some have embraced it enthusiastically. Maryland was an early, strong supporter. Things waned over the years, back on track. Virginia, my state, started out really well. We had one of the best programming rates, high obligation rate. Then we fell almost to the bottom. Thank God for Massachusetts. And then we got a new governor, who's a bicyclist who broke his wrist on a bad facility, and then our obligation soared up over a hundred. And so we go.

It's such an important program. Such an extraordinary legacy. Misterns Moynihan and Chafee have since passed away, and it's a wonderful gift that they have given to us. But although it's fairly well institutionalized, it's not entirely safe. I want to talk about those threats. Three years into our keeping those figures – and by that time RTC was getting a bit overwhelmed by this process – the US DOT asked what they could do to help. We said you can help us keep the numbers, the process,

offer good technical assistance to states that need help, particularly as enhancement managers change. So the DOT said that sounds like a good idea, and we can find some money to do that. So RTC and the US DOT Federal Highway Administration are partners in this activity. Three years in, we formed the partnership with FHWA and have had three different people in Christopher's role. And now we have Christopher and we certainly plan to keep him because he is unstintingly



enthusiastic and knowledgeable about this program.

We could not have made this work if it were not for all of you and your predecessors. The cooperation that you give us and the Clearinghouse in collecting this information so that we can keep the record going is of extraordinary value. The overall data as well as the individual projects: every time I go to the Hill to talk to a member of Congress or a Senator about this program, they want to know: what are the projects in my district, in my state? Every once in a while one of them rises above but mostly they want to know what's in it for me? That's why we elect them and that's ok.

So threat number one is taking it for granted. We know that we can't take this program for granted, that it still requires vigilance and we will provide that, all of us together. A second threat was when in 2003, a particular Congressman, Ernest Istook from Oklahoma – anybody here from Oklahoma? – what I was told is that Mr. Istook wanted to build the Oklahoma state Capitol dome. The rationale was that you could see it from three interstates: that was the relationship with transportation. FHWA said no. Mr. Istook didn't like that and that's why he decided to take down the program. Anyway, that's not what the Oklahoma version is? That's what the Congressional version is. Be that as it may, Mr. Istook decided to use his position as the Chair of the transportation subcommittee to eliminate the necessity of the funding. He passed this through his committee, and then the larger committee. Just about this time, in July of 2003, right before Congress went out on summer recess. I really do believe he and the other people – he was not alone on this venture – that they thought that “we will do this right before we go home and Congress won't be there for those Washington DC lobbyists to come after, and then we'll vote on it the minute we get back.” What they didn't realize is that they were sending Congress into the jaws of the people. The campaign that was

waged in that four weeks, with RTC getting key leadership in Congress – Republican and Democrats – to agree to oppose the appropriations committee (and that’s a big thing for a member of Congress to do, because you oppose the appropriations committee and you find the next bill around that you haven’t got anything in it), it was a hard fought battle, it was won by the people in this country and their commitment to this program and they did vote the very first day they came back from summer recess. The vote was 327 to 90 to support the amendment. That looks like an overwhelming victory but I was in the gallery and let me tell you, only when Bill Young of Florida voted in favor that all these votes switched in favor – because they realized our side was going to win and they wanted to be on the winning side. We won that and we staved off that challenge to enhancements and I must say Mr. Istook, however, did not survive his election last fall, he’s no longer in the Congress.

But that doesn’t mean the threats have gone away, because now we’re facing a more curious kind of threat and that’s through the rescission process. You’ve probably all seen the figures. Low obligation rates in some states for enhancements – when the rescission comes, what money is available: enhancements money. Enhancements have been taking quite a hit. We couldn’t get the information on what was going on until the Congress changed. The very first call I made the morning after the election was to Mr. Oberstar’s chief of staff to ask him to request FHWA to release the information. We got the information. Enhancements has been hit in far disproportion to its size, so has CMAQ. In the climate change bill, Mr. Oberstar included a provision that would require proportionality in future rescissions. That passed the transportation infrastructure committee but the climate change bill is not going anywhere yet. So he has asked the chair of the appropriations committee to include a similar provision in the transportation HUD appropriations bill in 2008: that any rescissions required in the bill would have proportionality. On the house floor, the ranking member of the TNI committee made the motion to strike. It was a party line vote, but it did pass the House. So it’s in the House’s bill that the rescissions in 2008 that are required in the appropriations bill would be taken proportionally from the size of the program that is represented in that state’s entire transportation budget for that year. We now go to conference. There is no similar version in the Senate bill so we’re not sure what’s going to happen there. But we do know that enhancements is in many states a prime target. I’m proud to say that both as a Virginian and an original Tennessean, that our states have dealt equitably with enhancements in the rescissions. I wish that the rest of you are as good as Virginia and Tennessee.

I can’t tell you how much this program has meant to me, to the people in the rails to trails movement, to other stakeholders, and we’re so proud to have been a part of it and we do carry the legacy of two great senators. Thank you very much.

[Editor’s note: There was a proposal to use TE funds to build a dome for the Oklahoma State Capitol under “Historic Preservation”. The dome was in the original plan, but never built. FHWA denied the project, because building a dome that never existed is not historic preservation, and the building did not relate to surface transportation. Five of the six representatives from Oklahoma (OK had 6 representatives in the 1990s) requested reconsideration because the dome would be a focal point and visible from the Interstates. Representative Istook opposed using TE funds to build the dome. The dome eventually was built without TE funds. Representative Istook continued to oppose TE funds because of accusations that some TE projects had little or no relationship to surface transportation.]

Introduction to TE in Oregon

Pat Fisher, Oregon DOT

Jason Tell, Deputy Director, ODOT Region 1

Summary

Jason Tell, Deputy Director of Region 1 of the Oregon DOT, welcomed the group to Oregon. He discussed a few projects from his region, the Portland metropolitan area, and then discussed the benefits of the TE program, both from a policy standpoint and a political standpoint. Mr. Tell then introduced Pat Fisher, the TE manager for Oregon.

Ms. Fisher provided the audience with an in-depth profile of the Oregon TE program. She started out by describing the allocation amounts, distribution among different pools and regions. She then mentioned the number of active projects (37) and their status, as well as some of the requirements for application, like the minimum/maximum funding limits and policy for local match requirements.

Ms. Fisher then discussed the application process, including the monitoring of progress, types of projects, etc. She then talked about the way the Oregon TE program manages projects through planning, contracting, and certification for streamlining purposes. Ms. Fisher then talked about the two-year cycle for applications in Oregon as well as advertising the program, application timing, assistance for the applicants, including workshops, application requirements and details regarding the application form. Ms. Fisher then detailed the review process and entities involved.

Ms. Fisher, with the aid of numerous photographs, then presented a number of TE projects in Oregon and spoke about their qualities, challenges, etc., and discussed the types of projects and distribution. She then spoke about the coordination with other programs like the Forest Highway program, the Safe Routes to School Program and state Bike/Ped Program.

Ms. Fisher concluded by discussing the issues and achievements in Oregon. She mentioned the impact of rescissions, but also the improvement in obligation rates over the last few years. Finally, Ms. Fisher took questions from the audience.

Transcript

Pat Fisher: Hello and welcome to Oregon. I've prepared some slides and some explanations.

Christopher Douwes: Remind us how it is pronounced, both the state and the river.

Pat Fisher: The state of "Oregon" (**O**-ri-gun), here on the banks of the lovely "Willamette" (Wuh-**lam**-mit) river. So I've prepared some remarks to tell you how our TE program works in Oregon, but first I want to introduce Jason Tell who is the region manager in one of our five geographic regions within the Oregon DOT and he's going to have a few remarks for you to start off with.

Jason Tell: Thanks, Pat. Pat actually is the one who'll have all the important stuff to say, so you can disregard anything you're gonna hear from me. I think I'm just here to give a little color commentary about the backdrop of the TE program, not so much how it works. Anyways I'm happy to be here, welcome to Oregon. As Pat said I'm the Region 1 manager for ODOT, which means the Portland area and west towards the coast and east towards the river to Mount Hood. Urban areas, rural areas, we have it all in Region 1. We're responsible for planning, design, construction, maintenance of state facilities in that area. A pretty broad portfolio. I'm gonna talk for a few minutes about the enhancement program and I may talk about it from a little different perspective than you normally do talk about it. What I want to talk about is how the program isn't just good public policy, but it's actually good politics. And I'm going to talk from that point of view in part because it's my background. Before becoming region manager for ODOT, I worked on Capitol Hill in the

early 90s, and I was the government relations person for ODOT for about 10 years and worked with the Congressional delegation on a bunch of the reauthorization bills over time.

Enhancement programs are good policy, and here in Oregon we've been using this program in Portland to build out various bike networks, renovating Union Station, restoring the Columbia River Highway. We're doing a wide range of things that you guys will see during your Mobile Tour you're gonna do. But as far as politics, I say the enhancement program is good politics because the reauthorization bills that come up every six years, money is really at the heart of the bill. There's definitely policy but you need money to do all this stuff. It's all about money and in order to get these bills passed, you have to get the votes, you have to build enough support. At the same time, we go back and talk about how important transportation is. Other people are talking about agriculture, about foreign aid. Any issue you can think of there's people stalking the halls of Congress trying to get funding for their issue. So for us in transportation, if we're going to be successful, and overcome that challenge of having large competing interests, we really have to have a united front in talking about the needs that we have. And the enhancement program, I think, personally, is a great way of bringing people into support transportation that otherwise probably wouldn't. If we're just out talking about maintaining roads or widening highways, you know, we obviously have supporters and people see the value in that but by adding the enhancement program to what we do, we open up for a lot of supporters that otherwise wouldn't be with us when we go back to make that case in Congress and elsewhere. So, that's good politics.

From the state department point of view, it's also good politics because we get a predictable stream of revenue we know can go towards enhancement type activities both at the state level and local level. So you have some level of ability to build a program versus that annual looking for funds that happens to programs that aren't programmatic or set up like that. The results of that are also good for state DOTs. I think in a lot of ways we're forced to build partnerships that we otherwise wouldn't, sometimes with non-traditional groups. I think that does a lot for us. And we also bring additional dollars to the table. A lot of these enhancement projects forces perhaps the states to spend money and also the federal government and others so I think that's a real plus for state DOTs that have limited dollars.

And so basically my main conclusion here is that the work that you're doing around the country, the enhancement programs, you're the ones who are figuring out how to implement these things. You're the ones at the front lines working with all the different partnerships making this a reality. And the result of all that hard work are projects that - for me, people in my position - we love to be there after all the hard work is done at the ribbon cutting and get all the great credit. But I certainly recognize the work that you do and keep up that good work. The result is a lot of good projects that I think we can all be proud of. So that's essentially it. Like I said, you can forget everything I just said and go on your merry way and be fine. Or you can say, oh, it was kind of interesting, but I think Pat is now going to get to the heart of some of the things we've been doing in our program, and Pat is really our guru here in Oregon on this program. She does incredible work. I think you'll have some interesting comments. Thanks.

[Applause.]

