

TE Seminar Washington D.C. 2009

Conference Report



Prepared by the
National Transportation
Enhancements Clearinghouse

ABOUT NTEC

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EXECUTIVE SUMMARY

Transportation Enhancement (TE) Activities are projects that expand travel choices and enhance the transportation experience for diverse users. Eligible activities were defined in the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA), expanded upon with the Transportation Equity Act for the 21st Century of 1998 (TEA-21), and continued with the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users of 2005 (SAFETEA-LU). These Acts amended Title 23, United States Code (23 U.S.C.), the section of Federal law that codifies Federal highway legislation. Through these Acts, the Congress set aside a minimum of 10 percent of funds from the Surface Transportation Program category of Federal-aid highway program funds for TE activities. These projects include building bicycle and pedestrian facilities, scenic and historic highway programs, landscaping and scenic beautification, preserving historic transportation infrastructure, and mitigation of negative environmental impacts of highways. 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 diversity in the types of eligible TE projects and flexibility in program administration has generated a need for State TE managers to receive regular workforce development training from Federal Highway Administration (FHWA) staff. To facilitate this exchange, the National Transportation Enhancements Clearinghouse (NTEC) organizes two-day seminars for State TE managers, FHWA division staff, and FHWA headquarters staff. Seminar participants have the opportunity to voice problems and successes with the implementation of the TE program; ask questions of FHWA headquarters staff; and identify the areas where more guidance is needed.

The 2009 seminar was held in Washington, DC on August 13-14, 2009. Forty-two people attended the seminar: 29 from State Departments of Transportation (DOTs), three from FHWA Division Offices, three from FHWA headquarters, seven from the National Transportation Enhancements Clearinghouse (NTEC)/Rails-to-Trails Conservancy (RTC); and two from other organizations. The seminar reflected on the program's accomplishments, discussed current TE issues, and envisioned the future of the TE Program.

The two-day seminar consisted of several large group presentations and seven small breakout sessions. The seminar opened with a keynote address from FHWA Deputy Administrator Greg Nadeau. This was followed by a (Re)Authorization Roundtable, in which RTC's Marianne Fowler gave an overview of the history of the TE program, and RTC's Kevin Mills discussed the potential changes to the TE program, as proposed in the House version of the proposed transportation bill. This was followed by an open question and answer session with Christopher Douwes of FHWA. After lunch, the participants headed to the RTC Office for breakout sessions, ranging from Strategies for Increasing Reimbursement Rates to a Category 11 Showcase.

The second day began with a welcome by Dr. Thomas Gotschi of NTEC/RTC. This was followed by "ARRA So Far" [American Recovery and Reinvestment Act of 2009], a panel discussion with participants John Haynes (CA), Curtis Johnson (VT), and Pat Fisher (OR) about how ARRA funds have been used for TE projects. Then Jim Cope (MA), Jim Purdy (Planners Collaborative), and Dr. Gotschi presented their findings from their recent study on State TE practices. This was followed by another plenary session with Christopher Douwes of FHWA about guiding principles, eligibility issues, and other questions about the TE Program. Afterwards, Gabe Klein, Director of the District of Columbia Department of Transportation, spoke to the group about DC's efforts to create a sustainable, green transportation network. The final session was a mobile workshop that explored local TE projects, led by DC TE Manager Colleen Hawkinson.



Q Street Bridge Buffaloes – TE Category 6 Project

INTRODUCTION

The 2009 Transportation Enhancements (TE) Professional Seminar was planned and organized by the National Transportation Enhancements Clearinghouse (NTEC), an information service operated by the Rails-to-Trails Conservancy (RTC), under a cooperative agreement with the Federal Highway Administration (FHWA), with funding provided in part through the Office of Planning, Environment, and Realty's Surface Transportation Environment and Planning Cooperative Research Program (STEP).

When the TE program was created in 1991, it required State Departments of Transportation (DOTs) to adapt to a new role and new types of transportation projects. The FHWA, along with RTC and other partners, recognized that State staff needed adequate workforce development training and support to take on the challenges of the TE program, and organized the first National Transportation Enhancements Workshop in 1994. The approximately biannual TE training seminar provided an opportunity for TE professionals to share their knowledge and experience and to receive direction from FHWA headquarters. The seminar has contributed to major improvements in the implementation of the TE program.

Given the reauthorization of Federal surface transportation legislation expected for 2009 or 2010, Washington, DC provided a fitting backdrop for the 9th Transportation Enhancements Professional Seminar, held on August 13-14, 2009. The seminar sessions were held at the Churchill Hotel and the RTC Office. A total of 42 people representing 21 States and the District of Columbia attended; including 29 from State DOTs; three from FHWA Division Offices; three from FHWA headquarters; seven from NTEC/RTC; and two from other organizations.

Previous Transportation Enhancement Professional Conferences and Seminars

1. June 1994, National Transportation Enhancements Workshop, Arlington, VA
2. June 9-11, 1996, National Transportation Enhancements Conference, Washington DC
3. January 27-28, 1998, Transportation Enhancements Professional Meeting, San Diego, CA
4. June 22-23, 1999, Transportation Enhancements Professional Meeting, Pittsburgh, PA

5. September 25-26, 2001, Transportation Enhancements Professional Seminar, St Louis, MO
6. June 25-26, 2003, Transportation Enhancements Professional Seminar, Providence, RI
7. July 26-27, 2005, Transportation Enhancements Professional Seminar, Minneapolis, MN
8. August 7-8, 2007, Transportation Enhancements Professional Seminar, Portland, OR
9. August 13-14, 2009, Transportation Enhancements Professional Seminar, Washington DC

FHWA and NTEC plan to have annual Professional Seminars over the next few years because of stated desires from TE managers, and the likelihood for additional training needs along with the next surface transportation authorization.

Future Transportation Enhancement Professional Conferences and Seminars

10. September 2010, Transportation Enhancements Professional Seminar, Location To Be Determined.
11. Month 2011, Transportation Enhancements Professional Seminar, Offers to Host Welcome!

NTEC SEMINAR - DAY 1

NTEC & FHWA Welcome

Dr. Thomas Gotschi, Rails-toTrails Conservancy
Marianne Fowler, Rails-to-Trails Conservancy

Dr. Thomas Gotschi (pictured right), Director of the National Transportation Enhancements Clearinghouse at Rails-to-Trails Conservancy, opened the seminar with a welcome and introduction of NTEC staff: Tracy Hadden Loh (Program Coordinator), Lindsay Martin (Program Assistant), and Eric Bruins (RTC Research Intern).



Following this, Marianne Fowler, Senior Vice President for Federal Relations at RTC, introduced the keynote speaker. Ms. Fowler reminded the participants that the TE Program was created because national leaders understood that the transportation experience was as important as the act of transportation. The partnership between RTC and FHWA, the agency responsible for surface transportation, to support the Transportation Enhancement Program has been great – which is why it was most appropriate that Keynote Speaker was from FHWA. She thanked Greg Nadeau, Deputy Administrator of the Federal Highway Administration, for filling in for Secretary Ray LaHood. Then she shared a brief bio of Deputy Administrator Nadeau. He hails from Maine, where he served in the State legislature for 12 years prior to working at the Maine DOT. He brings this valuable experience to his new position as Deputy Administrator.

Keynote Address

Greg Nadeau, Federal Highway Administration

Greg Nadeau began his remarks with thanking NTEC for the opportunity to speak with the TE Managers. Having just been appointed to his new role (on July 8), he felt the most important thing to pack up to bring to Washington was his bike, which he soon discovered needed a tune-up. He said he plans to be



back on it and start riding in DC, but will need to rely on Dan Stewart, the Maine TE Manager, for guidance. He said the traffic in this area is new to a person from Maine, but he's happy to be here.

He apologized for Secretary LaHood's absence, but the Secretary had been called away by President Obama for a Recovery Act tour. He emphasized the Secretary's personal commitment to livability and Transportation Enhancements; historically, he supported the program while serving in Congress.

Mr. Nadeau (pictured at left) said that in his previous position as deputy commissioner for policy and planning at the Maine DOT, he saw major growth in the past few years in bicycle and pedestrian planning, as well as scenic enhancements – in

fact, Maine was voted as the 3rd most bicycle-friendly State by the League of American Bicyclists for 2009. His hometown of Lewiston was home to one of the first TE projects, the Lewiston-Auburn Railroad Bridge, which was eligible under multiple categories, and provided an asset that is helping to transform a former mill town into a diversified economy. TE has a profound impact on local communities and States nationwide. TE receives \$800 million annually, plus additional funds in FY 2009 from the American Recovery and Reinvestment Act – and demand for TE in most States far exceeds this amount.

Mr. Nadeau said that Secretary LaHood places a high emphasis on livability – including bicycles and pedestrians, and promoting economic development. TE plays a significant role in meeting these objectives. The U.S. House of Representatives also recognizes this, as does the American Association of State Highway and Transportation Officials (AASHTO). However, there are critics also, and the Department of Transportation will take the feedback of TE Managers in making the program better during the reauthorization process for the transportation bill. He said FHWA wants to encourage partnerships with other programs (Federal Lands, Scenic Byways, Recreational Trails, Safe Routes to School), planners, preservationists, ecologists, and other specialists (especially when one or two people have all the above responsibilities!). Coordinated, integrated planning is essential for the future, and TE needs to be a part of planning from the beginning of each project. He mentioned that Oregon received an award for integrated planning, and he congratulated Oregon TE Manager Pat Fisher on her role in that accomplishment.

He ended his remarks by saying that FHWA is committed to continuing to partner with and support State DOTs to deliver effective transportation for the American public. The session was opened to Questions and Answers (Q&A).

Question: Nick Blendy, FHWA DelMar Division. As far as the authorization package, any news on that?

Mr. Nadeau replied that it hasn't been resolved yet. The Administration and Secretary LaHood have proposed an 18-month extension. When Congress returns, they will address the Highway Trust Fund shortfall and the reauthorization. There's a short window, as the current authorization expires in September. The next Act needs to be transformative to advance the 21st century vision, but funding will be critical. The Act will have to begin to address financial implications of increasing fuel-efficiency and improved energy policy.

He said that the 18-month extension will give DOT time to work with Congress to thoroughly address these issues. The administration will work closely with Congress to get a transportation policy established – and that will include TE. Mr. Nadeau emphasized that TE is important to a comprehensive policy approach. DOT has spent a lot of time dealing with the "sins of the past." From here on out, we need to be smarter about how we solve transportation problems. It's important to health, community livability, and the economy.