Pat: Well I'm gonna try speaking from here but if in the back row you have trouble hearing me, raise your hand, and I'll go up to the podium. I've kind of divided what I'm going to say today into four main groups. The TE profile, which of course I'm sure you've all been to the NTEC website and looked at the Oregon TE profile before you came since you were coming to Oregon, right? [laughter] I looked up all of yours. [laughter] Anyway, I'm basing of this on some of the types of factors that are presented in the TE profile. Then some project photos of some of the main, most common types of projects that we've done with our enhancement funds. Some discussion of how the TE program that I work with coordinates with some of the other funding programs that we have. We do have fairly close relationships with a couple of different programs. And then a couple of the issues and achievements that are current.

So start off with the profile. Like many states, Oregon divides the money into a couple different pools. We don't have a pool of money reserved specifically for state highway projects. Ours is divided into a statewide competitive pool of money, which is about 2/3 of the money and our department competes with local agencies' projects in the statewide competitive program. And the second part, smaller part, at two million a year is the "director's discretionary", is what we call it. What it's meant for is projects that are urgent that come between the two-year competitive cycle. Projects that show that they could not have applied in the previous cycle, can't wait till the next time, have urgency, have support, are ready to go. We have a parallel fast track process that we can consider those discretionary projects.

Most of what I'm gonna talk about from here on out will relate to the competitive process. Our allocation is – our starting number, according to the apportionment, is around 9 million a year. The 90% level is about 8.5 million a year, which is what our transportation commission has now approved us for, for 2008 and forward. If you've been watching all the news on the rescissions, Oregon was on the bad bad bad boy list for the rescissions. That comes about because we'd only been using about 40-50% of our money over the period between 2003-2007, when it started to rise back up. This may be an interesting twist on that with what happened in Minnesota recently. But the reason Oregon was spending less money on enhancement was to address the critical need in bridge maintenance. To fully fund the bridge program starting in 2002, money was given up in enhancement and in some other programs.

We currently have 37 active projects: 10 that are the new ones that were approved this year that are just in the programming stage, another 21 that are in PE or right-of-way stage right now and 6 that are under construction. Unlike many of the other states we don't have a maximum TE award; we have a minimum award: minimum of 200,000. And that is to – we figure that projects smaller than that are difficult to get through the public process and it's quite frustrating for the local agencies to comply with the federal requirements that go together with this money. I have not pursued a streamlined or simplified process for small projects because we get six times as many projects as we have money for, even with this 200,000 dollar minimum. And we also have a very substantial state funded pedestrian and bicycle grant program that handles a lot of the bike and ped projects, simpler, smaller projects, that are in the 300,000 and lower range. Our maximum, even though it's not a strict limit, in practice is about 1.5 million. Average is 650,000.

Matching funds, Oregon is one of the states that has a sliding scale. So we have 10.27% is our low magic number. But we do average about 20% match on projects because we do give incentive or more points for those that come in with substantially higher than the minimum match. Soft match: we do allow all the possible types of soft match but with prior approval and we have set up in our application process "with prior approval" and even when we write our project agreements, they say something to the effect of: "the applicant may satisfy up to X amount of their match through donation, contribution of services but only if approved by our finance office in advance." So they have a form that they fill out describing what their soft match is. They get approval for the initial amount and then realizing that we're going to reconcile that at the end of the project, if their staff didn't really perform 50,000 dollars of work, they're gonna have to make up the cash, for instance.

Here are a couple of things that are portrayed in our application packet that apply to all enhancement projects. Here's how we try to give applicants a sense of what we're expecting for the enhancement project. In Oregon we have tended not to just throw the money over the fence and say: have a nice project. We monitor the projects quite closely and we insist on the highest standards for our enhancement projects. A large majority of our projects, as you'll see, are in category number 1: bike and ped facilities. It's the number one type of application that we get, it's at least 80% of our projects. We insist not only on AASHTO standards for those bike and ped projects, but the Oregon bicycle and pedestrian plan guidelines which in many cases are stricter than AASHTO insofar as what we expect for the width of sidewalks, for instance, vertical clearances next to trails, shoulders next to trails, and we want them built to last. So this is sometimes a shock to a local agency that just wants to lay down an inch of asphalt and call it a good trail. We don't want to go there. The other

types of projects, architectural, historic, and so forth, we expect them to adhere to the appropriate standards for these types of projects.

Plans and goals: Oregon is known for planning. We do expect that the enhancement project will at least conform to local transportation system plan, comprehensive plan, and other plans that are in place for the area of that project. Better yet, the project is advancing a specific element of a goal or plan or a wishlist project within a plan. So we have a local plans and goals that we look at. We also have statewide plans, such as the Oregon Highway Plan, Oregon Transportation Plan, and the Governor's Revival Organization Team, which is something that's more recent. The directors of five agencies, I think it's transportation, housing, economic development, land conservation and maybe water resources. Anyway, all those five agencies' directors and the appointed staff people meet on a statewide basis and regional basis so they keep each other informed. So it's an idea of trying to be aware of: well if this transportation project is going on maybe housing wants to invest here or vice-versa. So that we're not undoing each others' efforts, we can augment each others' efforts. So the transportation enhancement projects that are supporting one of these economic revitalization team efforts are definitely something that we're looking to give advantage to those projects.

Contracting. We expect projects to follow the state and federal contracting rules. I'm sure that's no surprise to this audience. So far, we have not done a real simplified or streamlined process for enhancement projects. That may be coming up in the future, thanks to the safe routes to school program, because we anticipate a lot of smaller projects in that program and we're pursuing a simplified, streamlined approach to get those to contract, and that may benefit enhancement down the line. But for the most part we just have our standard commission services contracting with the Oregon DOT making the contractor payment and so forth. We also are just launching a certified agency program where we will certify local agencies to administer their own federal aid contracts. We're just starting that now. The City of Portland has the conditional approval and several test projects. Some of the other counties and cities with higher populations are also looking to become certified in the near future and we have establishments specifically dedicated to that effort of agreement and for that process to happen as well as people within the department helping to make that a reality. So one of the projects that we're going to visit this afternoon - Union Station Railway Depot - is one of the certified agency projects that the city of Portland has been building.

The schedule. We solicit our projects on a two year cycle, try to synchronize that with the 2 year update of the STIP. That's easier said than done, but we're still trying to do that. Synchronizing, for instance taking advantage of the public comment period and the public meetings that are offered for the STIP update and making the enhancement proposals known at that time so people can send their comments in at the same time. We give notice whenever we're having a call for projects. The notice goes out by a letter. I think I sent out over 800 letters to cities, counties, tribes, ports, etc. In most cities and counties, we try to target a couple different people: public works director, city manager, etc. We put out a news release. I also put the notice on the website and usually do that a couple of weeks to a month before the application period is actually opening. It's like: "Hey, get ready, the application packet is being posted on such and such a date" so they can all be talking and thinking about their projects in advance. It ends up being though about a twelve month process from that original notice to the announcement of the awards. And that's, you know, after allowing a couple of months for them to turn in their applications, the different stages of review, which I think I have on a separate slide, and a public comment period as I mentioned we try to synchronize that with the STIP and I'm also trying to synchronize the whole thing not to be right on top of the state bike and ped grant processes as we have many of the same [unintelligible] and have the same projects. So it ends up taking about twelve months altogether.

The types of processes I mentioned. A statewide selection, so DOT projects competing with all the rest of them. No quotas by project type. We do consider geographic distribution. We are going to award at least one project in each of the five geographic regions in the state. Even when we advance projects to the final 30 that our TE advisory committee looks at, we make sure to advance at least three projects from each of the regions.

Assistance for the applicants. We do have a website. It's not a fancy one, it's a pretty basic one: what is the TE program, what types of projects are eligible, when's the next application period and then different links for lists of projects that have been selected in the last couple of cycles.

Workshops. We do offer a couple of applicant workshops across the state when we have a call for projects. Those are generally well attended and get the word out about how the program works and what types of projects are likely to compete best, and try to get applicants on track to do all kinds of things in their application to get a good application and how to define the project. We also have the local contacts around the state in the region offices and those are the main liaisons for the applicants and they are the ones that manage these projects once they're awarded. We have 11 people that serve in that capacity around the state and 4 or 5 more that serve as liaisons during the construction phase.

The application requirements. We're using a two step application process. A notice of intent is the first step, so that way they don't have to complete a full application not knowing if their program is eligible or if the agency is eligible. It's a single page application with description and map. I respond to that and say "yes, you're good to go, send the full application" or "looks ok but remember to do this, this, this, and this". So for instance if it's a railroad I can say remember to get a letter of endorsement from that railroad. This two step process has extended the length of time from application to selection process but it has really helped in the quality of the applications. We don't take applications directly from private or nonprofit groups. The lead applicant has to be a public agency. We do have public-private partnerships but the lead agency has to be public.

The application form itself is a two-part form. The narrative, maps and so forth is the first part, with a ten page limit. Then the supporting documents are the second part. They only need to send one copy of the supporting documents like city council resolutions, or letters from partner agencies saying "yes, we're on board with this project." Basically anything documenting a claim made in the application. I ask them to send several copies of the first part to send out to reviewers. That has worked pretty well. It sometimes confuses the applicants but those that have done it before or read instructions don't seem to have problems.

Our review process. For initial compliance, they come in and I look at them. For any that I have questions about, I work with my Federal Highway district office person on eligibility questions. Since we've instituted this two part process – notice of intent and application – there are not very many that get disqualified. I used to have a large number of them that you don't know what they were reading when they sent it to you or if they read anything. Now I get only a very small handful that need to be rejected. They need a technical review, for which we have a score sheet. [Pat gives handouts about score sheet] For the technical review we do go out and look at each project and rate them on readiness to proceed, ability to proceed, matching funds sufficient and secure, conforming to appropriate standards for type of project....

After that is one of the hardest times: I take the lead in cutting the pool which is typically about eighty applicants to start with to thirty, to be nice to my advisory committee so they only have to read thirty of them. We take a combination of the highest technical scores – I don't want to advance anything that doesn't have at least a passing technical score – and then looking at public comment and public support, especially among competing projects from the same area: which one demonstrated a lot of support, and then some consideration of geographic balance to make up that pool of thirty. Then those go to our 11 member advisory committee for scoring and selection, and then onto my director's office and transportation commission for final approval. The selection team, once it gets to the final 30 is 11 members, four from our DOT, four representing local agencies – we have an association of Oregon counties that nominates two people for this committee, and the league of Oregon cities nominates two people for this committee – we have two citizens at large and one member of our transportation commission on this committee. It's a very excellent group. They are not representing a particular geographic area or a particular special interest or type of project, in fact they are appointed to that team with the understanding that they are to be considered statewide and multidisciplinary. That's turned out to work quite well for us. So they individually score the projects

and I compile the scores, and then they either agree by consensus or vote to pull together the list of projects up to the amount of funding we have. After the final approvals and the award, it goes out to our region office to help shepherd these projects through design and development.

Types of projects. It's a little different than the pie chart nationally. As I mentioned earlier, about 80 percent of applications that I get are either sidewalk, bike lane or path, or some combination with streetscape which could also include beautification or historic elements. Historic preservation by itself is a smaller percentage, and then everything else is a smaller percentage.