(Re)Authorization Roundtable

Marianne Fowler, Rails-to-Trails Conservancy

Kevin Mills, Rails-to-Trails Conservancy

This session provided a review of the debate that has been occurring in Washington, DC over the past few months as the “blueprint” for the next transportation authorization legislation has been developing.

Kevin Mills introduced the topic. He explained that originally, this panel was supposed to include representatives from Capitol Hill. However, there is currently “political gridlock” between the Obama administration and Congress on the timing of the next bill. Since there is very little communication right now between these groups about this issue, Ms. Fowler felt the panel would be more lively and provocative without Hill representatives.

First, Ms. Fowler discussed the political angles of the reauthorization. Ms. Fowler told the group that she had been involved in TE since the beginning. She recalled when RTC first got a copy of the ISTEAs legislation, the staff went paging through looking for Transportation Enhancements, but couldn’t find it! Eventually they found 150 words about TE, scattered in 3 different parts of the bill. They were shocked to find that TE was a 10 percent set aside of STP funds, as opposed to 1 or 2 percent. In a quick survey, Ms. Fowler revealed there were TE managers present who had been with the program since 1992, even more since TEA-21, and most since SAFETEA-LU.

Ms. Fowler said NTEC began as an idea at RTC about making sure that States spent their TE funds. They would do this by publishing an annual report of TE spending. Overall, NTEC has had a positive impact on the development of the program and has hopefully benefited TE managers.

Ms. Fowler said that now it is time for reauthorization again. She said the current transportation authorization, SAFETEA-LU, was preceded by 12 extensions. This time, Congressman Oberstar was determined that this prevarication would not happen again. Rep. Oberstar became chair of the Transportation and Infrastructure (T&I) Committee after the 2006 midterm elections, and immediately began holding hearings for the next transportation bill.

Everyone recognized that the Highway Trust Fund was going to be empty before SAFETEA-LU expired, and so Rep. Oberstar set up a commission to study the problem. In addition, the T&I Committee has worked around the clock this spring to develop a new bill in anticipation of the September expiration. The T&I Committee has passed a bill – albeit one that does not have any dollar figures in it.

On the morning that Rep. Oberstar released the bill to the press, he received a phone call from DOT Secretary Ray LaHood telling him that the Administration wanted to be involved in crafting the bill, and it wanted an 18-month extension. This last-minute phone call was not welcomed by the Chairman, and he asserted the prerogative of Congress to lead on legislation. This in-fight galvanized the Republicans to join with Oberstar on the bill and push back against the Administration and reject the idea of any extensions.

As for the Senate, Ms. Fowler said, the Environment and Public Works (EPW) Committee has jurisdiction over the most of the bill, but EPW is also responsible for the climate bill. The climate bill is very large, and has a lot of issues as there are a range of opinions in Congress about global warming. This makes it tough to pass a climate bill, which means the Senate staff can’t focus on the transportation bill. Therefore, the Senate supported the 18-month extension, and passed a bill to that effect. Incredibly, this bill did not include any earmarks.

In the meantime, the Administration realized that they could have handled things better with Rep. Oberstar, but, so far, attempts at a resolution have not been successful. The bill markup was rescheduled from July, and Rep. Oberstar agreed to a patch for the Trust Fund that will go to the end of SAFETEA-LU

(but not beyond). Therefore, in September there is going to be some action. Ms. Fowler closed with a joke, saying “perhaps September would be a good month to take a vacation?”

Next, Mr. Mills gave an overview of the reauthorization debate as it relates to Transportation Enhancements. The National Surface Transportation and Revenue Study Commission was put together because revenue is the defining issue for reauthorization, and it was asked to come up with ideas for how to fill the void. The Commission released a report in September 2008 that suggested a number of tools, but no one has found the perfect political solution in that report.

The American Association of State Highway and Transportation Officials (AASHTO) has also released a statement about reauthorization. From AASHTO, there’s a focus on mode-neutrality and performance measures, with an emphasis on highways and transit. However, AASHTO also wants to use the TE program to mitigate the impacts of transportation, building on the current program with a tighter focus on transportation. In terms of the House bill, this hasn’t shown up yet, but the awareness that this needs to happen is out there.

AASHTO has decided to support continuing TE. Meanwhile, occasionally someone in Congress says that TE is wasteful spending. For instance, a recent U.S. Government Accountability Office (GAO) report commissioned by Senators Coburn and McCain was excerpted to support their Out of Gas report, arguing that gas taxes should only be used for maintaining and expanding bridges and highways, equating TE with earmarks and other extraneous funding. They complained that unsafe bridges and highways aren’t maintained, but they want to cut funding for TE which includes bridge preservation projects and other safety projects. The Coburn/McCain report lumped all enhancements as extraneous, even though many of them are part of standard highway construction. In all, the report does not actually discuss the benefits of a balanced transportation system. RTC found GAO testimony from earlier this year saying that limiting funding to a single mode would reduce mobility.

Then, Ms. Fowler and Mr. Mills opened the floor for questions. A lengthy discussion followed:

Question: Given the makeup of the Senate (60 Democrats), why do people pay attention to [Senators] Coburn and McCain, and not the majority view?

Mr. Mills: This is an issue of Senate culture, which is based on collegiality and consensus-building. And so while Coburn is a marginal player, McCain is not, and that gives this latest attack on TE a different feel.

And as for TE in the House bill, the formula remains 10 percent of the Surface Transportation Program (STP). There are also no changes in the types of projects. RTC prepared a handout that shows the new language that will be created by grafting current Title 23 authorizations and the House bill together. The flow chart on the front shows that the distribution of STP funds is proposed to change. Now 80 percent of STP funds will be distributed by population, and the TE set-aside will be taken after distribution instead of before.

This generated many questions from participants as it presents a radical change for most States where TE funds are centrally controlled. The net effect of this proposal is to take TE funds and put them into Metropolitan Planning Organization (MPO) decisionmaking processes instead of State DOT decisionmaking processes. One participant made the point that in a State that only has one MPO or has MPOs whose decisionmaking processes are too political, and produce very low obligation rates; this will essentially end the TE program. Several managers added that this is going to create huge problems with keeping obligation rates up, and there needs to be a requirement to return funds back to the State if MPOs don’t obligate within 4 years. Also, where are local matches going to come from if State DOTs aren’t providing them in many cases? For example, in Tennessee, the State sometimes provides the match.

Mr. Mills: To clarify the Congressional intent, the recurring theme is to push more responsibility to large MPOs.

Question: It's a good idea to decentralize decisionmaking, but what about MPOs that play shell games and don't manage their programs well?

Another participant remarked that this is "setting TE programs up to fail, and handing opponents of the program the ability to say that projects are not being delivered."

Ms. Fowler: This change in the funding formula was a surprise to us. In the past, there has been discontent with State DOTs making decisions that aren't in the best interest of the locality. Perhaps Rep. Oberstar was addressing this by allowing more local decisionmaking.

Comment: My concern is that some MPOs want to use TE funds for ineligible projects.

Comment: In my State the selection process is highly political. It's not always good decisionmaking. MPOs also don't scope out the projects well. They don't have the processes in place that we have at the State level to make good selection decisions. There are some serious implementation issues with this new formula.

Mills: Would this rubric cast you all as in more of a technical assistance role? How would this look like on the ground?

Comment: I imagine there will be some resistance from MPOs to seek guidance from the State DOT.

Comment: In Delaware, the State maintains 90% of the highways, so most of the projects decisions would loop back to us anyway.

Comment: This will have a huge impact on rural States. It limits projects to two areas in Arkansas.

Comment: For California, there won't be any change at all. I (John Haynes) conduct eligibility review for all projects, but that is the only role I play for 75% of funds. So the State already plays a technical assistance role, at least for eligibility.

Comment: I agree that States should also screen for technical merits and review for technical feasibility as well.

Federal Highway Administration: Q&A I

Christopher Douwes, Federal Highway Administration

Mr. Douwes started this session by asking all of the attendees to introduce themselves, sharing their name, State, and favorite TE project. Favorite projects included: Shell Island Overlook in Oregon, all Oklahoma trail projects, the Big Dam Bridge in Arkansas, the Dequindre Cut in Michigan, Rehoboth Beach Boardwalk in Delaware, Mulberry Street in Sussex County, Delaware, the Hale Bridge of Iowa (featured on the History Channel, moved by the National Guard), Kennebec River Rail-Trail in Maine, Saunders Trail at Monticello in Virginia, Chief Ladiga Trail in Alabama, Roanoke River Greenway in Virginia, Danville Train Station in Virginia, Cape Cod Rail-Trail Bridges over Route 6 in Massachusetts, any project that's on time and on budget, Longleaf Trace Trail in Mississippi, Metropolitan Branch Trail in Washington DC, and the Cowboy Trail in Nebraska. Mr. Douwes' favorite project is a project that clearly relates to surface transportation and clearly is eligible under one or more eligible TE categories (and agreed with being completed on time and on or under budget).

Next, Mr. Douwes reviewed several handouts. He encouraged the use of FHWA and NTEC websites as resources. He emphasized that the printed version of FHWA's 1999 Guidance is outdated, and directed them get the updated version online on the FHWA website in the Guidance Section: www.fhwa.dot.gov/environment/te/guidance.htm. An updated Realty Section is forthcoming (www.fhwa.dot.gov/environment/te/1999guidance.htm#general).

He said it's important to know the State bicycle and pedestrian, scenic byways, and safe routes to school coordinators, and State trail administrators – and to communicate and coordinate with them. TE Managers should also seek comments from Recreational Trails Program (RTP) staff; it may be that a proposed TE project is better suited for the RTP or vice versa. He suggested having a recreation trail representative on the TE selection committee; this already done in some States. Oregon and North Dakota are excellent examples. Mr. Douwes then opened the floor to questions and comments:

Mr. Douwes handed out Transportation Enhancement Activities Ideas to Consider for Authorization: www.fhwa.dot.gov/environment/te/authideas09.htm. This is based on discussions from previous TE Professional Seminars.

Mr. Douwes gave an update on Category 11. In California, there's a push to revise this category to include fish passages (currently, the Category pertains to vehicle-induced wildlife mortality, not transportation-induced). This recommendation came out of the TE Professional Seminar in Portland in 2007, and FHWA is likely to recommend moving forward with it unless there are any major objections.

Comment: This will be great to help maintain highway culverts.

Question: The U.S Fish and Wildlife Service is asking for a similar change in its Federal Lands program to improve habitat connectivity. Not just limited to Federal-aid, but also Federal lands, highways, etc. As far as TE programs, are we still encouraged to identify (with signs) which funds are being used for equipment?

Mr. Douwes: It is up to the State to decide. Signs can't be required because there is no legislation requiring posting signs.

Question: What will be the qualification for the culverts?

Mr. Douwes: This change will need to make it into the transportation bill first, as of now it isn't in Mr. Oberstar's draft. There would have to be a demonstration that the wildlife mortality happened as a result of a road or railroad causing a loss of habitat connectivity.

Just because a project is eligible, doesn't mean you have to fund it. States have the right to establish statewide priorities, choose the kinds of projects they will fund, and rank proposed projects. In the 1990s, some organizations wanted each category to be funded evenly or at least to be "treated fairly". The December 1999 guidance stated: "There must be sufficient opportunities for local communities to take advantage of a variety of TE options." Mr. Douwes removed this statement from the guidance, because there is no statutory support for it. The revised guidance encourages fair consideration of all eligible categories, but allows States to decide not to fund certain categories.

Implementing all TE Categories—[original December 17, 1999 TE Guidance]

[This was changed because there is no statutory support for this guidance.] In TEA-21 the Congress increased the number of eligible activities and added additional text to several of the ones that already had been included in the definition of transportation enhancement activities. Congress provided for each category to be considered separate and distinct from others. There must be sufficient opportunities for local communities to take advantage of a variety of TE options. Therefore, States are encouraged to avoid combining activity categories where such combinations eliminate the opportunity for fair and open competition based on the merits of the TE proposals. Where States previously have chosen to combine categories, program implementation of the categories of activities should clearly allow for fair consideration of all eligible activities as defined in the legislation.

Implementing All TE Categories [revised August 10, 2006]

The Congress amended the definition of eligible TE activities in 23 U.S.C. 101(a)(35) both in TEA-21 and in SAFETEA-LU. The SAFETEA-LU amendment defined each category as separate and distinct from others. States are encouraged to allow for fair consideration of all eligible activities as defined in the legislation.

Question: In Oregon, we don't necessarily treat all categories equally, but over the long run we do. Is this in accordance to guidance?

Mr. Douwes: the revised guidance says States should allow for fair consideration of each category. However, States don't have to accept applications for all 12 categories.

Comment: Our Legislature has gotten involved and has made ped/bike projects a priority.

Question: In Michigan, there's an issue with a Transportation Museum. The Ford Museum needs to improve electrical wiring, is this eligible?

Mr. Douwes: There is a section of the guidance that addresses routine maintenance v. major rehabilitation: www.fhwa.dot.gov/environment/te/qa_general.htm#q35. Major rehabilitation is allowed, and major electrical rewiring could be considered a major project. Other examples are repainting a bridge that is painted with lead-based paint. Transportation museums may not make it into the next transportation proposal. Historic Preservation will most likely remain, but we all need to make sure that these projects relate to surface transportation.

Question: Do you anticipate that TE guidance will reflect this Administration's interest in livability?

Mr. Douwes: The TE guidance is based on the law. So if the Act's language includes livability, so will the TE Guidance. But the entire TE Guidance already promotes a livability agenda! The proposed Livability Office would coordinate across programs, including TE, but will primarily take a comprehensive approach to all transportation projects, not just TE.

Comment: We do need some guidance on Conservation Corps.

Mr. Douwes: Yes, we do! The American Recovery and Reinvestment Act language makes it difficult to use Youth Corps on ARRA projects. There is a new memo out about this issue (see Section 6-F here).

BREAKOUT SESSIONS

SESSION 1 - Aesthetic Corridor Master Plans: Economies of Scale in TE Development

John Haynes, California Department of Transportation

This session focused on two case studies from California that involve a new approach to planning transportation enhancements – where master plans can achieve economies of scale in planning and designing TE-eligible project elements along corridors.

Recognizing that having many disparate projects along a corridor is the antithesis scenic beautification, Mr. Haynes implemented corridor master planning in California. He presented on two projects, one urban and one rural. He involved staff from across the State to participate in the projects, so now two people in every district have experience in corridor master planning.

Mr. Haynes explained that such planning projects will expedite transportation planning projects and bring an aesthetic continuity to the corridor. He hopes to get such projects included in Category 5 of TE activities (it has been added as of 9/17/2009).

The urban project took plans in San Bernardino County (the largest county [in area] in the United States). The master plan project was an attempt to coordinate the overall look of the corridor, all of the aesthetic and physical elements. He said that as stormwater has become a popular issue lately, the potential to

use natural stormwater management (swales, etc.) was also a factor. He looked at all possible corridors, analyzing the projects along it. Along with the help of county officials, he made the final decision on I-10.

In all, there were 30 individual projects planned for the corridor, valued at a total of \$50 million. The communities will incorporate their individual identities into these projects, via gateways that are unique but still promote continuity. The master plan will not be a static document, but more of a guideline. Most of the work is designed by consultants; CalTrans is playing more of an oversight role.

John Haynes' presentation focused on a comprehensive transportation planning effort in California to develop corridor master plans. These corridor plans integrate Transportation Enhancements projects (bicycle and pedestrian paths, landscaping and other beautification, etc.), with plans for highways, local streets, intercity rail, and public transit. For the pilot project, the State of California chose the I-215-91-60 corridor in San Bernardino and Riverside counties, and the resulting plans were for highways that are appropriate to the physical setting, preserve the scenic, historic, and environmental resources of the community, and improve safety and mobility for users of all modes of transportation.

A participant asked why FHWA didn't think this type of project was eligible for TE funds. Mr. Haynes replied because it's planning, not constructing. TE funds generally can be used for project planning, but not overall planning. Someone noted that there is a similar problem with bike infrastructure, it's a project-by-project nature and doesn't look at the network. Mr. Haynes pointed out that it saves money in the long run. He is still having trouble getting management buy-in. He said that ideally, getting this type of work included as standard elements of highway projects would free up TE funds for other projects. All transportation projects should be in accordance with the master plan. One participant agreed that highway projects should subscribe to design guidelines to make them work well for the communities they run through.

Another participant asked if Mr. Haynes has come across situations where communities change their minds. He replied yes, emphasizing that this is why the master plan is a living document; it allows communities to revisit and revise. He mentioned that it also helps to coordinate landscape planning, and ensures that plant materials create a visual continuity.

Another participant asked if flowers serve other functions aside from beautification, referring to the Out of Gas report by Senators Coburn and McCain that criticizes planting flowers along highways as a waste of money. Mr. Haynes replied that they serve other functions, particularly stormwater runoff absorption and filtering. Flowers also absorb sound and dust. He added that California prefers to use native plants and flowers to reduce maintenance.

Mr. Haynes closed the presentation by showing elements of the master plans.

SESSION 2 - TE and Other Programs: Making Connections

Christopher Douwes, [Federal Highway Administration](#)

Cathy Ahern, [American Recreation Coalition](#)

The overall message of this breakout session was that TE interacts with many other programs, and there are a huge number of potential partnerships. What follows is a list of possibilities limited only by time and energy!

[Sport Fish Restoration and Boating Trust Fund](#) - \$700 million per year

- Funded by taxes on electric motors, fishing equipment, motorboat fuel, and small engine fuel, as well as import duties on yachts
- Provides grants for fishery projects, [boating access](#) and [aquatic education](#)
- Administered by US Fish and Wildlife Service
- \$20 million in grants for Wetlands Conservation
- \$400 million by FWS thru states – sport fish restoration program

If you are near water, lake, shore know who they are

- Leverage resources
- Work together – out of silos

Federal Aid for Wildlife Restoration Program

- “Pittman Robertson”
- Funded by excise taxes on firearms, ammunition, archery equipment and arrow components
- \$200 million annually
- Habitat restoration and rehabilitation

Secure Rural Schools and Community Self Preservation Act

- Reauthorized through 2011
- Timber industry falloff
- Education and roads
- \$52 million for maintaining infrastructure, land and water quality, communities—very broad

Licensing of Non-Federal Hydro Projects

- Environmental mitigation for hydro projects – habitat, recreation
- Admin by Federal Energy Regulatory Commission
- If there’s a dam, know about its relicensing process

All lands have foundations with grants

- National [Park Service](#) – battlefield preservation, archaeology related to Native American graves, Preserve America and Save America’s Treasures programs
- USDA [Forest Service](#) – for scenic acquisitions
- U.S. Army Corps of Engineers has [start-up foundation](#)

Preserve America

- In 2006 - \$17 million
- Going for more funding from Congress this year \$3-6 million additional
- Documentation, education, planning, promotion, training
- Communities are designated “Preserve America” communities
- First ladies heavily involved—600+ communities
- 50-50 federal share

Save America’s Treasures

- Larger - \$20 million/year
- 50-50 match (can be in-kind)
- Minimum grant \$125,000
- Grants to any government or nonprofit
- Admin by National Park Service and National Endowment for the Arts
- Nationally significant historic structures and sites

Health and fitness – trails

- Look at local health community (obesity)
- [“Medical Mile” – Arkansas River Trail](#)
- Private support, be receptive to their ideas

National Park Service: [Rivers, Trails, and Conservation Assistance Program \(RTCA\)](#)

- Technical assistance for local park issues
- Benefit from NPS expertise for 1-2 years
- Looking for local partners
- Regional RTCA offices

Volunteers

- Youth Corps
- Sierra Club and American Hiking Society have vacation volunteer programs
- Serve.gov

Catalogue of Federal Funding Sources for Watershed Protection

- Run by Environmental Protection Agency (EPA)
- 85 programs
- U.S. Fish and Wildlife Service, National Oceanic and Atmospheric Administration, etc.

Catalogue of Federal Domestic Assistance

- 1,800 grant programs
- All Federal programs available to State and local govts, nongovernmental organizations (NGOs), private sector, etc.
- Searchable

Grants.gov

- Storehouse
 - \$500 billion annually
 - Browsable
 - Harder to use interface
- This helps us direct local applicants find funding
- Can't use this for match
 - Look for partial funding opportunities
 - "Big Tent" approach to projects

Think outside the transportation world.