Coordinating with other programs. We're close partners with the scenic byways program, since we have many of the same applicants. Of course the scenic byway folks are very interested in TE category 4, the scenic or historic highway program. Projects come in there that benefit scenic byway. We've had jointly funded projects: lighthouse access, Vista House, scenic land acquisition, for example. The forest highway program. For those that aren't aware, the states that have federal forest land, there's a formula program to provide funds for highways that go through or to the national forest lands, and Oregon is one of the largest recipients of that, at 20 million dollars a year. It's not mandatory but the Oregon forest highway program 10% set aside for forest highway enhancement projects. It's not the same as enhancement as we usually think of it, it's a broader definition, but accounts for 2 million dollars a year for these projects like trailheads, pullouts, viewpoints, interpretive panels, etc. We have jointly funded projects and we also have overlap in the types of projects and applicants.

Safe Routes to School Program is just getting started. The first call for projects closed recently. As TE manager, I'm serving as the Highway liaison with SR2S, because in our state that program is in the transportation safety division. We're trying to help them out with: what does federal aid mean? How wide does a sidewalk need to be? Things like that. We expect many of the same applicants and weather joint projects or "piggybacking" projects.

The state bike/ped program is probably the one we have the closest relationship with. Sheila Lyons is the manager of that program. Oregon is known for the bike bill. For over 30 years we've had in place a provision that all new construction and reconstruction has to include appropriate accommodations for bicycles and pedestrians. And 1% of the state's gas tax goes to bike/ped expenditures. So we have a well established state funded bike/ped program and we try to work together with them. We try to direct which ones will go to the state funded and which ones will go to the federally funded. We sit in on committee meetings for each others programs, help out on policy issues, timing issues, project eligibility and review issues, etc. And we've had several jointly funded projects as well: applicants sometimes apply to both programs and are successful in both, and we combine the projects, or maybe it's a DOT sponsored project coming in with state money. Several others with bike/ped "quick fix" funds, which is a subset of the state money for \$100,000 and under projects that need to be done right now.

Issues and achievements. Rescissions: the story in Oregon [refer to powerpoint for chart]. Up to 2001 we were really tracking with the obligation limitation rate. At this point we had the bridge crisis and obligation dropped down and I've been fighting my way back up. Now, we're tracking with obligation limitations again. However, during those years 02-06 when enhancement was at its lowest percentage, we had the bridge crisis and the state legislature passed several large bonding measures for a couple million each time for bridge and road preservation projects and that affects the 1%. So now the money that had to go to bike/ped jumped up. If you look at the state as well as federal money for enhancements, the drop wasn't as severe as if you look at federal funds alone. Our transportation commission at that time – responding to having fewer TE funds - raised the ceiling on the state bike/ped projects from \$100,000 to \$500,000 max for a couple of years. We're dropping back to \$300,000 now that the enhancement money is back up, but we tried to cover some of the missing federal funds with state funds.

In 1998 we were obligating 20-25% of what was programmed for a given year. That's been coming up steadily so that we're in the 60s-70s now. [refer to powerpoint] We've had success by working with liaisons in the regional offices and project sponsors and me working from the central office.

The program used to have a bad reputation about moving the projects, but we've tried to get that on track. I've made big efforts to have a predictable and fair application and selection process and that has weathered some storms. Every time around, some people are upset because their project was not chosen but we have not had any serious problems with people being upset over the process. We've even weathered an internal audit of the selection process and came out ok. I'm proud of the process we've set up and service to local agencies who call. The enhancement program in Oregon has become an example for many other programs so we've had the SR2S program and its processes modeled after the TE program and a few of the statewide programs have at least looked at the TE scoring system or selection process.

Thank you. I welcome questions and comments.

Luncheon Speaker: "TE & Public Health"

Billy Fields, NTEC

Summary

Dr. Fields introduced the study co-sponsored by the Rails-to-Trails Conservancy and Harvard University, funded by the Robert Wood Johnson Foundation, which looks at the implications of federal transportation funds. After his introduction, he briefly discussed the public health problems in America, with a focus on the upwards trend in obesity rates. Dr. Fields then discussed the role of the built environment in this trend, and the need to understand how federal financing of bike/ped programs improve the environment.

Dr. Fields listed the relevant federal programs and discussed the source of data as well as the challenges in using these numbers. He then discussed the distribution of spending (TE amounts to 70% of funding), and showed a map displaying the distribution of federal funding per capita. Dr. Fields concluded by discussing the next steps in the analysis and taking questions and comments from the audience.

Transcript

Billy Fields: All right. I'm going to give a short presentation. I want to talk to you about a study looking at the health impact of federal spending, including TE. The Rails-to-Trails Conservancy along with Harvard University received a grant from Active Living Research Foundation from Robert Wood Johnson a year ago, to look at the implications of federal transportation legislation on local investments in bikeways, pedestrian facilities and active living improvements. Basically what we did, with the help of FHWA, we were able to get FMIS data to track bicycle and pedestrian funding in three categories: bike/ped facilities, rail banking and safety. We were able to track the funding from those three areas and look at how the process was going across the country at the county level.

I'm going to give you some background on why public health is important and how it can be helpful for you to be aware of that, I'll talk about the method that we used for our study and then a bit on our findings. Over the next day or so, please give me feedback. You're in touch about what's going on in the field and I'd love to hear what you have to say.

As we've all heard, obesity is a growing epidemic in this country. 60 million adults, or 30% of the American population, were qualified as obese in 2005, double from 1980. Physical inactivity appears to be a major contributor to this trend. From a public health perspective, "active living" or in other words getting people to integrate walking or biking in their daily lives is important. The surgeon general and the CDC have recommended 30 minutes of physical activity five or more days a week to maintain health. No need for the gym or triathlons, basic everyday activities like walking and biking integrated into everyday life can make a big difference. From a public health perspective,

“active living” has been used as a policy tool. In this study, we’re interested in how this tool was used on the ground, impacting people’s lives.

In 1990, while obesity was a problem, it wasn’t huge. By 2005, the problem is much more widespread. [refer to slides] From a public health standpoint, we know that the environment matters in getting people active, including access, safety from traffic, crime, lighting, etc. There are also policy determinants, like zoning issues, local government funding for trails, safe routes to school, and of course federal policy. So we were interested in finding out how TE and other federal programs helps in creating landscapes that allow people to be active.

We asked for FMIS data on TE, CMAQ, TCSP, Rec Trails, High Priority Projects and Surface Transportation Program overall as well as everything else, categorized as “other”. We found that facilities was the largest category followed by railbanking and safety and education. [refer to slides for growth of bikeped projects throughout the country] From the data we received, we can tell which counties had bikeped projects and how many they had, but we can’t deduce any additional detail like conditions on the ground in the counties, or what the environment actually looks like. [refer to slides for distribution of spending]. TE amounts for 70% of funding, followed by the rest accounting for the 30% left. At this stage, we’re in the preliminary results of this study, looking at descriptive statistics. In the next phase, we will take this further and correlate these data (at the county level) to the health data to see if there is any relationship between the bike/ped funding and health. Right now, we just have a little overview.

Here is a map showing per capita federal funding for bike/ped. The darker green is larger investment [refer to powerpoint].

What we’ve found is that TE is the largest source of funding for active living programs. I would like to know: does this impact what you do? What role do TE professionals have in dealing with this? The public health community likes to just act, but the landscape is complicated. Any thoughts?

Q1: In Arizona we have a Navajo reservation. The reservation, among others in the Southwest, has had huge obesity and diabetes problems. For the past two or three years, I’ve gotten many more applications from the Navajos for bike/ped projects. I eventually asked them why and they said it was in response to the health issue. I’m not sure how they got the information and how it filtered down to TE, but the connection has been made.

Billy: it would be interesting to know if some of the public health groups have gone out to the reservation to educate people about TE.

Q2: Louisiana has an obesity panel, and they invited me to talk to their program about the possibilities. So they’re pursuing options to work with the TE program and educating people on bike/ped issues.

Billy: I’ve worked with Louisiana Public Health Institute. We have someone from LPHI who will come to the rails to trails conference this week.

Q3: Back in the 1950s, everyone walked to school. Then schools were centralized and kids stopped walking. In the past few years, there’s been a push to go back to community schools, and a push for safe routes to school.

Q3: In this part of Oregon we have an informal group called Active Community Environments, where people from Oregon Health Division, Chronic Disease Prevention, Oregon DOT, etc. from safety, public health, transportation and law enforcement get together to meet about 2-3 months and discuss what everyone is doing. So that way transportation professionals and health professionals can be shown the other side of what they do.

Billy: the Nonmotorized Transportation Pilots are looking at a before and after study. I’d love to keep digging into this.

Q4: In Wyoming we've gone beyond expectations. You can work with state kids for safe routes to school, with state health & safety, with fire departments in the community, with police, you can develop pathways and work with local government, you can turn it to a political thing and have politicians walk with kids.... Overall, there are many opportunities to use TE in a number of programs, all under one umbrella. The trouble is, once something starts being successful, everyone wants to be involved. It balloons and it's tough to figure out where to go from there.

Billy: So it started from an outreach perspective and then gets people to apply for good projects. Very good. Thanks for the feedback.

Mobile Workshop

At the conclusion of the first day's sessions, attendees boarded a bus and traveled to multiple TE sites in the Portland metropolitan area. The first stop was Union Station. The station is an active Amtrak and freight terminal. Repairs were recently completed on the roof (both flat and sloped sections), masonry, awnings, doors and interiors of the station. All of these repairs were looked at and discussed as part of the visit.

Next, the bus headed to Vista House, on the Historic Columbia River Highway (an All-American Road under the National Scenic Byways Program), overlooking the Columbia River Gorge. During the ride, Pat Fisher from the Oregon DOT spoke about various projects and local landmarks, and took questions from the audience. The bus stopped at a lookout to appreciate the view of the building. Participants then were allowed to spend a half hour visiting Vista House. This included a look at the unique elevator built for ADA compliance in the building, as well as full access to the building, lookout, and displays. Docents were on-hand to formally present the repairs made to the building.

The third stop was at 92nd Avenue, on the eastern side of Portland. This sidewalk, landscaping and bike lane project, completed in 2007, originally called for bump outs with grass strip buffers from the traffic. However, the final project replaced the grass with recessed planting areas to act as water infiltration points for street and sidewalk runoff.

Finally, participants again boarded the bus to visit three bridges on the Springwater Trail. This project, completed in 2006, extends the Springwater trail, a multi-use path on an abandoned railroad line, over McLoughlin Boulevard, the Union Pacific Railroad and Johnson Creek with the construction of three major bridges. Each bridge was built to respond to the feature they are crossing. The suspension arch bridge over McLoughlin Boulevard also doubles as a gateway to the community both because of its shape and color.

Everyone finished off the day with a reception held at the Bridgeport Brewery & Bakery.



Streetscaping Project - 92nd Avenue

NTEC SEMINAR - DAY 2

Welcome

Emily Lawton, Assist. Div. Administrator, FHWA – Oregon Division

Summary

Emily Lawton of FHWA, Oregon Division, welcomed participants to Oregon. She briefly discussed the agenda and the variety of topics covered in the seminar. Finally, she spoke about the Oregon TE program and encouraged participants to enjoy their stay.