Grants are mostly reimbursable, not upfront

All federal regulations apply – National Environmental Policy Act (NEPA), Clean Water, etc.!

Federal Transportation Funds Benefit Communities (Federal Aid Highway Program and Federal Lands Highway Program)

Federal Lands – has many of the same themes as TE

- Title 23: S133(e)(5)
- Federal Lands can usually match other Federal highway funds, but complications for TE need to be fixed. See www.fhwa.dot.gov/environment/te/1999guidance.htm#summa.

Congestion Mitigation and Air Quality Program (CMAQ)

- Need air quality nonattainment area
- 2007 legislation – made CMAQ harder by requiring minimum 80%, up to 100% - bad language from Congress
- Has not been fixed yet, contact Mike Koontz at FHWA

Highway Safety Improvement Program

- Any bicycle or pedestrian project is eligible, regardless of location

Safe Routes To School

- To the extent feasible, TE and SRTS guidance should be identical
- Exception: All SRTS projects must be treated as Federal-aid highway projects and cannot use some of the flexibilities that TE projects can use.
 - o Proposal: Prevailing wage requirement for all highway money (RTP, TE, SRTS)
 - o Prevailing-wage requirements make projects much more expensive, can't use youth corps

- SRTS will probably be incorporated (codified) into Title 23 U.S.C. in next authorization
- The current House bill would require all Federal highway programs and projects to follow the prevailing rate of wage.

Recreational Trails Program:

National Park Service programs

- [Land and Water Conservation Fund](#)
 - o For building a park – land acquisition
 - o Must be held for outdoor recreation in perpetuity
 - o Some problems for using TE (Highway money) on park land – is it a taking?

Scenic Byways Grant Program

SESSION 3 - Category 11 Showcase

Mary Keller, Maryland State Highway Administration

Trisha White, [Defenders of Wildlife](#)

This session focused on successful Category 11 project implementations. Mary Keller, who works as the Enhancement Program Liaison, presented on how Maryland became the national leader in implementing Category 11 projects for stormwater runoff pollution mitigation. Trisha White, who works as the Director of the Habitat and Highways Campaign, discussed the rationale, science and beset practices for wildlife crossings.

Ms. Keller began her presentation with a look at TE spending in Maryland, of which 14% is spent on projects that mitigate water pollution (as of July 2009). Historically, transportation projects did not address the adjacent watershed, and the cumulative effects of water pollution from highways weren't considered in a watershed context. Ms. Keller briefly discussed national, state and local regulations that address water quality, and particularly improving the health of the Chesapeake Bay.

Next, Ms. Keller discussed the holistic approach that the state's TE program uses, which essentially: 1) considers the local ecosystem, 2) coordinates with professional with expertise on the interactions within the individual ecosystem, 3) works with locals who better understand the overall local needs, and 4) develops solutions based on extensive research and consultation. The state has made improving the health of the Chesapeake Bay watershed a top priority. To this end the state focuses on a number of watershed-based environmental stewardship projects, like wetland creation/restoration, stream restoration, and stormwater management retrofits.

Ms. Keller showed before and after photos of several Category 11 projects: Isle of Wight Coastal Marsh Restoration, Magness Farm Wetland Restoration, Pepperfield Site Stream Restoration, Rock Creek Watershed Restoration, MD 139 Tributary to Towson Run, 1-70 Thermal Impact Reduction, and example of a stormwater management retrofit at a State Highway Administration District Office, US 220 Channel Erosion Improvements, and the Navy-Marine Corps Memorial Stadium.

She briefly talked about performance measures and progress for the State Highway Administration's Stormwater Management Program – which has set a goal to have 90% of all inventoried stormwater management facilities functioning as designed by the end of FY 2010.

Ms. Keller ended by discussing project selection considerations (such as cultural and socio-economic commitments, seeking high environmental value, and building credibility with other agencies and the public), and the overall benefits of Category 11 projects (such as an improved environment and increased awareness of the design process of non-TE projects.)

Trisha White's presentation covered the science and technology of wildlife crossings. After introducing herself and the Defenders of Wildlife organization, she began her presentation by presenting the two planks of the case for greater consideration of wildlife in highway design. First, collisions between large animals and motorists are very dangerous and all too common. Second, while most of us are not aware, roads have far-reaching impacts on the ecosystem and on wildlife that are undesirable for a variety of reasons. However, these negative impacts can be mitigated through design in many cases by incorporating wildlife conservation into transportation planning.

A wildlife crossing is any structure that allows wildlife to pass over or under a road without conflict with road users. It can be a bridge, a culvert, or an underpass. Wildlife of all sizes can and will use crossings. Ms. White's presentation showed owls, otters, foxes, bears, and moose passing through underpasses. Improved bridge design can create wildlife crossings. Where roads cross streams, improved bridge or culvert design can allow animals to pass under the road instead of eroding the banks of the crossing by climbing up to the road to cross. At-grade wildlife crossings alert motorists to the presence of animals on the move, whether through signs or live detection systems.

Ms. White concluded her presentation by highlighting the role that NGOs dedicated to wildlife can play in delivering direct support, matching funds, facilitating interagency support, doing public education, and even providing free labor. NGOs can be a partner, rather than an adversary, for DOTs seeking to design and build better roads.

SESSION 4 - Strategies for Increasing Reimbursement Rates

Amber Thelen, Michigan Department of Transportation

Mary Keller, Maryland State Highway Administration

The old project selection and obligation process for TE projects in Michigan included 275 applications (5 paper copies each) per year. In 1999, the State's total reimbursement rate for TE was 32%, a sign that projects were not moving through the system and funds were getting tied up. This was in part a result of Michigan DOT's policy to only pay for construction for local projects – no in-kind for match. Projects got held up by localities hunting around for the matching dollars, leading to a backlog of approved projects not built.

TE is inherently challenging to administer. It is difficult to pair TE projects with other projects (e.g. road reconstruction with streetscape). Michigan DOT policies also included a minimum project size of \$50,000 and no maximum for a \$25 million pot, which has the potential to lead to a huge number of projects. The program is relatively well-staffed, however, with some project development helpers and engineers from local agency office staff.

In response to these challenges, the Michigan TE program went through a revamping process. The DOT solicited stakeholder input to rework the project application. A major process improvement was that the application was made fully electronic through an online interface. The reform effort also included follow-up on projects that had been approved but not constructed. In a reorganization, grant coordinators were assigned to each DOT region to work with potential project sponsors to get their projects "shovel-ready." All TE staff and project sponsors were trained to better understand MDOT's accounting and project close-out processes.

In addition to all these reforms, the key change that led to an increased reimbursement rate for Michigan was the development of the Conditional Commitment (CC) process. Whereas previously a project sponsor would receive a Grant Award letter upon good concept (pre-design), now applicants get only a CC when they demonstrate eligibility, competitiveness, and good pre-design. The CC indicates permission to proceed with the full design. As part of the CC process, MDOT commits to funding in a certain cycle (e.g. FY 2011) pending (for each project): ROW, design, match, permits, easements, AASHTO compliance, etc. This commitment can be used by local communities as a sign of good faith

to drum up matching funds, but does not obligate actual funds. Thus, it is also possible to include the conditionality of other uncertainties, such as reauthorization of Federal surface transportation legislation. In this way, MDOT can proceed with planning TE projects without being stuck “holding the bag” if Congress changes or eliminates the TE program.

Projects are not put in the STIP until the funds are actually awarded at the end of the CC process. This prevents projects with fatal flaws from getting into the STIP before the flaws are discovered. At that time, a local agency agreement is executed. Benefits:

- Can improve ability to pair TE projects with other road or utility work – forecasting of awards
- TE Conditional Commitment can be used as a match fundraising tool – foundation contributions, high match ratios
- Online application
- Open call for projects
- Assistance from grant coordinators

Ms. Thelen concluded her presentation with an example from the Detroit riverfront. A rail-trail and waterfront development project there was funded through a combination of earmarks, \$300 million of foundation funds, State recreation funding – Natural Resources Trust Fund, and TE funds. The riverfront and trail project was built in sections pending funds. The project was particularly expensive because of a complicated brownfield cleanup.

Today, the Dequindre Cut rail-trail provides a nonmotorized connection to downtown attractions. This trail received \$2 million toward conditional commitment, acted as seed money for \$7-8 million project. In the Michigan Process, the CC expires after 2 years. In this case, the project got a 1 fiscal year extension because there were clearly good reasons why the project might take a little longer than average. In all, the CC process enabled innovative matching and raised Michigan’s reimbursement rate to 74.4%.

In the case of the Grand River Streetscape, proximate road construction to the TE project area was known far in advance. The CC process enabled TE to commit for that future FY.

MDOT improved reimbursement rate from 32.3% in 1999 to 74.4% in 2008. Projects get built in year intended, and MDOT benefits. This increases publicity because it’s now possible to issue press releases just before construction. Batches of projects ready to go every other month (about 10) can be announced. Improved TE projects “fit” into STIP process and other planning. There is a readily available list of future projects – programmed thru 2011, which was handily “shovel-ready” for ARRA.

The move to the open call for applications, rather than an annual cycle, means fewer, better applications, as people are now free to wait to apply until they are actually truly ready. This produces a more consistent workload. Grant coordinator helps produce stronger apps and weed out poor projects, as well as help project sponsors find funding for design, engineering, and construction match from other sources. The online application saves staff time, streamlines review (Selection committee meets quarterly to review in batches). This application program was built in-house with Michigan’s Dept. of Information Technology, using IT dollars (not TE). Program built in-house with Dept of Information Technology. Other grant programs at MDOT had lessons that TE could learn that informed this process.

One important caveat to the CC process is that it requires a revision process if costs escalate during interim.

Mary Keller - Maryland

Advice to TE managers: changing processes is tough – MD could not get new process approved. Their basic idea for improving their TE process was to give an “Approval in concept” to 25% plan. Award presentations would happen on an annual cycle for projects that have moved to 60% design. These projects would have one year to advertise, otherwise they would have to apply again. However, there was

a great deal of political opposition to this idea. As of now, even local agency agreements with expirations in them are not enforced.

The ultimate goal is to shift some of the burden to locality to meet conditions – psychological as much as real burden, that is.

SESSION 5 - TE and 4(f)

Mary Ann Naber, Federal Highway Administration

Owen Lindauer, Federal Highway Administration

This session focused on Section 4(f) of the DOT Act of 1966, which stipulated that DOT agencies cannot approve the use of land from publicly owned parks, recreation areas, wildlife and waterfowl refuges, or public and private historical sites unless there is no feasible and prudent alternative to the use of land and the action includes all possible planning to minimize harm to the property resulting from use. MaryAnn Naber, Preservation Officer, discussed FHWA's Final Rule on Section 4(f) – released on March 12, 2008 – which clarifies the 4(f) approval process and simplifies its regulatory requirements. Owen Lindauer, Chief Archeologist, discussed the implications of 4(f) for six TE projects around the country.



Ms. Naber began with an overview of Section 4(f). It is a substantive law that applies only to U.S DOT agencies (FHWA, FTA, etc.), and the process, documentation and legal sufficiency were established by regulation (23 USC 774). The language of Section 4(f) states that the Secretary may approve projects requiring the use of publicly-owned land of a public park, recreation area, or wildlife/waterfowl refuge, or land of a historic site of national, State, or local significance (as determined by the officials having jurisdiction over the park, recreation area, refuge or site) only if: 1) There is no feasible and prudent alternative to such use AND The project includes all possible planning to minimize harm; OR 2) The use will have a de minimis (level of risk that is too small to be concerned with) impact.”

Ms. Naber then discussed the applicability, significance, key concepts, and exceptions of Section 4(f). Next, she discussed the phases of the Section 4(f) process. Once a 4(f) property is identified, an evaluation is prepared that includes: purpose and need of the proposed action, Section 4(f) property or resource, use and impacts, avoidance alternatives, measures to minimize harm and mitigation, and coordination activities. Then the following steps occur: FHWA approves the Draft 4(f) for circulation, Comments are incorporated into the Final 4(f), the document goes through legal sufficiency review, and then it goes to the FHWA Division Office for approval.

Following her presentation, Mr. Lindauer showed pictures of specific 4(f) projects from TE categories 1, 3, 4, 6, 7 and 8.

SESSION 6 - Score-based Selection Processes

Tracy Hadden Loh, National Transportation Enhancements Clearinghouse

Nancy Anania, Iowa Department of Transportation

Tracy Hadden Loh

Many states use the quantitative process only to advise, allowing TE committees final authority over project selection. Overall, the goals of using a quantitative scoring process in TE project selection are to

increase the transparency of the selection process, demonstrate objectivity to applicants, and increase the quality of selected projects. Processes vary from rigidly numeric to entirely qualitative. States also vary in how much local control they allow over project selection. Most states opt for a combination of regional and state decisionmaking. Local knowledge of both projects and applicants helps TE programs select the most successful projects. Thus, DOT districts/regions or MPOs may have a scoring or ranking process for applications, as may the state-level DOT.

Arizona uses a comprehensive 100 point system that assigns values to various project selection criteria. The categories include multiple considerations that help to assign points within the available range. For example, "Community Benefit or Improvement" considers anticipated usage, quality of life improvements, impact on local economy/tourism, safety improvements, and access for handicapped and alternative modes. Arizona's approach is a common practice among states that use quantitative selection processes.

Example of Arizona's Selection Point System	
Evaluation Criteria	Points Possible
Overall Project Considerations / Objectives	35
Project Need / One Time Opportunity	10
Project Maintenance	10
Cost-Effectiveness / Reasonable Cost Factors	10
Community Involvement	10
Community Benefit or Improvement	25
TOTAL PROJECT SCORE	100

Ohio also uses a 100 point system for rating applications, but 50 of those points are scored at the ODOT district level. State criteria are more technical in nature, whereas local criteria combine knowledge of the applicant and a "District Project Assessment." Applications can receive negative points for past sponsor performance, poor cost estimation, etc. The "District Project Assessment" includes a site visit where ODOT district staff can evaluate the accuracy of estimates and scoping, along with potential obstacles and the preparedness of the sponsor. Ohio has different state criteria based on whether the project is bike/ped, historic, or scenic in nature.

Example of Ohio's Selection Point System	
Evaluation Criteria	Points Possible
District Evaluation	
Project Delivery and Maintenance	-10 to 0
Multiple Enhancement Components	0 to 10
Cost Estimates	-5 to 5
Project Quality and Viability	-15 to 20
District Project Assessment	0 to 15
MAXIMUM DISTRICT SCORE	50
State Evaluation (Office of Local Projects) for Bike/Ped	
Relationship to Transportation System	25
Project Usage	10
Project Characteristics	15
MAXIMUM STATE SCORE	50
TOTAL PROJECT SCORE	100

North Dakota has a unique system that works well among a limited pool of applications. Rather than scoring each application against a rubric, the ND method allows direct comparisons of the projects with the result being a neatly ordered list of priority projects. Each project's score is the number of projects it compared favorably to. Since the rankings are more subjective, each criteria does not have a given weight, but instead contributes to the overall evaluation of a project.

Example of North Dakota's Selection Method	
SAMPLE SCORING SHEET	
Hypothetical Projects	Criteria (weighted equally and at the same time)
<p>Write in the number of times circled.</p> <p>A. Rail Trail <u> 3 </u> <input type="radio"/>A <input type="radio"/>B <input checked="" type="radio"/>C <input checked="" type="radio"/>D <input checked="" type="radio"/>E <input checked="" type="radio"/>F</p> <p>B. Pedestrian facility <u> 2 </u> <input checked="" type="radio"/>B <input checked="" type="radio"/>C <input checked="" type="radio"/>D <input checked="" type="radio"/>E <input checked="" type="radio"/>F</p> <p>C. Scenic overlook <u> 3 </u> <input type="radio"/>C <input checked="" type="radio"/>D <input checked="" type="radio"/>E <input checked="" type="radio"/>F</p> <p>D. Environmental mitigation <u> 3 </u> <input type="radio"/>D <input checked="" type="radio"/>E <input checked="" type="radio"/>F</p> <p>E. Historic preservation <u> 1 </u> <input type="radio"/>E <input checked="" type="radio"/>F</p> <p>F. Streetscaping <u> 3 </u></p> <p><u> 15 </u> TOTAL POINTS (should equal 15)</p>	Is there a significant benefit to the community, region, and/or state.
	What is the magnitude of the environmental impact of the proposed project?
	Is there demonstrated support by other local governmental agencies and/or nonprofit organizations, and/or the general public?
	Is the project part of an identified plan?
	Are there benefits provided to the existing transportation system?
	Were the Youth Conservation Service or Job Corps utilized in project construction?

Oregon uses a hybrid approach. At the state DOT level, they have a technical rating system similar to Arizona's and Ohio's state-level evaluation, however at the local level they use a parallel rating process that allows for public comment online. Survey results are factored into a separate "local support" score that combines public input and regional priorities. The best projects will rank well on both technical rating and local support. Secondary consideration is given to whether the project fits in a TE "Focus Area" adopted as a program goal.

Oregon DOT staff uses the following order of priority in proposing finalist projects to the final selection committee:

1. Those showing High or Very High in both technical rating and local support.
2. A High or Very High technical rating combined with a Medium or better rating for both local support and Focus Area fit or... High or Very High local support combined with Medium or better technical rating and Focus Area fit.
3. Very High in either the technical rating or local support, combined with Medium or better for Focus Area fit
4. Projects with best overall ratings to ensure at least three from each ODOT region.
5. Other projects with Medium or better ratings in at least two factors (technical, local support, Focus Areas) determined from clarity and completeness of the application, readiness to proceed, and relation to other investments.

Example of Oregon's Ranking System	
Evaluation Criteria	Points Possible
Quality of Experience	20
Technical Merit	10
Support	20
Importance	20
Focus Area Factors	10

Screenshots from the Oregon public participation survey:

*** 1. Below is a list of zones and the counties within those zones that have submitted applications for potential projects. Please choose the zone that is your primary area of interest in the state of Oregon.**

Note: Later in the survey you will be given the opportunity to choose another area of interest from this same list.

- Central Oregon: Wasco, Sherman, Gilliam, Jefferson, Wheeler, Deschutes, Crook
- Clackamas, Hood River, Columbia
- Oregon Coast: Clatsop, Tillamook, Lincoln, Lewis, Clatsop, Curry
- Eastern Oregon: Morrow, Umatilla, Union, Wallowa, Baker, Grant, Harney, Malheur
- Southern (Willamette Valley): Linn, Benton, Lane (except coast)
- Mid-Willamette Valley: Marion, Polk, Yamhill
- Portland & Vicinity: Multnomah, Washington
- Southern Oregon: Douglas, Josephine, Jackson, Klamath, Lake

1. Please indicate your level of support for the following projects in Central Oregon.
 If you have no interest in this section of the state, please skip to the next section.

	Strongly Support	Support	Do Not Support	Don't Know
#15 Cordon: Cordon Sidewalk & Streetscape: Main St, Walnut St & Easy St	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
#21 Culver: Hwy 36: Sidewalk & Beautification (west side, 1st St - 1st St)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
#46 Madras: US-97 Sidewalk & Streetscape (Fairgrounds Rd - Hall Rd)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
#54 Mitchell: Main St Sidewalk & Streetscape	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
#92 The Dalles: E 2nd St (US-30) @ Brewery Grade: East Gateway Streetscape	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
#101 US Forest Service, band/point Rock Rd: US97 Wildlife Fence & Underpass Landscaping (Crawford Rd - S Century)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
#105 US Forest Service, Region 6: Oregon Upland Trail: Maps, Site Markers, Website & Marketing	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Having residents choose reasons from a list of reasons allows for much easier processing on the part of Oregon DOT while still factoring in diverse reasons for supporting or not supporting a particular project (see page 20).

Example of Oregon’s Community Ranking System	
“Strongly support”	“Do not support”
1. Provides a needed transportation connection 2. Has environmental or health benefits 3. Preserves or enhances a scenic or historic site 4. Addresses a safety concern 5. Enhances travel options - transit or non-motorized 6. Improves children’s travel to school or activity 7. Supports tourism or economic development	1. Costs too much 2. Incomplete or incorrect solution for the situation 3. Environmental or health concerns 4. Not needed 5. Low priority compared to other needs 6. Negative effects on my property, business or neighborhood 7. Conflicts with local or regional priorities.

Quantitative selection processes help states balance many factors in project selection. For most states, establishing this process is the most valuable part because it forces a dialogue about priorities before any grants are approved, making the TE program more effective overall. Each state blends considerations such as regional influence, geographic distribution, technical merit, and public support to create their own TE project selection process that reflects their priorities.