Transcript

Emily Lawton: On behalf of the Federal Highway Administration here in Oregon, I'd like to welcome you to Portland. As I look over the agenda, I see that you have a wide range of topics. This looks like a good opportunity to learn about best practices from around the country, to meet and greet, and to meet people from the FHWA. You got to see a few great projects in the local Portland area on your mobile workshop yesterday. I understand that you've seen the Union Station and the Vista House. There have been several enhancement projects along the Columbia River Highway over the years. The TE program in Oregon as in the rest of the country has been an excellent opportunity to create more choices for people in their modes of travel. We've also been able to revitalize local communities and reduce wildlife mortality. The TE program is very popular here in Oregon

and I'm sure Pat Fisher talked about that yesterday. There is high competition for our TE funds. Oregon has strong leadership: we have a transportation advisory committee, we also are under the influence of the Oregon transportation commission. Our hardworking and dedicated staff have made this program successful in Oregon. I hope you enjoy your stay in Oregon, where it's nice and cool.

State of TE Spending

Andi Smith, NTEC Program Coordinator

Introduction: Major Findings

Andi Smith presented an overview of nationwide Transportation Enhancements spending. NTEC has been preparing this annual, cumulative report on the status of nationwide TE funding since 1999. This presentation focused first on national TE funding numbers and trends, and then continued with a detailed analysis of programmed funds by TE category.

Ms. Smith discussed the benchmarks NTEC uses when analyzing TE program spending: apportioned, or the total amount made available to spend; programmed, or the amount for selected projects; obligated, or the amount states commit to spend; reimbursed, or the amount paid to sponsors for completed work; transferred, which is the amount transferred from TE to other transportation programs; and rescinded, or the amount returned to the federal government from the states' unobligated balance of funds.

Ms. Smith explained that apportionments, obligations, reimbursements, and transfers are all obtained from FHWA's Fiscal Management Information System or FMIS. NTEC collects only the programming data directly from the states, because this project-specific information is not available from FMIS. Ms. Smith reported that since 1992, \$8.12 billion in TE funding has been apportioned to the states; \$7.82 billion (96 percent) has been programmed; \$6.41 billion (79 percent) has been obligated; \$5.28 billion (82 percent of obligated) has been reimbursed; \$71 million (1 percent) has been transferred; and \$710 million (8.7%) has been rescinded.

The results of the spending analysis show that TE obligation rates have continued to climb, and reached a national cumulative high of 79 percent at the end of fiscal year (FY) 2006. However, the TE obligation rates have been strongly affected by rescissions. Ms. Smith explained the mechanisms that have allowed a large available balance to build up in many states, and the way in which rescissions influence the obligation rates. Responding to this, NTEC developed new ways to more accurately measure TE spending. In particular, yearly as well as cumulative numbers were discussed.

National Spending: FMIS Numbers

Ms. Smith briefly went over the cumulative TE spending figures, as discussed above. She then presented a graph showing yearly numbers for each fiscal year from 2001-2006. This graph included apportioned, available, obligated and rescinded funds. Only the last six years were included for two reasons: (1) early years in the TE program were more erratic for spending and (2) numbers were reported differently by FMIS before 2001. Ms. Smith described how available funds have increased over the last few years, since not all apportioned funds have been obligated. Ms. Smith then focused on rescissions. Rescissions, which have been taking place since 2002 but sharply increased in 2005 and again in 2006, have reduced the available funds. In 2006 alone, \$600 million were rescinded from the TE program, which represents 16% of the transportation funds that were rescinded.

Ms. Smith then showed how spending patterns look for example states. The first state, which obligates more than is apportioned every year, slowly reduces available funds until available funds are only those apportioned each year. This state's TE funding can't be strongly affected by rescis-

sions. In contrast, the second state is unable to spend all that's apportioned each year, resulting in increasing available funds. This leaves the state's TE funds vulnerable to rescissions.

The limitations in spending power that states have to contend with, like obligation limitations, were also discussed. The differences among the states were emphasized.

Programming Distribution by TE Category

Ms. Smith concluded the discussion of TE data collected from FMIS and began a discussion of programming data and trends. This year, NTEC received TE project information from 47 states and the District of Columbia. With this data collection process complete, the TE database now contains 22,783 projects dated FY 1992 to FY 2006 worth \$7.8 billion. Since not all states submitted project information, it is believed that the actual number of projects is higher.

Ms. Smith spoke of the distribution of TE funds across the 12 TE activity categories and yearly variation from 1992 to 2006. Although distribution by categories has been mostly stable for the past two fiscal years, it's very different from the early distribution. Category 1 (pedestrian and bicycle facilities), has gone from about one third of TE spending in the early years to consistently close to half of yearly TE spending in more recent years. Scenic Beautification, Category 5, has also increased over time. Historic Preservation, Categories 6&7, has decreased over time from almost one quarter to less than 15% of the program. However, it's still the largest source of federal funding for historic preservation. Again, Ms. Smith emphasized that all states are different, but that these trends are visible at the national level.

Conclusion

Ms. Smith concluded that Transportation Enhancement funds are in high demand, and that through the changes in the TE program over the last fifteen years, it has become a mature program. Obligation rates have increased, but this has been largely due to rescissions. The challenges posed by these rescissions were reiterated, especially considering that there will be more scheduled for 2007. The new yearly analysis in addition to the cumulative numbers will provide a more complete picture of the TE program, as discussed in this session. Ms. Smith concluded by thanking the TE managers for their help in advance for the fiscal year 2007 data.

TE Breakout Sessions

Morning Session A: TE and Placemaking

Billy Fields, NTEC

Dr. Billy Fields started the session by trying to define “placemaking” and its potential role with TE projects. Dr. Fields, with the aid of slides, described a placemaking project in Bethesda, Maryland, which improved an intersection. This intersection, where two busy, commercial streets intersect, is also crossed by a major bicycle trail. The intersection was re-done a few years ago, which resulted in both a much safer, more attractive place for all to use, but also added a sense of place to the corner with the addition of landscaping and a fountain with public seating. After presenting this example of a placemaking project (not financed by TE funds), Dr. Fields asked the audience about the degree to which they thought TE and placemaking could be linked.

First, Dr. Fields asked the audience whether placemaking is part of the scoring system for selecting projects or if it’s too specific to be a criterion. One participant responded that her state looks at context and in that sense includes placemaking. Another responded that he looks at short and long term economic benefits, improving corridors as a whole. So he said that in that sense, he thinks placemaking is already included in scoring, although not in those particular terms. A few participants spoke about the importance of building corridors, rather than single projects, which also fits within placemaking as a way to give streetscapes a sense of place. Dr. Fields concluded this line of discussion by saying that it sounds like the scoring system states use can help create more than random streetscapes but rather comprehensive designs that give a sense of place.

Dr. Fields then asked about context sensitive design and if that has an impact on placemaking efforts. The first response was that very few people understand what placemaking really means. Lots of people think it’s “putting something pretty out there” where it should be about public interaction. As one respondent put it: “it’s about process, not product”. Another participant said that context sensitivity should be about being sensitive to the user’s needs, to let them help decide how the transportation facility fits in with their needs and desires.

A big stumbling block, according to one participant, is that projects are funded on an individual basis: there is no guarantee that a project will be funded again and again. This means that creating a well-integrated, comprehensive corridor plan is difficult, and that it’s much easier to fund single stand-alone projects. Participants seemed to want to emphasize these corridor projects, but that they’re difficult because of the funding system. In part, one participant said, the downside of planning a corridor is that the plan itself can be very costly, resulting in fewer or no funds for actually building a corridor. Dr. Fields responded that plans need to have teeth to make it actually happen. Otherwise, plans won’t get built and the best placemaking goals won’t make a difference.

Another participant asked to go back to the example Dr. Fields gave at the beginning of the breakout session and asked how much of that the TE managers would find eligible for TE funds. Would they want the plaza part to be paid by other sources? Especially since some aspects of this project are not directly related to transportation but just to the general ambiance of the space. She asked how such a project would be scored. Another person responded that because the overall project is strongly related to transportation and that the aesthetic aspects are an integral part of the whole, the entire thing could be paid by TE funds. However, if it was just the plaza without the sidewalks, it wouldn’t be eligible. There was general agreement from the rest of the audience. There was emphasis, however, that if private businesses can contribute to funding, it should be done, rather than only using TE funds. A number of participants mentioned the need to leverage private funds whenever possible.

Dr. Fields concluded that it seems that the steps are mostly in place to help placemaking be a focus of TE spending – such as with the scoring process - and that what needs to happen now is just to help people think creatively about how they can integrate placemaking in their plans.

Morning Session B: Streamlining the Environmental Review Process

Sylvia Ramsey, Maryland DOT

Ms. Sylvia Ramsey started her session by presenting the recent improvements made in Maryland to deal with mitigation projects. She then opened up the discussion to allow for questions and input from other participants.

As Ms. Ramsey described, the state of Maryland is at the forefront of mitigation projects. In 2003, Maryland had a great deal of unused TE funds and the cabinet secretary (who is also the chair of the TE executive committee), pushed for the use of those funds for environmental mitigation. Maryland decided to set aside \$6 million for the Department of Natural Resources, as they were already familiar with all the watersheds of Maryland. The DNR has a tributary team, environmental assessments, and wetland restoration strategy as part of the MD overall strategy. Because of this synergy MDOT saw this as an existing program to finance with TE funds.

Ms. Ramsey then described how the TE program works with local governments and counties to assess streams watershed degradation occurrences due to highway runoff that are most severe. At the inception of the program, DNR put out a RFP statewide to inform the state that DNR was trying to identify severe degradation. The Director of Planning for State Highways emphasized the need for a holistic approach: to look at watersheds as a way to stop highway runoff issues, rather than just taking the single-pronged traditional approach. Ms. Ramsey then discussed the example projects that were identified by DNR and then handled by the division of Environmental Design within the State Highway Administration. As with other TE projects in Maryland, a 50% match was required from local governments. Ms. Ramsey mentioned that this match requirement is one of the toughest in the nation, and that no exceptions are allowed.

Ms. Ramsey then discussed the procedure that locals must follow: projects are identified and then the locals are asked to do the bids for advertisements and turn over the administrative duties to the locals, so that the reimbursements, documentation and inspections are all that MDOT follows. It is the locals' projects, everything that can be turned over to them is.

In response to a question from the audience, Ms. Ramsey clarified that everything still goes through NEPA review with MDOT. At this point, conversation started in earnest. First, the topic of local certification was raised. Ms. Ramsey said that in Maryland, there is local certification available, and that the TE staff of seven manages the program, with State Highways signing off on everything. Ms. Ramsey then described a project on the aqueduct along the C&O canal, which was characterized by a partnership with the National Park Service: FHWA is letting NPS do the whole construction with TE funds, while still managing the contract. The NPS also set up a 501(c)(3) called the "aqueduct restoration fund" to raise funds for the match. They have a budget item set aside so they can get reimbursed by the feds.

Ms. Ramsey concluded by saying that so far the program to focus on highway runoff with the DNR has resulted in eight completed projects and two more in construction. This program has resulted in many repeat sponsors coming back for a second round. Ms. Ramsey has encouraged potential sponsors to get in touch with other sponsors to find out what to expect with the NEPA process. An audience member added that in their state, they have an environmental consultant on retainer that the sponsors can use free of charge to provide advice on environmental clearances. This allows the environmental review to know that the work has been done appropriately and that the documentation has been appropriately filled out.

Morning Session C: Streamlining the Application Process



Cheryl Banta, Arizona DOT

Cheryl Banta from Arizona Department of Transportation (ADOT) started her presentation with a slideshow of successful TE projects from across the state. After concluding the slideshow Ms. Banta transitioned into talking about how Arizona's TE program is organized and focused on how their application process is organized.

According to Ms. Banta, the application size is a maximum of 20 pages. This application does not cover everything that is necessary to complete the project, but attempts to cover the necessary elements to rank the 80 or so applications that are review each year. By having the MPOs/COGs (Council of Governments) manage and submit applications for their regions, application development is distributed across the state. The MPOs/COGs know the process well enough that they are running training sessions and helping applicant over the summer prior to the annual end of August application due date.

Arizona relies on a TE Review Committee (TERC) to meet twice a year for one 3-day meeting in the fall is used to rank/select projects for funding. The spring meeting is used to make improvements to the program and to respond to issues that the last round rose. Solutions can then be incorporated into the next round of TE applications.

Ms. Banta and her staff also use the month between the application deadline and the TERC meeting to conduct site visits of every project and do a constructability review that is then presented at the TERC meeting. This constructability review has helped to catch issues not in the application that would have significantly impacted the chances of success.

So far this process has resulted in a good mix of projects among categories and across the state. Ms. Banta notes that they have been lucky since their ranking system could result in all of the projects

being selected in the same region or only one category. She attributes this luck to the committee being good at what they do and caring about the program as a whole.

Afternoon Session A: Key Issues in Bike/Ped Implementation

Pat Fisher, Oregon DOT

Pat Fisher of the Oregon DOT led this session, and started with a few slides to show issues that can arise. She then opened up the discussion. Ms. Fisher first enumerated some of the issues:

- Eligibility: what to do if the project is only partially or is marginally eligible?
- Coordination and readiness: does the project make sense, is its scope realistic?
- During the project development stage: Are there issues with elected officials who support/don't support? Is public involvement too much or too little?
- How to deal with staff turnover in the local agency or TE staff
- What to do about unacceptable work? If a project meets standards but isn't good, what do you do about it?
- Right-of-way issues: what to do about underestimation of right-of-way cost, not addressing encroachment issues?
- Construction: making sure there's temporary access. How to avoid oversights and omissions.

After listing these potential issues in the implementation of bike/ped projects, Ms. Fisher opened up the conversation to participants.

The first topic of conversation after Ms. Fisher's introduction was the problem of projects based on the success of another. The audience member asked what others would do if faced with a project application which is based on another being completed first, especially when that first one isn't a "sure thing". The questioner mentioned that his state had refused the application. Another audience member replied that likewise, their state would tell such an applicant that an application of that nature would not be considered.

Secondly, the issue of marginal projects was tackled. One audience member asked how other managers dealt with marginal applications. One person responded that Ohio requires a letter of intent before invitation to submit a full application, which allows the manager to respond and let the applicant know if something is missing or if the project is marginal. Another advantage with this system is being aware early on regarding the number of applicants for a given cycle. Another person responded that their state requires applicants to be present at the training sessions, which means problems can be dealt with on the spot to make sure projects are eligible (and with videoconferencing, this can be done without travel.)

¹Note: provisions for contingency discussed in these sessions did not take into consideration the requirements under OMB Circular A-87, Attachment B, #9, as follows: "Contingency provisions. Contributions to a contingency reserve or any similar provision made for events the occurrence of which cannot be foretold with certainty as to time, intensity, or with an assurance of their happening, are unallowable. The term "contingency reserve" excludes self-insurance reserves (see Attachment B, section 22.c.), pension plan reserves (see Attachment B, section 8.e.), and post-retirement health and other benefit reserves (see Attachment B, section 8.f.) computed using acceptable actuarial cost methods."

Then, a question was raised regarding the amount required in contingency funds¹. Responses varied widely. Ms. Fisher stated that Oregon requires 30% and that this amount has worked well, even when estimates are sometimes not accurate. Another person responded that they have a special construction contingency fund. This allows them to authorize up to an additional 10% in construction costs without going back to the committee, in a single day. Larger authorizations, going through the committee, can be done within a week. This system is also more effective because most people prefer going for the one-day funds through me than taking their chances with the committee. Another person also stated that they have 10% in contingency built-in as well, but that after that they do not give additional funds unless it is an absolute last resort.

The next point of discussion was the problem of applications which are well written and states established support from local groups and secured funds, but in reality that may not be the case. This has prompted one TE manager to ask for proof of all these factors as part of the application. Another discussant mentioned that in their state, if an applicant doesn't have what they state they do in their application, the award is rescinded. The award letter itself has contingencies spelled out. Finally, one TE manager mentioned that their state does not negotiate right-of-way. As a result, if a project doesn't have right-of-way ready, they are asked to reapply when that step is complete. The only exception is in case of negotiation with a railroad. In that case, DOT is willing to get involved but only after a "willingness to sell" letter from the railroad, submitted with the application.

Next, Ms. Fisher raised the issue of design. She gave the example of projects which don't take their context into consideration, like building a sidewalk right through mature trees when there's no need to do so. She mentioned the difficulty, at the application stage, for the TE managers to know what's around the project, so that they might not be made aware of the context problem. She asked the audience how they deal with these issues. One TE manager responded in depth for this issue. In their state, they are willing to fund professional scoping. They won't fund without scoping for that exact problem: it can look good on paper but doesn't actually work in reality. With the scoping, this issue can be resolved in the design stage or if there are problems reported in the scoping stage, the DOT won't fund the project. In their state, they will provide funds for scoping, and after positive results, will fund the project. Ms. Fisher responded that in Oregon, they also use a similar technique: they sometimes conditionally accept a project and after bringing in professionals to complete the scoping, will proceed. However, unlike in the other state, Oregon does not use TE funding for the scoping but instead uses state funds.

In response to this, another participant asked whether complaints arise from the costs of the design and whether this can result in fewer trail projects because of requirements. Ms. Fisher answered that steps can be taken to reduce the requirements for trails, by for instance streamlining if a railbed is already graded and the alignment and grading is known.

Afternoon Session B: Post-award Program Implementation Solutions

Cheryl Banta, Arizona DOT

Cheryl Banta of the Arizona DOT started this session with a powerpoint presentation showing some projects in Arizona. She then discussed specific streamlining and implementation solutions developed in Arizona, and finally opened up the discussion.

Ms. Banta started by describing a noisewall built along I-10, sketched out by a local artist and painted by local schoolchildren. She then went on to describe other projects including the snake bridge in Tucson, sidewalks built to look like wood in Tombstone, etc.

Ms. Banta went on by discussing new processes in Arizona. In the past, communities had to do their scoping documents and then go through full ADOT review before starting design. They would then have to distribute their plans, again for full ADOT review, etc. This was extremely time consuming – usually three years or more between implementation and going out to bid – especially considering

the small size of many of these projects. However, five years ago, Arizona tried to improve this process by developing a self-administration policy. Communities still have to submit their scoping documents but then they can proceed with design and only submit 60% plans with expenses, cost estimates and clearances. If everything is correct, that's it. According to Ms. Banta, this system is working very well and is being used by local governments for low-cost projects. However, there are some limitations. For instance, only local projects are eligible.

One participant emphasized that paperwork can really slow down the process, and to deal with that, a number of solutions can be implemented. In particular, she discusses how in her state (Louisiana), they have managed to reduce the paperwork for projects below \$500,000. Those projects are "approved subject to audit" and 25% are audited. She also talked about the importance of having good relationships with in-house engineers, architects, landscape architects to better know what needs to be looked at for various types of projects to make sure they get properly designed, built and maintained.

Ms. Banta responded by saying that this is very similar to the procedures in Arizona. She then went on to give the big selling point for self-administration: it really saves time, and gets projects off the books much faster. A respondent remarked that he would not be able to convince his state to allow self-administration because in the past it hasn't worked out and institutional memory is very long. Ms. Banta responded that even in her state, self-administration is done on a case by case basis, and requests can be refused.

A participant asked about staff's role in helping the process. Ms. Banta responded that project managers are arranged by regions in Arizona and go to kickoff meetings. The scoping document is expected a year after that. The project managers stay in touch with consultants to make sure things get done.

The discussion then went on to payment issues, including whether TE pays for design or just construction (in AZ, TE can pay for design but few communities ask for this), whether ADOT has consultants (yes), etc. The discussion concluded with questions about timeframe and how to keep projects on time. Ms. Banta mentioned that she gets a list every quarter of projects that have been inactive for one, two or three years. At that point, she can find out what's going on and either get the project back on track or cancel it.

Afternoon Session C: Streamlining the Application Process

Howard Reynolds, Caltrans

John Haynes, Caltrans

Howard Reynolds and John Haynes of CalTrans started by presenting a PowerPoint on California's TE application and award process that highlighted the streamlined aspects of the process they use in California.

Mr. Reynolds and Mr. Haynes first responded to why it is that the TE process is seen as in need of streamlining. They said that the public and TE applicants wanted a simpler system for TE award because it was difficult to meet all the requirements as they currently are for a TE award. Mr. Reynolds suggested that the stance was a result of a number of underlying issues that when solved result in understanding how the process is easier than it might first appear.

The issues seen in California were related mostly to the inexperience of sponsors with the requirements for Federal-aid highway program funds and the state STIP. Sponsors are generally not transportation professionals and so the TE managers find that they must do a lot of education up front for sponsors about the basic requirements. Unfamiliarity with environmental impact assessment requirements also make the process difficult for many sponsors, and can slow the application and award process down a lot. A major issue also affecting both the DOT TE projects and outside

sponsors is accurate cost estimates. In many cases the cost estimate is inaccurate and results in project problems at the end. Trying to be proactive about costs at the beginning can be difficult for sponsors.

To combat such issues Mr. Reynolds and Mr. Haynes actively work with the MPOs to run training sessions for them to identify eligible project opportunities and learn the process. Further they consider it to be a primary role of their position as one of assisting each applicant or sponsor to be successful. Sometimes just the words used to describe a project can make the project ineligible. Sometimes Mr. Reynolds and Mr. Haynes have found that it is helpful for smaller communities or sponsors if they help write the application or give examples of applications that are eligible as part of the training that they do so that a sponsor doesn't make a mistake that will invalidate an otherwise eligible project.

While each TE project is evaluated individually on its merits, Mr. Reynolds and Mr. Haynes indicated that with some of the larger project sponsors they will accept a preliminary list of projects along the lines of a Notice of Intent document. The purpose here is to give early feedback on eligibility before the sponsor puts all of the time into developing an application. In this way, they are able to flag projects which might require eligibility clarification. For individual projects, this service is often accomplished over the phone directly with the sponsor. Ultimately, however, it is the application that is evaluated, and any direction given by Mr., Haynes or Mr. Reynolds is meant to improve the application rather than dissuade applicants in general.

The session ended with a round table discussion regarding corridor master plans, in order to identify needed TE improvements along corridors and the items to be included in these plans. For instance, aesthetic corridor plans should be developed to identify design elements so that each project is not starting fresh within the same corridor. The question of a safe harbor provision for native plantings done by the DOT (so that they would not be penalized later if they needed to remove the plants because of future highway work) was prominent among discussed subjects. Under current practices, a 10-1 replanting would have to be undertaken.