Nancy Anania

Ms. Anania’s presentation was a detailed walk-through of the Iowa project selection process, including a scoring system. A sample scoring worksheet was handed out at the breakout session. The Iowa system uses the following criteria to rank projects:

1. The degree of the relationship of the project to the intermodal transportation system and the degree to which the project will enhance the system. (20 points)
2. The relationship of the project to a local, areawide, regional, or statewide land use and/or transportation plan. However, if this project is part of a larger project, it should be a usable facility when completed if no additional funds are received for the larger project. (20 points)
3. The degree to which the project will enhance Iowa’s tourism efforts. (10 points)
4. Need for the project, as related to the community or region’s population and other facilities (or lack of facilities) of this type. The support of additional government or other organizations of regional, statewide, or national scope should be considered. (20 points)
5. Quality of the site, including safety provisions, if appropriate. It is expected that all applicable federal and state requirements will be met for the project. (20 points)
6. Qualification of this project in two or more of the 12 transportation enhancement categories. (10 points)

Like several other states, the Iowa project selection process groups TE projects into three types: Trail and Bikeway Projects, Historical and Archaeological Projects, and Scenic and Environmental Projects. Each of these groups has its own selection committee. The members of the committee each fill out a score sheet for each project they look at.

SESSION 7 - Partnering with Youth Corps

John Haynes, CalTrans

Youth Corps (Corps) projects are mostly landscaping, but can also include curb and sidewalk construction along highways. Participants in youth corps will be eligible to be a trainee for a contractor.

Most Corps are urban, but there are some rural Corps. The participants are typically at-risk youth who may be school dropouts and are in the 18-24 year age range. It is not uncommon for these working youth to be the sole support for their families. In short, involving Youth Corps may involve additional effort, but it is a highly worthy effort with tremendous social benefits.

A Corps may charge the DOT \$15-20 per hour for labor, but youth earn just above minimum wage. To participate, most Corps require that youth be working toward GED. The purpose of the Corps is to turn youth toward the employment market with skills. In addition to training, Corps are service programs that give back to the community. However, they are not based on exploiting cheaper labor – many Corps offer complete benefits packages.

In California, CalTrans is forbidden by State law from establishing a cooperative agreement with a nonprofit. The DOT has to have a service contract with nonprofit and then the work can be done on force account. Alternatively, the DOT can establish an interagency agreement with a State youth corps, like the California Conservation Corps.

The DOT cannot require a contractor to use a Corps group. When working with Corps, it is possible to sole-source through a public interest finding, because Corps are not contractors, do not bid on work, and do not qualify under Prevailing Rate of Wage (Davis-Bacon) requirements. Therefore, to work with a Corps the DOT develops the project and then uses Corps as a labor force. For simple Category 5 projects, it is not necessary to do plans and specs before, just have a landscape architect on site during construction to save cost. For example, the cost per plant established by Youth Corps is \$120 as compared to \$750 by contractors.

For a given project, if there is work that the Corps cannot do, then they go bid and subcontract. The Corps must follow all Federal procedures for subcontracts, particularly for purchasing materials. If the State must bid design, construction, and materials all at once, then the Corps is required to subcontract from original bid.

No Corps are involved on any ARRA project. For regular funds, all projects outside of Federal-aid right-of-way can use any Corps. Within ROW cannot use nonprofit Corps, and may not be able to use government Corps.

Best projects for working with Corps:

- Landscape
- Bicycle and pedestrian
- Modular hardscapes
- No Corps group is willing to take on asphalt

It is easier to use RTP funds than TE to work with Corps.

Hybrid contracting (Vermont) – Corps get trained by a private contractor on the job. Some people in the contracting community resist, but lots of outreach can help. Community collaboration smoothes most issues.

NTEC SEMINAR - DAY 2

Welcome

Dr. Thomas Gotschi, National Transportation Enhancement Clearinghouse

ARRA So Far Panel Discussion

Moderator:

Kevin Mills, Rails-to-Trails Conservancy

Panelists:

Curtis Johnson, Vermont Department of Transportation

Pat Fisher, Oregon Department of Transportation

John Haynes, Caltrans



In his introduction, Mr. Mills outlined the basic story for TE in the American Recovery and Reinvestment Act of 2009 (ARRA). Essentially, TE has twice as much money as usual this year because of the Recovery Act. However, TE was not in the originally proposed bill. Advocacy efforts by the bicycle and pedestrian community argued that TE-type projects also create jobs, and that there were plenty of “shovel-ready” bike/ped projects. The America Bikes coalition put together a list of billions of dollars of ready projects, and convinced Congress to include TE in the ARRA legislation, albeit at 3% instead of the usual 10%. The challenge now is to show and document that TE does create jobs, and that TE funds can be obligated in a timely way.

TE implementation requires some tailoring for the ARRA process. Even more so than usual, these funds require coping with State politics surrounding money. However, it’s critical that politics not slow down the process too much, because ARRA funds come with a “use it or lose it” provision – for the overall STP in ARRA there was a 4 month deadline to obligate 50%, followed by a 12 month deadline to obligate 100%.

The questions now are: what is the money being spent on and how different than normal TE? Is it a challenge to spend these extra funds on top of the usual program – is ARRA coming at the expense of regular TE queue? Are DOTs able to accelerate quality projects?

There are also the TIGER grants – multimodal grant applications were due September 15, 2009. TE-type projects are eligible for TIGER grants. In total, the ARRA boost of funding in years 2 and 3 will be \$1.5 billion, so there is more TE-type action to watch out for.

Mr. Mills introduced the panelists. Curtis Johnson has been the VT TE coordinator for 9 years. John Haynes is a Senior Landscape Architect with Caltrans with 32 years of service. Pat Fisher has been with the Oregon DOT since 1984 and with the TE program since its initiation in 1992.

Panel Discussion

Curtis Johnson: As of August 2009, TIGER is not yet on the radar for Vermont DOT. Vermont is a small State, and so TE there is a one-man shop. Big agency projects don't really save workload for him, because Vermont is very committed to keeping TE as a public process. For ARRA, there was a large response from localities, who were expecting free money with no strings. While VT has public application process that is required by State statute, ARRA did not fit in the statute, so it was unclear what process to use. ARRA provided \$3.77 million for TE, but the VT League of Cities and Towns had a list of \$78 million in shovel-ready projects! The DOT planned to do State projects, such as bridge restoration, trail resurfacing, and curb ramps on sidewalks in State right-of-way. However, ultimately it was politically necessary to do a public process, even with the "use-it-or-lose-it" timeline. Thus, in March, Mr. Johnson had to create a process on the fly, with only two weeks to solicit applications. He got \$50 million in applications for the \$3.77 million pot, but only \$1 million of those projects were actually "shovel-ready" enough to meet the 12 month use-it-or-lose-it deadline.

The State legislature intervened, arguing that the application timeframe was too short, and so Mr. Johnson had to redo the entire solicitation process. After more paper, more work, and more outreach, he ended up with \$64 million in potential projects, but still only \$1 million in shovel-ready. Getting the selection committee to understand "shovel ready" was a major challenge.

Ultimately, the selection committee made no bad selections, and only chose those projects that met the criteria. He ended up with 9 projects, mostly bike/ped with no ROW impacts or with clearance already, some sidewalks, a multi-use path, and the Calvin Coolidge memorial highway and visitor center, which later dropped out. Agency projects filled in the rest of the \$3.77 million.

As of June, the selection process was complete, and Mr. Johnson had met with all sponsors. At this meeting, he introduced the Federal process and extra ARRA reporting requirements. The State recovery czar added an additional new layer of reporting requirements. The Office of Civil Rights took on responsibility to centralize payroll reporting and State job creating requirements for ARRA including for the DOT's projects. Otherwise, the ARRA TE projects used the standard invitation for bids, etc. to share with municipalities to get through process better. Construction and engineering documents were all done in-house and the projects are now proceeding.

John Haynes: The process in California was even more political. Ordinarily, STP projects need to be programmed in the STIP, but the State's STIP timelines would not fit ARRA. Caltrans asked for legislation to remove ARRA projects from STIP into the DOT's own program, and a bill was introduced to allow this. However, the legislation came with a number of riders: 1) projects using Conservation Corps got elevated in selection to top priority and 2) bicycle and pedestrian projects got second priority over all other projects.

Overall, there was \$77 million in Recovery Act funds for TE – 75% went to the MPOs, and 25% stayed in a statewide pool. The State does eligibility screening for all projects (including the MPO-selected projects). The original plan was to use the ARRA funding for FY 2009/2010 STIP projects, but the new legislation required them to look for new projects instead. Landscape projects that used Corps along highways became the top priority. In some ways, this was much easier, because there is no bid process, just an interagency agreement with the CA Conservation Corps. There is no need to do a detailed design process, and plans can be made and implemented right out in the field (with Caltrans oversight).

Ultimately, \$14 million went to TE projects implemented by Corps and the rest in bike/ped. However, after this process FHWA determined that projects done with ARRA funding cannot use Corps and must go through a low-bid contracting process with contractors who pay Davis-Bacon wages. This bumped bicycle and pedestrian projects to the top of the list, and many STIP projects were swapped out to be done with ARRA funds. There is ongoing contention in California over this as it violates the State law dictating that TE projects should be selected with Corps participation as the top priority.

Implementing ARRA is a work in progress, but it will likely use the \$29 million statewide pool for bike/ped. There has been huge demand for these projects across the State — Los Angeles County alone had \$88 million in applications. Most MPOs are experiencing 2 to 3 times the number of anticipated applications, and the State had no problem meeting the use-it-or-lose-it 50% obligation deadline of 180 days after the apportionment. California now hopes to receive even more TE funds next year after the 12 month deadline from other States that do not obligate all of their funds.

Pat Fisher: Oregon's TE funds from ARRA total \$10 million. Her office already had an internal short list of known needs from the just-completed selection cycle in November, pending commission approval. They looked at the projects which had just missed the cut, and could meet the timeframe, as well as reviewed previous selection cycle projects that didn't reapply. By working with local agency staff in regional offices, she was able to quickly gather information about "shovel-ready" eligible projects. There was no open solicitation, but the transportation enhancement advisory committee was involved. Oregon usually has an extremely open project selection process that includes a public comment period, and public comments are part of the selection criteria. For ARRA funds, however, the top criterion was readiness.