Luncheon Speaker: “Building Communities Through TE”

Todd Davidson, Director Travel Oregon

Summary

After being introduced by Dr. Fields of NTEC, Todd Davidson started his talk with a clear statement that “what you do matters”. He then started discussing tourism in Oregon, including dollar figures and people involved in the industry, and the importance of partnerships in developing and widening the scope of tourism in the state. As an example, Mr. Davidson focused on the scenic byways program in Oregon.

Mr. Davidson then spoke of some trends in tourism and relevant programs in Oregon. He discussed the fact that people increasingly want and expect novelty, take shorter vacations (requiring more “one stop” destinations), search for connection and meaning in the places they visit, and take more family-oriented trips. During his discussion of these trends, Mr. Davidson gave examples of TE projects in Oregon that respond to these trends, thereby improving visitors’ experience and encouraging a “dynamic economy”. Mr. Davidson concluded by reiterating the importance of partnerships in responding to visitors’ desires, and of the continued worth of the TE program in aiding the tourism economy.

Transcript

I can’t tell you how much I appreciate the invitation to come and speak to you today. When Matt Garrett, who’s the director of the Oregon DOT contacted me several months ago to ask me if I would be available on this day I said “I am now” because he afforded me the opportunity to be able to talk to you a little about how what you do matters. And it matters far beyond those initial dollars you’re putting into projects and helping create match. Whether it’s curb cuts, landscaping, rail-to-trail projects, you name it, if I can leave you with any single message today, it’s that: what you do matters. And what you do does not stand in isolation. It matters a great deal to the communities that are carrying out your projects and the industries that depend upon that infrastructure.

It’s always fun for me to be able to get up and give presentations. When I first started my career and giving presentations I didn’t often use podiums and I’d have a wireless mike and I’d have a 3 by 5 notecard and I would pace back and forth as I would speak. And the woman who is now my wife – we weren’t married at the time - came to hear me give a presentation and she started sending notes to somebody she started calling “the pacer”. I’m not going to stand here to be anchored today, but I do find it an effective way to present. Because I had a gentleman tell me one time when I was presenting to a rotary club: I love what you’re saying, I love how you say it, but could you just stand still because watching you is like watching a tennis match. And I said: yeah, I can do that.

For a lot of folks, public speaking is probably the most fearful thing they can imagine doing. If I picked on anybody in the room and said: come on up and give us three minutes on whatever, some of you would relish that opportunity – I think a couple of them are over here at this table that I was having lunch with, and you know who I’m talking about (laughter) - and some of you would try to hide under the table and shrink from the room if at all possible. So yeah, for some, public speaking is full of fear and full of expectation, but I have learned that there is nothing like love and romance that creates amazing expectations among people.

And if you wanna know the kinds of fear and expectation that come with love and romance, ask about your kids. Mike, aged 9, when answering the question: what do most people do on their first date, Mike said: on the first date they usually tell each other lies and that usually gets them interested enough to go out on a second date (laughter). Lynette, also aged 9, said, in answer to the question is it better for boys or girls to be married or single said it’s better for girls to be single but boys need somebody to clean up after them. (laughter) I didn’t write these, I’m not a chauvinist.

Gary, aged 7, on the role of good looks and love, said: it isn't always about how you look. Look at me: I'm handsome as anything and I haven't gotten anybody to marry me yet. Bobby, aged 8 said: love will find you even if you're trying to hide from it. I've been trying to hide from it since I was 5 but the girls keep finding me. (laughter). When answering the question what do most people think when they say "I love you", Michelle, aged 9 said: the person was thinking yeah, I really do love them but I hope he showers at least once a day. What is the proper age to get married? I think everybody in the room is an adult so I can share with you Judy, age 8's opinion: the proper age to get married? 84. But she explains: because at that age you don't have to work anymore and you can spend all your time loving each other in your bedroom. That's Judy's opinion on why 84 is a good year to get married. And Tom, age 5, says: once I'm done with kindergarten, I'm gonna find me a wife.

You know, folks, like love and romance, for many regions here in Oregon, and I'll speak a little bit provincially about the state of Oregon but I think everyone of you can immediately take that and apply it to the states that you're here representing. But for many regions of Oregon tourism development holds great expectations and a certain amount of concern and fear. Tourism is an industry. And we can never forget that tourism is an industry that does require careful planning and development so that the economic benefits can outweigh any of the negative repercussions. Here in Oregon that's the job of the Oregon Tourism Commission. Like the state tourism offices in your respective states the OTC is the umbrella marketing arm for our entire state's tourism industry. And our goal, first and foremost, is to encourage the economic growth and enhance the quality of life throughout the state by strengthening the economic impact of tourism. And we've witnessed some great success.

Today, in Oregon, tourism is a 7.9 billion dollar industry employing nearly 89,000 Oregonians. Payroll is now nearly 1.8 billion dollars in support of those 88,000 jobs. State and local tax receipts have grown to nearly 300 million dollars a year. In fact I'm often fond of telling my friends at ODOT that one in every 5 dollars that are collected in gas tax and go to the highway fund, come from visitors that are traveling the state. Twenty percent. And I wouldn't be surprised if in some of your states you don't find it's actually a much higher percentage. Because while tourism is incredibly important to the state of Oregon, many of your states are even more dependent on the economic impact of the tourism industry that Oregon is. Oregon has a nice relationship with its tourism industry but it obviously varies across the country, and there are many states that are even more dependent on the tourism industry.

But perhaps most importantly of all the successful numbers that I mentioned, the one that matters to me personally the most is that we've been able to forge viable relationships within the Oregon tourism industry, the private sector, with the respective statewide trade associations and numerous state agencies including the Oregon DOT. And it's these partnerships that have allowed us to actually leverage our budget and approach a cash in-kind value of probably 4 million dollars a biennium (every two years). And these partnerships are critical to our success. The reason is, first and foremost, tourism benefits far more people than folks realize. A lot of folks, if you ask them about the tourism industry, they'll immediately mention hotels, restaurants, they might mention the guide and packing service [?], depending on the state that you may be from, they might mention some of the attractions and festivals and events but they don't often make that next leap to what about all the professional services that are also there to support the tourism industry. The bankers, the legal services, the printers, and a host of others. What about the folks in the agricultural industry whose products are used to support the tourism industry: the restaurants, the bed-and-breakfasts, and others. Here in Oregon I can tell you that the culinary niche is one of the most well known niches for Oregon nationally. There are more stories written about Oregon's food scene in the NY Times than probably any other single thing that's being written about in the NY Times. Visitors want to come here and experience what these chefs are doing with this amazing cuisine. So this connection with agriculture is one that's often invisible to a lot of folks.

The second reason these partnerships are critical to our success is because it leads to a whole host of other business and community development benefits. It leads to attractions and facilities being built that not only benefit visitors – when was the last time you visited an aquarium or museum or whatever and it was only tourists that were showing up at the door? Local residents benefit from those new cultural centers being built, the new art galleries being put in, and several of your projects as well benefit residents as well as visitors.

And finally the reason these partnerships are important is because individually, our message can't go very far. When we're out there trying to market the state of Oregon with our budget, I can sometimes get people so far. I have so many dollars that I can put in the marketplace and build and awareness about our state and the same is true for your state tourism offices as well. But when we find ways to line up projects and programs, so that your TE programs are in line with some of the things that the state tourism office is out marketing, or they're better aware of your program so they perhaps amend their marketing strategies to reflect the work that you're doing within your TE programs. I'm gonna talk in a little bit about the scenic byway program here in Oregon because it's probably one of the most significant examples of where you've seen a shift in Oregon's marketing efforts because of a very dynamic and robust state scenic highway program. But suffice to say, if we were just trying to market these roads on our own, without the support of the Oregon DOT, without those local proponents that were working hard to implement their corridor master plans and management plans for those scenic byways, it wouldn't have near the effect that we're able to have by all of us coming together. So it's the support of that industry that's enabled us to put more funds into the marketplace and really have the kind of impact that we want to have.

In fact here in Oregon our research is telling us that we're generating a new trip to Oregon for every one dollar and 31 cents we're spending in our media advertising program. And many of your states are probably running those ad accountability studies as well. I don't know how many of you have always worked in your respective careers as perhaps engineers and such but if any of you have ever worked retail and you knew that every time you were going to spend one dollar and 31 cents in an ad that was would bring people through your door – not just to shop, but to buy – you would consider that a pretty solid return on investment. And our research firm tells us that this is one of the strongest most effective advertising campaigns that they've measured in the United States. What we were able to tell the legislature back in 2003 was: we've been in this lottery world for a long time. They've been funding us with lottery. Our budget was about 3 million dollars a year. That ranked as 46th – or 47th in the country out of 50 states but we felt we could do better. And we needed a dedicated stable funding source to be able to compete effectively in the marketplace. We asked them to implement a 1% statewide lodging tax to do that. And as you can imagine, the word "tax" doesn't always fly real well with the legislature. Well, we talked to them in terms of with the tax, it's an investment, and here's how it plays out: because if our budget were to increase by X, we'd be able to put this much more into the marketplace and here are the kinds of returns we're seeing as a result. And they felt it. And probably the number that resonated with them the most, is that we were able to tell them that every time we spent a dollar, in our media advertising campaigns, we were generating five dollars in state and local income taxes including highway funds, including corporate income taxes, including personal income tax. Just those three things. We weren't even measuring property taxes and you've probably discovered Oregon doesn't have a sales tax. It's one of very few states that doesn't have a statewide sales tax short of lodging taxes – which you're probably also familiar with or if you're not you will be when you check out. Because one percent of that now comes to the tourism office I want to thank you for being here in Oregon for your convention and seminar today.

So for me [interruption. mumble] to be with you today, being invited to be with you today, is very encouraging for me because it bears witness to the kinds of partnerships that really matter. They have been and they remain to be the best that we have to offer and the best that we have to move this nation's tourism industry forward. And it has been the root of our success. Transportation and tourism are not mutually exclusive entities. If we look at ourselves that way, we've lost. What you do matters a great deal to me. A great deal to me. The enhancement programs that you're making

those investment decisions around will have an impact for generations on the kind of economy the kind of experience travelers have and a host of other things. So again, please bear in mind that none of us are standing in isolation. Yeah, there's the infrastructure piece. There's bridges and roads and trails and those kinds of things. But there's also this experience piece.

What is it our visitors will be experiencing when they come to Oregon? Here in Oregon probably 90 plus percent of the folks are traveling here in their own car. Does transportation matter to them? If they're coming here for outdoor recreational pursuits, does what you do with rails-to-trails matter to them? I mean, the examples will I think come to mind and I hope they do as I talk about Oregon that you can immediately start thinking about some of your projects back in your respective states just a little bit differently. And to help you do that, there's some trends that the tourism industry is currently facing, and I thought it might be interesting to look at some of these primary trends and match it up with some of the transportation enhancement programs here in Oregon so you can start to really understand why what you do really matters.

So with the time that I've got remaining I'd like to review a few of these trends and talk about ways in which we can capitalize on those transportation enhancement programs to both embrace them and to leverage them. The first trend is the one that the experts are calling the possibility agenda. Over 75 percent of Americans are saying that they would welcome more novelty and change in their travel choices. They're a little tired of the same old, same old. Nearly 60 percent say that they're willing to save up five years to take that dream vacation. So what this means is that our visitors are getting much more targeted much more specific in the kind of vacation experiences that they want. So when you hear people talking about nature-based tourism activities whether it's wildlife watching or those kinds of things it matters. Or heritage travel really starts to matter and it will continue to be a focus.

Here in Oregon you had an opportunity yesterday to go up and see Vista House. The Vista House is part of that whole Columbia River Highway that was established over a hundred years ago now, or almost a hundred years ago. And when it was designed it was referred to as king of the roads. It was designed – I love this part of the story of the Columbia River Highway – it was designed for visitors. It was designed for travelers. They structured that road in such a way to put the scenic viewsheds in play. There were some choices that if they were building it for efficiency they probably wouldn't have built it that way. You know? Gotta get you from point A to point B. But they built it for the experience, they didn't build it as much for anything else. Of course they wanted it safe, and those concerns. But it really was about the experience and therefore it was dubbed "king of the road". And you look at the kinds of investments that transportation enhancements has played here in Oregon in getting the Vista House restored, refurbished and reopened. The kind of money that's gone in to the interpretation along the byway and restoring some of the tunnels and some of the rail-to-trails projects and a number of other things to recreate that experience of the Columbia River Gorge.

The second trend is one of time poverty. They tell us that today the average lunch hour is actually only 28 minutes long. And the average workweek is actually 48 hours. Thirty six percent of Americans say they don't feel they have enough time and 56 percent said they do not have enough vacation time. What this means for us is, people are going to take more but shorter vacations. Those two week trips where I got piled in the back of the family station wagon and seatbelt laws were non-existent, you know? They're now a thing of the past, right? Now the thing is that all the station wagons come with that fold-down rear seat and shoulder straps and the whole bit so you can turn it back into the family station wagon but you're still gonna be harnessed into the vehicle. I mean, this is all changed. So we're taking more vacations or perhaps more vacations? But fewer and shorter vacations. Add a day and make it a three-day weekend. Get away for a couple of nights. We're depriving ourselves of those longer vacations and justifying it by taking longer weekends from time to time.

How can we capitalize on the fact that people are looking to be more efficient in their travel decisions? Well, I look at projects like the Lowell Covered Bridge down in Lane County, where 1.3 million dollars went into not only restoring the bridge but also enhancing the entire rest area

experience, the interpretive signage that went in, it is now become like a mini-visitor center telling you the history of the area, other attractions in the area. The Lowell Covered Bridge is an attraction unto itself and yet it is also being used as a magnet to spur you to other opportunities within the county and doing it very efficiently. By that one stop, you're able to get out and experience a number of other things that are going on within the county. And when folks are feeling time-deprived, that accessed information is critically important. Of course there's other ones when you look at the time poverty. I mean when you look at the investments alone in a variety of pedestrian and bicycle paths. You know the quality of life and the urban experience that was added with the investment that was made for the East Bank Esplanade here in Oregon, was significant. And folks were ecstatic to be able to see that completed.

And probably one of the more heralded program, certainly when I contacted the city of Portland about some specific TE programs that they were interested in, of course the Springwater Corridor comes up as a huge one for them. You know here you're looking at about 19 miles of a rail to trail or rail with trail program, stretches from Portland to a lovely city named Boring, Oregon. Which is anything but. But it's kind of Portland to Gresham and then Gresham to Boring and there might still be a few little gaps along the way, but do you know that Portland now estimates that there are over a million users of that trail every year. That's huge. That's huge. And they made it a point to make sure I knew that it wasn't just residents that were loving it but visitors were out there too. So they know who's out there using this trail in terms of the number of folks and the kind of satisfaction that they're having with their experience.

And probably the most significant kind of packaging to help people with this time poverty idea here in Oregon has been our scenic byways program. And I can't talk about our scenic byways program without giving due credit to the Oregon DOT because in the early 90s, they caught hold of a vision of what this kind of a program could mean for Oregon. Before there was a national scenic byways program, there was movement afoot, in Oregon, to build a statewide scenic byway program. And now we have nearly two dozen scenic byways in Oregon. We have a classification system. When I used to work for the Convention & Visitor Bureau before coming to work for the state, one of the things that I did voluntarily with the Oregon DOT was help score routes to become part of the state's scenic byways program. Because we thought it was important that a local Convention & Visitor Bureau be out there traveling the state and scoring it from a tourism perspective as well. So that was something I did for a couple years as I worked for the Convention & Visitor Bureau.

But it was ODOT's vision behind what this project could mean and their willingness to form a very strong statewide scenic byway committee that has now led to the fact that Oregon has 10 nationally designated scenic byways which is tied only with the state of Colorado. I don't know if anybody from Colorado is in the room here today, but Colorado also has 10 nationally designated. Those are the states with the most nationally designated scenic byways in the country. Oregon actually has more All-American roads, which is, as you know, their cream of the crop. We have four of those, of our 10 designated. I believe Colorado has 2. So if I feel I need to one-up them I talk about All-American roads, but we're really not all that competitive. But perhaps most importantly remember earlier when I told you that individually our message can't go very far? Well the national scenic byway grant program through FHWA has been great for Oregon because we've been able to access those dollars to develop statewide scenic byway guides – which I have seen Patricia hold up at numerous national meetings and say: “this is one of the best guides I've ever seen”. And I don't say that to boast, I say it because Patricia boasts about us. I didn't bring a powerpoint. Instead I brought him, you know? But she is so proud of what we've been able to do with the federal funds to help market our scenic byways. And we're careful to make sure that the scenic byway brochure, with all its beautiful photography, all its great copy, also includes information about visitor services, any concerns about the road itself, seasonality, when you're gonna find snow closures, etcetera. You know, that's part of the message too, part of the experience too, and you can present that in a very positive and helpful manner. So, the scenic byways program has been huge for Oregon and has touched every corner of the state.

The fourth trend that we're kind of seeing at the national level is one that people would call the erosion of trust. No surprise to you but we've taken on as Americans a bit of an anti-authority attitude, we've become vigilante consumers, we no longer really trust our systems, we don't have a lot of confidence necessarily in Congress or the press, or major companies, so we tend to take the offensive. I believe there are things the TE programs do to actually reverse that trend and to restore folks' faith in their systems. And for me here in Oregon one of the best projects has been the work on the Fort to Sea Trail. And the reason I point to the Fort to Sea Trail is because, first of all it leverages the whole Lewis and Clark bicentennial that just occurred over the last couple of years. But more importantly, it wasn't just some federal funds through a state agency that were going to do whatever. This actually was a keystone project in what brought together two different states, state parks departments, it brought together the federal government and it brought together the Oregon DOT and it resulted in – and I believe the Nature Conservancy was also involved in a part of this project – but at the end of the day, it resulted in a new designation of a national historic park. And the designation of a new national historic park hadn't happened in a long, long time. Oregon especially hadn't had a new national historic park of any kind. And so the formation of the Lewis and Clark National Historic Park, where folks could sit back and suddenly go wow! Federal government working with state government working with the local folks, we were able to make some magic happen. And that's the kind of project that starts to restore people's faith that we do talk to each other, we listen to each other, you know? I mean you guys could list off the things you get beat up for the most and sometimes, you guys really talk to each other. This project delivered the message that indeed you do.

The next trend is one that's called search for connections and I guess what I would just simply say is this: people are looking for meaning, they're looking to be part of a group, and at the same time they want to escape things that are too predictable. So when I look at how TE programs have helped enhance Main Street programs, if you have an opportunity to visit the city of Joseph, do it. You'll be blown away. It's up in the northeast corner of this state, it's nestled in the Wallowa Whitman National Forest, near the Eagle Cap wilderness, and what TE funds have done to enhance that downtown community and what they've identified as their respective niche with arts. The bronze foundries that have opened in this community and all the supporting industries around it whether it's restaurants or wineries or other things, is truly amazing. And TE funds were a catalyst to help them capitalize on where they were going.

The final trend is one that I call focus on the family. The incidence of family travel has increased steadily for the last decade. There's a strong return to family traditions, even amongst the Gen Xers. In fact we're hearing about children becoming more prevalent in the decision making about where the family is going to go for their vacation. You know? Some of that we think might be based on guilt (laughter) where there's a lot more families where both parents are working, they're away from their kids they come back together around the dinner table – at a minimum we hope – and so because of that we give the kids a lot more say of where do you wanna go? Here in Oregon one of the things we did a few years ago is write a kids travel guide, a guide written basically by kids for kids. And we thought, why not try to get to the kids. And, by the way, we limited the commercialization of it, the advertising sales in it are very minimal, they're tucked in the back. It's not designed to be overly commercial. In fact we ask advertisers to actually sponsor activity pages. So there's puzzles and crosswords and cut-outs and those kinds of things that they may have sponsored with a little banner across the bottom. But it wasn't about commercialization to the kids, it was just about helping them understand all that Oregon had to offer. So when I look at the investments that have been made to the TE programs on the Pacific coast scenic byway, especially a project that also involved the Fish & Wildlife Service, about \$765,000 that went into parking and most importantly also viewing deck, trails, restrooms and again interpretive facilities. You know putting in something that becomes an attraction unto itself, where visitors are able to stop and experience a part of the history, the culture, the natural history of this place really adds to that experience. And so for parents to be able to seek out these kinds of places, for us to have more product to put into the kids travel guide, and tell them about these different experiences that they can have throughout the state matter a great deal.

Well to face these trends and these challenges, we've gotta have great ambitions and we must have the strong kind of collaboration that we've started to form around the unified vision. We've gotta have partnerships. We must have the positive foundation and all the encouraging indicators that I mentioned earlier. And I need you here in this room willing to explore how transportation enhancements can lead to and leverage greater community development and economic development into the future. I hope you've got the interest and the desire. And if not, perhaps you wouldn't even be here. Tourism is a proven economic development tool with the power to create jobs and to protect our quality of life. If not, I wouldn't be here. I'm proud of Oregon and I'm incredibly proud of our industry and I truly appreciate the invitation to be here with you today. I wish you the best of luck in your discussions, I look forward to hearing more about some of your plans for the future, because I know that together – whether it's here in Oregon or back home in your respective states – we're gonna be able to better serve visitors, build that dynamic economy, and enhance the communities where we live and work and visit. Thank you very much.

FHWA: 2010 Reauthorization

Christopher Douwes, FHWA

Summary

Christopher Douwes of FHWA led this session focused on the future of the TE program and allowed for open discussion of topics not covered earlier in the seminar. The conversation was lively, and many people in the audience participated. For this reason, a summary rather than transcript of this session is provided.

Mr. Douwes started the session by introducing the specific issues he believes are going to be important for the next reauthorization. Mr. Douwes first mentioned a specific exception to add to the legislation in 23 U.S.C. 133(c), to statutorily exempt TE projects from a requirement to be located on a Federal-aid highway. There is an administrative exception from the Secretary of Transportation (posted FHWA's TE website), but it has been challenged. The amendment would replace the exception for "(b)(3) and (4)" with "(b)(3), (4), and (8)". The audience agreed with this.