There were 5 types of projects to consider:

- 1) Already in construction – change order?
- 2) Already on bid calendar – augment projects, extend or add phases?
- 3) Currently in PE – change order?
- 4) New projects from recent selections (08 and 06) – good technical scores could get built quickly?
- 5) Trail overlays – equivalent to road overlays, particularly for past TE trails

Ms. Fisher's analysis identified \$50 million in projects that could have a possible 2009 delivery or 2010 delivery. The ARRA legislation mentions prioritizing projects in economically distressed areas, and Oregon has indexed this for each county in the State. The selection committee identified focus areas, and then looked at the technical scores of the projects to judge readiness, selecting 10 projects and one alternate on the basis of discussion rather than the usual additional round of scoring. The Transportation Commission accepted this process and agreed to the selections, which include:

- 1) Add lighting to a project already under construction
- 2) Lead paint encapsulation of a bridge (\$3.5 million)

As of June, half of the projects were obligated and going to bid. However, they then discovered that bids were coming in low and each project did not require as much money as previously thought. There are thus additional funds available and some alternate projects are being activated. It has yet to be decided whether open solicitation, targeted solicitation, or additional already-known needs will be used to generate the alternates. If bids continue to come in low, DOT-generated projects can be used as needed to meet the use-it-or-lose it 12 month deadline.

The DOT is prepared to oversubscribe the ARRA dollars and then backfill with normal TE apportionments if necessary in future years.

The stimulus experience provided a number of lessons for the future:

- 1) Streamlining the agreements process, with contracts exchanged via PDF rather than postal mail
- 2) Batch categorical exemptions – paving, signal, and lighting

- 3) Fund exchange – State for Federal, why impose Federal regulations on smallest communities? If additional Federal funds are available to do some projects, that may free up state dollars to do other projects.

Question & Answer

Q: Can previously obligated projects use ARRA funds?

A: You can do change orders to obligated projects. If the change orders are “of a similar nature” and “already cleared,” and you are just adding additional money, not from the original funding source, then you can do it. There is a 20% threshold for STIP amendments and change orders.

Q: What is the fastest way to spend funds?

A: Change orders. But there are not enough active projects to use all ARRA money, plus there is a desire to spread the wealth. Thus readiness is the first factor, but not the only factor. The point of the Recovery Act is to create jobs, which should be spread around.

Q: What match did you require (Federal law does not require any match for ARRA)?

A: VT: 20%; CA: 0%; OR: 0%. Most States did 100% Federal.

One can always obligate 80% and then offer more flexibility with the match later, because you won't be able to switch the budget the other way (i.e. require matching funds after the fact). However, some TE managers pointed out that this is unfair for non-100% TE in other years. In order to maintain consistency across all programs, Vermont is requiring local match for all ARRA.

Some other TE managers briefly shared their experiences, indicating the likelihood (or un-likelihood) that any funds from their State would be available for redistribution after 12 months. Other stimulus-related funding sources for TE-type projects were discussed, but it was generally agreed that there is less capacity and interest at the local level in going after those funds (people are more familiar with the TE program).

The question of job creation and what reporting procedures are being implemented came up. Some States are using payroll reporting, and others are having contractors reporting the number of people on projects. The general sense is that it is possible that TE projects are more labor-intensive than many others, but the group was unsure if there would be any way to track this.

A Review of Peer State TE Practices

Jim Cope, Executive Office of Transportation – Office of Planning, Massachusetts
Dr. Thomas Gotschi, Rails-to-Trails Conservancy

Jim Cope:

This session presented the ongoing work of a group that is working to reform the Massachusetts Transportation Enhancement program. Currently, Massachusetts is ranked last in TE obligation rates nationwide. The team that has been put together to research the issues with the current MA program and to design a new program consists of:

- Planners Collaborative – consulting (Jim Purdy) contract in February
- Rails-to-Trails Conservancy – survey of TE best practices
- TransSystems – technical assistance to currently “stuck” TE projects in the state

The goal of the project is to restructure the TE program. The project began with in-state research that included interviews of many stakeholders inside and outside the program. The project just completed a survey of the best practices of other states that may in some way be considered as (or MA may aspire to have as) peer states.

The TE program got off to a strong start in 1995 with a large number of applications to the program. However, by 1999 through the present day, the number of applications is down to almost none. The TE program in MA did not start until 1995 because there was no Surface Transportation Program in the state during the first years of ISTEA. Instead, MA received "Interstate Completion" funds for the final segment of the nationwide interstate highway system, which some of us know today as "the Big Dig."

Thus, by 1995 there was pent-up demand for TE. A lot of money was programmed during the last years of ISTEA, but TEA-21 cut MA apportionments in half. The "Big Dig" was capped by the federal government, and the difference had to be borne by the state. This was done through "Grant Anticipation Notes" which leaves MA with loans to pay off until 2016, using federal funds as they come in annually. Thus, 28% of all federal funds are gone each year to this debt. This has an impact on all other transportation planning in the state, including TE. As a further challenge, MPOs in the state have not been programming TE, even though the funds are sub-allocated to them, and even though it is a "mandatory" set-aside. Small apportionments, rescissions, and a negative net obligation in 2007 add up to a TE program with a very low obligation rate of 36.3%, which is far below all other states.



Thus, the goals of the TE Improvement Project are to address the low obligation rate, encourage more TE applications, reduce long implementation times, and help "stuck" projects. The current state leadership has shown initiative in taking on this project.

Dr. Thomas Gotschi:

As part of this project, RTC and NTEC undertook a national survey of TE programs, followed by in-depth interviews with 9 peer states to elicit their successful practices. The interview states were chosen based on the documented success of their programs, as well as some similarity and/or proximity to MA.

The TE programs of the interview states reflect a diversity of spending patterns and objectives for their TE programs. Some have very high obligation rates that are consistent over time, but others have been through ups and downs. Some have lower obligation rates, but have accomplished many high-impact, high-quality TE projects. The interview states were: New Hampshire, Ohio, Florida, Maryland, Pennsylvania, Rhode Island, Oregon, Michigan, and Connecticut.

The survey and interviews covered staffing, program structure, project solicitation and selection process, implementation, and some other miscellaneous issues. One major finding of the project was that successful TE programs vary in their staffing and structure: some are well-staffed and located in a central DOT office, while others do not receive any exclusive staff time and/or are decentralized. What successful TE programs have in common is clear oversight and management of the program by experienced staff who are familiar with the program's idiosyncrasies, adequate staff support by either a smaller number of full-time staff or a larger number of percentage-time staff, and experience. The TE program has a steep learning curve, both in terms of the rules of the program itself and in developing a good system for working with project sponsors.

Based upon the collected data, the following elements are crucial for a successful TE programs:

- Adequate, experienced staff who have a thorough understanding of the TE program that guides their administration and communication about the program. In the case of a decentralized

program structure, state-level staff must still provide oversight, guidance, and coordination between federal and other state-level agencies.

- A predictable, typically one-year, application cycle that is synchronized with the STIP and TIP programming cycle.
- A transparent project application process, including full online availability of documents and forms, clear definition of eligibility requirements, and explicit guidelines for a successful application.
- Extensive and regular provision of training and technical assistance to project sponsors.
- Ongoing communication between project partners and clearly defined progress milestones.

Further elements that can help the success of TE programs are:

- A two-tiered project selection process that distinguishes technical feasibility from benefits, merit, or desirability of projects.
- Scoring, ranking, or other quantitative or semi-quantitative project selection processes.
- A system for public participation, conditional commitment of construction funds pending local match requirements and 100% design, and phased funding of project development costs.

Practices to avoid, on the other hand are:

- A lack of oversight and communication with sponsors and consultants.
- Unnecessary requirements, reporting, and paperwork.

Other Findings

- Roughly 50% of TE programs use some kind of ranking or scoring system to quantitatively evaluate potential TE projects
- 12 states allow NGOs to co-sponsor or directly sponsor projects
- Pre-applications and sponsor training are growing in popularity as practices to improve the quality of TE projects, especially with regards to project scoping, cost estimates, federal requirements, and permitting
- A TE program can be strengthened in a variety of ways by getting involved with high-profile state priorities or governor's initiatives related to the environment, economic development, etc
- Approximately 25% of TE programs do not fund design or engineering phases
- There is a great deal of interest in developing and improving TE specific handbooks for implementation
- A lack of oversight and communication with sponsors and consultants.
- Ways to reduce the administrative burden on small projects are desirable, but if they are not possible, a minimum project size should be considered

NTEC's goal is to develop a "Best Practices for TE Guide" to be released in 2010.

Federal Highway Administration Q&A II

Christopher Douwes, Federal Highway Administration

Mr. Douwes opened the Q&A with some preliminary remarks. At the Southeastern Equestrian Trails Conference, some States thought that TE projects had to exclude equestrian use. However, if equestrians are there, States generally have no legal right to kick them off. See [Equestrian and Other Nonmotorized Use on Bicycle and Pedestrian Facilities](#).

Mr. Douwes highlighted a TE project from Florida: the "Land Bridge" over I-75 south of Ocala (there is another less fancy land bridge over I-95 north of Palm Coast). While the highways had previously been significant transportation barriers, the new land bridges created crossings that are used by people, horses, deer, and bears. They are both Category 1 and 11 projects.

Mr. Douwes distributed handouts on wetland design resources; Section 4(f); the National Scenic and

Historic Trails program; and Pathways Across America, a publication for National Scenic and Historic Trails. He gave a general pitch encouraging collaboration between Federal programs at the State DOT level, and requested that TE Managers work with NTEC to get their best projects into the [Image Library](#).

Q&A Discussion

Q: Concerning the potential redistribution of Recovery Act funds, will TE funds retain their TE character at 1-year redistribution point?

A: Yes. The ultimate total of \$800 million in ARRA for TE will hold. In order to receive any redistributed funds, States will need to have obligated 100% of all ARRA STP funds.

Q: Bike/ped: For pedestrian projects, is there no transportation purpose requirement?

A: Section 217(i) states: Transportation Purpose.—No bicycle project may be carried out under this section unless the Secretary has determined that such bicycle project will be principally for transportation, rather than recreation purposes. This requirement only affects bicycle projects. It does not require a transportation purpose for pedestrian, equestrian, or any other use. If the project is a rail-trail, then relationship to transportation was the rail corridor. There is no bicycle transportation requirement for rail-trails. Other trails should have logical termini – they should get you from point A to point B. However, planners can phase projects so that they don't go all the way from A to B at once as long as future plans are in place. In addition, the destination (point B) can be a recreational facility. In order to ensure that phasing works out as planned, one way is to threaten to pull the original money if the final phase is not built.