Mr. Douwes then mentioned an amendment needed in 23 U.S.C. 133(e)(5)(C), regarding innovative financing. This section theoretically allows flexibility for TE project Federal shares, provided the aggregate Federal share for the State is not less than the State's authorized Federal share (80 percent or "sliding scale"). At the time it was proposed, this provision was intended to help TE funding work better for (1) project sponsors that had difficulty coming up with enough match, and (2) to allow Federal agency project sponsors to provide their funds toward the match for TE funds. However, TEA-21 amended Federal matching share requirements by adding 23 U.S.C. 120(k) and (l) to allow Federal land management agencies to match Federal-aid funds or to use Federal Lands Highway Program funds without an aggregate Federal share requirement; which is more flexible than the TE requirement, and SAFETEA-LU amended it further for additional flexibility. The TE provision is now more restrictive than the §120 provision; the TE provision requires States' TE programs to require a higher non-Federal share from non-Federal project sponsors if they accept higher Federal shares for federally-sponsored projects. Mr. Douwes asked how many in the audience do programmatic matches. The audience responded that many do. In response, Mr. Douwes said FHWA will propose to have TE consistent with the rest of the Federal-aid highway program and eliminate the required aggregate non-Federal share. This will allow for more flexibility for Federal land management agencies without requiring States to effectively penalize non-Federal project sponsors.

The next topic regarded eligibility categories. Mr. Douwes read the eligibility text for item K: "reduce vehicle caused wildlife mortality while maintaining habitat connectivity". He mentioned that enhancement funds currently cannot be used for such items as re-establishing connectivity for fish, because automobiles do not cause fish mortality. Many in the audience agreed that added flexibility

would be good. However, some expressed some concern that too much flexibility would be detrimental as too many TE funds might then be spent on environmental projects. Various wordings for the text were discussed, and consensus was reached for: “reduce transportation caused wildlife mortality and maintain or restore habitat connectivity.”

The next topic for discussion regarded the addition of a new category: litter prevention education. Under category 5, this is being considered as a potential eligible activity. Response to this was very mixed. In particular, concerns from the audience included the effectiveness of such programs, the fact that litter prevention is a maintenance activity, which is not covered by TE funds, and the worry that already-existing litter prevention programs would now be paid for by TE funds. There was general consensus opposing specific mention for litter prevention education.

Mr. Douwes then introduced the idea of adding an administrative takedown for TE both for USDOT Headquarters use and for the States. Among other things, these funds would be used to support NTEC. Mr. Douwes mentioned that funding for NTEC is currently at risk. The funds for the States could be used for State administrative costs related to TE. One respondent worried that takedown funds would be taken by the DOTs and abused while taking money away from TE projects. The participant did mention, however, that if the funds could be spent well, it would be “great”. Another participant responded positively, saying that more staff members would be well appreciated. Mr. Douwes then broke this down into two questions: (1) should there be an administrative takedown and, if yes, (2) how much should be spent on it?

The audience responded positively for the idea of an administrative takedown for the States (only seven people voted against it). Regarding how much should be spent, there was much less agreement. Mr. Douwes asked how much, from 0.1 to 5% should be assigned to Federal and State administrative takedowns. (For comparison, FHWA may use up to \$840,000 annually for Recreational Trails Program administrative costs, and the States may use up to 7 percent of their RTP apportionments for RTP administrative costs.) People discussed possible takedown amounts for a while but could not agree, other than saying that the TE programs would not be harmed if up to \$1 million a year was taken nationally for a USDOT administrative takedown that would be a primary funding source for NTEC. Most States would benefit from having an ability to use TE funds for State administrative costs, but there was no consensus on what percentage should be proposed.

Finally, the conversation ended with a discussion regarding the Corps Network. Mr. Douwes asked the audience if there should be an incentive to use Youth Corps and if the TE managers would like to get into a cooperative agreement with Youth Corps. Many managers said that they use Youth Corps on projects. The audience responded positively to this, and Mr. Douwes mentioned that he will be working with the Corps Network to produce a book to talk about how states can use Youth Corps. He concluded by thanking the audience and asking everyone to contact him if they have further ideas, suggestions or questions.

NTEC: Moving Forward

Graham Stroh, NTEC Senior Program Coordinator

Introduction: Summary of NTEC’s Projects

Graham Stroh, Senior Program Coordinator at NTEC started this session by giving an overview of the activities that NTEC engages in. Ms. Stroh mentioned the Spending Report, which is a large undertaking every year, requiring multiple months of work. He emphasized the importance of the spending report as a unique comprehensive accounting of TE projects, which is used by TE professionals, researchers and the public. He then listed the other main activities that NTEC is involved in: developing and publishing documents, attending relevant conferences and updating and improving the website.

Publications, Website and Conferences

Mr. Stroh first discussed the major publications produced by NTEC. First, he mentioned the 3rd edition of Enhancing America's Communities, which was published early in 2007 and has been distributed to many people throughout the country. This is NTEC's flagship publication and gives a basic overview of the TE program. The new edition has been designed to use images to tell a more complete story. This publication is supplemented by the new NTEC brochure. This brochure gives basic information regarding TE and contact information in a much cheaper, smaller package. Mr. Stroh encouraged the TE managers present to order this free brochure and distribute it to their constituents.

Another major publication is NTEC's quarterly newsletter, Connections. This newsletter is a great way to keep people up-to-date with TE-related news. The newsletter, which has 9000 subscribers, is now being switched over into electronic format.

Subscription to the newsletter is done through the website. The website is being emphasized as the center of NTEC's activities. Mr. Stroh mentioned that all NTEC publications, including older versions, are available for download on the website. The website also includes in-depth state profiles, provided by each state. Mr. Stroh emphasized that this is a great resource to understand how each state differs and makes it clear that people need to contact state TE managers to get appropriate responses. It's a single source point for people to get information about TE and how to contact important people. The website gets used a good deal, and hits have been creeping up in the past year. People get linked from Google, Yahoo, FHWA. Finally, Mr. Stroh emphasized that the entire TE database of over 22,000 projects representing over \$7 billion is available on the website, and is used by TE professionals, researchers, and the public regularly.

Mr. Stroh went on to discuss the conferences that NTEC attends each year. He mentioned the National Trust for Historic Preservation's conference and the Trust's Main Streets Conference in particular. Mr. Stroh mentioned that many people at those conferences tell NTEC staff that they use the NTEC website regularly and love the database. However, for new people, it is often necessary to start by explaining that transportation is related to what they do, and that it's more than just highways. By introducing people to TE at these conferences, new sponsors and interested parties can be reached and they soon become the people who tell NTEC staff that they use the website all the time.

Image Library & Conclusion

Mr. Stroh concluded his talk by introducing NTEC's image library. NTEC has just launched this new feature on the website. The image library was borne out of the idea that images tell a story that words often cannot match. The TE projects featured in the library are searchable not only by name but by TE category, location and keyword. Detailed information about the project is listed with the high-resolution pictures. There are multiple shots for each project, including details, long shots, etc. to really give people an idea of what the project looks like. This is all geocoded and linked with Google Maps so everything is clearly mapped to make it easy for people to find.

Mr. Stroh mentioned that NTEC would like to supplement the photos NTEC staff take with photos provided by TE managers. However, images on the website are given to the public in the hopes that they will be used, which raises copyright questions which will need to be solved.

Overall, Mr. Stroh said that NTEC staff are extremely excited about TE and want to keep improving the way they inform the public and help TE managers. He then thanked the audience and asked for questions.

One request was made by an audience member to add a prompt in the newsletter asking for success stories. She mentioned that she loved reading the success stories but thought that a prompt would encourage more submissions. The only other comment was to say that the NTEC seminar should be conducted every year.

FHWA Plenary I & II

Christopher Douwes, FHWA

Summary

These two sessions were actually scheduled before and after the breakout sessions. However, because of the common format and topics of both sessions, they are summarized here together. Christopher Douwes of FHWA led both question and answer sessions and allowed for open discussion of topics not covered earlier in the seminar. The conversation was lively, and many people in the audience participated. For this reason, a summary rather than transcript of these sessions is provided.

Q. Is litter education eligible for TE funds?

A. Yes, litter educational programs are eligible. They should be attached to some form of evaluation of the program to ensure its benefits. However, maintenance (actual litter control) is not eligible for TE funds.

Q. Are All Terrain Vehicles (ATVs) allowed on TE funded trails?

A. A. No, they are not. Under 23 U.S.C. 217(h), nonmotorized trails and pedestrian walkways prohibit motorized vehicles, including ATVs and off highway motorcycles. The only exceptions are (1) maintenance purposes; (2) when snow conditions and State or local regulations permit, snowmobiles; (3) motorized wheelchairs; (4) when State or local regulations permit, electric bicycles; and (5) such other circumstances as the Secretary deems appropriate. So far, FHWA has not issued any exemptions under #5, although the issue has been raised and the topic is under discussion.

Editor's Note: FHWA released a Framework for Considering Motorized Use on Nonmotorized Trails and Pedestrian Walkways under 23 U.S.C. §217, on February 26, 2008. See www.fhwa.dot.gov/environment/bikeped/framework.htm#framework.

Q. Are there rules to limit the speed of bicyclists?

A. No, there are no federal rules to limit the speed of bicyclists. Speed limits can be implemented through legislation at the state level or through design at the project level. For instance, multi-use paths can be designed so pedestrians and bicyclists have enough space to avoid each other. However, some design features aimed at slowing bicycles (such as gates to force bicyclists to step off the bicycle and walk) are not acceptable if they impair wheelchair accessibility.

Q. Can a path still be eligible for TE funding if it's primarily inside a park?

A. It can be, but only if it is used for transportation. For example, a path inside a park which starts at one point and forms a loop would not be eligible. However, a path primarily inside a park which connects the neighborhoods on either side would be eligible.

Q. Concerns about ADA are common. How can one comply with ADA if circumstances are difficult?

A. The Americans with Disabilities Act (ADA) has provisions for many kinds of problems which can arise. For instance, if it would destroy the significance of a building to construct an elevator to provide ADA-compliant access to upper floors, the elevator requirement can be waived, provided equivalent interpretive materials are available in accessible areas of the building. Similarly, if topography makes meeting accessibility requirement infeasible, it is possible to document the need for an exception because of terrain.

Q. Does a visitor center have to be right on a scenic byway to qualify for TE funds?

A. A welcome center should be associated with a scenic byway, but doesn't need to be on it. There is Congressional direction on this: a tourist or welcome center does not have to be on a designated or historic byway but there must be a clear link to the scenic or historic sites.

Mr. Douwes concluded the session by inviting TE managers to contact him with any further questions that might arise in the future, and thanked everyone for their participation.

Closing Remarks

At the conclusion of the seminar, Billy Fields of NTEC wrapped up the day by thanking the group for coming, and thanking NTEC staff for organizing the seminar. He reminded everyone of the important role they play in implementing the TE program and the ongoing value of the TE program. Dr. Fields then encouraged everyone to attend the reception at the Portland City Zoo.

SUMMARY AND CONCLUSIONS

Participants at this year's seminar were pleased with the opportunity to discuss issues and programs with other TE professionals from across the country. A particularly popular topic was streamlining the application process. Participants also gave high marks to workshops pertaining to right-of-way acquisition, sub-allocation of TE funds, and streamlining the environmental review process. Among suggestions for future TE seminars were more workshops regarding project implementation and project qualification, and more time for the Question and Answer session with the FHWA.

Transportation Enhancements continues to be the largest source of funding for bicycle and pedestrian facilities, trails, historic preservation, landscaping and scenic beautification, and many other improvements to travel networks across America.



McLoughlin Bridge - Springwater Trail