Q: Easement question: land is not scenic, used to be gas station (near Rhode Island Ave and Eastern Ave in DC) – can we use TE to purchase land and landscape for a gateway?

A: Yes, if within a Federal-aid highway right of way. Also, it can be done as a landscaping project (Category 5) and not as a scenic acquisition (Category 3).

Q: CA: Is a degraded site in scenic area OK for acquisition to restore to scenic status – under Category 3?

A: If you are buying the easement, you end up paying 100% value often times, so you should just buy the property.

Response: If you buy the easement, it stays on the tax rolls, so that may be more desirable from a local perspective.

Q: With regards to highway pull-offs: what is the relationship to transportation? (Cat 4)

A: The pull-offs may contain interpretation that documents and preserves something related to transportation history – for example the Virginia Civil War Trail. Alternatively, under Category 4 scenic overlooks are OK even when they are not on designated scenic highways, because the purpose of the pull-off is to enhance the travel experience. With regard to visitor centers, the concern is not so much the relationship to surface transportation as knowing how the visitor center will be staffed and who will be responsible for ongoing maintenance.

Q: Can TE funds be used to purchase equipment for trail construction?

A: Yes. TE funds cannot be used for maintenance, so they can't be used to buy maintenance equipment, but they can be used to buy construction equipment. However, it may make more sense to lease for short-term use. Documentation must be kept for any equipment purchased.

Q: Can TE funds be used to develop bicycle master plans?

A: This should be done using statewide or metropolitan planning funds. However, this is distinct from Landscaping Master Designs (see breakout session), whose goal is to create continuity and streamline the design process for future landscaping projects. Some TE projects, such as wildlife crossing projects – may also create master planning or implementation documents, where TE funds are used to do a survey to find out where animals are crossing. However, general planning is not a TE activity. Some might argue that bicycle master planning fits under Category 2, because creating bicycle master plans can improve safety for riders by identifying which routes they should be using. However, most bicycle master plans don't actually do this – they are more like a wish list of bicycle infrastructure improvements that may or may not ever be implemented.

Q: What is the difference between a pedestrian vs. transit enhancement for bus shelters, curb pullouts, etc.?

A: Bus shelters are a pedestrian amenity – the person is on the ground. If it is part of larger sidewalk project, bus shelters are eligible. However, States have the right to set parameters. If the project is on property owned by the transit system, it should probably be considered a transit project and not a TE project.

Q: Can a statewide birding and wildlife trail be eligible under Category 4, scenic or historic highway programs?

A: This has been done in Wisconsin and Washington. Vermont turned down physical improvement of sites, but allowed signage – generally the State can choose to say no, or just say yes to something like web development of a birding trail, with TE paying for initial research and publication and a local group agreeing to maintenance. If yes, the trail must be an organized route. On a side note, there are 6 intrinsic qualities for scenic highways (see point 7 [here](#)) and one of them is natural quality (including wildlife).

Balancing the System of Livability

Gabe Klein, District of Columbia Department of Transportation

Gabe Klein started the presentation by welcoming the out-of-town participants to Washington, DC. Mr. Klein said that his agency (DDOT) is fully committed to reducing congestion and improving the quality of life for residents, workers and visitors by investing in numerous transportation choices. According to the Metropolitan Washington Council of Governments, auto trips fell from 44% to 37% of daily trips between 1994 and 2007 and now transit/walk/bike trips account for 46% of daily trips.

Mr. Klein said he is extremely proud of those statistics but still wants to improve them. To this end, DDOT has undertaken a number of programs to help us realize a safe, affordable, and efficient multi-modal transportation system. As an overview of the efforts, he shared photos of several infrastructure, bike, transit and carsharing projects that are underway to improve mobility and accessibility in Washington, DC. The projects mentioned were: the Bike Station at Union Station, the SmartBike (the first self-service public bike rental program in the U.S.), the DC Bike Ambassador education program, the Metropolitan Branch Trail, the Circulator Bus, the return of DC's streetcar system, the electric car initiative with plans for on-street car charging stations, carsharing, and public education and involvement activities such as Car Free Day and Feet in the Street.

Bicycling is a way of life for thousands of DC residents and visitors. More than 35% of DC households don't own a car, and more than half of all DC residents get to work without a car. The District's Bicycle Master Plan calls for an additional 150 miles of signed bicycle routes and 60 miles of bicycle lanes by 2015.

Other amenities to help increase the percentage of bike trips include the SmartBike bikesharing program and the new Bike Ambassador Program. Mr. Klein mentioned that the city hopes to expand the SmartBike Program from 10 to 100 kiosks over the next 12-18 months. He said that DDOT's newest program (which

will be up and running shortly) was inspired by similar program in Chicago and Philadelphia to educate both bicyclists and motorists on safe cycling behavior. The Ambassadors will serve as the diplomatic arm for the bicycling community and will promote bicycling and bicycle safety through a number of avenues.

Mr. Klein also noted a new initiative to improve pedestrian safety. Earlier in the day, DDOT had unveiled its first Hawk Signal, making it one of the first jurisdictions to embrace it. The Hawk is a hybrid signal (a cross between a beacon and a full signal) and will be placed at high priority areas to improve pedestrian safety.

Mr. Klein also talked about the D.C.'s newest transit mode, the Circulator Bus. The Circulator, which was established in 2005, has grown from two to five routes running through the city with 10 minute headways. Mr. Klein said that the Circulator is another great example of DDOT's commitment to providing easy and affordable alternative transportation.

He also talked about DDOT's partnership with Zipcar to establish a network of privately-owned vehicles that are rented by the hour or day. Carsharing provides the mobility of a car without the expense and hassle of car ownership. DDOT has provided strategically-placed curbside parking spaces for the exclusive use of these low-emission, environmentally-friendly vehicles. Mr. Klein said that by 2050 he hopes that half of the cities parking spaces will be occupied by carsharing vehicles.

Mr. Klein emphasized that multimodal stations (with the elements of transit, bikesharing/bike facilities, walking, carsharing, parking and charging, and real time info) tie into the District's vision of livability. He said that DDOT was able to accomplish much of this through Transportation Enhancement-funded projects. He said he looks forward to continue their efforts in decreasing congestion and increasing the quality of life for all of those in the District of Columbia.

Mobile Workshop: TE in the District of Columbia

Because the District of Columbia is less than 10 miles wide, the mobile workshop examining TE in the city was able to visit three different projects. The first stop on the workshop was the Q Street Bridge (also known as the Dumbarton Bridge) which connects the Georgetown and Dupont Circle neighborhoods over the canyon of Rock Creek Park.



The bridge was built in 1914/15 and is in the National Register of Historic Places. Many of the significant components of the transportation infrastructure of Washington DC contain monumental elements, such as statues located in the center of traffic circles. In this case, the bridge is guarded by [four large sculptures of buffaloes](#), originally cast in bronze by Alexander Phimister Proctor. Over the decades, weathering and acid rain corroded the bronze and turned the buffaloes a greenish color, obscuring much of the original detail in the bronze castings. In 2006, the buffaloes were restored to their original glory and protected with a wax coating using \$49,890 in TE funds.

The TE program manager for DC, Colleen Hawkinson, detailed the selection and procurement process for the buffalo restoration project (pictured left). There were several questions about maintenance, which in this case is handled by the District Department of Transportation (DDOT). This project was the beginning of the major theme for the mobile workshop, which is that DDOT successfully partners with local 501(c)(3) and 501(c)(6) groups for most of its TE projects. In this case, the Dupont Circle Conservancy and the Georgetown Citizens Association applied for the TE

funds and raised the matching funds for the project.

The group then visited the site of a future TE project in the Farragut Square neighborhood. This project will be the construction of a new landscaped median in Connecticut Avenue and streetscaping of the pedestrian environment on both sides of that street in the blocks closest to the Farragut North Metro Station. DDOT ward planner Christopher Zeimann explained to the group that the motivation for the project was that the Farragut North station is the busiest Metro station in the entire system, and therefore merits improved facilities for the tens of thousands of travelers that access the station on foot every day. In this case the local sponsor of the project is the Golden Triangle Business Improvement District (BID). Ms. Hawkinson explained how BIDs can be very successful partners for implementing TE. In the case of this project, the BID funded and completed design up through construction documents prior to applying to the TE program for construction funds. The BID has also agreed to maintain the project upon completion.

The Business Improvement District is a model that began in Los Angeles, took root in New York, and has since been imitated nationwide. Under this model, which requires authorizing legislation, businesses in a geographic area may come together and petition the governing municipality to create the BID. If the local government determines that a majority of businesses want the BID, an additional tax is imposed in the defined area. This tax may be on properties, businesses, or consumers. The BID is governed by a board composed of some combination of local business representatives, property owners, and government officials. Typically BIDs provide services that supplement existing municipal services in the area, ranging from street cleanup and trash collection to security patrols, capital improvements,



marketing, and event staging. Because the BIDs are created through legislation, they are established as lasting entities that have the budget and institutional capacity to develop and maintain TE projects.

At the final project, participants had the opportunity to meet with the original project sponsor, who shared information about the project and her experience with the TE program from the other side. The project is a [walking tour of downtown Washington, DC](#) which guides pedestrians on a trip from the National Mall through the Chinatown and Penn Quarter neighborhoods. This innovative TE project enhances the pedestrian environment by combining “story-telling with historic images” on a series of large interpretive panels placed strategically on a walking route. Jane Freundel Levey, the Director of Heritage Programs for Cultural Tourism DC (a 501(c)(3)), guided participants through the tour (pictured left) and answered questions on the breakdown of costs associated with the development of this type of TE project, including historical research, writing, panel

fabrication, placement, and printing of an initial run of accompanying map guides.

SUMMARY AND CONCLUSIONS

The now-annual TE Professional Seminar is an essential part of the many practices that have combined to make the TE program a transparent, efficient, and high-impact federal program. This year’s seminar set a new standard for exchanging state-of-the-art best practices. Just as TE projects are themselves innovative, and bring a human, livable element to our transportation infrastructure, TE programs are constantly evolving and the key to that is the people involved.

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